
STATUTES OF CALIFORNIA

REGULAR SESSION

1960

Began Monday, February 1, 1960, and Adjourned
Saturday, March 26, 1960

STATUTES OF CALIFORNIA

PASSED AT THE 1960 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

An act to amend Sections 23153, 23184, 23221 and 25552 of the Revenue and Taxation Code, relating to taxation of credit unions, to take effect immediately.

[Approved by Governor April 11, 1960 Filed with
Secretary of State April 12, 1960]

In effect
Immediately

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

SECTION 1. Section 23153 of the Revenue and Taxation Code is amended to read:

23153. Every corporation not otherwise taxed under this chapter and not expressly exempted by the provisions of this part or the Constitution of this State shall pay annually to the State a tax of one hundred dollars (\$100), except that a credit union not otherwise taxed under this chapter whose gross income is twenty thousand dollars (\$20,000) or less shall pay annually to the State a tax of twenty-five dollars (\$25). Corporations:
Tax

Every such domestic corporation taxable under the preceding paragraph shall be subject to the said tax from the date of incorporation until the effective date of dissolution as provided in Section 23331.

SEC. 2. Section 23184 of said code is amended to read:

23184. Financial corporations may offset against the franchise tax the amounts paid during the income year to this State or to any county, city, town, or other political subdivisions of the State as personal property taxes, or as license fees or excise taxes for the following privileges: Offsets

(a) Operating as personal property brokers or brokers as defined in the Personal Property Brokers Act.

(b) Operating motor vehicles under Part 5 of this division.

(c) Engaging in the business of loaning money, advancing credit, or loaning credit or arranging for the loan of money or advancing of credit or loaning of credit.

(d) Storing, using or otherwise consuming in this State of tangible personal property by savings and loan associations.

The tax on financial corporations after the allowance of offset shall not be less than 5.5 percent of its net income for the preceding income year nor less than the following minimum tax:

(1) In the case of financial corporations, other than credit unions whose gross income is twenty thousand dollars (\$20,000) or less, one hundred dollars (\$100).

(2) In the case of credit unions whose gross income is twenty thousand dollars (\$20,000) or less, twenty-five dollars (\$25).

SEC. 25 Section 23221 of said code is amended to read:

New
corporations
minimum tax

23221. A corporation which incorporates or organizes under the laws of this State or qualifies to do business in this State shall thereupon prepay the minimum tax provided in Section 23153, except that any credit union shall thereupon prepay a tax of twenty-five dollars (\$25). The prepayment shall be made before the corporation files with the Secretary of State its articles of incorporation or a duly certified copy thereof.

SEC. 3. Section 25552 of said code is amended to read:

Banks and
financial
corporations

25552. In the case of taxpayers subject to the tax imposed by Article 3 of Chapter 2, there shall be due and payable, on or before the 15th day of the third month following the close of the income year, from each such taxpayer as a first installment of the tax a percentage of its net income as disclosed by its return, which is equal to that percentage of the net income of corporations subject to the tax imposed by Article 2 of Chapter 2 which is required to be paid to this State as a franchise tax according to or measured by net income. The first installment of the tax on financial corporations, other than credit unions whose gross income is twenty thousand dollars (\$20,000) or less, shall not be less than the minimum tax of one hundred dollars (\$100). The first installment of the tax on credit unions whose gross income is twenty thousand dollars (\$20,000) or less shall not be less than a minimum tax of twenty-five dollars (\$25).

Minimum tax

SEC. 4. If the income year of a credit union ended on or before the effective date of this act, the minimum tax shall be one hundred dollars (\$100). If, however, the income year of a credit union whose gross income is twenty thousand dollars (\$20,000) or less ends after such date, the minimum tax shall be twenty-five dollars (\$25).

Tax levy

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

CHAPTER 2

An act to amend Section 24405 of the Revenue and Taxation Code, relating to deductions permitted to co-operative associations under the Bank and Corporation Tax Law.

In effect
June 25,
1960

[Approved by Governor April 11, 1960 Filed with
Secretary of State April 12, 1960.]

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

SECTION 1. Section 24405 of the Revenue and Taxation Code is amended to read:

24405. In the case of other associations organized and operated in whole or in part on a co-operative or a mutual

basis, all income resulting from or arising out of business activities for or with their members carried on by them or their agents; or when done on a nonprofit basis for or with nonmembers; provided, however, that the deduction allowable under this section shall not apply to such co-operative or mutual associations whose income is principally derived from the sale in the regular course of business of tangible personal property other than water, agricultural products, or food sold at wholesale.

For the purposes of this section "food sold at wholesale" means a sale of food to anyone engaged in the business of selling food who holds a seller's permit issued pursuant to Section 6066, and who at the time of purchasing the food either:

- (1) Intends to sell it in the regular course of business; or
- (2) Is unable to ascertain at the time of purchase whether the food will be sold or used for some other purpose.

SEC. 2. The amendments made at the 1960 Regular Budget Session of the Legislature to Section 24405 of the Revenue and Taxation Code shall be applicable only with respect to income years beginning after December 31, 1959.

The determination as to whether income derived by the associations described in Section 24405 from the sale of agricultural products and food at wholesale is included in the measure of the tax for any income year beginning before January 1, 1960, shall be made as if Section 24405 had not been amended at the 1960 Regular Budget Session of the Legislature. The Legislature does not intend any contrary inferences to be drawn from the fact that this amendment was not expressly made applicable with respect to income years beginning before January 1, 1960.

CHAPTER 3

An act to amend Sections 8590, 8610, and 8674 of, add Section 8613 to, and repeal Section 8634 of, the Business and Professions Code, relating to the practice of structural pest control.

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960]

In effect
June 25,
1960

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

SECTION 1. Section 8590 of the Business and Professions Code is amended to read:

8590. All licenses and principal and branch office registrations issued under the provisions of this chapter shall expire on June 30th of each year.

Expiration-
Renewal,
fees

Every operator and every field representative shall pay an annual fee for the renewal of his or its license and for renewal of principal and branch office registrations, if any.

The board shall on or before the first day of June of each year mail to each operator and field representative, addressed to him at his last known address, a notice that his renewal fee or fees are due and payable and that, if not paid by the thirtieth of June, a penalty will be added thereto.

In no case shall the penalty be waived.

Upon the receipt of the fee or fees, the board shall cause the renewal certificate or certificates to be issued.

SEC. 2. Section 8610 of said code is amended to read:

“Principal office”

8610. Each licensed operator under the provisions of this act, except operators in the employ of another operator, shall be required to have and maintain a definite place of business in this State which shall serve as his office for the transaction of business. Such office shall be known as his “principal office.”

Commencing August 1, 1960, no operator shall engage in the practice of structural pest control in this State in his own behalf without first having registered his principal office with the registrar in the manner required by the board and having paid the principal office registration fee prescribed by this chapter.

SEC. 3. Section 8613 is added to said code, to read:

Notice of change in location of principal office
Repeal

8613. An operator who changes the location of his principal office or any branch office shall notify the registrar in writing of such change within 30 days thereafter.

SEC. 4. Section 8634 of said code is repealed:

SEC. 5. Section 8674 of said code is amended to read:

Fee schedule

8674. The amount of the fees prescribed by this chapter is that fixed by the following schedules:

Duplicate license -----	\$2
Change of name -----	2

	Minimum	Maximum
Operator’s examination -----	\$10	\$25
Operator’s license -----	25	50
Renewal operator’s license -----	25	50
Principal office registration -----	25	50
Renewal principal office registration -----	25	50
Branch office registration -----	10	25
Renewal branch office registration -----	10	25
Field representative’s examination --	5	15
Field representative’s license -----	5	15
Renewal field representative’s license -----	5	15

In the foregoing schedule, where a minimum and maximum amount is set forth, the board with the approval of the director shall determine and set the fee to be paid.

Operative date

SEC. 6. This act shall become operative August 1, 1960.

CHAPTER 4

An act to amend Sections 6750, 6756, 6763, 6799, 8740, 8803, 8804.5, and 8805 of, and add Sections 6763.5 and 8748.5 to, the Business and Professions Code, relating to professional engineers and land surveyors.

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960.]

In effect
June 25,
1960

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

SECTION 1. Section 6750 of the Business and Professions Code is amended to read:

6750. An application for registration as a professional engineer or certification as an engineer-in-training shall be made to the board on the form prescribed by it and shall specify the branch of professional engineering in which the applicant desires registration, with all statements therein made under oath, and shall be accompanied by the application fee fixed by this chapter. Application

SEC. 2. Section 6756 of said code is amended to read:

6756. An applicant for certification as an engineer-in-training shall, upon making a passing grade in that division of the examination prescribed in Section 6755 of this chapter, relating to fundamental engineering subjects, be issued a certificate as an engineer-in-training. No renewal or other fee, other than the application fee, shall be charged for this certification. Such certificate shall become invalid when (a) the holder has qualified as a professional engineer as provided in Section 6762 of this chapter; or (b) on the 30th day of June of the 11th year after date of issuance, if the holder has not at that time secured registration as a professional engineer. Certificate of registration

SEC. 3. Section 6763 of said code is amended to read:

6763. Application for authority to use the title, "structural engineer," shall be made to the board on forms prescribed by it and shall be accompanied by the application fee fixed by this chapter. Right to use title "structural engineer"

An applicant for authority to use the title "structural engineer" who has passed the examination prescribed by the board, upon the payment of the certificate of authority fee fixed by the chapter, which fee shall be retained for the board, shall have a certificate of authority issued to him.

SEC. 4. Section 6763.5 is added to said code, to read:

6763.5. If an applicant for registration as a professional engineer or certification as an engineer-in-training, or for authorization to use the title "structural engineer," is found by the board to lack the qualifications required for admission to the examination for such registration, certification, or authorization, the board shall, notwithstanding the provisions of Section 158 of this code, refund to him one-half of the amount of his application fee. Refund of application fee refusal of certification

SEC. 5. Section 6799 of said code is amended to read:

Schedule
of fees

6799. The amount of the fees prescribed by this chapter shall be fixed by the board in accordance with the following schedule:

(a) The fee for filing each application for registration as a professional engineer at not less than twenty-five (\$25) and not more than forty dollars (\$40), for authority to use the title "structural engineer" at not less than thirty dollars (\$30) and not more than fifty dollars (\$50), and for each application for certification as engineer-in-training at not less than fifteen dollars (\$15) and not more than twenty-five dollars (\$25).

(b) The registration fee for professional engineer at not less than ten dollars (\$10) and not more than fifteen dollars (\$15) for each certificate issued.

(c) The duplicate certificate fee at not less than one dollar (\$1) and not more than three dollars (\$3).

(d) The temporary registration fee for professional engineer at not less than ten dollars (\$10) and not more than fifteen dollars (\$15).

(e) The structural engineer's certificate of authority fee at not less than ten dollars (\$10) and not more than fifteen dollars (\$15).

(f) The annual renewal fee for professional engineer shall be fixed by the board at not more than eight dollars (\$8) and not less than four dollars (\$4) for each branch of professional engineering in which registration is held; and the annual renewal fee for authority to use the title "structural engineer" at not less than three dollars (\$3) and not more than eight dollars (\$8).

Penalty for
delinquency

(g) The penalty for delinquency of the annual renewal fee is an amount equal to such annual renewal fee

Applicants wishing to be examined in more than one branch of engineering shall be required to pay the additional fee for each examination after the first.

SEC. 6. Section 8740 of said code is amended to read:

Application

8740. An application for a license as a land surveyor shall be made to the board on the form prescribed by it, with all statements therein made under oath, and shall be accompanied by the application fee fixed by this chapter.

SEC. 7. Section 8748.5 is added to said code, to read:

Refund of
application
fee to
unsuccessful
applicant

8748.5. If an applicant for license as a land surveyor is found by the board to lack the qualifications required for admission to the examination for such license, the board shall, notwithstanding the provisions of Section 158 of this code, refund to him one-half of the amount of his application fee.

SEC. 8. Section 8803 of said code is amended to read:

Restoration
of license
after
expiration

8803. Any license which has expired for nonpayment of the annual renewal fee fixed by this chapter may be restored, within one year from its expiration under rules and regulations prescribed by the board and by payment of the delin-

quency fee prescribed by this chapter in addition to the annual renewal fee.

SEC. 9. Section 8804.5 of said code is amended to read:

8804.5. Except as provided in Section 8748.5, the department may make refunds of all fees in accordance with Section 158 of this code.

SEC. 10. Section 8805 of said code is amended to read:

8805. The amount of the fees prescribed by this chapter shall be fixed by the board in accordance with the following schedule: Schedule
of fees

(a) The application fee at not less than twenty-five dollars (\$25) and not more than forty dollars (\$40).

(b) The license fee at not less than ten dollars (\$10) and not more than fifteen dollars (\$15).

(c) The duplicate certificate fee at not less than one dollar (\$1) and not more than three dollars (\$3).

(d) The annual renewal fee shall be fixed by the board at not more than eight dollars (\$8) and not less than four dollars (\$4).

(e) The temporary license fee at not less than ten dollars (\$10) and not more than fifteen dollars (\$15).

(f) The delinquency fee is an amount equal to the annual renewal fee.

SEC. 11. This act shall become operative August 1, 1960. Operative
date

CHAPTER 5

An act to amend Sections 1 and 2 of Chapter 7 of the Statutes of 1956, to provide revenue by authorizing the transfer of certain state property.

[Approved by Governor April 15, 1960. Filed with
Secretary of State April 15, 1960.]

In effect
June 25,
1960

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

SECTION 1. Section 1 of Chapter 7 of the Statutes of 1956 is amended to read:

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

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

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

(b) The Director of Finance shall transfer to the Tuolumne Recreation and Park District for a purchase price of three

thousand dollars (\$3,000) payable (notwithstanding Section 5784.22 of the Public Resources Code) at the rate of three hundred dollars (\$300) a year for a period of 10 years, the following parcel of real property:

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

The Director of Finance shall transfer the Basin Creek Hatchery subject to the condition that the property shall revert to the State when no longer used for a public purpose.

SEC. 2. Section 2 of said chapter is amended to read:

Sec. 2. All money received from the sale of Parcels 1 and 2 shall be deposited in the Motor Vehicle Fund. Any money received from the sale of the Basin Creek Hatchery shall be paid into the Fish and Game Preservation Fund.

CHAPTER 6

An act authorizing the Director of Finance to dispose of property belonging to the State.

In effect
June 25,
1960

[Approved by Governor April 15, 1960. Filed with
Secretary of State April 15, 1960.]

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

State real
property:
disposal

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 interest of the State, all or any part of the following real property:

Parcel 1. Approximately 7.432 acres of real property located in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 15 North, Range 8 East, MDB&M, in the County of Nevada, State of California, being a portion of the Wolf Creek Mountain Lookout.

Parcel 2. That 4-acre portion of the Mendota Waterfowl Management Area lying north of the Southern Pacific right of way and south of State Highway Route 180, being a part of Section 9, Township 14 South, Range 15 East, MDB&M, in the County of Fresno, State of California.

Parcel 3. Approximately .44 acre of real property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 1 North, Range 6 West, MDB&M, County of Marin, State of California, being that portion of San Quentin Prison property lying north of State Highway Route 69A.

Parcel 4. Approximately 20 acres of real property at Metropolitan State Hospital, being a portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 3 South, Range 11 West, SBBM, in the County of Los Angeles, State of California.

Parcel 5. Approximately 4.16 acres of real property lying immediately south of Louis Park in the City of Stockton, County of San Joaquin, State of California, being a portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 1 North, Range 6 East, MDB&M.

Parcel 6. Approximately 6 acres of real property being the northerly 150 feet of Tinsley Island which is located in that portion of the Stockton Deep Water Channel, County of San Joaquin, State of California, lying within Sections 11 and 12, Township 2 North, Range 4 East, MDB&M.

Parcel 7. Approximately 563 acres of real property lying south of Imola Avenue and west of State Highway Route 29 in the City of Napa, County of Napa, State of California, being a portion of the Napa State Hospital.

SEC. 2. 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. Costs

SEC. 3. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act, shall be delivered to the State Lands Commission.

SEC. 4. Prior to the sale of parcels of property for value pursuant to this chapter, notice thereof shall be posted on the property to be sold and 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. Notice

SEC. 5. Subject to Section 2 hereof, any moneys received from the sale or other disposition of said property shall be paid into the General Fund, except that proceeds from the sale or other disposition of Parcel 2 above shall be paid into the Wildlife Restoration Fund. Proceeds' Distribution

CHAPTER 7

An act to amend Section 681 of the Harbors and Navigation Code, relating to small boat fees.

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960]

In effect
June 25,
1960

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

SECTION 1. Section 681 of the Harbors and Navigation Code is amended to read:

681. (a) The owner of each vessel requiring numbering by this State shall file an initial application for number with

the Department of Motor Vehicles or an agent authorized by the Department of Motor Vehicles on forms approved by the commission. The application shall contain the name and address of the owner, and of the legal owner if any. The application shall be signed by the owner of the vessel and shall be accompanied by a fee of five dollars (\$5). Upon receipt of the application in approved form, the Department of Motor Vehicles shall issue a certificate of ownership to the legal owner and a certificate of number to the owner, or both to the owner if there is no legal owner, stating the number issued to the vessel and the name and address of the owner. The Department of Motor Vehicles shall forward the original application to the department. The owner shall paint on or attach to each side of the bow of the vessel the identification number in such manner as may be prescribed by rules and regulations of the commission in order that it may be clearly visible. The number shall be maintained in a legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever such vessel is in operation.

(b) The owner of any vessel already covered by a number in full force and effect which has been issued to it pursuant to then operative federal law or a federally approved numbering system of another state shall make application within thirty (30) days after the ninety (90) day reciprocity period provided for in Section 682. Such application shall be in a manner and pursuant to the procedure required for the issuance of a number under subdivision (a) of this section.

(c) Should the ownership of an undocumented vessel change, the existing certificate of ownership and a new application form accompanied by a fee of three dollars (\$3) shall be filed with the Department of Motor Vehicles and a new certificate of ownership and a new certificate of number shall be issued in the same manner as provided for in the initial issuance of number and the number shall be reassigned to the new owner.

(d) In the event that an agency of the United States Government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this article shall be in conformity therewith.

(e) The Department of Motor Vehicles may issue any certificate of ownership and certificate of number or temporary certificate of number directly or the Department of Motor Vehicles may authorize any person to act as agent for the issuance of a certificate of number. In the event that a person accepts such authorization, he may be assigned a block of numbers which upon issuance, in conformity with this article and with any rules and regulations of the commission, shall be valid as if issued directly by the Department of Motor Vehicles.

(f) All records of the commission, the department, and the Department of Motor Vehicles made or kept pursuant to this section shall be public records.

(g) Every certificate of number issued pursuant to this article shall continue in full force and effect for a period of three years unless sooner terminated, discontinued or extended in accordance with the provisions of this article. Certificates of number may be renewed by the owner on forms and in the manner set forth by the commission in consultation with the Department of Motor Vehicles. The fee for renewal shall be three dollars (\$3) and shall accompany the request for such renewal.

(h) The commission shall fix a day and month of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this article. The certificate of number initially issued to an owner under Sections 681(a) and 681(c) may continue in full force and effect for a period of three years from the date of the owner's birthday next occurring after the date the certificate of number is issued.

(i) If the initial application for number is not received by the Department of Motor Vehicles on or before the date set by the commission a penalty of one-half the fee shall be assessed. If a certificate of number is not renewed on or before the date on which it expires a penalty of one-half the fee shall be assessed.

(j) All money received, except moneys collected under Section 683, pursuant to this article shall be deposited in the General Fund.

(k) The owner shall furnish the Department of Motor Vehicles notice of the transfer of all or any part of his interest in an undocumented vessel numbered in this State pursuant to subdivisions (a) or (b) of this section, or of the destruction or abandonment of such undocumented vessel, within 30 days thereof. Such transfer, destruction, or abandonment shall terminate the certificate of ownership and certificate of number of such undocumented vessel, except, that in the case of a transfer of a part interest which does not affect the owner's right to operate such undocumented vessel, such transfer shall not terminate the certificate of number.

(l) Any holder of a certificate of number shall notify the Department of Motor Vehicles within 30 days, if his address no longer conforms to the address appearing on the certificate and shall, as a part of such notification, furnish the Department of Motor Vehicles with his new address. The Department of Motor Vehicles may provide for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

(m) No number other than the number issued to an undocumented vessel or granted reciprocity pursuant to this article

shall be painted, attached, or otherwise displayed on either side of the bow of such undocumented vessel.

(n) A fee of one dollar (\$1) shall be charged for a copy of certificate of number, certificate of ownership, or any application filed pursuant to this article.

(o) Fees received pursuant to this article are appropriated for payment of refunds of money received or collected in the payment of fees, permits, or services whenever the fee, permit or service cannot lawfully be issued or rendered to the applicant, and in cases where the payment in whole or in part represents overpayment or payment in duplicate.

(p) The Department of Motor Vehicles shall transmit information from each initial application and each transfer application or renewal application to the county assessor in the county of residence of the owner of the vessel and to the county assessor in the county in which the vessel is principally kept if other than the county of residence of the owner.

(q) A nonprofit corporation organized solely for charitable purposes pursuant to Part 1 (commencing at Section 9000) or Part 3 (commencing at Section 10200), Division 2, Title 1 of the Corporations Code, which purposes relate to promoting the ability of boys and girls to do things for themselves, to train them in scoutcraft and camping, and to teach them patriotism, courage, self-reliance and kindred virtues, shall not be required to pay the fees provided for in this section.

The rules and regulations adopted by the commission 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.

CHAPTER 8

An act to add Section 73.1 to the Agricultural Code, relating to the California State Fair and Exposition.

In effect
June 25,
1960

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960]

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

SECTION 1. Section 73.1 is added to the Agricultural Code, to read:

73.1. The California State Fair and Exposition, with the approval of the Department of Finance, may lease or license the use of any real or personal property under its jurisdiction and control to any person or public body for whatever purpose may be approved by the board of directors and the Department of Finance, subject to the following restrictions: (a) The California State Fair and Exposition shall not lease or license its racetrack for horseracing to any private person, firm or corporation.

(b) The California State Fair and Exposition shall not make any lease or license for the use of any real or personal property on the site at Stockton Boulevard and Broadway for a period in excess of five years nor shall more than 25 percent of the area of such site be leased.

(c) No lease or license for the use of any real or personal property within that portion of the new site of the California State Fair and Exposition in the City of Sacramento, County of Sacramento, bounded by the Elvas Freeway on the west, Arden Way on the north, the southerly projection of Ethan Way on the east, and the American River Flood Control District levee on the south, shall be made for a period in excess of one year.

CHAPTER 9

An act to add Section 4050.6 to, and to amend Sections 4094, 4222, and 4416 of, the Business and Professions Code, relating to pharmacy.

[Approved by Governor April 21, 1960. Filed with Secretary of State April 22, 1960.]

In effect
June 26,
1960

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

SECTION 1. Section 4050.6 is added to the Business and Professions Code, to read:

4050.6. Each person applying for an exemption under the provisions of Section 4050.5 shall pay to the executive secretary of the board the fees provided for in subdivision (n) of Section 4416. Exemptions

SEC. 2. Section 4094 of said code is amended to read:

4094. Within 30 days after the changing of his address as designated on the books of the board or after changing his name according to law, every registered pharmacist shall notify the executive secretary of the board of his change of address or change of name. Notice of change of name or address

SEC. 3. Section 4222 of said code is amended to read:

4222. Every person who furnishes any hypnotic drug to any other person shall first obtain from the board an hypnotic license for each separate office, shop, store or other place of business, which license shall expire on the 31st day of October and shall be annually renewed. The annual fee for such license shall be set by the board as provided in subdivision (k) of Section 4416. Annual license fee. hypnotic drugs

Every person who obtains an hypnotic license shall, within 15 days of its receipt, furnish the board with a dated inventory of all hypnotic drugs in his possession. A copy of such inventory shall be kept on file in the place of business of the licensee for a period of three years, subject to inspection by authorized officers of the law. Dated inventory of hypnotic drugs required

Nontransfer-
ability of
hypnotic
licenses

An hypnotic license is nontransferable. Any person who acquires a business wherein the former owner holds an hypnotic license and possesses any hypnotic drugs, shall file with the board at the time of his application for an hypnotic license an inventory of all hypnotic drugs which are to be acquired by such transfer of ownership. The provisions of this section do not apply when hypnotic drugs are combined or compounded with medicinal drugs which render such combination or compound unfit for hypnotic use.

SEC. 4. Section 4416 of said code is amended to read:

Fees and
penalties

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

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

(b) The annual fee for renewal of the permit to conduct a pharmacy shall be fixed by the board at an amount not to exceed twenty-five dollars (\$25) for each pharmacy.

(c) The annual fee for a permit for a general dealer in a rural district shall be fixed by the board at an amount not to exceed five dollars (\$5).

(d) The fee for any applicant for registration shall be fixed by the board at an amount not to exceed fifty dollars (\$50).

(e) The additional fee for the issuance of a certificate to any licentiate, who is found by the board on examination to be entitled to a certificate, shall be fixed by the board at an amount not to exceed fifteen dollars (\$15).

(f) The fee for the reissuance of a certificate shall be fixed by the board at an amount not to exceed fifteen dollars (\$15).

(g) Except as otherwise provided in this subdivision, the annual renewal fee for a registered pharmacist may be fixed by the board at an amount not to exceed the sum of ten dollars (\$10).

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

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

(j) The fee for a hypodermic license shall be fixed by the board at an amount not to exceed five dollars (\$5).

(k) The annual fee for hypnotic license shall be fixed by the board at an amount not to exceed ten dollars (\$10).

(l) The penalty for failure to pay any annual renewal fee may be fixed by the board at an amount not to exceed the sum of ten dollars (\$10) for each year of delinquency.

(m) The fee for the reissuance of any permit, license, or certificate, or renewal thereof, except as provided by subdivision (f), which has been lost or destroyed or which must be reissued because of a change in the information appearing thereon is five dollars (\$5).

(n) The fee for an application for exemption under Section 4050.6 shall be fixed by the board at an amount not to exceed ten dollars (\$10). Such fee shall be paid at the time the application is filed and shall not be refunded. If, after investigation or examination of the person or persons upon the basis of whose qualifications the exemption is sought, the board finds that the applicant is entitled to the exemption, it shall issue to him, upon the payment of an additional fee fixed by the board at an amount not to exceed ten dollars (\$10), a certificate of exemption naming the person or persons upon the basis of whose qualifications the exemption is granted. Such certificate shall be renewed annually on or before the 31st day of December upon the payment of a renewal fee fixed by the board at an amount not to exceed ten dollars (\$10).

CHAPTER 10

An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes.

[Approved by Governor April 21, 1960. Filed with Secretary of State April 22, 1960.]

In effect
June 25,
1960

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

SECTION 1. Section 6011 of the Revenue and Taxation Code is amended to read:

6011. "Sales price." "Sales price" means the total amount for which tangible personal property is sold, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

- (a) The cost of the property sold.
- (b) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses.
- (c) The cost of transportation of the property prior to its purchase.

The total amount for which the property is sold includes all of the following:

- (a) Any services that are a part of the sale.
- (b) Any amount for which credit is given to the purchaser by the seller.

"Sales price" does not include any of the following:

- (a) Cash discounts allowed and taken on sales.
- (b) The amount charged for property returned by customers when that entire amount is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

Same
exclusions

(c) The amount charged for labor or services rendered in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) On and after February 1, 1947, the amount of any tax imposed by any city, county or city and county within the State of California upon or with respect to retail sales of tangible personal property, measured by a stated percentage of sales price or gross receipts, whether imposed upon the retailer or the consumer.

(f) On and after February 1, 1947, the amount of any tax imposed by any city, county or city and county within the State of California with respect to the storage, use or other consumption in such city, county or city and county of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer.

(g) Transportation charges separately stated, if the transportation occurs after the purchase of the property is made.

(h) The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

SEC 2. Section 6012 of said code is amended to read:

"Gross receipts"

6012. "Gross receipts." "Gross receipts" mean the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold. However, in accordance with such rules and regulations as the board may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the State or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration, or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property.

(b) The cost of the materials used, labor or service cost, interest paid, losses, or any other expense.

(c) The cost of transportation of the property prior to its sale to the purchaser.

The total amount of the sale or lease or rental price includes all of the following:

(a) Any services that are a part of the sale.

(b) All receipts, cash, credits and property of any kind.

(c) Any amount for which credit is allowed by the seller to the purchaser.

“Gross receipts” do not include any of the following:

(a) Cash discounts allowed and taken on sales.

(b) Sale price of property returned by customers when the full sale price is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(c) The price received for labor or services used in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) On and after February 1, 1947, the amount of any tax imposed by any city, county or city and county within the State of California upon or with respect to retail sales of tangible personal property measured by a stated percentage of sales price or gross receipts whether imposed upon the retailer or consumer.

(f) On and after February 1, 1947, the amount of any tax imposed by any city, county or city and county within the State of California with respect to the storage, use or other consumption in such city, county or city and county of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer.

(g) Transportation charges separately stated, if the transportation occurs after the sale of the property is made to the purchaser.

(h) The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

For purposes of the sale tax, if the retailers establish to the satisfaction of the board that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed.

CHAPTER 11

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.

In effect immediately

[Approved by Governor April 25, 1960. Filed with Secretary of State April 25, 1960]

I object to the following appropriations in A. B. No. 1:
Item 268—Claim of the Secretary of the State Board of Control I reduce the appropriation to \$110,128, and reduce Schedule (a) to \$59,414.
Item 275—Salary Increase Fund I reduce the appropriation to \$18,387,036.
Item 276—University Salary Increase Fund I reduce the appropriation to \$7,791,177
Item 351.5—North Figueroa Street Tunnel. I eliminate this item in its entirety.

With these reductions and elimination, I approve the bill

EDMUND G. BROWN, Governor

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

Short title

SECTION 1. This act shall be known and may be cited as the "Budget Act of 1960."

Budget appropriations

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 1960-61 fiscal year beginning July 1, 1960, and ending June 30, 1961. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

Special funds

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

Recurrent appropriations

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.

LEGISLATIVE

Table with 2 columns: Item, Amount. Rows include: 1—For salaries of Senators (240,000), 2—For mileage of Lieutenant Governor, Senators and statutory officers of the Senate (1,250), 3—For expenses of Members of the Senate (126,160), 4—For contingent expenses of the Senate, including pay of officers, clerks and all other employees, and legislative committees thereof.

Item	Amount	
composed in whole or in part of Members of the Senate -----	1,788,000	
to be transferred by the State Controller to the Senate Contingent Fund.		
5—For salaries of Assemblymen-----	480,000	
6—For mileage of Assemblymen and statutory officers of the Assembly-----	2,500	
7—For expenses of Members of the Assembly----	252,320	
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 -----	1,750,000	
to be transferred by the State Controller to the Assembly Contingent Fund.		
9—For legislative printing, binding, mailing and other necessary expenses-----	1,560,000	
to be transferred by the State Controller to the Legislative Printing Fund.		
10.5—For the expenses of the Citizens Advisory Commission on the public education system pursuant to Section 9135 of the Government Code, and to reimburse the Emergency Fund created by Item 278 of the Budget Act of 1959 for sums advanced from that fund to the commission for expenses incurred during the 1959-60 fiscal year, the amount necessary to pay such expenses and to make such reimbursement from the sum made available by Assembly Concurrent Resolution No. 1 of the 1960 Regular Session of the Legislature.		Citizens Advisory Commission
11—For support of Legislative Counsel Bureau, in accordance with the following schedule---	579,535	Legislative Counsel Bureau
Schedule:		
(a) Salaries and Wages-----	542,342	
(b) Operating Expenses and Equipment -----	48,593	
Total of schedule-----	590,935	
Less estimated reimbursements----	11,400	
Net appropriation -----	579,535	
12—For support of California Law Revision Commission, in accordance with the following schedule -----	90,740	Law Revision Commission
Schedule:		
(a) Salaries and Wages -----	45,392	
(b) Operating Expenses and Equipment -----	45,348	
Total of schedule -----	90,740	

	Item	Amount
Commission on Uniform State Laws Legislators' Retirement Fund	13—For support of California Commission on Uniform State Laws -----	5,850
	14—For State's contribution to the Legislators' Retirement Fund in accordance with Section 9358 of the Government Code -----	120,000

JUDICIAL

Supreme Court Judicial Council	15—For support of Supreme Court of California	823,121
	16—For support of Judicial Council-----	217,051
	17—For additional support of Judicial Council, to be expended for extra compensation and traveling expenses of judges assigned by the Judicial Council -----	50,000
District Courts of Appeal	18—For support of District Court of Appeal, First Appellate District -----	348,896
	19—For support of District Court of Appeal, Second Appellate District -----	473,558
	20—For support of District Court of Appeal, Third Appellate District -----	178,602
	21—For support of District Court of Appeal, Fourth Appellate District -----	255,326

EXECUTIVE

Governor	22—For support of Governor and of Governor's office (exempt from the provisions of Sec- tions 12410, 13320 and 16003 of the Govern- ment Code) -----	602,057
	23—For support of Governor's residence (ex- empt from the provisions of Sections 12410, 13320 and 16003 of the Government Code) --	17,400
	24—For special contingent expenses, Governor's office (exempt from the provisions of Sec- tions 12410, 13320 and 16003 of the Govern- ment Code) -----	7,500
Consumer Counsel	25—For additional support of the Governor's office for the Office of Consumer Counsel in- cluding the expenses of advisory committees appointed under Government Code Section 12057 (exempt from the provisions of Sec- tions 12410, 13320 and 16003 of the Govern- ment Code) -----	64,034
	26—For additional support of the Governor's office for the Office of Atomic Energy De- velopment and Radiation Protection, Depart- mental Co-ordinating Committee on Atomic Energy Development and Radiation Protec- tion and the Advisory Council on Atomic Energy Development and Radiation Protec-	

Item	Amount
tion (exempt from the provisions of Sections 12410, 13320 and 16003 of the Government Code) -----	31,060
27—For support of California Disaster Office, California State Disaster Council and advisory committees, in accordance with the following schedule -----	904,856
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.	
Schedule:	
(a) Salaries and Wages -----	698,857
(b) Operating Expenses and Equipment -----	387,367
Total of schedule -----	1,086,224
Less estimated reimbursements ----	181,368
Net appropriation -----	904,856
28—For salary and support of Lieutenant Governor, in accordance with the following schedule -----	88,014
Schedule:	
(a) Salaries and Wages -----	60,858
(b) Operating Expenses and Equipment -----	27,156
Total of schedule -----	88,014
GENERAL ADMINISTRATION	
29—For support of Board of Administration of the State Employees' Retirement System, payable from the State Employees' Retirement Fund, pursuant to Section 20202.5 of the Government Code, in accordance with the following schedule -----	1,117,506
Schedule:	
(a) Salaries and Wages -----	961,247
(b) Operating Expenses and Equipment -----	337,658
Total of schedule -----	1,298,905
Less estimated reimbursements ----	181,399
Net appropriation -----	1,117,506
30—For support of California Commission on Interstate Co-operation -----	51,905
31—For support of State Personnel Board, in accordance with the following schedule -----	2,775,265

Disaster
Office, etcLieutenant
GovernorEmployees'
Retirement
SystemCommission
on Interstate
Co-operation
Personnel
Board

Item	Amount
Schedule:	
(a) Salaries and Wages.....	2,524,000
(b) Operating Expenses and Equipment	525,316
	3,049,316
Total of schedule.....	3,049,316
Less estimated reimbursements.....	274,051
	2,775,265
Net appropriation	2,775,265
Secretary of State 32—For support of Secretary of State, in accordance with the following schedule.....	431,853
Schedule:	
(a) Salaries and Wages.....	337,403
(b) Operating Expenses and Equipment	103,345
	440,748
Total of schedule.....	440,748
Less estimated reimbursements.....	8,895
	431,853
Net appropriation	431,853
32.5—For additional support, Secretary of State, to provide for rapid count of election returns following the primary, special and general elections of 1960 in accordance with the provisions of Chapter 2094, Statutes of 1959.....	4,000
33—For printing constitutional amendments and other ballot measures, Secretary of State.....	250,000
AGRICULTURE	
Department of Agriculture 34—For support of Department of Agriculture and the State Livestock Sanitary Committee, in accordance with the following schedule...	8,718,350
Schedule:	
(a) Salaries and Wages.....	6,825,799
(b) Operating Expenses and Equipment	2,663,564
	9,489,363
Total of schedule	9,489,363
Less estimated reimbursements ...	771,013
	8,718,350
Net appropriation	8,718,350
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.....	75,000
36—For additional support of Department of Agriculture, payable from the Department of Agriculture Fund, in accordance with the following schedule	6,940,311

Item	Amount	
Schedule:		
(a) Salaries and Wages -----	4,982,163	
(b) Operating Expenses and Equipment -----	1,970,408	
Total of schedule -----	6,952,571	
Less estimated reimbursements ---	12,260	
Net appropriation -----	6,940,311	
37—For support of Poultry Improvement Commission, payable from the Poultry Testing Project Fund, in accordance with the following schedule -----	169,141	Poultry Improvement Commission
Schedule:		
(a) Salaries and Wages -----	86,905	
(b) Operating Expenses and Equipment -----	84,522	
Total of schedule -----	171,427	
Less estimated reimbursements ---	2,286	
Net appropriation -----	169,141	
38—For augmentation of the Poultry Testing Project Fund ----- to be transferred by the State Controller to the Poultry Testing Project Fund.	123,341	Poultry Testing Project Fund
CORRECTIONS		
39—For support of Departmental Administration and Board of Corrections, Department of Corrections, in accordance with the following schedule -----	3,553,343	Department of Corrections
Schedule:		
(a) Salaries and Wages -----	2,559,506	
(b) Operating Expenses and Equipment -----	1,008,190	
Total of schedule -----	3,567,696	
Less estimated reimbursements ---	14,353	
Net appropriation -----	3,553,343	
provided, that a report of the Commission on Problems of Insanity in Criminal Cases be made to the Legislature within the first 30 days of the 1961 Session; provided further that a report of the Special Commission on Narcotics be made to the Legislature within the first 30 days of the 1961 Session; and further provided, that the Special Commis-		

Item	Amount
sion on Narcotics shall review the relative roles of state and local enforcement of narcotic laws.	
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 -----	105,000
41—For expenses of returning fugitives from justice from outside the State in accordance with the provisions of Section 1557 of the Penal Code -----	350,000
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 -----	30,000
Medical Facility 43—For support of the Medical Facility, Department of Corrections, in accordance with the following schedule -----	4,022,699
Schedule:	
(a) Salaries and Wages -----	2,944,998
(b) Operating Expenses and Equipment -----	1,140,431
(c) Inmate Pay—Work Projects -----	14,500
Total of schedule -----	4,099,929
Less estimated reimbursements -----	77,230
Net appropriation -----	4,022,699
Men's Colony, West Facility 44—For support of California Men's Colony—West Facility, Department of Corrections, in accordance with the following schedule -----	2,212,581
Schedule:	
(a) Salaries and Wages -----	1,336,266
(b) Operating Expenses and Equipment -----	886,860
(c) Inmate Pay—Work Projects -----	11,040
Total of schedule -----	2,234,166
Less estimated reimbursements -----	21,585
Net appropriation -----	2,212,581
Men's Colony, East Facility 45—For support of California Men's Colony—East Facility, Department of Corrections, in accordance with the following schedule -----	276,337

Item	Amount	
Schedule:		
(a) Salaries and Wages-----	148,532	
(b) Operating Expenses and Equipment -----	127,805	
Total of schedule-----	276,337	
46—For support of California Institution for Men, Department of Corrections, in accord- ance with the following schedule-----	5,609,386	Institution for Men
Schedule:		
(a) Salaries and Wages-----	3,658,616	
(b) Operating Expenses and Equipment -----	2,151,283	
(c) Inmate Pay—Work Projects	166,887	
Total of schedule-----	5,976,786	
Less estimated reimbursements---	367,400	
Net appropriation -----	5,609,386	
47—For support of California State Prison at Folsom, Department of Corrections, in accord- ance with the following schedule-----	4,179,936	State Prisons: Folsom
Schedule:		
(a) Salaries and Wages-----	2,607,469	
(b) Operating Expenses and Equipment -----	1,719,007	
(c) Inmate Pay—Work Projects -----	131,975	
Total of schedule-----	4,458,451	
Less estimated reimbursements---	278,515	
Net appropriation -----	4,179,936	
48—For support of California State Prison at San Quentin, Department of Corrections, in accordance with the following schedule-----	6,626,998	San Quentin
Schedule:		
(a) Salaries and Wages-----	3,744,954	
(b) Operating Expenses and Equipment -----	3,121,449	
(c) Inmate Pay—Work Projects -----	169,039	
Total of schedule-----	7,035,442	
Less estimated reimbursements---	408,444	
Net appropriation -----	6,626,998	
49—For support of Correctional Training Facil- ity, Department of Corrections, in accordance with the following schedule-----	5,874,412	Correctional Training Facility

Item	Amount
Schedule:	
(a) Salaries and Wages.....	3,610,472
(b) Operating Expenses and Equipment	2,350,541
(c) Inmate Pay—Work Projects	91,158
	6,052,171
Total of schedule.....	6,052,171
Less estimated reimbursements---	177,759
	5,874,412
Deuel Vocational Institution	
50—For support of Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule.....	3,743,144
Schedule:	
(a) Salaries and Wages.....	2,520,243
(b) Operating Expenses and Equipment	1,262,286
(c) Inmate Pay—Work Projects	11,400
	3,793,929
Total of Schedule.....	3,793,929
Less estimated reimbursements---	50,785
	3,743,144
Conservation Center	
51—For support of Conservation Center, Department of Corrections, in accordance with the following schedule	59,033
Schedule:	
(a) Salaries and Wages.....	42,984
(b) Operating Expenses and Equipment	16,049
	59,033
Institution for Women	
52—For support of California Institution for Women, Department of Corrections, in accordance with the following schedule.....	1,660,769
Schedule:	
(a) Salaries and Wages.....	1,061,486
(b) Operating Expenses and Equipment	612,798
(c) Inmate Pay—Work Projects	7,300
	1,681,584
Total of schedule.....	1,681,584
Less estimated reimbursements---	20,815
	1,660,769
Adult Authority	
53—For support of Adult Authority, Department of Corrections, in accordance with the following schedule	298,474

Item	Amount	
Schedule:		
(a) Salaries and Wages-----	241,215	
(b) Operating Expenses and Equipment-----	57,259	
Total of schedule-----	298,474	
54—For support of Board of Trustees, California Institution for Women, Department of Cor- rections, in accordance with the following schedule-----	240,624	Institution for Women: Trustees
Schedule:		
(a) Salaries and Wages-----	167,012	
(b) Operating Expenses and Equipment-----	74,412	
Total of schedule-----	241,424	
Less estimated reimbursements----	800	
Net appropriation-----	240,624	
YOUTH AUTHORITY		
55—For support of Departmental Administration, Department of the Youth Authority, in ac- cordance with the following schedule-----	3,645,205	Department of Youth Authority
Schedule:		
(a) Salaries and Wages-----	2,678,517	
(b) Operating Expenses and Equipment-----	980,188	
Total of schedule-----	3,658,705	
Less estimated reimbursements----	13,500	
Net appropriation-----	3,645,205	
56—For deportation of nonresidents committed to the Department of the Youth Authority and expenses in connection with the Interstate Compact on Juveniles-----	57,395	
57—For transportation of persons committed to the Department of the Youth Authority to or between its facilities, including the return of parole violators-----	84,645	
58—For maintenance of persons committed to the Department of the Youth Authority and pa- roled to the custody of private homes-----	235,000	
59—For support of Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule-----	1,280,787	Reception Center and Clinic Northern California

Item	Amount	
Schedule:		
(a) Salaries and Wages.....	946,356	
(b) Operating Expenses and Equipment	340,181	
	<hr/>	
Total of schedule.....	1,286,537	
Less estimated reimbursements.....	5,750	
	<hr/>	
Net appropriation	1,280,787	
Southern California	60—For support of Southern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule	1,494,162
Schedule:		
(a) Salaries and Wages.....	1,152,765	
(b) Operating Expenses and Equipment	351,312	
	<hr/>	
Total of schedule.....	1,504,077	
Less estimated reimbursements.....	9,915	
	<hr/>	
	Net appropriation	1,494,162
Youth Authority Conservation Camps	61—For support of Youth Authority Conservation Camps, Department of the Youth Authority, in accordance with the following schedule	716,002
Schedule:		
(a) Salaries and Wages.....	403,752	
(b) Operating Expenses and Equipment	281,660	
(c) Inmate Pay—Work Projects	39,215	
	<hr/>	
Total of schedule.....	724,627	
Less estimated reimbursements.....	8,625	
	<hr/>	
	Net appropriation	716,002
Schools: Fricot Ranch	62—For support of Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule.....	803,201
Schedule:		
(a) Salaries and Wages.....	588,748	
(b) Operating Expenses and Equipment	235,768	
	<hr/>	
Total of schedule.....	824,516	
Less estimated reimbursements.....	21,315	
	<hr/>	
	Net appropriation	803,201
Fred C. Nelles	63—For support of Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule.....	1,376,180

Item	Amount	
Schedule:		
(a) Salaries and Wages.....	1,089,984	
(b) Operating Expenses and Equipment	309,426	
Total of schedule.....	1,399,410	
Less estimated reimbursements....	23,230	
Net appropriation.....	1,376,180	
64—For support of Paso Robles School for Boys, Department of the Youth Authority, in ac- cordance with the following schedule.....	1,399,923	Paso Robles
Schedule:		
(a) Salaries and Wages.....	1,061,007	
(b) Operating Expenses and Equipment	346,931	
Total of schedule.....	1,407,938	
Less estimated reimbursements....	8,015	
Net appropriation.....	1,399,923	
65—For support of Preston School of Industry, Department of the Youth Authority, in ac- cordance with the following schedule.....	2,641,571	Preston
Schedule:		
(a) Salaries and Wages.....	2,023,326	
(b) Operating Expenses and Equipment	722,260	
Total of schedule.....	2,745,586	
Less estimated reimbursements....	104,015	
Net appropriation.....	2,641,571	
66—For support of Youth Training School, De- partment of the Youth Authority, in accord- ance with the following schedule.....	1,675,225	Youth Training School
Schedule:		
(a) Salaries and Wages.....	1,176,263	
(b) Operating Expenses and Equipment	524,235	
Total of schedule.....	1,700,498	
Less estimated reimbursements....	25,273	
Net appropriation.....	1,675,225	
67—For support of Los Guilucos School for Girls, Department of the Youth Authority, in ac- cordance with the following schedule.....	1,145,776	Los Guilucos

Item	Amount
Schedule:	
(a) Salaries and Wages-----	881,944
(b) Operating Expenses and Equipment -----	272,562
Total of schedule-----	1,154,506
Less estimated reimbursements----	8,730
Net appropriation-----	1,145,776
Ventura 68—For support of Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule-----	890,839
Schedule:	
(a) Salaries and Wages-----	700,016
(b) Operating Expenses and Equipment -----	199,818
Total of schedule-----	899,834
Less estimated reimbursements----	8,995
Net appropriation -----	890,839
EDUCATION	
Department of Education 69—For support of Department of Education, Superintendent of Public Instruction and State Board of Education, in accordance with the following schedule -----	3,264,444
Schedule:	
(a) Salaries and Wages-----	3,231,692
(b) Operating Expenses and Equipment -----	980,017
Total of schedule-----	4,211,709
Less estimated amounts available from other sources:	
(c) Reimbursements -----	861,965
(d) Amount payable from State School Building Aid Fund (Item 70) -----	85,300
Net appropriation -----	3,264,444
70—For additional support of Department of Education, payable from the State School Building Aid Fund-----	85,300
71—For payment of the State's share of the operating costs of the Western Interstate Commission for Higher Education, Department of Education -----	10,000
72—For support of Opportunity Work Centers for the Blind, Department of Education, in accordance with the following schedule-----	56,042

Item	Amount	
Schedule:		
(a) Salaries and Wages-----	33,216	
(b) Operating Expenses and Equipment -----	22,826	
Total of schedule-----	56,042	
73—For co-operation with the federal government for the improvement of instruction under the provisions of Title III of the National Defense Education Act of 1958, Department of Edu- cation -----		250,000
74—For co-operation with the federal government for the improvement of statistical services under the provisions of Title X of the Na- tional Defense Education Act of 1958, De- partment of Education -----		47,500
75—For student loan funds authorized by Edu- cation Code Section 557 for the purpose of making all or part of the contributions pay- able pursuant to agreements entered into under Title II of the Act of Congress, cited as the National Defense Education Act of 1958, on behalf of the several state colleges. This appropriation is to be allocated by the Director of Education to the several state colleges -----		200,000
Notwithstanding other provisions of this sec- tion, the amount made available by this item shall be available for expenditure until June 30, 1962.		
76—For vocational education, Department of Ed- ucation -----	772,776	Vocational education
77—For vocational rehabilitation, Department of Education, in accordance with the following schedule -----		Vocational rehabilita- tion
		2,662,632
Schedule:		
(a) Salaries and Wages-----	2,751,283	
(b) Operating Expenses and Equipment -----	4,121,534	
Total of schedule-----	6,872,817	
Less estimated amounts available from other sources:		
(c) Reimbursements -----	18,873	
(d) Federal grants -----	4,191,312	
Net appropriation -----	2,662,632	
78—For support of Division of Libraries, Depart- ment of Education and Board of Library Examiners, in accordance with the following schedule -----		Division of Libraries
		887,984

Item	Amount
Schedule:	
(a) Salaries and Wages.....	661,890
(b) Operating Expenses and Equipment	236,618
	Total of schedule..... 898,508
	Less estimated reimbursements.... 10,524
	Net appropriation
State colleges Alameda County	79—For support of state college for Alameda County, in accordance with the following schedule
	and in addition thereto any amounts collected for fees for parking facilities
	974,272
Schedule:	
(a) Salaries and Wages.....	773,841
(b) Operating Expenses and Equipment	321,981
	Total of schedule..... 1,095,822
	Less estimated reimbursements.... 121,550
	Net appropriation
Chico	80—For support of Chico State College, in ac- cordance with the following schedule.....
	and in addition thereto any amounts collected for fees for parking facilities
	3,119,513
Schedule:	
(a) Salaries and Wages.....	2,982,610
(b) Operating Expenses and Equipment	559,505
	Total of schedule..... 3,542,115
	Less estimated reimbursements.... 422,602
	Net appropriation
Fresno	81—For support of Fresno State College, in ac- cordance with the following schedule.....
	and in addition thereto any amounts collected for fees for parking facilities
	5,085,185
Schedule:	
(a) Salaries and Wages.....	5,032,373
(b) Operating Expenses and Equipment	899,063
	Total of schedule
	Less estimated reimbursements.... 846,251
	Net appropriation
Humboldt	82—For support of Humboldt State College, in accordance with the following schedule
	2,567,069

Item	Amount	
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages	2,320,937	
(b) Operating Expenses and Equipment	459,994	
Total of schedule	2,780,931	
Less estimated reimbursements	213,862	
Net appropriation	2,567,069	
83—For support of Long Beach State College, in accordance with the following schedule	5,594,656	Long Beach
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages	5,745,924	
(b) Operating Expenses and Equipment	944,765	
Total of schedule	6,690,689	
Less estimated reimbursements	1,096,033	
Net appropriation	5,594,656	
84—For support of Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule	6,615,460	Los Angeles
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages	6,749,932	
(b) Operating Expenses and Equipment	1,217,678	
Total of schedule	7,967,610	
Less estimated reimbursements	1,352,150	
Net appropriation	6,615,460	
85—For support of Orange County State College, in accordance with the following schedule	896,396	Orange County
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages	765,695	
(b) Operating Expenses and Equipment	223,981	
Total of schedule	989,676	
Less estimated reimbursements	93,280	
Net appropriation	896,396	

	Item	Amount
Sacramento	86—For support of Sacramento State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities Schedule: (a) Salaries and Wages----- 3,743,647 (b) Operating Expenses and Equipment ----- 650,393 Total of schedule----- 4,394,040 Less estimated reimbursements---- 700,376 Net appropriation ----- 3,693,664	3,693,664
San Diego	87—For support of San Diego State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities Schedule: (a) Salaries and Wages----- 6,409,646 (b) Operating Expenses and Equipment ----- 1,047,185 Total of schedule----- 7,456,831 Less estimated reimbursements---- 1,142,581 Net appropriation ----- 6,314,250	6,314,250
San Fernando Valley	88—For support of San Fernando Valley State College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities Schedule: (a) Salaries and Wages----- 3,243,311 (b) Operating Expenses and Equipment ----- 721,109 Total of schedule----- 3,964,420 Less estimated reimbursements---- 567,948 Net appropriation ----- 3,396,472	3,396,472
San Francisco	89—For support of San Francisco State College, in accordance with the following schedule--- and in addition thereto any amounts collected for fees for parking facilities Schedule: (a) Salaries and Wages----- 7,513,527 (b) Operating Expenses and Equipment ----- 1,354,363 Total of schedule----- 8,867,890	7,292,756

Item	Amount	
Less estimated reimbursements.....	1,575,134	
Net appropriation	7,292,756	
90—For support of San Jose State College, in accordance with the following schedule.....	9,533,997	San Jose
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages.....	9,517,365	
(b) Operating Expenses and Equipment	1,454,283	
Total of schedule.....	10,971,648	
Less estimated reimbursements---	1,437,651	
Net appropriation	9,533,997	
91—For support of Stanislaus State College, in accordance with the following schedule.....	341,766	Stanislaus
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages.....	228,774	
(b) Operating Expenses and Equipment	124,992	
Total of schedule.....	353,766	
Less estimated reimbursements---	12,000	
Net appropriation	341,766	
92—For support of California State Polytechnic College, in accordance with the following schedule	7,021,264	Polytechnic
and in addition thereto any amounts collected for fees for parking facilities		
Schedule:		
(a) Salaries and Wages.....	6,601,141	
(b) Operating Expenses and Equipment	1,312,772	
Total of schedule.....	7,913,913	
Less estimated reimbursements---	892,649	
Net appropriation	7,021,264	
93—For support of California Maritime Academy, in accordance with the following schedule....	340,781	Maritime Academy
Schedule:		
(a) Salaries and Wages.....	444,284	
(b) Operating Expenses and Equipment	209,246	
Total of schedule.....	653,530	

Item	Amount	
Less estimated reimbursements---	312,749	
	<hr/>	
Net appropriation -----	340,781	
School for Blind	94—For support of California School for the Blind, in accordance with the following schedule -----	573,374
	<hr/>	
Schedule:		
(a) Salaries and Wages-----	453,649	
(b) Operating Expenses and Equipment -----	156,126	
	<hr/>	
Total of schedule-----	609,775	
Less estimated reimbursements---	36,401	
	<hr/>	
Net appropriation -----	573,374	
Schools for Deaf Berkeley	95—For support of California School for the Deaf, Berkeley, in accordance with the follow- ing schedule -----	1,406,977
	<hr/>	
Schedule:		
(a) Salaries and Wages-----	1,190,205	
(b) Operating Expenses and Equipment -----	267,499	
	<hr/>	
Total of schedule-----	1,457,704	
Less estimated reimbursements---	50,727	
	<hr/>	
Net appropriation -----	1,406,977	
Riverside	96—For support of California School for the Deaf, Riverside, in accordance with the fol- lowing schedule -----	1,588,512
	<hr/>	
Schedule:		
(a) Salaries and Wages-----	1,359,816	
(b) Operating Expenses and Equipment -----	248,391	
	<hr/>	
Total of schedule-----	1,608,207	
Less estimated reimbursements---	19,695	
	<hr/>	
Net appropriation -----	1,588,512	
Schools for Cerebral Palsied Children Northern California	97—For support of School for Cerebral Palsied Children, Northern California, in accordance with the following schedule -----	435,872
	<hr/>	
Schedule:		
(a) Salaries and Wages-----	389,326	
(b) Operating Expenses and Equipment -----	59,826	
	<hr/>	
Total of schedule-----	449,152	
Less estimated reimbursements---	13,280	
	<hr/>	
Net appropriation -----	435,872	

Item	Amount	
98—For support of School for Cerebral Palsied Children, Southern California, in accordance with the following schedule-----	348,523	Southern California
Schedule:		
(a) Salaries and Wages-----	298,474	
(b) Operating Expenses and Equipment -----	53,694	
Total of schedule-----	352,168	
Less estimated reimbursements----	3,645	
Net appropriation-----	348,523	
99—For support of Oakland Orientation Center, in accordance with the following schedule---	323,815	Oakland Orientation Center
Schedule:		
(a) Salaries and Wages-----	268,867	
(b) Operating Expenses and Equipment -----	81,948	
Total of schedule-----	350,815	
Less estimated reimbursements----	27,000	
Net appropriation-----	323,815	
100—For support of Los Angeles Center, California Industries for the Blind, in accordance with the following schedule-----	120,742	Industries for Blind Centers' Los Angeles
Schedule:		
(a) Salaries and Wages-----	96,397	
(b) Operating Expenses and Equipment -----	24,345	
Total of schedule-----	120,742	
101—For support of Oakland Center, California Industries for the Blind, in accordance with the following schedule-----	96,788	Oakland
Schedule:		
(a) Salaries and Wages-----	59,283	
(b) Operating Expenses and Equipment -----	37,505	
Total of schedule-----	96,788	
102—For support of San Diego Center, California Industries for the Blind, in accordance with the following schedule-----	54,008	San Diego
Schedule:		
(a) Salaries and Wages-----	38,085	
(b) Operating Expenses and Equipment -----	15,923	
Total of schedule-----	54,008	

	Item	Amount
Teachers' Retirement System	103—For support of State Teachers' Retirement System, in accordance with the following schedule -----	435,949
	Schedule:	
	(a) Salaries and Wages -----	330,736
	(b) Operating Expenses and Equipment -----	105,213
	Total of schedule -----	435,949
Scholarship Commission	104—For support of the State Scholarship Commission in accordance with the following schedule -----	1,238,354
	Schedule:	
	(a) Salaries and Wages -----	43,049
	(b) Operating Expenses and Equipment -----	1,195,305
	Total of schedule -----	1,238,354
University of California	105—For support of University of California, exempt from Section 31 of this act -----	107,688,167
Research: Conversion of sea water	106—For research in the conversion of sea water to fresh water, University of California, payable from the California Water Fund, exempt from Section 31 of this act -----	334,900
Research: Real estate industry	107—For educational and research needs of the real estate industry in California, payable from the Real Estate Education and Research Fund -----	445,367
	to be allocated by the Department of Finance in amounts as it finds necessary to the University of California exempt from Section 31 of this act and to the Division of Real Estate, Department of Investment, to carry out the provisions of Section 10451.5 of the Business and Professions Code.	
Hastings College of Law	108—For support of Hastings College of Law, in accordance with the following schedule -----	348,486
	Schedule:	
	(a) Salaries and Wages -----	369,013
	(b) Operating Expenses and Equipment -----	95,199
	Total of schedule -----	464,212
	Less estimated reimbursements -----	115,726
	Net appropriation -----	348,486

FISCAL AFFAIRS

Board of Control	109—For support of State Board of Control, in accordance with the following schedule -----	14,656
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Item	Amount	
Schedule:		
(a) Salaries and Wages.....	13,392	
(b) Operating Expenses and Equipment	1,264	
Total of schedule.....	14,656	
110—For support of State Controller, in accordance with the following schedule.....	3,524,787	Controller
Schedule:		
(a) Salaries and Wages.....	3,221,739	
(b) Operating Expenses and Equipment	1,417,281	
Total of schedule.....	4,639,020	
Less estimated amounts available from other sources:		
(c) Reimbursements	48,807	
(d) Amount payable from the Motor Vehicle Fuel Fund (Item 111)	539,181	
(e) Amount payable from the State Redemption Tax Fund (Item 112)	216,047	
(f) Amount payable from the Motor Vehicle Transportation Tax Fund (Item 113)...	186,210	
(g) Amount payable from the State School Building Aid Fund (Item 114).....	123,988	
Net appropriation	3,524,787	
111—For additional support of State Controller, payable from the Motor Vehicle Fuel Fund...	539,181	
112—For additional support of State Controller, payable from the State Redemption Tax Fund	216,047	
113—For additional support of State Controller, payable from the Motor Vehicle Transportation Tax Fund	186,210	
114—For additional support of State Controller, payable from the State School Building Aid Fund	123,988	
115—For support of State Board of Equalization, in accordance with the following schedule...	12,653,471	Board of Equalization
Schedule:		
(a) Salaries and Wages	15,152,941	
(b) Operating Expenses and Equipment	3,443,856	
Total of schedule.....	18,596,797	

Item	Amount
Less estimated amounts available from other sources:	
(c) Reimbursements	3,950,090
(d) Amount payable from the Motor Vehicle Transportation Tax Fund (Item 116) ..	1,057,655
(e) Amount payable from the Motor Vehicle Fuel Fund (Item 117)	935,581
	<hr/>
Net appropriation	12,653,471
116—For additional support of State Board of Equalization, payable from the Motor Vehicle Transportation Tax Fund	1,057,655
117—For additional support of State Board of Equalization, payable from the Motor Vehicle Fuel Fund	935,581
Department of Finance 118—For support of Department of Finance, in accordance with the following schedule.....	8,114,096
Schedule:	
(a) Salaries and Wages	10,177,040
(b) Operating Expenses and Equipment	4,801,988
	<hr/>
Total of schedule	14,979,028
Less estimated amounts available from other sources:	
(c) Reimbursements	5,925,442
(d) Amount payable from Fair and Exposition Fund (Item 119)	233,626
(e) Amount payable from the State School Building Aid Fund (Item 120).....	705,864
	<hr/>
Net appropriation	8,114,096
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-controlled property under the jurisdiction of the Department of Finance.	
119—For additional support of Department of Finance, payable from the Fair and Exposition Fund	233,626
120—For additional support of Department of Finance, payable from the State School Building Aid Fund	705,864

Item	Amount	
120.5—For painting portrait of Governor, Department of Finance -----	3,000	
121—For support of California State Fair and Exposition, Department of Finance, payable from the State Fair Fund-----	2,219,724	State Fair and Exposition
122—For augmentation of the State Fair Fund to be transferred to the State Fair Fund by the State Controller.	199,270	
123—For support of Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, payable from the Sixth District Agricultural Association Fund	424,829	Sixth District Agricultural Association
124—For augmentation of the Sixth District Agricultural Association Fund ----- to be transferred to the Sixth District Agricultural Association Fund by the State Controller.	190,000	
125—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 ----- Schedule:	1,078,259	State Lands Division
(a) Salaries and Wages -----	732,643	
(b) Operating Expenses and Equipment -----	403,592	
Total of schedule -----	1,136,235	
Less estimated reimbursements ---	57,976	
Net appropriation -----	1,078,259	
126—For support of Franchise Tax Board, in accordance with the following schedule ----- Schedule:	7,375,291	Franchise Tax Board
(a) Salaries and Wages -----	6,207,485	
(b) Operating Expenses and Equipment -----	1,167,806	
Total of schedule -----	7,375,291	
127—For support of the State Treasurer, in accordance with the following schedule ----- Schedule:	380,189	Treasurer
(a) Salaries and Wages -----	295,410	
(b) Operating Expenses and Equipment -----	241,579	
Total of schedule -----	536,989	
Less estimated reimbursements ---	156,800	
Net appropriation -----	380,189	

HIGHWAY PATROL

Item	Amount
Highway Patrol	128—For support of the Department of the California Highway Patrol, payable from the Motor Vehicle Fund, in accordance with the following schedule ----- 29,901,217 Schedule: (a) Salaries and Wages ----- 21,198,101 (b) Operating Expenses and Equipment ----- 8,956,824 <hr/> Total of schedule ----- 30,154,925 Less estimated reimbursements --- 253,708 <hr/> Net appropriation ----- 29,901,217 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 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.
129—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

Department of Industrial Relations	130—For support of Department of Industrial Relations, in accordance with the following schedule ----- 10,620,251
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Item	Amount	
Schedule:		
(a) Salaries and Wages	8,442,660	
(b) Operating Expenses and Equipment	2,349,138	
Total of schedule	10,791,798	
Less estimated reimbursements	171,547	
Net appropriation	10,620,251	
131—For support of State Fire Marshal, in accordance with the following schedule	473,104	Fire Marshal
Schedule:		
(a) Salaries and Wages	494,465	
(b) Operating Expenses and Equipment	139,831	
Total of schedule	634,296	
Less estimated amounts available from other sources:		
(c) Reimbursements	69,133	
(d) Amount payable from Dry Cleaners' Fund (Item 132)	92,059	
Net appropriation	473,104	
132—For additional support of State Fire Marshal, payable from the Dry Cleaners' Fund	92,059	
JUSTICE		
133—For support of Department of Justice, in accordance with the following schedule	6,579,671	Department of Justice
Schedule:		
(a) Salaries and Wages	5,698,976	
(b) Operating Expenses and Equipment	1,790,025	
Total of schedule	7,489,001	
Less estimated reimbursements	909,330	
Net appropriation	6,579,671	
133.1—For special contingent expenses for narcotic enforcement, Department of Justice	120,000	
provided, that all or any portion of this appropriation may be transferred to Item 133 for support of the Department of Justice upon executive order of the Department of Finance.		
134—For litigation and legal services in connection with activities of the Colorado River Board of California, Department of Justice	400,116	

Item	Amount
135—For fees to special counsel employed pursuant to Section 12520 of the Government Code, Department of Justice-----	8,500
MENTAL HYGIENE	
Department of Mental Hygiene 136—For support of Department of Mental Hygiene, in accordance with the following schedule -----	4,305,748
Schedule:	
(a) Salaries and Wages-----	3,379,965
(b) Operating Expenses and Equipment -----	1,161,309
Total of schedule-----	4,541,274
Less estimated amounts available from other sources:	
(c) Estimated grants from the federal government or agencies thereof -----	235,526
Net appropriation -----	4,305,748
137—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-----	76,137
Schedule:	
(a) Operating Expenses -----	126,895
Less estimated reimbursements-----	50,758
Net appropriation -----	76,137
138—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
139—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-----	1,870,800
140—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 -----	1,002,000

Item	Amount
<p>The appropriation made by this item shall remain available for allocation, reallocation, and expenditure until June 30, 1963.</p> <p>And in addition any amounts received for research projects from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.</p>	
<p>141—For support of Day Care Treatment Centers, Department of Mental Hygiene, to be expended only on allocations authorized by the Department of Finance.....</p> <p>And in addition any amounts received for Day Care Treatment Centers from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.</p>	<p>Day Care Treatment Centers</p> <p>150,000</p>
<p>142—For support of Outpatient Mental Hygiene Clinics, Department of Mental Hygiene, in accordance with the following schedule.....</p> <p>Schedule:</p> <p>(a) Salaries and Wages..... 682,641</p> <p>(b) Operating Expenses and Equipment</p>	<p>Outpatient Clinics</p> <p>689,190</p>
<p style="padding-left: 40px;">Total of schedule..... 784,236</p> <p>Less estimated amounts available from other sources:</p> <p>(c) Estimated grants from the federal government or agencies thereof</p>	<p>95,046</p>
<p style="padding-left: 40px;">Net appropriation</p>	<p>689,190</p>
<p>143—For support of Langley Porter Neuropsychiatric Institute at San Francisco, in accordance with the following schedule.....</p> <p>Schedule:</p> <p>(a) Salaries and Wages..... 1,608,846</p> <p>(b) Operating Expenses and Equipment</p>	<p>Langley Porter Institute</p> <p>1,844,701</p>
<p style="padding-left: 40px;">Total of schedule..... 1,845,051</p> <p>Less estimated reimbursements..... 350</p>	
<p style="padding-left: 40px;">Net appropriation</p>	<p>1,844,701</p>
<p>144—For support of Neuropsychiatric Institute at University of California at Los Angeles, Department of Mental Hygiene, in accordance with the following schedule.....</p>	<p>Neuro-psychiatric Institute</p> <p>1,707,579</p>

	Item	Amount
	Schedule:	
	(a) Salaries and Wages	1,337,844
	(b) Operating Expenses and Equipment	369,735
	Total of schedule	1,707,579
State hospitals Agnews	145—For support of Agnews State Hospital, in accordance with the following schedule	9,193,507
	Schedule:	
	(a) Salaries and Wages	7,336,393
	(b) Operating Expenses and Equipment	1,950,882
	Total of schedule	9,287,275
	Less estimated reimbursements	93,768
	Net appropriation	9,193,507
Atascadero	146—For support of Atascadero State Hospital, in accordance with the following schedule	3,418,974
	Schedule:	
	(a) Salaries and Wages	2,702,037
	(b) Operating Expenses and Equipment	763,195
	Total of schedule	3,465,232
	Less estimated reimbursements	46,258
	Net appropriation	3,418,974
	146.5—For additional support, and for capital out- lay, Atascadero State Hospital, upon execu- tive order of the Department of Finance --- provided, that a report of security measures taken be reported to the Legislature within the first 30 days of the 1961 Session.	200,000
Camarillo	147—For support of Camarillo State Hospital, in accordance with the following schedule	11,869,490
	Schedule:	
	(a) Salaries and Wages	9,342,186
	(b) Operating Expenses and Equipment	2,712,460
	Total of schedule	12,054,646
	Less estimated reimbursements	185,156
	Net appropriation	11,869,490
DeWitt	148—For support of DeWitt State Hospital, in ac- cordance with the following schedule	5,532,249

Item	Amount	
Schedule :		
(a) Salaries and Wages-----	4,144,787	
(b) Operating Expenses and Equipment -----	1,454,740	
Total of schedule-----	5,599,527	
Less estimated reimbursements----	67,278	
Net appropriation -----	5,532,249	
149—For support of Mendocino State Hospital, in accordance with the following schedule----	5,220,711	Mendocino
Schedule :		
(a) Salaries and Wages-----	4,148,766	
(b) Operating Expenses and Equipment -----	1,154,367	
Total of schedule-----	5,303,133	
Less estimated reimbursements ----	82,422	
Net appropriation -----	5,220,711	
150—For support of Metropolitan State Hospital, in accordance with the following schedule---	8,283,397	Metropolitan
Schedule :		
(a) Salaries and Wages-----	6,347,779	
(b) Operating Expenses and Equipment -----	2,024,142	
Total of schedule-----	8,371,921	
Less estimated reimbursements ----	88,524	
Net appropriation -----	8,283,397	
151—For support of Modesto State Hospital, in accordance with the following schedule-----	5,947,552	Modesto
Schedule :		
(a) Salaries and Wages-----	4,610,861	
(b) Operating Expenses and Equipment -----	1,392,791	
Total of schedule-----	6,003,652	
Less estimated reimbursements----	56,100	
Net appropriation -----	5,947,552	
152—For support of Napa State Hospital, in ac- cordance with the following schedule-----	10,863,718	Napa
Schedule :		
(a) Salaries and Wages-----	8,659,107	
(b) Operating Expenses and Equipment -----	2,315,616	
Total of schedule-----	10,974,723	

Item	Amount
Less estimated reimbursements_____	111,005
Net appropriation _____	10,863,718
Patton 153—For support of Patton State Hospital, in accordance with the following schedule_____	10,105,472
Schedule:	
(a) Salaries and Wages_____	8,050,917
(b) Operating Expenses and Equipment _____	2,144,863
Total of schedule _____	10,195,780
Less estimated reimbursements_____	90,308
Net appropriation _____	10,105,472
Stockton 154—For support of Stockton State Hospital, in accordance with the following schedule_____	8,783,067
Schedule:	
(a) Salaries and Wages_____	6,894,290
(b) Operating Expenses and Equipment _____	1,951,542
Total of schedule _____	8,845,832
Less estimated reimbursements_____	62,765
Net appropriation _____	8,783,067
Fairview 155—For support of Fairview State Hospital, in accordance with the following schedule _____	4,940,171
Schedule:	
(a) Salaries and Wages _____	3,985,830
(b) Operating Expenses and Equipment _____	1,022,759
Total of schedule _____	5,008,589
Less estimated reimbursements_____	68,418
Net appropriation _____	4,940,171
Pacific 156—For support of Pacific State Hospital, in accordance with the following schedule_____	7,799,645
Schedule:	
(a) Salaries and Wages_____	6,288,244
(b) Operating Expenses and Equipment _____	1,605,465
Total of schedule _____	7,893,709
Less estimated reimbursements_____	94,064
Net appropriation _____	7,799,645
Porterville 157—For support of Porterville State Hospital, in accordance with the following schedule_____	6,213,556

Item	Amount	
Schedule:		
(a) Salaries and Wages.....	4,963,332	
(b) Operating Expenses and Equipment	1,304,917	
	<hr/>	
Total of schedule.....	6,268,249	
Less estimated reimbursements....	54,693	
	<hr/>	
Net appropriation	6,213,556	
158—For support of Sonoma State Hospital, in accordance with the following schedule.....	9,289,667	Sonoma
Schedule:		
(a) Salaries and Wages.....	7,494,515	
(b) Operating Expenses and Equipment	1,890,246	
	<hr/>	
Total of schedule	9,384,761	
Less estimated reimbursements....	95,094	
	<hr/>	
Net appropriation	9,289,667	

MILITARY AFFAIRS

159—For support of Military Department, in accordance with the following schedule.....	2,668,080	Military Department
Schedule:		
(a) Salaries and Wages.....	1,946,023	
(b) Operating Expenses and Equipment	1,131,979	
	<hr/>	
Total of schedule.....	3,078,002	
Less estimated reimbursements....	409,922	
	<hr/>	
Net appropriation	2,668,080	
<p>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.</p>		

MOTOR VEHICLES

160—For support of Department of Motor Vehicles, payable from the Motor Vehicle Fund, in accordance with the following schedule....	23,755,170	Department of Motor Vehicles
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Item	Amount
Schedule:	
(a) Salaries and Wages.....	22,482,746
(b) Operating Expenses and Equipment	6,212,896
Total of schedule.....	28,695,642
Less estimated amounts available from other sources:	
(c) Reimbursements	819,560
(d) Amount payable from Motor Vehicle License Fee Fund (Item 161).....	3,905,720
(e) Amount payable from Gen- eral Fund (Item 162).....	215,192
Net appropriation	23,755,170
161—For additional support, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund	3,905,720
to be transferred to the Motor Vehicle Fund in augmentation of Item 160, as provided by Section 11003 of the Revenue and Taxation Code.	
162—For additional support, Department of Motor Vehicles	215,192
to be transferred to the Motor Vehicle Fund in augmentation of Item 160 in the amounts ordered by the Department of Finance.	
163—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 \$350,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund.	

NATURAL RESOURCES

Department of Fish and Game	164—For support of Department of Fish and Game, and for the maintenance and construction of fish screens and other stream improvements, payable from moneys in the Fish and Game Preservation Fund including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item. The appropriation made by this item shall be expended in accordance with the following schedule	9,632,417
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Item	Amount
Schedule:	
(a) Salaries and Wages.....	5,644,310
(b) Operating Expenses and Equipment	4,466,574
Total of schedule.....	10,110,884
Less estimated reimbursements---	478,467
Net appropriation	9,632,417
165—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 moneys in the Fish and Game Preservation Fund including revenue subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item.....	274,458
166—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 moneys in the Fish and Game Preservation Fund including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item.....	76,900
167—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 moneys in the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item.....	17,900
168—For studies and investigations of the kelp beds in the coastal waters of California, Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item.....	50,000

Pacific
Marine
Fisheries
Commission

	Item	Amount
Marine Research Committee	169—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 from revenues derived under the provisions of Section 8046 of the Fish and Game Code -----	99,880
Department of Natural Resources Division of Administration	170—For support of Division of Administrative Services, Department of Natural Resources, in accordance with the following schedule--- Schedule: (a) Salaries and Wages----- 563,964 (b) Operating Expenses and Equipment ----- 109,584 Total of schedule----- 673,548 Less estimated reimbursements---- 256,904 Net appropriation----- 416,644	416,644
	171—For Department of Natural Resources exhibit at State Fair, Division of Administrative Services, Department of Natural Resources, in accordance with the following schedule--- Schedule: (a) State Fair exhibit----- 5,000 Less estimated reimbursements---- 1,500 Net appropriation ----- 3,500	3,500
Division of Beaches and Parks	172—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--- Schedule: (a) Salaries and Wages----- 5,621,424 (b) Operating Expenses and Equipment ----- 3,118,314 Total of schedule----- 8,739,738 Less estimated reimbursements---- 258,984 Net appropriation ----- 8,480,754	8,480,754
	173—For additional support, and for Capital Outlay, at Squaw Valley State Park, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund, upon executive order of the Director of Finance, in accordance with the following schedule ----- Schedule: (a) Alterations to utilities----- 40,000 (b) Construct parking areas---- 345,000	991,043

Item	Amount
(c) Construct employee housing	80,000
(d) Acquisition of real property	225,300
(e) Minor projects	50,000
(f) Additional support	250,743
Total of schedule	991,043
174—For operation and maintenance of roadside rests, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund	12,500
175—For support of Division of Forestry, Department of Natural Resources, in accordance with the following schedule	17,459,919
Schedule:	
(a) Salaries and Wages	14,772,008
(b) Operating Expenses and Equipment	5,883,263
Total of schedule	20,655,271
Less estimated reimbursements	3,195,352
Net appropriation	17,459,919
176—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	1,337,638
Schedule:	
(a) Kern County	336,580
(b) Los Angeles County	458,987
(c) Marin County	106,634
(d) San Mateo County	102,852
(e) Santa Barbara County	163,554
(f) Ventura County	169,031
Total of schedule	1,337,638
177—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	1,062,126
provided, that with the approval of the Department of Finance, any amount appropriated by this item may be transferred to Item 175, for the estimated cost of protection of these lands by the Division of Forestry.	

Item	Amount
178—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 -----	97,000
179—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 175 upon executive order of the Department of Finance -----	320,000
180—For forest insect control, Division of Forestry, Department of Natural Resources, to be expended in accordance with Sections 4451 through 4459 of the Public Resources Code...	20,000
181—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.....	113,068
182—For watershed research at the San Dimas Experimental Forest in co-operation with the California Forest and Range Experiment Station of the United States Department of Agriculture, Division of Forestry, Department of Natural Resources -----	24,000
183—For forest and fire research, Division of Forestry, Department of Natural Resources.....	69,696
184—For support of Division of Mines, Department of Natural Resources 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, in accordance with the following schedule -----	653,770

Division of
Mines

Item	Amount	
Schedule :		
(a) Salaries and Wages-----	477,460	
(b) Operating Expenses and Equipment -----	424,389	
Total of schedule-----	901,849	
Less estimated amounts available from other sources :		
(c) Estimated reimbursements from sale of mineral infor- mation service and publica- tions -----	56,300	
(d) Amount payable from the State Lands Act Fund (Item 185) -----	191,779	
Net appropriation -----	653,770	
185—For additional support of Division of Mines, Department of Natural Resources, payable from the State Lands Act Fund-----	191,779	
186—For geological exploration in co-operation with United States Geological Survey, Divi- sion of Mines, Department of Natural Re- sources -----	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.		
187—For publication of portions of a state geologic map, Division of Mines, Department of Natu- ral Resources, and in addition any amounts received from sale of state geologic maps, in accordance with the following schedule-----	15,795	
Schedule :		
(a) Operating Expenses -----	25,795	
Less estimated reimbursements-----	10,000	
Net appropriation-----	15,795	
188—For support of Division of Oil and Gas, De- partment of Natural Resources, payable from the Petroleum and Gas Fund, in accordance with the following schedule-----	747,218	Division of Oil and Gas
Schedule :		
(a) Salaries and Wages-----	627,129	
(b) Operating Expenses and Equipment -----	237,037	
Total of schedule-----	864,166	

Item	Amount
Less estimated amounts available from other sources:	
(c) Reimbursements -----	6,104
(d) Amount payable from Subsidence Abatement Fund (Item 189) -----	110,844
Net appropriation -----	747,218
189—For support of Division of Oil and Gas, Department of Natural Resources, payable from the Subsidence Abatement Fund -----	110,844
Division of Small Craft Harbors 190—For support of Division of Small Craft Harbors, Department of Natural Resources, in accordance with the following schedule -----	73,489
Schedule:	
(a) Salaries and Wages -----	46,384
(b) Operating Expenses and Equipment -----	27,105
Total of schedule -----	73,489
191—For support of Division of Small Craft Harbors, Department of Natural Resources, payable from the Small Craft Harbors Revolving Fund, in accordance with the following schedule -----	182,937
Schedule:	
(a) Salaries and Wages -----	126,522
(b) Operating Expenses and Equipment -----	56,415
Total of schedule -----	182,937
Division of Soil Conservation 192—For support of Division of Soil Conservation, Department of Natural Resources, in accordance with the following schedule -----	433,340
Schedule:	
(a) Salaries and Wages -----	336,848
(b) Operating Expenses and Equipment -----	129,945
Total of schedule -----	466,793
Less unallocated reduction -----	33,453
Net appropriation -----	433,340
193—For operation of the United States Soil Conservation Service Nursery located at Pleasanton, Division of Soil Conservation, Department of Natural Resources, under co-operative agreement with the United States Soil Conservation Service -----	35,000

Item	Amount	
194—For support of Division of Recreation, Department of Natural Resources, in accordance with the following schedule-----	113,903	Division of Recreation
Schedule:		
(a) Salaries and Wages-----	70,640	
(b) Operating Expenses and Equipment -----	43,263	
Total of schedule-----	113,903	
PUBLIC HEALTH		
195—For support of Department of Public Health, in accordance with the following schedule---	7,722,790	Department of Public Health
Schedule:		
(a) Salaries and Wages-----	6,841,695	
(b) Operating Expenses and Equipment -----	2,555,733	
Total of schedule-----	9,397,428	
Less estimated amounts available from other sources:		
(c) Reimbursements -----	178,487	
(d) Estimated grants from the federal government or agencies thereof -----	1,496,151	
Net appropriation -----	7,722,790	
196—For additional support of Department of Public Health for the study of an epilepsy program pursuant to Chapter 2033, Statutes of 1959 -----	82,680	
PUBLIC WORKS		
197—For support of State Building Standards Commission, Division of Architecture, Department of Public Works, in accordance with the following schedule-----	42,498	Department of Public Works Building Standards Commission
Schedule:		
(a) Salaries and Wages-----	32,209	
(b) Operating Expenses and Equipment -----	10,289	
Total of schedule -----	42,498	
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 -----	1,145,872	Division of Architecture

Item	Amount
Schedule:	
(a) Salaries and Wages.....	875,075
(b) Operating Expenses and Equipment	270,797
Total of schedule.....	1,145,872
198.5—For expenditure by the Division of Architecture, Department of Public Works, payable from the Division of Architecture Revolving Fund, for the purposes specified in Section 14030 of the Government Code, in accordance with the following schedule.....	9,597,054
Schedule:	
(a) Salaries and Wages.....	8,364,858
(b) Operating Expenses and Equipment	1,232,196
Total of schedule.....	9,597,054
provided, that any balances in the Division of Architecture Revolving Fund continue to be appropriated by and subject to Section 14030 of the Government Code, and are available for construction and for augmentation of this appropriation.	
Aeronautics Commission 199—For support of California Aeronautics Commission, in accordance with the following schedule	84,802
Schedule:	
(a) Salaries and Wages.....	50,561
(b) Operating Expenses and Equipment	34,241
Total of schedule.....	84,802
Colorado River Boundary Commission 200—For support of Colorado River Boundary Commission, payable from the State Lands Act Fund	25,000
REGULATION AND LICENSING	
Department of Alcoholic Beverage Control 201—For support of Department of Alcoholic Beverage Control, in accordance with the following schedule	3,364,910
Schedule:	
(a) Salaries and Wages.....	2,757,673
(b) Operating Expenses and Equipment	608,737
Total of schedule.....	3,366,410
Less estimated reimbursements.....	1,500
Net appropriation	3,364,910

Item	Amount	
202—For support of Alcoholic Beverage Control Appeals Board, in accordance with the following schedule -----	113,064	Alcoholic Beverage Control Appeals Board
Schedule:		
(a) Salaries and Wages -----	90,187	
(b) Operating Expenses and Equipment -----	22,877	
Total of schedule -----	113,064	
203—For support of California Districts Securities Commission, in accordance with the following schedule -----	59,438	Districts Securities Commission
Schedule:		
(a) Salaries and Wages -----	55,558	
(b) Operating Expenses and Equipment -----	13,896	
Total of schedule -----	69,454	
Less estimated reimbursements for services to districts and other agen- cies -----	10,016	
Net appropriation -----	59,438	
204—For support of California Horse Racing Board, payable from the Fair and Exposition Fund, in accordance with the following schedule -----	193,864	Horse Racing Board
Schedule:		
(a) Salaries and Wages -----	122,143	
(b) Operating Expenses and Equipment -----	71,721	
Total of schedule -----	193,864	
205—For support of State Banking Department, Department of Investment, payable from the State Banking Fund, in accordance with the following schedule -----	746,664	Department of Investment Banking Department
Schedule:		
(a) Salaries and Wages -----	582,024	
(b) Operating Expenses and Equipment -----	164,640	
Total of schedule -----	746,664	
206—For support of Division of Corporations, Department of Investment, in accordance with the following schedule -----	2,203,113	Division of Corporations

Item	Amount
Schedule:	
(a) Salaries and Wages-----	2,294,539
(b) Operating Expenses and Equipment -----	436,424
Total of schedule-----	2,730,963
Less estimated reimbursements ---	527,850
Net appropriation -----	2,203,113
Department of Insurance 207—For support of Department of Insurance, payable from the Insurance Fund, in accordance with the following schedule -----	1,974,589
Schedule:	
(a) Salaries and Wages -----	1,543,271
(b) Operating Expenses and Equipment -----	443,818
Total of schedule -----	1,987,089
Less estimated reimbursements ---	12,500
Net appropriation -----	1,974,589
Division of Real Estate 208—For support of Division of Real Estate, De- partment of Investment, payable from the Real Estate Fund, in accordance with the fol- lowing schedule -----	1,593,373
Schedule:	
(a) Salaries and Wages -----	1,092,994
(b) Operating Expenses and Equipment -----	685,746
Total of schedule -----	1,778,740
Less estimated amount available from other sources:	
(c) Amount payable from the Real Estate Education and Research Fund (Item 107) -	185,367
Net appropriation -----	1,593,373
Division of Savings and Loan 209—For support of Division of Savings and Loan, Department of Investment, payable from the Savings and Loan Inspection Fund, in ac- cordance with the following schedule-----	802,681
Schedule:	
(a) Salaries and Wages-----	612,358
(b) Operating Expenses and Equipment -----	190,823
Total of schedule-----	803,181
Less estimated reimbursements ---	500
Net appropriation -----	802,681

Item	Amount	
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 -----	65,374	Board of Osteopathic Examiners
Schedule:		
(a) Salaries and Wages -----	40,821	
(b) Operating Expenses and Equipment -----	24,553	
Total of schedule -----	65,374	
211—For support of Board of Pilot Commissioners for the Harbor of San Diego -----	1,435	Board of Pilot Com- missioners San Diego Harbor
212—For support of 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 -----	24,250	San Fran- cisco, etc. Bays
Schedule:		
(a) Salaries and Wages -----	16,342	
(b) Operating Expenses and Equipment -----	7,908	
Total of schedule -----	24,250	
213—For support of Division of Administrative Procedure, Department of Professional and Vocational Standards, in accordance with the following schedule -----	70,138	Department of Profes- sional and Vocational Standards Division of Administra- tive Procedure
Schedule:		
(a) Salaries and Wages -----	210,838	
(b) Operating Expenses and Equipment -----	134,202	
Total of schedule -----	345,040	
Less estimated reimbursements -----	274,902	
Net appropriation -----	70,138	
214—For support of State Board of Accountancy, payable from the Accountancy Fund, in accordance with the following schedule -----	269,312	Boards Accountancy
Schedule:		
(a) Salaries and Wages -----	92,001	
(b) Operating Expenses and Equipment -----	177,311	
Total of schedule -----	269,312	
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 -----	89,733	Architec- tural Examiners

Item	Amount
Schedule:	
(a) Salaries and Wages.....	51,777
(b) Operating Expenses and Equipment	37,956
	89,733
Athletic Commission 216—For support of State Athletic Commission, payable from the Athletic Commission Fund, in accordance with the following schedule....	177,796
Schedule:	
(a) Salaries and Wages.....	116,736
(b) Operating Expenses and Equipment	61,060
	177,976
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	170,325
Schedule:	
(a) Salaries and Wages.....	97,134
(b) Operating Expenses and Equipment	73,191
	170,325
Cemetery Board 218—For support of Cemetery Board, payable from the Cemetery Fund, in accordance with the following schedule.....	50,213
Schedule:	
(a) Salaries and Wages.....	28,374
(b) Operating Expenses and Equipment	21,839
	50,213
Chiropractic Examiners 219—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners' Fund, in accordance with the following schedule.....	77,322
Schedule:	
(a) Salaries and Wages.....	35,582
(b) Operating Expenses and Equipment	41,740
	77,322
Registration for Civil and Professional Engineers 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.....	320,045

Item	Amount	
Schedule:		
(a) Salaries and Wages	201,069	
(b) Operating Expenses and Equipment	118,976	
Total of schedule	320,045	
221—For support of Collection Agency Licensing Bureau, Department of Professional and Vo- cational Standards, payable from the Collec- tion Agency Fund, in accordance with the following schedule	106,996	Collection Agency Licensing
Schedule:		
(a) Salaries and Wages	59,296	
(b) Operating Expenses and Equipment	47,700	
Total of schedule	106,996	
222—For support of Contractors' State License Board, payable from the Contractors' License Fund, in accordance with the following sched- ule	998,379	Contractors' License
Schedule:		
(a) Salaries and Wages	638,599	
(b) Operating Expenses and Equipment	359,780	
Total of schedule	998,379	
223—For support of State Board of Cosmetology, payable from the Board of Cosmetology's Contingent Fund, in accordance with the following schedule	304,746	Cosmetology
Schedule:		
(a) Salaries and Wages	170,464	
(b) Operating Expenses and Equipment	134,282	
Total of schedule	304,746	
224—For support of Board of Dental Examiners of California, payable from the State Dentistry Fund, in accordance with the following schedule	131,188	Dental Examiners
Schedule:		
(a) Salaries and Wages	79,813	
(b) Operating Expenses and Equipment	51,375	
Total of schedule	131,188	
225—For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund, in accordance with the following schedule	247,848	Dry Cleaners

Item	Amount
Schedule:	
(a) Salaries and Wages-----	144,284
(b) Operating Expenses and Equipment -----	103,564
	<hr/>
Total of schedule-----	247,848
Funeral Directors and Embalmers 226—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-----	57,821
Schedule:	
(a) Salaries and Wages-----	34,377
(b) Operating Expenses and Equipment -----	23,444
	<hr/>
Total of schedule-----	57,821
Furniture and Bedding Inspection 227—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 -----	353,938
Schedule:	
(a) Salaries and Wages-----	243,498
(b) Operating Expenses and Equipment -----	110,440
	<hr/>
Total of schedule-----	353,938
Guide Dogs for the Blind 228—For support of State Board of Guide Dogs for the Blind-----	3,970
Landscape Architects 229—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 -----	18,654
Schedule:	
(a) Salaries and Wages-----	6,302
(b) Operating Expenses and Equipment -----	12,352
	<hr/>
Total of schedule-----	18,654
Medical Examiners 230—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-----	418,514
Schedule:	
(a) Salaries and Wages-----	203,080
(b) Operating Expenses and Equipment -----	215,434
	<hr/>
Total of schedule-----	418,514

Item	Amount	
231—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 -----	14,061	
Schedule:		
(a) Salaries and Wages-----	7,840	
(b) Operating Expenses and Equipment -----	6,221	
Total of schedule-----	14,061	
232—For support of State Board of Medical Examiners, payable from the Physical Therapy Fund, in accordance with the following schedule -----	12,150	
Schedule:		
(a) Salaries and Wages-----	7,270	
(b) Operating Expenses and Equipment -----	4,880	
Total of schedule-----	12,150	
233—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 -----	320,215	Nurse Examiners
Schedule:		
(a) Salaries and Wages-----	194,655	
(b) Operating Expenses and Equipment -----	125,560	
Total of schedule-----	320,215	
234—For support of State Board of Optometry, payable from the State Optometry Fund, in accordance with the following schedule -----	43,956	Optometry
Schedule:		
(a) Salaries and Wages-----	25,213	
(b) Operating Expenses and Equipment -----	18,743	
Total of schedule-----	43,956	
235—For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, in accordance with the following schedule -----	308,081	Pharmacy

Item	Amount	
	Schedule:	
	(a) Salaries and Wages..... 191,367	
	(b) Operating Expenses and Equipment 116,714	
	<u>Total of schedule..... 308,081</u>	
Private Investigators and Adjusters	236—For support of Bureau of Private Investi- gators and Adjusters, Department of Profes- sional and Vocational Standards, payable from the Private Investigator and Adjuster Fund, in accordance with the following schedule -----	76,852
	Schedule:	
	(a) Salaries and Wages..... 47,571	
	(b) Operating Expenses and Equipment 29,281	
	<u>Total of schedule..... 76,852</u>	
Certified Shorthand Reporters	237—For support of Certified Shorthand Reporters Board, payable from the Shorthand Re- porters' Fund, in accordance with the follow- ing schedule -----	16,473
	Schedule:	
	(a) Salaries and Wages..... 9,045	
	(b) Operating Expenses and Equipment 7,428	
	<u>Total of schedule..... 16,473</u>	
Social Work Examiners	238—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.....	28,474
	Schedule:	
	(a) Salaries and Wages..... 16,682	
	(b) Operating Expenses and Equipment 11,792	
	<u>Total of schedule..... 28,474</u>	
Structural Pest Control	239—For support of Structural Pest Control Board, payable from the Structural Pest Con- trol Fund, in accordance with the following schedule -----	89,115
	Schedule:	
	(a) Salaries and Wages..... 44,595	
	(b) Operating Expenses and Equipment 44,520	
	<u>Total of schedule..... 89,115</u>	

Item	Amount	
240—For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund, in accordance with the following schedule.....	26,190	Board of Examiners in Veterinary Medicine
Schedule:		
(a) Salaries and Wages.....	9,666	
(b) Operating Expenses and Equipment	16,524	
Total of schedule.....	26,190	
241—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.....	111,591	Vocational Nurse Examiners
Schedule:		
(a) Salaries and Wages.....	59,327	
(b) Operating Expenses and Equipment	52,264	
Total of schedule.....	111,591	
242—For support of Yacht and Ship Brokers Commission, payable from the Yacht and Ship Brokers Fund, in accordance with the following schedule	18,575	Yacht and Ship Brokers Commission
Schedule:		
(a) Salaries and Wages.....	14,586	
(b) Operating Expenses and Equipment	9,004	
Total of schedule.....	23,590	
Less estimated reimbursements.....	5,015	
Net appropriation	18,575	
243—For support of Public Utilities Commission of the State of California, in accordance with the following schedule.....	3,417,141	Public Utilities Commission
Schedule:		
(a) Salaries and Wages.....	4,971,665	
(b) Operating Expenses and Equipment	1,257,360	
Total of schedule.....	6,229,025	
Less estimated amount available from other sources:		
(c) Reimbursements	85,000	
(d) Amount payable from the Transportation Rate Fund (Item 244)	2,726,884	
Net appropriation	3,417,141	

Item	Amount
244—For additional support of Public Utilities Commission of the State of California, payable from the Transportation Rate Fund_____	2,726,884

SOCIAL WELFARE

Department of Social Welfare	245—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 1960-61 fiscal year, shall be expended in accordance with the following schedule _____	3,499,893
	Schedule:	

(a) Salaries and Wages_____	4,067,694
(b) Operating Expenses and Equipment _____	1,641,591

Total of schedule_____ 5,709,285

Less estimated amounts available
from other sources:

(c) Reimbursements _____	135,600
(d) Estimated grants from the federal government _____	2,073,792

Net appropriation _____ 3,499,893

Citizens' Advisory Committee on Aging	246—For support of the Citizens' Advisory Committee on Aging, in accordance with the following schedule_____	48,465
	Schedule:	

(a) Salaries and Wages_____	28,404
(b) Operating Expenses and Equipment _____	20,061

Total of schedule_____ 48,465

VETERANS AFFAIRS

Department of Veterans Affairs	247—For support of Department of Veterans Affairs, in accordance with the following schedule _____	583,126
	Schedule:	

(a) Salaries and Wages_____	536,971
(b) Operating Expenses and Equipment _____	155,145

Total of schedule_____ 692,116

Less estimated amounts available
from other sources;

Item	Amount
(c) From Veterans' Farm and Home Building Fund of 1943 (Item 248) -----	108,990
Net appropriation -----	583,126
248—For additional support of Department of Veterans Affairs, payable from the Veterans' Farm and Home Building Fund of 1943-----	108,990
to be transferred to the General Fund in augmentation of Item 247.	
249—For educational assistance to veterans and veterans' dependents, Department of Veterans Affairs, to be expended under the provisions of Sections 981 through 981.7 and Sections 890 through 898 of the Military and Veterans Code in accordance with the following schedule -----	3,420,000
Schedule:	
(a) Educational assistance to veterans -----	2,850,000
(b) Educational assistance to veterans' dependents -----	570,000
Total of schedule-----	3,420,000
250—For support of Veterans' Home of California, in accordance with the following schedule -----	3,147,107
Schedule:	
(a) Salaries and Wages-----	3,400,216
(b) Operating Expenses and Equipment -----	1,163,291
Total of schedule-----	4,563,507
Less estimated amounts available from other sources:	
(c) Reimbursements -----	70,125
(d) Estimated receipts from federal government -----	1,346,275
Net appropriation -----	3,147,107
provided, that none of the funds herein appropriated shall be expended for the payment of sick leave pay for member employees.	
251—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-----	17,200
252—For support of United Spanish War Veterans Commission -----	3,400

WATER RESOURCES

Department of Water Resources	Item	Amount
	252.5—For expenditure by Department of Water Resources, in accordance with the provisions of Items 253, 255, 256, 257, and 258 of this act, in accordance with the following schedule payable from the Water Resources Revolving Fund -----	15,869,960
	Schedule:	
	(a) Salaries and Wages -----	13,365,736
	(b) Operating Expenses and Equipment -----	6,524,198
	Total of schedule -----	19,889,934
	Less estimated reimbursements -----	4,019,974
	Net appropriation -----	15,869,960
	provided, that any remaining balances in the Water Resources Revolving Fund continue to be appropriated by and subject to Section 135 of the Water Code.	
	253—For transfer to the Water Resources Revolving Fund -----	5,525,822
	to be transferred by the State Controller in such amounts as the Department of Finance may authorize for support of Department of Water Resources, including co-operative work with other agencies; provided that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1961, and any unexpended balances shall be returned to the General Fund as of June 30, 1961; and provided further, that \$75,000 of this item shall be used only for a study of the basic data program of the Department of Water Resources to establish long-range objectives, guides and priorities for said program.	
	254—For work in co-operation with the federal government, Department of Water Resources, to be expended in accordance with the following schedule -----	1,228,685
	Schedule:	
	(a) Yuba River debris control --	60,000
	(b) Co-operative mapping ----	380,000
	(c) Stream gaging -----	312,085
	(d) Irrigation research -----	45,000
	(e) Establishment of gaging stations -----	60,000
	(f) Ground water basin and subsidence studies -----	115,000

Item	Amount
(g) Development, installation and rating of an ultrasonic stream measuring station---	5,000
(h) Specific yield studies-----	30,000
(i) Beach erosion investigations	27,500
(j) Research in snow pack management -----	68,500
(k) Sediment investigations ---	35,000
(l) Water quality investigations	60,600
(m) Leveling in subsidence areas	30,000

Total of schedule----- 1,228,685

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 340 through 342 of the Water Code.

254.1—For ground water investigation studies in Coachella Valley, comprising the alluvial fill area of the Whitewater River watershed extending from the drainage divide in the San Gorgonio Pass on the north to Riverside county line on the south, and bounded on the northeast by the San Bernardino Mountains, Little San Bernardino Mountains, Mecca Hill, and Orocopio Mountains, and on the southwest by the San Jacinto Mountains and Santa Rosa Mountains, Department of Water Resources, payable from the California Water Fund -----

50,000

provided, that the moneys hereby appropriated may be expended from time to time, but no expenditure shall be made unless and until moneys equal to or in excess of the amount then proposed to be expended for such work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local government but excluding agencies which are a part of the executive department of the state government) for expenditure by the department for such work, to the end that any sums expended from this appropriation from time to time shall be matched by like or greater amounts from public sources other than the State Treasury or funds of any agency which is a part of the executive department of the state government.

Item	Amount
255—	
For transfer to the Water Resources Revolving Fund, payable from the California Water Fund -----	283,571
to be transferred by the State Controller in such amounts as the Department of Finance may authorize for additional support of Department of Water Resources to conduct a comprehensive water pollution study of the Sacramento River, Department of Water Resources; provided that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1961, and any unexpended balances shall be returned to the California Water Fund as of June 30, 1961.	
256—	
For transfer to the Water Resources Revolving Fund, payable from the California Water Fund -----	3,736,480
to be transferred by the State Controller in such amounts as the Department of Finance may authorize for conducting water resources investigations, surveys and studies, preparing plans and estimates, making reports thereon, and otherwise performing all work and doing all things required relative to the California water planning program, Department of Water Resources; provided that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1961, and any unexpended balances shall be returned to the California Water Fund as of June 30, 1961.	
257—	
For transfer to the Water Resources Revolving Fund, payable from the California Water Fund -----	5,814,541
to be transferred by the State Controller in such amounts as the Department of Finance may authorize 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 California water development program, Department of Water Resources; provided that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after	

Item	Amount	
June 30, 1961, and any unexpended balances shall be returned to the California Water Fund as of June 30, 1961.		
258—For transfer to the Water Resources Revolving Fund, payable from the California Water Fund -----	509,546	
to be transferred by the State Controller in such amounts as the Department of Finance may authorize for additional support of Department of Water Resources to conduct investigations, surveys and studies in accordance with the following schedule; provided that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1961, and any unexpended balances shall be returned to the California Water Fund as of June 30, 1961.		
Schedule:		
(a) Administration of state financial assistance to local projects -----	211,546	
(b) Crustal strain and fault movement studies -----	108,808	
(c) Applied nuclear administration -----	189,192	
Total of schedule -----	509,546	
259—For support of Colorado River Board of California, in accordance with the following schedule -----	217,784	Colorado River Board
Schedule:		
(a) Salaries and Wages -----	150,257	
(b) Operating Expenses and Equipment -----	67,527	
Total of schedule -----	217,784	
260—For support of Klamath River Compact Commission -----	572	Klamath River Commission
261—For support of California-Nevada Interstate Compact Commission -----	94,840	California- Nevada Interstate Compact Commission
262—For support of Reclamation Board, in accordance with the following schedule -----	168,308	Reclamation Board
Schedule:		
(a) Salaries and Wages -----	426,859	
(b) Operating Expenses and Equipment -----	157,829	
Total of schedule -----	584,688	
Less estimated reimbursements -----	416,380	
Net appropriation -----	168,308	

Item	Amount
Water Pollution Control Board 263—For support of State Water Pollution Control Board and the regional water pollution control boards, in accordance with the following schedule -----	900,555
Schedule:	
(a) Salaries and Wages -----	440,700
(b) Operating Expenses and Equipment -----	586,955
Total of schedule -----	1,027,655
Less estimated amounts available from other sources:	
(c) Estimated grants from the federal government or agencies thereof -----	127,100
Net appropriation -----	900,555
provided, that \$115,500 of this appropriation contained in schedule (b) shall be available only for contracting with the Regents of the University of California for the San Francisco Bay water pollution study in furtherance and continuation of the studies and investigations of pollution in the San Francisco Bay area authorized by Chapter 1909, Statutes of 1959.	
Water Rights Board 264—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 -----	788,529
Schedule:	
(a) Salaries and Wages -----	671,954
(b) Operating Expenses and Equipment -----	220,575
Total of schedule -----	892,529
Less estimated reimbursements -----	104,000
Net appropriation -----	788,529

MISCELLANEOUS

Compensation benefits to state officers and employees 265—For the payment of workmen's compensation benefits in conformance with the provisions of Sections 3201 through 6002 and Sections 6100 through 6149 of the Labor Code and Public Law 108, Chapter 225, Eighty-first Congress, First Session, as adopted by Section 340, Military and Veterans Code to state officers and employees whose salaries or wages	
--	--

Item	Amount	
at time of compensable injury or death were payable in whole or in part from the General Fund -----	1,750,000	
266—For payment of the additional compensation for subsequent injury provided for by Section 4751 of the Labor Code, Department of Industrial Relations -----	850,000	
267—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----	10,000	Refunds
268—For claim of the Secretary of the State Board of Control, to be paid from the several funds, in accordance with the following schedule---	118,869	Claims: Board of Control
Schedule:		
(a) General Fund -----	68,155	
(b) Accountancy Fund .. -----	10	
(c) Department of Agriculture Fund -----	370	
(d) State Fair Fund -----	310	
(e) Fish and Game Preservation Fund -----	623	
(f) State Highway Fund-----	36,989	
(g) Insurance Fund -----	60	
(h) Motor Vehicle Fund-----	1,910	
(i) Motor Vehicle Fuel Fund..	7,180	
(j) Motor Vehicle License Fee Fund -----	100	
(k) Real Estate Fund	50	
(l) Purchasing Revolving Fund	86	
(m) San Francisco Harbor Improvement Fund -----	2,243	
(n) Unemployment Com- pensation Disability Fund ..	36	
(o) Veterans Farm and Home Building Fund of 1943 ..	69	
(p) Funds in the possession of or under the control of the 1A District Agriculture Association -----	678	
Total of schedule-----	118,869	
268.1—To Secretary of the State Board of Control for payment of claims filed pursuant to Chapter 2099, Statutes of 1957, from the Fish and Game Preservation Fund, an amount equal to the sum derived or to be derived from the sale by the State of boats, nets and fishing		

Item	Amount	
	equipment acquired pursuant to that statute and Item 266 of the Budget Act of 1958 and thereafter credited to the Fish and Game Preservation Fund.	
Correctional Industries Revolving Fund	269—For augmentation of Correctional Industries Revolving Fund ----- to be transferred by the State Controller in such amounts and for such periods as the Department of Finance may authorize.	200,000
Printing Fund	270—For augmentation of the Printing Fund---- to be transferred by the State Controller in such amounts and for such periods as the Department of Finance may authorize provided, however, that \$387,500 of this amount shall not be transferred unless the Director of Finance determines that a sufficient number of textbooks are to be produced in the State Printing Plant to require additional equipment.	546,500
Purchasing Revolving Fund	271—The unexpended balance remaining on June 30, 1960, of the appropriation made by Item 274, Budget Act of 1959, 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 Department of Finance may authorize. The appropriation made by this item shall remain available for allocation, reallocation and expenditure until June 30, 1962.	
	272—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 part of such appropriation which is intended to be used and is available for the purchase or replacement of automobiles.	
	273—For temporary transfers to the General Fund in accordance with Section 16310 of the Government Code, payable from the California Water Fund; provided, that this item does not authorize any transfer which will interfere with the object for which said California Water Fund was created.	

Item	Amount	
274—For support of Capitol Building and Planning Commission, Department of Finance____ and in addition any amounts received from other sources shall be available for expenditure pursuant to the provisions of Chapter 1952, Statutes of 1959	30,000	Department of Finance Capitol Building and Planning Commission

PROVISION FOR SALARY INCREASES

275—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will (a) 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 1959-60 or 1960-61 fiscal year by the State Personnel Board or other salary-fixing authority, and (b) with respect to state officers whose salaries are specified by statute make sufficient money available to augment by 5 percent the amount of salaries received by such officers as of June 30, 1960, during the 1960-61 fiscal year, pursuant to Section 11570 of the Government Code____ provided, that none of the moneys made available by this item shall be allocated to augment the salaries of those state officers and employees whose salaries are specified by statute and whose salaries were established or increased by other legislation enacted in 1960. For state officers and employees, including officers whose salaries are specified by statute, whose compensation, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers 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.	20,991,471	Salary Increase Fund
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Item	Amount
	<p>Before the State Personnel Board or other administrative salary-fixing authority establishes any increased salary range during the 1960-61 fiscal year, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of the increased salary range.</p>
University Salary Increase Fund	276—For University Salary Increase Fund to be allocated by the Department of Finance to the Regents of the University of California, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range established during the 1960-61 fiscal year by the regents ----- Allocations to the University of California shall be made by the Department of Finance upon certification by the regents that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services.
	8,343,197
RESERVE FOR CONTINGENCIES	
Emergency Fund	277—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies ----- provided, that loans may be made from the Emergency Fund to state agencies which derive their support from sources other than the General Fund, upon such terms and conditions for repayment as may be prescribed by the Department of Finance and any sum so loaned shall, if ordered by the Department of Finance, be transferred by the State Controller to the fund from which the support of the agency is derived. Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law.
	1,000,000
	278—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies, in augmentation of the appropriation made by Item 278, Budget Act of 1959-----
	1,325,839

Item	Amount
Notwithstanding other provisions of this section, the appropriation made by this item is available for payment of expenditures incurred during the 1959-60 fiscal year.	

CAPITAL OUTLAY SECTION

SEC. 2.1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1960-61, 1961-62 and 1962-63 fiscal years.

AGRICULTURE

Item	Amount	
279—For Capital Outlay, Department of Agriculture, in accordance with the following schedule -----	217,000	Department of Agriculture
Schedule:		
(a) Site acquisition—Beaumont_	5,000	
(b) Site acquisition—Gorman _	1,000	
(c) Construct inspection station —Beaumont -----	99,300	
(d) Construct inspection station —Gorman -----	83,700	
(e) Minor projects -----	28,000	
Total of schedule-----	217,000	

CORRECTIONS

280—For Capital Outlay, Medical Facility, Department of Corrections, in accordance with the following schedule-----	245,220	Department of Corrections: Medical Facility
Schedule:		
(a) Construct water facilities or to pay the State's share of a local public agency's cost of constructing water facilities to supply water to said medical facility -----	201,000	
(b) Minor projects -----	44,220	

Total of schedule----- 245,220

provided, that no money appropriated by this item shall be expended to construct sewage facilities or pay the State's share of a local public agency's cost of constructing sewage facilities for said medical facility without the prior approval of the Public Works Board.

281—For Capital Outlay, California Men's Colony—West Facility, Department of Corrections, in accordance with the following schedule -----	73,109	Men's Colony West Facility
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Item	Amount
Schedule:	
(a) Minor projects -----	73,109
Total of schedule -----	
73,109	73,109
Men's Colony. East Facility	282—For Capital Outlay, California Men's Colony—East Facility, Department of Corrections, in accordance with the following schedule -----
	2,275,000
Schedule:	
(a) Equip new medium security facility and employees' activity building -----	2,275,000
Total of schedule -----	
2,275,000	2,275,000
Institution for Men	283—For Capital Outlay, California Institution for Men, including Tehachapi Branch, Department of Corrections, in accordance with the following schedule -----
	321,037
Schedule:	
(a) Construct additional boiler _	118,000
(b) Equip addition to reception-guidance center -----	105,000
(c) Equip dormitory addition _	17,000
(d) Minor projects -----	81,037
Total of schedule -----	
321,037	321,037
Prisons: Folsom	284—For Capital Outlay, State Prison at Folsom, Department of Corrections, in accordance with the following schedule -----
	182,910
Schedule:	
(a) Minor projects -----	182,910
Total of schedule -----	
182,910	182,910
San Quentin	285—For Capital Outlay, State Prison at San Quentin, Department of Corrections, in accordance with the following schedule -----
	621,605
Schedule:	
(a) Construct chapel—phase II	229,000
(b) Equip chapel—phase I ----	11,300
(c) Construct addition to boiler plant -----	224,000
(d) Equip isolation-segregation building -----	32,400
(e) Minor projects ---	124,905
Total of schedule -----	
621,605	621,605

Item	Amount	
286—For Capital Outlay, Correctional Training Facility, Department of Corrections, in accordance with the following schedule -----	232,200	Correctional Training Facility
Schedule:		
(a) Construct addition to in-		
dustries warehouse -----	88,700	
(b) Construct addition to dairy	80,000	
(c) Equip addition to north fa-		
cility administration build-		
ing -----	6,500	
(d) Minor projects -----	57,000	
Total of schedule -----	232,200	
287—For Capital Outlay, Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule -----	185,130	Deuel Vocational Institution
Schedule:		
(a) Equip reception-guidance		
center -----	141,100	
(b) Minor projects -----	44,030	
Total of schedule -----	185,130	
288—For Capital Outlay, Conservation Center and Branch Conservation Centers, in accordance with the following schedule -----	10,264,286	Conservation Center, Branches
Schedule:		
(a) Construct conservation cen-		
ter—Lassen County -----	8,147,086	
(b) Construct conservation cen-		
ter branch — Tuolumne		
County -----	1,039,300	
(c) Construct conservation cen-		
ter branch — Mono-Inyo		
Counties -----	1,077,900	
Total of schedule -----	10,264,286	
289—For Capital Outlay, California Institution for Women, Department of Corrections, in accordance with the following schedule -----	90,436	Institution for Women
Schedule:		
(a) Equip sixth cottage -----	65,000	
(b) Minor projects -----	25,436	
Total of schedule -----	90,436	

YOUTH AUTHORITY

	Item	Amount
Department of Youth Authority: Reception Centers and Clinics: Northern California	290—For Capital Outlay, Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule----- Schedule:	533,685
	(a) Construct living unit-----	357,300
	(b) Construct commissary addition and clothing distribution room-----	140,450
	(c) Equip commissary addition and clothing distribution room-----	12,700
	(d) Equip living unit-----	11,635
	(e) Minor projects-----	11,600
	Total of schedule-----	533,685
Southern California	291—For Capital Outlay, Southern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule----- Schedule:	18,000
	(a) Minor projects-----	18,000
	Total of schedule-----	18,000
Schools: Fricot Ranch	292—For Capital Outlay, Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule--- Schedule:	103,005
	(a) Equip living unit-----	16,225
	(b) Equip classrooms-----	9,830
	(c) Minor projects-----	76,950
	Total of schedule-----	103,005
Fred C Nelles	293—For Capital Outlay, Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule----- Schedule:	2,503,950
	(a) Construct two living units--	573,000
	(b) Construct cottage alterations	185,200
	(c) Equip cottage alterations---	2,200
	(d) Construct library and classroom buildings-----	424,200
	(e) Equip library and classroom buildings-----	23,620
	(f) Construct field shower and dressing facilities-----	116,000
	(g) Equip field shower and dressing facilities-----	4,070

Item	Amount	
(h) Construct food service building -----	674,000	
(i) Construct visiting and control unit -----	260,100	
(j) Equip visiting and control unit -----	3,325	
(k) Equip two living units -----	26,060	
(l) Equip arts and crafts and music building -----	28,675	
(m) Additional electrical facilities -----	78,700	
(n) Minor projects -----	104,800	
Total of schedule -----	2,503,950	
294—For Capital Outlay, Northern California Youth Center, Department of the Youth Authority, in accordance with the following schedule -----	900,000	Northern California Youth Center
Schedule:		
(a) Site acquisition -----	700,000	
(b) Working drawings—central services unit and initial 400-ward institution -----	200,000	
Total of schedule -----	900,000	
295—For Capital Outlay, Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule---	430,565	Paso Robles
Schedule:		
(a) Construct special treatment center -----	159,400	
(b) Equip special treatment center -----	18,840	
(c) Construct physical education building -----	171,200	
(d) Equip physical education building -----	725	
(e) Minor projects -----	80,400	
Total of schedule -----	430,565	
296—For Capital Outlay, Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule---	170,650	
Schedule:		
(a) Equip living unit -----	7,000	
(b) Minor projects -----	163,650	
Total of schedule -----	170,650	
297—For Capital Outlay, Youth Training School, Department of the Youth Authority, in accordance with the following schedule-----	904,535	Youth Training School

Item	Amount
Schedule:	
(a) Construct vocational shop addition	284,250
(b) Construct academic school addition	76,300
(c) Construct hospital addition	60,800
(d) Equip Youth Training School	483,185
	904,535
Los Guilucos 298—For Capital Outlay, Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule	31,400
Schedule:	
(a) Minor projects	31,400
	31,400
Ventura 299—For Capital Outlay, Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule	1,142,000
Schedule:	
(a) Construct two living units ..	831,500
(b) Construct additional vocational shops	183,800
(c) Construct gymnasium addition	76,700
(d) Equip new school—phase II ..	50,000
	1,142,000
EDUCATION	
State Colleges: Alameda County 300—For Capital Outlay, State College for Alameda County, in accordance with the following schedule	808,290
Schedule:	
(a) Working drawings	550,000
(b) Minor projects	258,290
	808,290
Chico 301—For Capital Outlay, Chico State College, in accordance with the following schedule	1,824,830
Schedule:	
(a) Re model administration building—phase I	104,500
(b) Construct education-psychology building	1,052,000
(c) Working drawings for music building	75,000
(d) Site acquisition	453,000

Item	Amount	
(e) Construct surface parking --	45,000	
(f) Minor projects -----	95,330	
Total of schedule -----	1,824,830	
302—For Capital Outlay, Fresno State College, in accordance with the following schedule -----	1,692,265	Fresno
Schedule:		
(a) Construct industrial arts addition -----	696,200	
(b) Construct men's gymnasium addition -----	724,000	
(c) Construct surface parking --	45,000	
(d) Equip women's gymnasium addition -----	12,400	
(e) Equip speech-drama building—2d increment -----	107,785	
(f) Minor projects -----	106,880	
Total of schedule -----	1,692,265	
303—For Capital Outlay, Humboldt State College, in accordance with the following schedule ---	1,892,160	Humboldt
Schedule:		
(a) Construct library building -	1,035,100	
(b) Site acquisition -----	430,000	
(c) Construct underground power distribution and lighting system -----	137,250	
(d) Construct surface parking --	45,000	
(e) Equip forest-management building -----	99,970	
(f) Equip outdoor physical education facility -----	3,600	
(g) Minor projects -----	141,240	
Total of schedule -----	1,892,160	
304—For Capital Outlay, Long Beach State College, in accordance with the following schedule -----	1,837,320	Long Beach
Schedule:		
(a) Construct classroom building No. 5 -----	1,014,000	
(b) Working drawings for classroom building No. 6 -----	143,300	
(c) Construct surface parking --	405,500	
(d) Construct additional sewer and water services -----	82,300	
(e) Equip engineering building—1st increment -----	150,000	

	Item	Amount
	(f) Equip industrial arts building—2d increment -----	11,920
	(g) Minor projects -----	30,300
	Total of schedule -----	1,837,320
Los Angeles	305—For Capital Outlay, Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule -----	5,513,404
	Schedule:	
	(a) Construct classroom building No. 1 -----	5,304,000
	(b) Working drawings for multi-storied parking facility -----	125,000
	(c) Construct surface parking --	48,000
	(d) Minor projects -----	36,404
	Total of schedule -----	5,513,404
Orange County	306—For Capital Outlay, Orange County State College, in accordance with the following schedule -----	1,574,305
	Schedule:	
	(a) Site development -----	828,400
	(b) Working drawings for science building -----	550,000
	(c) Equip temporary buildings --	195,905
	Total of schedule -----	1,574,305
Sacramento	307—For Capital Outlay, Sacramento State College, in accordance with the following schedule -----	1,038,800
	Schedule:	
	(a) Construct art building addition -----	1,006,800
	(b) Minor projects -----	32,000
	Total of schedule -----	1,038,800
San Diego	308—For Capital Outlay, San Diego State College, in accordance with the following schedule ----	4,841,557
	Schedule:	
	(a) Construct life science and psychology addition -----	3,817,000
	(b) Construct outdoor physical education facilities -----	644,750
	(c) Construct surface parking --	90,000
	(d) Working drawings for cafeteria -----	70,000
	(e) Site acquisition for surface parking -----	27,500
	(f) Equip corporation yard ----	12,980
	(g) Equip outdoor physical education facilities -----	9,330

Item	Amount	
(h) Equip cafeteria addition	63,000	
(i) Construct sidewalk and landscape along Montezuma Avenue	20,700	
(j) Minor projects	86,297	
	<hr/>	
Total of schedule	4,841,557	
309—For Capital Outlay, San Fernando Valley State College, in accordance with the following schedule	2,195,440	San Fernando Valley
Schedule:		
(a) Working drawings for classroom building No. 1	358,960	
(b) Install parking controls	53,600	
(c) Construct gymnasium—additional cost	1,314,900	
(d) Equip fine arts building—2d increment	16,920	
(e) Equip speech-drama building	137,015	
(f) Equip cafeteria	122,620	
(g) Equip library—2d increment	77,150	
(h) Equip science building—2d increment	36,440	
(i) Minor projects	77,835	
	<hr/>	
Total of schedule	2,195,440	
310—For Capital Outlay, San Francisco State College, in accordance with the following schedule	470,085	San Francisco
Schedule:		
(a) Provide additional electrical services	113,700	
(b) Equip creative arts basement	3,170	
(c) Equip cafeteria addition	107,530	
(d) Minor projects	245,685	
	<hr/>	
Total of schedule	470,085	
311—For Capital Outlay, San Jose State College, in accordance with the following schedule	4,015,835	San Jose
Schedule:		
(a) Construct audio-visual building addition	390,400	
(b) Working drawings for police-military science building	110,000	
(c) Site acquisition	1,000,000	
(d) Construct women's gymnasium addition	2,090,100	
(e) Construct outdoor physical education facility	133,500	

Item	Amount
(f) Extend steam services— phase II	120,000
(g) Equip audio-visual building addition	57,860
(h) Minor projects	113,975
	4,015,835
Stanislaus 312—For Capital Outlay, Stanislaus State College, in accordance with the following schedule—	200,000
Schedule:	
(a) Site acquisition, construc- tion, improvements and equipment	200,000
	200,000
Polytechnic 313—For Capital Outlay, California State Poly- technic College, in accordance with the fol- lowing schedule	11,529,922
Schedule:	
(a) Construct engineering build- ing—San Luis Obispo Cam- pus	2,928,300
(b) Construct English and speech wing—San Luis Obispo Cam- pus	440,750
(c) Equip English and speech wing—San Luis Obispo Cam- pus	14,750
(d) Construct physical science addition—San Luis Obispo Campus	611,800
(e) Construct administration- classroom building—San Luis Obispo Campus	1,544,000
(f) Construct surface parking— San Luis Obispo Campus ..	45,000
(g) Equip corporation yard— San Luis Obispo Campus ..	52,500
(h) Equip library addition — San Luis Obispo Campus ..	164,200
(i) Construct crops unit—San Luis Obispo Campus	90,000
(j) Equip crops unit—San Luis Obispo Campus	37,250
(k) Minor projects — San Luis Obispo Campus	84,442
(l) Construct administration- classroom building—Kellogg- Voorhis Campus	2,090,900

Item	Amount	
(m) Construct agriculture classroom building — Kellogg-Voorhis Campus	1,181,000	
(n) Construct little theater-music building — Kellogg-Voorhis Campus	2,146,500	
(o) Construct surface parking—Kellogg-Voorhis Campus ..	22,500	
(p) Equip cafeteria addition—Kellogg-Voorhis Campus ..	68,680	
(q) Minor projects — Kellogg-Voorhis Campus	7,350	
Total of schedule	11,529,922	
314—For Capital Outlay, California Maritime Academy, in accordance with the following schedule	50,900	Maritime Academy
Schedule:		
(a) Minor projects	50,900	
Total of schedule.....	50,900	
315—For Capital Outlay, California School for the Blind, in accordance with the following schedule	12,950	School for Blind
Schedule:		
(a) Minor projects	12,950	
Total of schedule	12,950	
316—For Capital Outlay, California School for the Deaf—Berkeley, in accordance with the following schedule	61,842	Schools for the Deaf Berkeley
Schedule:		
(a) Minor projects	61,842	
Total of schedule	61,842	
317—For Capital Outlay, California School for the Deaf—Riverside, in accordance with the following schedule	9,037	Riverside
Schedule:		
(a) Minor projects	9,037	
Total of schedule	9,037	
318—For Capital Outlay, School for Cerebral Palsied Children, Southern California, in accordance with the following schedule	60,000	Southern California School for Cerebral Palsied Children
Schedule:		
(a) Working drawings for new facility	60,000	
Total of schedule.....	60,000	

Item	Amount
University of California 319—For Capital Outlay, University of California, exempt from Section 31 of this act, in accordance with the following schedule -----	47,693,435
provided, that withdrawals shall be as required to meet maturing obligations as certified by the University of California notwithstanding any other provision of law.	
Schedule:	
(a) Preliminary plans—state-wide -----	1,122,100
(b) Acquire, remodel and equip California Farm Bureau Federation Building—Berkeley -----	480,954
(c) Alter and equip off-campus storage building—statewide -----	375,000
(d) Purchase and construct auxiliary equipment for 120-inch telescope—Mt. Hamilton -----	73,920
(e) Construct and equip staff apartment building—Mt. Hamilton -----	89,475
(f) Working drawings for alterations to Haviland Hall—Berkeley -----	21,000
(g) Equip earth sciences building—Berkeley -----	533,713
(h) Working drawings for alterations to Hearst Mining Building—Berkeley -----	21,500
(i) Complete construction of chemistry unit 1—Berkeley -----	1,981,000
(j) Construct utilities—Berkeley -----	352,500
(k) Construct engineering unit 1—Berkeley -----	5,000,000
(l) Construct Le Conte Annex—Berkeley -----	3,383,470
(m) Alter and equip third floor Mulford Hall (completion)—Berkeley -----	154,403
(n) Construct greenhouses on Oxford Tract—Berkeley --	755,500
(o) Land acquisition—Berkeley -----	242,000
(p) Acquire Stephens Union and Eshleman Hall—Berkeley --	1,620,000
(q) Construct general campus utilities—Davis -----	765,600
(r) Construct biological sciences unit 2—Davis -----	3,867,000

Item	Amount
(s) Construct classroom unit 2— Davis -----	1,325,000
(t) Construct and equip school of science and engineering building unit 1—La Jolla -	3,836,940
(u) Working drawings for school of science and engi- neering building unit 2—La Jolla -----	219,000
(v) Construct utilities, heating plant and site improvements for school of science and engineering— Step I — La Jolla -----	1,665,500
(w) Land acquisition for labora- tory unit 4—La Jolla -----	108,000
(x) Equip engineering unit 3— Los Angeles -----	722,919
(y) Equip altered areas in physics building—Los An- geles -----	68,640
(z) Construct additions to cam- pus electrical system—Los Angeles -----	367,300
(aa) Construct addition to chem- istry-geology building—Los Angeles -----	4,215,800
(bb) Complete Franz Hall addi- tion and alter and equip areas in Franz Hall—Los Angeles -----	426,500
(cc) Working drawings for physics unit 2—Los Angeles	203,200
(dd) Construct addition to cy- clotron building— Los An- geles -----	77,150
(ee) Equip altered areas in medical center to serve neuropsychiatric institute— Los Angeles Medical Center	132,000
(ff) Equip research laboratories of neuropsychiatric institute —Los Angeles Medical Center -----	224,343
(gg) Construct heating plant on west medical campus— Los Angeles Medical Center ----	230,355
(hh) Construct parking struc- ture—Los Angeles Medical Center -----	546,000

Item	Amount
(ii) Equip health service building—Riverside	103,482
(jj) Construct and equip alterations to physical education building—Riverside	26,000
(kk) Equip physical education facilities—Riverside	16,896
(ll) Construct utilities	226,300
(mm) Working drawings for humanities building—Riverside	100,400
(nn) Construct general campus site improvements — Riverside	250,000
(oo) Construct and equip alterations to University of California Hospital—San Francisco	652,000
(pp) Construct health sciences instruction and research unit 1—San Francisco	8,375,275
(qq) Land acquisition — San Francisco	430,000
(rr) Construct utilities — Santa Barbara	186,400
(ss) Construct and equip alterations to science unit 1—Santa Barbara	86,000
(tt) Construct general campus site improvements — Santa Barbara	160,000
(uu) Minor projects	1,872,900
	<hr/>
Total of schedule.....	47,693,435
<p>The appropriation in section (p) above is to become available only after receipt and approval of an up-to-date appraisal of Stephens Union and Eshleman Hall by the Director of Finance.</p>	
319.5—For Capital Outlay, University of California, upon the executive order of the Director of Finance, exempt from Section 31 of this act, for campus planning and development including real property acquisition as may be determined by agreement between the Governor, Board of Regents and Director of Finance	3,000,000

EMPLOYMENT

Item	Amount	Department of Employment
320—For Capital Outlay, Department of Employment, in accordance with the following schedule, payable from the Department of Employment Contingent Fund -----	160,700	
Schedule:		
(a) Working drawings, construction, improvements and equipment—repairs and alterations to building—Eureka -----	55,700	
(b) Working drawings, construction, improvements and equipment—repairs and alterations to building—Riverside -----	52,000	
(c) Minor projects -----	53,000	
Total of schedule -----	160,700	
provided, that the amount appropriated by this item shall be reduced by the amount of any federal grants under Title III of the Social Security Act made available for expenditure for the purposes specified by this item.		
321—For Capital Outlay, Department of Employment, for the purposes listed below, payable from moneys credited to this State's account in the Unemployment Trust Fund and made available to this State under Section 903 of the Social Security Act, as amended -----	3,789,593	
Purposes:		
(a) Acquisition of site for parking lot and future building expansion:		
(1) Eureka		
(2) Redding		
(3) Inglewood		
(4) Chico		
(5) Hollywood		
(6) Riverside		
(7) San Bernardino		
(8) Bakersfield		
(9) Santa Barbara		
(10) Indio		
(11) Stockton		
(12) Salinas		
(13) Fullerton		
(14) Santa Rosa		
(15) Los Angeles		

Item	Amount
(b) Real property acquisition to consolidate employment center, Los Angeles	
(c) Working drawings, construction, improvements and equipment—building addition:	
(1) Eureka	
(2) Redding	
(3) Salinas	
(4) Long Beach	
(5) Inglewood	
(6) Riverside	
(d) Preliminary plans for fiscal year 1961-62 Capital Outlay construction items	
(e) Working drawings, minor construction, improvements and equipment — off-street parking—Fullerton	
Provided that:	
(aa) Such money is requisitioned from the Unemployment Trust Fund pursuant to Section 1528.5 of the Unemployment Insurance Code.	
(bb) No part of the money hereby appropriated may be obligated after the expiration of the two-year period beginning with the date of the enactment of this act. For purposes of this item, "date of the enactment" means July 1, 1960.	
(cc) The total amount obligated pursuant to this item and Item 385 during the fiscal year 1960-61, or pursuant to this item during the fiscal year 1961-62, shall not exceed the amount by which	
(1) The aggregate of the amounts credited to the account	

Item	Amount
of this State pursuant to Section 903 of the Social Security Act during such particular fiscal year and the four preceding fiscal years, exceeds	
(2) The aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five fiscal years.	

FISCAL AFFAIRS

322—For Capital Outlay, Department of Finance, in accordance with the following schedule	1,699,700	Department of Finance
Schedule:		
(a) Acquisition of site, planning and site development—Governor's Mansion	150,000	
(b) Acquisition of site—El Centro	50,000	
(c) Construct alterations and improvements—Los Angeles State Building	1,008,000	
(d) Remodel fifth floor—Capitol Annex	74,000	
(e) Expansion of Treasurer's vault	193,500	
(f) Equip Los Angeles Office Building	91,000	
(g) Equip Fresno State Building	55,000	
(h) Minor projects	78,200	
Total of schedule	1,699,700	
323—For Capital Outlay, State Fair and Exposition, in accordance with the following schedule		State Fair and Exposition
Schedule:		
(a) Minor projects	47,000	
Total of schedule	47,000	47,000

Item	Amount
323.1—The unexpended balances, as of June 30, 1960, of the amounts appropriated by Chapter 1071, Statutes of 1957, are hereby reappropriated to the Director of Finance, for Capital Outlay purposes, in connection with the California State Fair and Exposition.	
<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <p>Sixth District Agricultural Association</p> </div> <div> <p>324—For Capital Outlay, Sixth District Agricultural Association, in accordance with the following schedule -----</p> <p>Schedule:</p> <p style="margin-left: 20px;">(a) Construct Atomic Energy Building ----- 200,000</p> <p style="margin-left: 20px;">(b) Minor projects ----- 83,500</p> <p style="margin-left: 40px;">Total of schedule ----- 283,500</p> </div> </div>	<p>283,500</p>
<p>provided, that item (a) of this appropriation shall be available only upon the condition that the federal government gives assurance that federal funds will be available to finance the installation of the atomic energy exhibit.</p>	
<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <p>1A District Agricultural Association</p> </div> <div> <p>325—For Capital Outlay, Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, in accordance with the following schedule, payable from the Sixth District Agricultural Association Fund from funds made available for holding an annual industrial and trade exposition under the provisions of Section 19622 of the Business and Professions Code -----</p> <p>Schedule:</p> <p style="margin-left: 20px;">(a) Remodel armory for Space Age Museum ----- 125,000</p> <p style="margin-left: 40px;">Total of schedule ----- 125,000</p> </div> </div>	<p>125,000</p>
<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <p>1A District Agricultural Association</p> </div> <div> <p>325.1—For Capital Outlay, 1A District Agricultural Association, Department of Finance, in accordance with the following schedule -----</p> <p>Schedule:</p> <p style="margin-left: 20px;">(a) Minor projects ----- 93,500</p> <p style="margin-left: 40px;">Total of schedule ----- 93,500</p> </div> </div>	<p>93,500</p>
<p>326—For permanent improvements, purchase of equipment and acquisition of real property for any county or district agricultural association fair which is subject to the provisions of Section 92.6 of the Agricultural Code or for any citrus fruit fair and exposition qualified to receive an allocation under Section 19626 of the Business and Professions Code during the 1959-60 fiscal year, upon the approval of the State Public Works Board and</p>	

Item	Amount
allocated on authorization of the Director of Finance, payable from any moneys in the second balance of the Fair and Exposition Fund exempt from the provisions of Section 7 of this act -----	598,500
provided, that the appropriation made by this item shall be in addition to any appropriation made by Section 19630 of the Business and Professions Code.	

HIGHWAY PATROL

327—For Capital Outlay, Department of California Highway Patrol, in accordance with the following schedule, payable from the Motor Vehicle Fund -----	Highway Patrol	646,081
Schedule:		
(a) Site acquisition—Fresno ..	30,000	
(b) Construct cafeteria—Sacramento headquarters building	333,106	
(c) Working drawings—Merced	8,000	
(d) Working drawings—Fresno	10,000	
(e) Incorporation with City Sewer District—Academy area -----	120,450	
(f) Minor projects -----	144,525	
Total of schedule -----	646,081	

MENTAL HYGIENE

328—For Capital Outlay, Neuropsychiatric Institute at University of California at Los Angeles in accordance with the following schedule -----	Neuro- psychiatric Institute	750,000
Schedule:		
(a) Equip addition to Medical Center—University of California at Los Angeles Campus -----	750,000	
Total of schedule -----	750,000	
329—For Capital Outlay, Agnews State Hospital, in accordance with the following schedule ---	State Hospitals* Agnews	555,380
Schedule:		
(a) Remodel and modernize wards 19 and 21 -----	206,100	
(b) Equip remodeled and modernized wards 19 and 21 ---	5,000	
(c) Remodel occupational therapy building 34 to canteen ---	99,500	

Item	Amount
(d) Equip remodeled occupational therapy building 34	18,000
(e) Construct maintenance shop and volatile storage building	144,200
(f) Equip maintenance shop	10,000
(g) Minor projects	72,580
	<hr/>
Total of schedule	555,380
Atascadero 330—For Capital Outlay, Atascadero State Hospital, in accordance with the following schedule	<hr/>
Schedule:	37,180
(a) Minor projects	37,180
	<hr/>
Total of schedule	37,180
331—For Capital Outlay, Camarillo State Hospital, in accordance with the following schedule	<hr/>
Schedule:	803,160
(a) Remodel and modernize wards	226,900
(b) Water development—phase II	219,000
(c) Construct chapel building and related facilities—additional cost	187,900
(d) Minor projects	169,360
	<hr/>
Total of schedule	803,160
DeWitt 332—For Capital Outlay, DeWitt State Hospital, in accordance with the following schedule	<hr/>
Schedule:	74,750
(a) Minor projects	74,750
	<hr/>
Total of schedule	74,750
Mendocino 333—For Capital Outlay, Mendocino State Hospital, in accordance with the following schedule	<hr/>
Schedule:	299,500
(a) Remodel and modernize ward 14	143,550
(b) Equip remodeled and modernized ward 14	7,000
(c) Remodel and modernize ward 7 or F	93,700
(d) Equip remodeled and modernized ward 7 or F	2,500
(e) Minor projects	52,750
	<hr/>
Total of schedule	299,500

Item	Amount	
334—For Capital Outlay, Metropolitan State Hospital, in accordance with the following schedule -----	444,860	Metropolitan
Schedule:		
(a) Remodel and modernize wards 19 and 21-----	216,700	
(b) Equip remodeled and modernized wards 19 and 21-----	8,700	
(c) Construct additional water storage facilities -----	90,800	
(d) Minor projects -----	128,660	
Total of schedule-----	444,860	
335—For Capital Outlay, Modesto State Hospital, in accordance with the following schedule----	27,260	Modesto
Schedule:		
(a) Minor projects -----	27,260	
Total of schedule-----	27,260	
336—For Capital Outlay, Napa State Hospital, in accordance with the following schedule----	556,640	Napa
Schedule:		
(a) Construct chapel building and related facilities-----	105,100	
(b) Remodel and modernize ward D -----	180,000	
(c) Equip remodeled and modernized ward D -----	5,000	
(d) Remodel serving areas—south ward group -----	65,000	
(e) Equip food cart room-----	56,700	
(f) Equip rehabilitation therapies building -----	55,300	
(g) Equip administration building addition -----	16,300	
(h) Equip remodeled and modernized ward (Ogden)-----	7,050	
(i) Minor projects -----	66,190	
Total of schedule-----	556,640	
337—For Capital Outlay, Patton State Hospital, in accordance with the following schedule-----	307,250	Patton
Schedule:		
(a) Remodel and modernize wards G and 16—additional cost -----	172,000	
(b) Minor projects -----	135,250	
Total of schedule-----	307,250	

	Item	Amount
Stockton	338—For Capital Outlay, Stockton State Hospital, in accordance with the following schedule— Schedule:	3,072,060
	(a) Construct addition to cottage G -----	2,300,000
	(b) Enlarge dayrooms in cottage E -----	227,000
	(c) Construct maintenance equipment warehouse -----	171,350
	(d) Equip maintenance equipment warehouse -----	9,200
	(e) Construct property warehouse -----	98,500
	(f) Equip property warehouse ..	1,310
	(g) Alterations to cottage F-----	97,000
	(h) Equip professional building	77,000
	(i) Minor projects -----	90,700
	Total of schedule-----	3,072,060
Fairview	339—For Capital Outlay, Fairview State Hospital, in accordance with the following schedule— Schedule:	575,600
	(a) Equip ward buildings-----	371,000
	(b) Equip library, occupational therapy unit, canteen and barbershop -----	110,000
	(c) Minor projects -----	94,600
	Total of schedule-----	575,600
Pacific	340—For Capital Outlay, Pacific State Hospital, in accordance with the following schedule— Schedule:	733,700
	(a) Install air conditioning in acute hospital and receiving building -----	183,300
	(b) Construct research building	512,500
	(c) Minor projects -----	37,900
	Total of schedule-----	733,700
Porterville	341—For Capital Outlay, Porterville State Hospital, in accordance with the following schedule ----- Schedule:	1,197,000
	(a) Construct acute hospital annex -----	1,124,300
	(b) Minor projects -----	72,700
	Total of schedule-----	1,197,000

Item	Amount	
342—For Capital Outlay, Sonoma State Hospital, in accordance with the following schedule-----	97,200	Sonoma
Schedule:		
(a) Minor projects -----	97,200	
	<hr/>	
Total of schedule-----	97,200	

MILITARY AFFAIRS

343—For Capital Outlay, Military Department, in accordance with the following schedule----	1,410,300	Military Department
Schedule:		
(a) Construct central office building for the California Highway Patrol and the Military Department -----	1,155,700	
(b) Construct California Air National Guard Base Food Service Facilities, North Highlands -----	130,600	
(c) Project planning, working drawings and supervision of construction financed from federal funds -----	100,000	
(d) Minor projects -----	24,000	
	<hr/>	
Total of schedule-----	1,410,300	

MOTOR VEHICLES

344—For Capital Outlay, Department of Motor Vehicles, in accordance with the following schedule, payable from the Motor Vehicle Fund -----	1,094,600	Department of Motor Vehicles
Schedule:		
(a) Acquisition of real property for office building—Pasadena -----	250,000	
(b) Acquisition of real property for office building—North Hollywood -----	280,000	
(c) Acquisition of real property for office building—Santa Ana -----	200,000	
(d) Acquisition of additional parcels for parking—Los Angeles -----	85,000	
(e) Construct office building—San Jose -----	229,600	

Item	Amount
(f) Working drawings—San Bernardino	10,000
(g) Minor projects.....	40,000
Total of schedule.....	1,094,600
344.5—For acquisition of real property for Stockton office building, Department of Motor Vehicles, in augmentation of Item 409, Budget Act of 1958, payable from the Motor Vehicle Fund	170,000

NATURAL RESOURCES

Department of Fish and Game	345—For Capital Outlay, Department of Fish and Game, payable from the Fish and Game Preservation Fund including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item. The appropriation made by this item shall be expended in accordance with the following schedule	560,472
	Schedule :	
	(a) Construct additional rearing facilities at San Joaquin Hatchery	102,000
	(b) Construct shop and garage at Mojave Hatchery	60,000
	(c) Remodel hatchery at Mt. Shasta Hatchery	70,000
	(d) Minor projects.....	328,472
	Total of schedule.....	560,472
Department of Natural Resources Division of Beaches and Parks	346—For Capital Outlay, Division of Beaches and Parks, Department of Natural Resources, in accordance with the following schedule, payable from the State Beach and Park Fund....	609,520
	Schedule :	
	(a) San Francisco Golden Gate Beach: Acquisition	250,000
	(b) City of Alameda Beach....	359,520
	Total of schedule.....	609,520
	347—For Capital Outlay, Division of Beaches and Parks, Department of Natural Resources, in accordance with the following schedule, payable from the State Beach and Park Fund....	552,900

Item	Amount
Schedule:	
(a) Twin Lakes Beach State Park: Development -----	326,400
(b) Hearst-San Simeon State Historical Monument: Development including staging area -----	226,500
	552,900
347.1—Of the money appropriated by Chapter 1713, Statutes of 1959, \$200,000 is hereby made available for expenditure by the Division of Beaches and Parks, Department of Natural Resources, for capital outlay for the state-owned beaches in the County of San Mateo.	
348—For Capital Outlay, Division of Beaches and Parks, Department of Natural Resources, in accordance with the following schedule, payable from the State Beach and Park Fund---	330,377
Schedule:	
(a) Minor projects -----	330,377
	330,377
349—For Capital Outlay, Division of Forestry, Department of Natural Resources, in accordance with the following schedule-----	3,845,578
Schedule:	
(a) Site acquisition—various locations -----	125,000
(b) Engineering, planning and inspection services -----	121,256
(c) Construct office, messhall and electrical system—Redding Ranger Unit-----	113,450
(d) Equip office and messhall—Redding -----	3,490
(e) Construct messhall and barracks—Oroville Ranger Unit	123,060
(f) Equip messhall and barracks—Oroville -----	2,940
(g) Construct district headquarters addition—Santa Rosa--	50,700
(h) Equip district headquarters addition—Santa Rosa -----	1,820
(i) Construct Washington Ridge Conservation Camp -----	578,042
(j) Equip Washington Ridge Conservation Camp -----	113,513
(k) Working drawings for District I Conservation Camp--	22,810

Division of
Forestry

Item	Amount
(l) Site development— District I Conservation Camp -----	120,105
(m) Construct District I Conservation Camp -----	563,800
(n) Equip District I Conservation Camp -----	212,323
(o) Working drawings for Siskiyou County Conservation Camp -----	22,810
(p) Site development—Siskiyou County Conservation Camp -----	120,105
(q) Construct Siskiyou County Conservation Camp -----	563,800
(r) Equip Siskiyou County Conservation Camp -----	212,324
(s) Equip Alder Conservation Camp -----	65,361
(t) Equip Intermountain Conservation Camp -----	97,063
(u) Minor projects -----	611,806
Total of schedule.....	3,845,578

PUBLIC HEALTH

Department of Public Health	350—For Capital Outlay, Department of Public Health, in accordance with the following schedule ----- Schedule:	500,000
	(a) Working drawings for headquarters office building ----	500,000
	Total of schedule.....	500,000

PUBLIC WORKS

Aeronautics Commission	351—For Capital Outlay, California Aeronautics Commission, payable from the Motor Vehicle Fuel Fund in accordance with the following schedule ----- Schedule:	3,500
	(a) Acquisition of Blue Canyon Emergency Airport -----	3,500
	Total of schedule.....	3,500
	351.5—For installation of lighting facilities in the North Figueroa Tunnel on State Highway Route 165, Division of Highways, Department of Public Works, payable from the State Highway Fund -----	90,000

Item	Amount
provided, that the appropriation made by this item shall be payable only from money in the State Highway Fund available for expenditure for construction of state highways in County Group No. 2 as designated in Section 187 of the Streets and Highways Code.	

VETERANS AFFAIRS

352—For Capital Outlay, Veterans' Home of California, in accordance with the following schedule ----- Schedule:	Veterans' Home 40,250
(a) Minor projects -----	40,250
Total of schedule -----	40,250

WATER RESOURCES

353—For construction, improvements and equipment, for surveys of, negotiations for, and acquisitions of, rights-of-way, easements and property, including other expenses in connection therewith, for the Oroville Dam and Reservoir as authorized by Section 11260 of the Water Code, Department of Water Resources, exempt from the provisions of Section 6 of this act, in accordance with the following schedule, payable from the California Water Fund ----- Schedule:	Department of Water Resources 21,537,721
(a) Western Pacific Railroad relocation -----	11,677,400
(b) Tunnel No. 1 -----	3,127,000
(c) County road bridge, Middle Fork of the Feather River -----	4,054,000
(d) Feather Falls railway relocation -----	1,500,000
(e) Clearing Oroville Dam and Spillway site -----	120,000
(f) Construction supervision -----	1,059,321
Total of schedule -----	21,537,721

354—For construction, improvements and equipment, including other expenses in connection therewith, for the South Bay Aqueduct as authorized by Section 11260 of the Water Code, Department of Water Resources, exempt from the provisions of Section 6 of this act, in accordance with the following schedule, payable from the California Water Fund -----	8,362,922
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Item	Amount
Schedule:	
(a) Construction, improvements and equipment for Livermore Valley Canal and Del Valle Reservoir	7,679,800
(b) Construction supervision ..	683,122
	8,362,922
<p> Total of schedule..... 8,362,922</p> <p>provided that, none of the funds appropriated under this item may be expended for construction of the South Bay Aqueduct, except for surveys, explorations, designs, and preparation of plans and specifications, until contracts have been entered into which will assure repayment to the State of not less than 75 percent of the costs, including interest on the investment, incurred by the State in constructing and operating those portions of the South Bay Aqueduct to be built under this appropriation as well as under prior appropriations, as determined by the Director of Water Resources</p>	
355—For construction, improvements and equipment, including other expenses in connection therewith, for the San Joaquin Valley-Southern California Aqueduct system as authorized by Section 11260 of the Water Code, Department of Water Resources, exempt from the provisions of Section 6 of this act, in accordance with the following schedule, payable from the California Water Fund.....	4,095,059
Schedule:	
(a) Construction, improvements and equipment for subsidence facilities and canal near the San Luis Reservoir site to Panoche Creek	3,804,000
(b) Construction supervision....	291,059
	4,095,059
355.5—For participation with the federal government in connection with the Sacramento Canals Unit of the Central Valley Project, as authorized by Section 12898 of the Water Code, Department of Water Resources, payable from the California Water Fund	150,000
<p>provided, that before any of the funds appropriated by this item shall be expended or encumbered, the Director of Water Resources shall have executed agreements under which the State will recover its investment.</p>	

Item	Amount
356—For Capital Outlay, Department of Water Resources in accordance with the following schedule -----	363,000
Schedule:	
(a) Construct core storage and tool supply building-----	175,000
(b) Construct warehouse and shop -----	113,000
(c) Minor projects -----	75,000

Total of schedule-----	363,000

UNALLOCATED

357—For project planning, to be allocated by the Department of Finance, subject to approval by the State Public Works Board, to state agencies -----	400,000	Project planning
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.		
358—For miscellaneous repairs, improvements and equipment, to be allocated to state agencies by the Department of Finance upon the approval of the State Public Works Board-----	100,000	Miscellaneous repairs, etc
Notwithstanding other provisions of this act, the appropriation made by this item shall be limited to expenditures during the 1960-61 fiscal year.		

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 1960-61 fiscal year beginning July 1, 1960, and ending June 30, 1961. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

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

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

EDUCATION

	Item	Amount
Department of Education Child care centers	359—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 Sections 16601 through 16640 and Sections 16645.1 through 16645.27 of the Education Code -----	5,751,455
Teachers' Retirement system	360—For transfer by State Controller to the Teachers' Retirement Fund for operation of the State Teachers' Retirement System-----	38,700,000
Free textbooks	361—For publishing, purchasing and shipping free textbooks, Department of Education, in accordance with the following schedule-----	12,362,065
	Schedule:	
	(a) Salaries and Wages-----	76,426
	(b) Operating Expenses and Equipment -----	12,330,639
	Total of schedule-----	12,407,065
	Less estimated reimbursements-----	45,000

Net appropriation-----12,362,065

provided that none of this appropriation shall be available to finance contracts in respect to the new textbook adoptions set forth on page 956 of the Governor's Budget for the 1960-61 fiscal year in which the unit price for any textbook or the total price for any series of textbooks submitted on a finished book basis exceeds by more than 10 percent, respectively, the average of the three highest unit prices for a competitive textbook or the average of the three highest total prices for a competitive series of textbooks submitted on the basis of leasing plates to the State. 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 condition 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.

Item	Amount
<p>The Department of Finance shall maintain a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing orders placed during the budget year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based, and the Department of Finance shall unallot all amounts which are made available because of such differences. Upon presentation of need, the Department of Finance may reallot such funds as it finds necessary. It shall report all such actions to the Joint Legislative Budget Committee prior to January 1, 1961.</p>	
PUBLIC HEALTH	
362—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 -----	Assistance to local agencies 2,844,775
363—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 -----	Department of Public Health. Local assistance (administra- tion) 3,869,045
364—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 -----	Local health services 271,088
365—For assistance to counties, and cities and counties, for maintenance of tuberculosis sanatoria, Department of Public Health ----- including an additional amount of one dollar and seventy-six cents (\$1.76) per patient-day in accordance with Sections 3300 and 3301 of the Health and Safety Code; and leasing of facilities in accordance with Section 3295 of the Health and Safety Code.	Tuberculosis sanatoria 4,763,890
366—For assistance to counties, and cities and counties, to be expended for services to physically handicapped children, in accordance with provisions of Sections 249 through 271 of the Health and Safety Code, Department of Public Health -----	Physically handicapped children 5,950,000

Item

Amount

provided, that \$1,400,000 shall be for state-wide diagnoses; not to exceed \$50,000 shall be for state care of physically handicapped children whose county of residence cannot be established and the balance of this appropriation shall be made available to the several counties as follows:

(a) The State Department of Public Health shall allocate to each county and city and county an amount which, when added to the amount provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, shall equal 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 $6\frac{2}{3}$ 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 war-

Item	Amount	
<p>rant 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.</p>		
<p>367—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 -----</p>	1,402,500	Cerebral palsied minors
<p>368—For research, demonstrations and assistance to local agencies for reporting the incidence of mosquitoes as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health -----</p>	190,315	Mosquito control
<p>369—For subsidies to local districts for research regarding the control of gnats as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health... provided, that the Department of Public Health shall not allocate any of the money appropriated by this item to a local district unless and until money equal to or in excess of the amount proposed to be allocated by the department to the local district shall be made available by the local district for expenditure for the purpose for which the allocation is to be made, to the end that any sums allocated by the department shall be matched by like or greater amounts from sources other than the State Treasury or funds of any agency which is a part of the executive department of the state government.</p>	20,000	Research
<p>370—For assistance to cities, counties, cities and counties, and local hospital districts in the construction of hospital facilities, Department of Public Health, to be expended under provisions of the California Hospital Survey and Construction Act ----- and in addition thereto any amounts remaining unexpended on June 30, 1960, in the appropriation made by Item 404, Budget Act of 1959.</p>	7,655,470	Hospital facilities

PUBLIC WORKS

Department of Water Resources	Item	Amount
	371—For expenditure in accordance with Sections 12570 through 12830 of the Water Code, for payment of, and for reimbursement for necessary advances made for, the cost of co-operation by the State, Department of Water Resources, in accordance with the following schedule -----	9,204,000
	Schedule:	
	(a) San Bernardino County Flood Control District, Santa Ana River Basin Project, as authorized by Section 12679 of the Water Code -----	439,000
	(b) Los Angeles County Flood Control District, Los Angeles River Watershed Project, as authorized by Section 12688 of the Water Code-----	134,000
	(c) 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-----	6,970,000
	(d) County of Santa Barbara, Santa Maria River Project, as authorized by Section 12707 of the Water Code---	395,000
	(e) San Bernardino County Flood Control District, Coyote Creek Levees Project, as authorized by Section 12750 of the Water Code-----	5,000
	(f) Sandy Prairie Project as authorized by Section 12713 of the Water Code-----	20,000
	(g) Sonoma County Flood Control and Water Conservation District, Russian River Flood Control Project, as authorized by Section 12698 of the Water Code -----	40,000
	(h) San Bernardino County Flood Control District, Santa Ana River Basin Flood Control Project, for the protection of Orange County, including the projects on Lytle	

Item	Amount
and Cajon Creeks, as authorized by Section 12676 of the Water Code -----	18,000
(i) Alameda County Flood Control and Water Conservation District, San Lorenzo Creek Project, as authorized by Section 12701 of the Water Code -----	740,000
(j) Riverside County Flood Control and Water Conservation District, Santa Ana River Basin Project, as authorized by Section 12679 of the Water Code -----	260,000
(k) City of Santa Cruz, San Lorenzo River Project, as authorized by Section 12704 of the Water Code -----	140,000
(l) Santa Barbara County, Santa Ynez River Watershed Protection Project, as authorized by Section 12690 of the Water Code -----	43,000

Total of schedule ----- 9,204,000

The appropriation made by this item shall remain available for expenditure until June 30, 1963.

372—For expenditure in accordance with Sections 12850 through 12875 of the Water Code, for payment of, and for reimbursement for necessary advances made for the cost of co-operation by the State, for watershed protection and flood prevention projects as authorized by said sections, Department of Water Resources, in accordance with the following schedule ----- 1,151,000

Schedule :

(a) Buena Vista Creek Watershed Protection Project ----	134,000
(b) Arroyo Grande Creek Watershed Protection Project --	27,000
(c) Adobe Creek Watershed Protection Project -----	14,000
(d) Walnut Creek Watershed Protection Project -----	150,000
(e) Marsh - Kellogg Watershed Protection Project -----	826,000

Total of schedule ----- 1,151,000

Item

Amount

<p>The appropriation made by this item shall remain available for expenditure until June 30, 1963. No expenditure shall be made until the local organizations 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.</p> <p>373—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 the following projects in the Sacramento and San Joaquin watersheds as authorized by Sections 12648 through 12654 and Section 12656.5 of the Water Code; for the construction costs in lieu thereof as authorized by Section 8621 of the Water Code; and for advances to the federal government or payments to the federal government 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 -----</p> <p>Schedule:</p> <p>(a) Sacramento River Flood Control Project ----- 1,550,000</p> <p>(b) Lower San Joaquin River Flood Control Project ----- 2,050,000</p> <p>(c) Calaveras River and Littlejohn Creek and tributaries Project ----- 10,000</p> <p style="text-align: right;">-----</p> <p>Total of schedule ----- 3,610,000</p>	<p>3,610,000</p>
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Item	Amount
374—To pay the State's share of the cost of local participation required and to make advances to meet the federal share in connection with federal beach erosion control projects, in accordance with Section 335 to 339, inclusive, of the Water Code, Department of Water Resources, payable from the California Water Fund, in accordance with the following schedule -----	1,136,500
Schedule:	
(a) City of Santa Cruz—State's share -----	62,000
(b) City of Santa Cruz—Advance for federal share--	61,000
(c) Ventura County—State's share -----	343,000
(d) City of Oceanside—State's share -----	282,000
(e) City of Oceanside—Advance for federal share--	252,000
(f) City of Imperial Beach—State's share -----	58,500
(g) City of Imperial Beach—Advance for federal share--	78,000
Total of schedule-----	1,136,500
374.1—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 -----	250,000

SOCIAL WELFARE

375—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 245 for support of Department of Social Welfare, upon executive order of the Department of Finance.	1,228,752	Department of Social Welfare Social services reimburse- ment
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Item	Amount
376—For reimbursement to counties for the cost of the adoption programs and care of children, Department of Social Welfare, to be expended in accordance with the provision of Sections 1640 through 1644 of the Welfare and Institutions Code ----- provided, that all or any portion of this appropriation may be transferred to Item 245 for support of Department of Social Welfare, upon executive order of the Department of Finance.	2,642,176

OTHER PURPOSES

Compensation Superior court judges	377—For State's share of salaries of judges of superior courts as provided by Section 68206 of the Government Code -----	3,280,875
County service officers	378—For contributions to counties toward the compensation and expenses of county service officers, Department of Veterans Affairs, to be expended in accordance with Section 972 of the Military and Veterans Code -----	350,000
County agricultural commissions, etc.	379—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 -----	176,100
Workmen's compensation to civil defense workers	380—For furnishing of workmen's compensation to civil defense workers and their dependents in accordance with the provisions of Sections 3201 through 6002 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 ----- 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	50,000

Item	Amount	
of such expenditures. Such abstract or statement shall be in such form as the State Controller requires.		
381—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 Sections 950 through 966 of the Welfare and Institutions Code -----	2,744,000	Juvenile homes and camps Maintenance
382—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 -----	1,122,759	Construction
Notwithstanding other provisions of this section, the amount made available by this item shall be available for expenditure until June 30, 1962, but not more than \$668,759 of said amount may be expended during the 1960-61 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 1960-61 fiscal year beginning July 1, 1960, and ending June 30, 1961. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

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

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

UNEMPLOYMENT ADMINISTRATION

383—For administration of unemployment compensation disability benefits, Department of Employment, payable from the Unemployment Compensation Disability Fund, in accordance with the following schedule-----	5,593,510	Department of Employment
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Item	Amount
Schedule:	
(a) Salaries and Wages-----	4,187,649
(b) Operating Expenses and Equipment-----	1,405,861
Total of schedule-----	5,593,510
384—For additional support of the Department of Employment, payable from the Department of Employment Contingent Fund, and in ad- dition thereto any grants made available by the federal government; provided, that all or any portion of this appropriation may be transferred to the Unemployment Adminis- tration Fund upon executive order of the De- partment of Finance-----	237,581
385—For additional support of Department of Employment for the payment of expenses in- curred by the Department of Finance in ex- amining and experting the books of the Department of Employment pursuant to Sec- tion 13294 of the Government Code, payable from moneys credited to this State's account in the Unemployment Trust Fund and made available to this State under Section 903 of the Social Security Act, as amended----- provided that:	19,000
(a) Such money is requisitioned from the Unemployment Trust Fund pursuant to Section 1528.5 of the Unemployment Insurance Code.	
(b) The period within which such money may be obligated is specifically limited to the period beginning July 1, 1960 and ending June 30, 1961.	
(c) The total amount obligated pursuant to this item and item 321 during the fiscal year 1960-61 shall not exceed the amount by which	
(1) The aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act dur- ing such fiscal year and the four preceding fiscal years, exceeds	
(2) The aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five fiscal years.	

WORLD TRADE CENTER

Item	Amount
386—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 Department of Finance, and which agreement may provide for repayment 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 Department of Finance.	San Francisco World Trade Center Authority 85,361

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 reimburse-

Item	Amount
	ment of any appropriation, transfer, or advances by the State of California or any agency thereof.
Office building: Stockton	387—For construction and equipment of an office building in the City of Stockton, 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. 1,500,000
General Fund	SEC. 3. That portion of the unencumbered balance of the Department of Employment Contingent Fund which at any time during the 1960-61 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.
Same	SEC. 4. As of June 30, 1961, the State Controller shall transfer from the State College Fund to the General Fund the amount of the unexpended balance in the State College Fund, as determined and certified by the Department of Finance.
State Beach and Park Fund	SEC. 5. The State Controller shall transfer from the General Fund to the State Beach and Park Fund not more than \$5,405,880, or so much thereof as may be necessary, from time to time during the 1960-61 fiscal year, upon authorization of the Department of Finance; provided, that none of the money so transferred may be used in augmentation of any appropriation available for the acquisition of land at Squaw Valley State Park.
Limitations	SEC. 6. Any project, except minor projects, included in any appropriation made herein for capital outlay shall be subject to the provisions of Section 15790 of the Government Code.
Same	SEC. 7. Any acquisition of land or other real property included in any appropriation made herein for capital outlay except appropriations from the State Beach and Park Fund and the California Water Fund, shall be subject to the provisions of the Property Acquisition Law.
Exceptions	Nothing contained herein shall be construed to limit or control the Regents of the University of California in the expenditure of funds appropriated for capital outlay for the use, development or enlargement of the University of California.
Limitations	SEC. 8. No money appropriated herein in any item for capital outlay may be expended by any state agency except amounts for acquisition of land or other real property, amount needed for equipment, preliminary surveys, studies and planning and minor projects 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 capital outlay; provided further, no major project for which appropriation is made hereunder regarding which the Director of Finance or his authorized representative

requests review of working plans shall be put out to bid until the working plans therefor have been approved by the Department of Finance; provided further, that no money appropriated herein may be spent for working drawings for any project as to which there has been made substantial change or changes from the preliminary plans as approved by the State Public Works Board and the Department of Finance unless there has first been obtained the approval of the Department of Finance to make such change or changes; provided further, that no money appropriated herein may be spent for equipment until prior approval for purchase of such equipment shall have been given by the Department of Finance.

Nothing herein contained shall be construed to limit or control the Regents of the University of California in the expenditure of funds appropriated for capital outlay for the use, development or enlargement of the University of California. Exceptions

SEC. 9. 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 capital outlay 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 23201 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. Unexpended
balances
Regents
of the
University
of California

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.

SEC. 10. Notwithstanding any other provisions of law, the unexpended balances as of June 30, 1960, of the following appropriations, are reappropriated for the purposes provided for in said appropriations, and shall be available for expenditure until June 30, 1961: Reappropriation

Department of Corrections

State Prison at San Quentin, Item 295(a), Budget Act of 1957

- State Prison at San Quentin, Item 295(b), Budget Act of 1957
- Deuel Vocational Institution, Item 299, Budget Act of 1957
- Department of Youth Authority
 - Los Guilucos School for Girls, Item 314(f), Budget Act of 1957
 - Los Guilucos School for Girls, Item 314(g), Budget Act of 1957
 - Preston School of Industry, Item 312(c), Budget Act of 1957
 - Preston School of Industry, Item 312(d), Budget Act of 1957
- Department of Education
 - Chico State College, Item 318, Budget Act of 1957
 - Chico State College, Item 319(c), Budget Act of 1957
 - Chico State College, Item 321, Budget Act of 1957
 - Fresno State College, Item 315, Budget Act of 1953
 - Fresno State College, Item 323(d), Budget Act of 1957
 - Fresno State College, Item 322.5, Budget Act of 1957
 - Humboldt State College, Item 327(a), Budget Act of 1957
 - Humboldt State College, Item 327(d), Budget Act of 1957
 - Long Beach State College, Item 329(a), Budget Act of 1957
 - Los Angeles State College, Item 331(b), Budget Act of 1957
 - San Diego State College, Item 334(a), Budget Act of 1957
 - San Diego State College, Item 334(d), Budget Act of 1957
 - San Diego State College, Item 334(g), Budget Act of 1957
 - San Diego State College, Item 334(b), Budget Act of 1957
 - San Fernando Valley State College, Item 451(a), Budget Act of 1957
 - San Fernando Valley State College, Item 451(b), Budget Act of 1957
 - San Fernando Valley State College, Item 451(c), Budget Act of 1957
 - San Fernando Valley State College, Item 451(d), Budget Act of 1957
 - San Fernando Valley State College, Item 331(m), Budget Act of 1957
 - San Fernando Valley State College, Chapter 2401, Statutes of 1957
 - San Jose State College, Item 338, Budget Act of 1957
 - California State Polytechnic College, Item 341, Budget Act of 1957
 - California State Polytechnic College, Item 342(e), Budget Act of 1957
 - California State Polytechnic College, Item 342(g), Budget Act of 1957
 - California State Polytechnic College, Item 342(h), Budget Act of 1957
 - California State Polytechnic College, Item 342(i), Budget Act of 1957

University of California

- University of California, Item 339 (f), Budget Act of 1955
- University of California, Item 354 (c), Budget Act of 1956
- University of California, Item 353, Budget Act of 1957
- University of California, Item 354 (c), Budget Act of 1957
- University of California, Item 354 (h), Budget Act of 1957
- University of California, Item 354 (j), Budget Act of 1957
- University of California, Item 354 (o), Budget Act of 1957
- University of California, Item 354 (p), Budget Act of 1957
- University of California, Item 354 (r), Budget Act of 1957
- University of California, Item 354 (ee), Budget Act of 1957
- University of California, Item 457 (d), Budget Act of 1957
- University of California, Item 457.5 (c), Budget Act of 1957
- University of California, Item 457.5 (d), Budget Act of 1957
- University of California, Item 457.5 (h), Budget Act of 1957
- University of California, Item 458, Budget Act of 1957

Department of Finance

- Department of Finance, Chapter 1075, Statutes of 1957
- Sixth District Agricultural Association, Item 361.1, Budget Act of 1956

Department of Justice

- Department of Justice, Chapter 2129, Statutes of 1959

Department of Mental Hygiene

- Langley Porter Neuropsychiatric Institute, Item 368(a).
Budget Act of 1957
- Camarillo State Hospital, Item 374(g), Budget Act of 1957
- Camarillo State Hospital, Item 374(h), Budget Act of 1957
- Napa State Hospital, Item 383(d), Budget Act of 1957
- Napa State Hospital, Item 383(e), Budget Act of 1957
- Fairview State Hospital, Item 389(h), Budget Act of 1957

Military Department

- Military Department and California National Guard, Item 397, Budget Act of 1957
- Military Department and California National Guard, Item 394.1 and Section 6.2, Budget Act of 1956

Motor Vehicles

- Department of Motor Vehicles, Item 399, Budget Act of 1957
- Department of Motor Vehicles, Item 400(b), Budget Act of 1957

Department of Natural Resources

- Division of Beaches and Parks, Chapter 2295, Statutes of 1957
- Division of Beaches and Parks, Chapter 2379, Statutes of 1957
- Division of Beaches and Parks, Chapter 2381, Statutes of 1957
- Division of Beaches and Parks, Chapter 2386, Statutes of 1957
- Division of Forestry, Item 390.2(c), Budget Act of 1955
- Division of Forestry, Item 408, Budget Act of 1956
- Division of Forestry, Item 407, Budget Act of 1957
- Division of Forestry, Item 408, Budget Act of 1957

Department of Public Health, Item 201.5, Budget Act of 1959
 Department of Water Resources

Department of Water Resources, Item 434(h), Budget Act
 of 1957

Department of Education

Publishing, purchasing and shipping free textbooks, Item
 426, Budget Act of 1957

State
 Polytechnic
 College

SEC. 10.1. The appropriation made by the provisions of
 Chapter 1582, Statutes of 1957, is hereby reappropriated to the
 California State Polytechnic College for the acquisition of land
 as provided in that chapter; provided, however, that the sum
 of \$200,000, or so much thereof as is necessary, of the amount
 reappropriated may be used for the payment of rentals of
 federal or state property in connection with the California
 State Polytechnic College and for site development and im-
 provements on such property.

Department
 of Water
 Resources

SEC. 11. Of the amount appropriated by Item 419.5, Budget
 Act of 1956, \$400,000 is hereby reappropriated to the Depart-
 ment of Water Resources and shall remain available for ex-
 penditure until June 30, 1961.

Department
 of Finance

SEC. 12. Notwithstanding any other provision of law, the
 undisbursed balance of the appropriation made by Item 446.7,
 Budget Act of 1958, is hereby reappropriated to the Depart-
 ment of Finance and shall be available for expenditure, with-
 out regard to fiscal years, for the following purposes:

(a) The purposes provided for in Item 446.7, Budget Act
 of 1958; and

(b) The purposes provided for in the Emergency Flood Re-
 lief Law (Article 6 (commencing at Section 54150), Chapter
 5, Part 1, Division 2, Title 5, Government Code); provided
 that the damage or destruction by storm and flood or flood
 conditions for which this appropriation shall be available has
 occurred between January 1, 1960 and July 1, 1960, and the
 local agency has applied to the Department of Finance for an
 allocation of funds on or before October 1, 1960.

(c) The purposes provided for in Section 54155 of the Gov-
 ernment Code.

Department
 of Natural
 Resources

SEC. 13. Of the amount appropriated by Item 400(h) of
 the Budget Act of 1956, \$100,000 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.

State
 Beach and
 Park Fund

SEC. 13.1. The unexpended balance as of June 30, 1960,
 of the appropriation made by Item 400(ii), Budget Act of
 1956, is hereby reappropriated for the purposes provided in
 said appropriation and shall be available for expenditure
 until June 30, 1963, upon authorization of the Department of
 Finance. The State Controller shall transfer from the General
 Fund to the State Beach and Park Fund the amount of the
 reappropriation made by this section, or so much thereof as
 may be necessary.

SEC. 14. The appropriation made by the provisions of Chapter 2380, Statutes of 1957, is hereby reappropriated for the same purpose, and provided further, that as much as is necessary may be expended for preliminary plans, and shall be available for expenditure until June 30, 1961.

Preliminary
plans

SEC. 14.5. The unexpended balance as of June 30, 1960, of the appropriation made by Item 400(u), Budget Act of 1956, is hereby appropriated to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition, construction and development of the Ocean Beach State Park, and shall be available for expenditure until June 30, 1961. This appropriation shall be available for expenditure on and after July 1, 1960 without regard to any priorities otherwise established by law for the expenditure of money in the State Beach and Park Fund.

Department
of Natural
Resources
Division of
Beaches
and Parks

SEC. 15. The unexpended balance as of June 30, 1960, of the appropriation made by Item 359, Budget Act of 1957, is hereby reappropriated for the same purpose, and in addition shall be available for expenditure for curbs, gutters, sidewalks, electroliers and drainage for the site and shall remain available until June 30, 1961.

Curbs,
gutters, etc

SEC. 16. The unexpended balance as of June 30, 1960, of the appropriation made by Chapter 1681, Statutes of 1957, is hereby reappropriated for the same purpose; and in addition, Section 3(d) of that act shall be available for capital outlay, staff and expenses for program planning and development purposes, and shall be available for expenditure until June 30, 1961.

Program
planning,
etc

SEC. 16.5. In the event the principal of any loan pursuant to Item 421.5, Budget Act of 1958, is repaid in full into the California Water Fund on or before June 30, 1966, an amount equal to the total of the principal of the loan so repaid is appropriated from the California Water Fund to the Division of Small Craft Harbors, Department of Natural Resources, for loans for the same purpose and subject to the same terms and conditions as provided in Item 421.5, Budget Act of 1958. This appropriation shall be available until June 30, 1969.

Department
of Natural
Resources
Division of
Small Craft
Harbors

SEC. 17. The appropriation made by Item 341(f), Budget Act of 1959, to "Construct off-campus storage building—Berkeley" is hereby reappropriated for construction or acquisition of off-campus storage building—statewide.

Off-campus
storage
building

SEC. 18. 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, 453.1, 454, 454.1, 455, 455.1, 456, and 456.1, Budget Act of 1957, which appropriations shall remain available for expenditure until June 30, 1961, as determined by the Department of Finance after the reappropriation provisions of Item 391.1, Budget Act of 1959, shall revert to the unappropriated balance of the State Construction Program Fund.

Reversions
State
Construction
Program
Fund

Other
reversions

SEC. 19. As of June 30, 1960, the unexpended balances in the following appropriations shall revert to the unappropriated surplus of the fund from which they are payable:

- Item 427, Budget Act of 1952
- Chapter 1540, Statutes of 1953
- Item 425, Budget Act of 1958
- Item 371, Budget Act of 1958
- Item 382, Budget Act of 1959

Salaries
of vacant
positions

SEC. 20. 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, 1959, and July 1, 1960, except with the specific approval of the Department of Finance, subsequent to July 1, 1960.

The Department of Finance, not later than 30 days prior to the convening of the 1961 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, 1960, which were vacant or continuously unfilled during the period between October 1, 1959 and July 1, 1960, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section.

University
of California,
State
Colleges
Additional
academic
staff
members

SEC. 21. 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 1960-61 fiscal year for services beginning in 1961-62.

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. 22. 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. 23. 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 22 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.

SEC. 24. 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.

Limitations
on expenditures -
House or
apartment
furnishings

SEC. 25. No moneys appropriated by this act shall be used, either directly or by supplementing any other appropriation, to purchase 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.

Rugs and
carpets

SEC. 26. 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.

Scope of
appropriations
Support

Whenever herein an appropriation is made for capital outlay, it shall include acquisition of land or other real property, major construction, improvements, equipment, designs, working plans, specifications, repairs and equipment necessary in connection with a construction or improvement project.

Capital
outlay

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

Real
property

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

Limitation
of
expenditures

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" or "project" 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.

(e) "Minor projects" include construction, improvements, repairs and equipment projects not specifically set forth in the schedule.

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, 1960, to June 30, 1961," submitted by the Governor to the Legislature at the 1960 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. 27. 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.

SEC. 28. 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 1960-61 fiscal year from any other state agency, from any agency of local government or the federal government, from any appropriation made by the Legislature or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration.

Augmentation, additional categories

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.

Reductions

SEC. 29. Premiums for official bonds may be paid out of appropriations contained in this act, notwithstanding the period covered by such bonds.

Premiums for official bonds

SEC. 30. 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.

Expenditures from Emergency Fund, etc

SEC. 31. 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.

Expenditure of appropriations

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.

Established positions

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 transfer shall be approved only after it has been demonstrated

Salary savings reserve

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, 1960, 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 appropria-
tions

SEC. 32. 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 expenditures 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. 33. 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. 34. 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.

SEC. 35. 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. Current expenses

SEC. 36. 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 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, 1960, 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 12

An act to amend Sections 30102, 30371 and 30372 of, to repeal Sections 30194, 30195, 30196 and 30197 of, and to add a new Section 30194 to, the Revenue and Taxation Code, relating to the taxation of cigarettes, to take effect immediately.

[Approved by Governor April 28, 1960 Filed with
Secretary of State April 29, 1960]

In effect
immediately

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

SECTION 1. Section 30102 of the Revenue and Taxation Code is amended to read:

30102. The taxes imposed by this part shall not apply to the sale of cigarettes to United States Army, Air Force, Navy, or Coast Guard exchanges and commissaries and Navy or Coast Guard ships' stores. Exception for military exchanges

SEC. 2. Section 30194 of said code is repealed. Repeal

SEC. 3. A new Section 30194 is added to said code, to read:

30194. Stamps and meter register settings shall be sold to licensed distributors at a discount of 2 percent of their denominated values. Payment for stamps or meter settings shall be made at the time of their purchase. Stamps, etc Discount, payment

Repeal	SEC. 4. Section 30195 of said code is repealed.
Repeal	SEC. 5. Section 30196 of said code is repealed.
Repeal	SEC. 6. Section 30197 of said code is repealed.
	SEC. 7. Section 30371 of said code is amended to read:
Refunds Unused stamps	30371. The board shall refund to a distributor the denominated values, less 2 percent, of any unused stamps or meter settings.
	SEC. 8. Section 30372 of said code is amended to read:
Unsalable or destroyed packages	30372. The board, under regulations prescribed by it, shall refund to a distributor the denominated values, less 2 percent, of stamps or meter impressions affixed to packages of cigarettes which have become unfit for use or unsalable or have been destroyed.
Stamps purchased under former sections	SEC. 9. Notwithstanding their repeal, Sections 30194, 30195, 30196 and 30197 of the Revenue and Taxation Code shall remain in force and effect as respects the filing, allowance and payment of claims for refund of costs incurred in affixing stamps or meter impressions purchased by a distributor prior to July 1, 1960, and affixed to packages of cigarettes prior to August 1, 1960, and for the redetermination of the amounts of such refunds and recovery thereof. A refund of such costs shall be allowed only if the claim therefor is filed with the State Board of Equalization on or before September 30, 1960.
Tax levy	SEC. 10. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect. However, this act shall not become operative until July 1, 1960.
Operative date	

CHAPTER 13

An act to amend Section 30102 of the Revenue and Taxation Code, relating to the cigarette tax, to take effect immediately.

In effect
immediately

[Approved by Governor April 29, 1960. Filed with
Secretary of State April 29, 1960.]

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

SECTION 1. Section 30102 of the Revenue and Taxation Code is amended to read:

30102. The taxes imposed by this part shall not apply to the sale of cigarettes to United States Army, Air Force, Navy, or Coast Guard exchanges and commissaries and Navy or Coast Guard ships' stores.

Tax levy

SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 14

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 5, 9, 10, and 12 thereof, relating to fees payable by applicants and licensees.

[Approved by Governor April 29, 1960 Filed with Secretary of State April 29, 1960.]

For effective date see Sec. 5

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

SECTION 1. Section 5 of the act cited in the title is amended to read:

Sec. 5. License to Practice: Fee: Educational Requirements. It shall be unlawful for any person to practice chiropractic in this State without a license so to do. Any person wishing to practice chiropractic in this State shall make application to the board 15 days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of not more than thirty-five dollars (\$35) or not less than twenty-five dollars (\$25), as established by the board and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an approved chiropractic school or college which teaches a course of not less than 4,000 hours, extended over a period of four school terms of at least nine months each, and shall present to the board at the time of making such application a diploma from a high school, or proof, satisfactory to the board, of education equivalent in training power to a high school course.

License to practice

Fee

Educational requirements

The schedule of minimum educational requirements to enable any person to practice chiropractic in this State is as follows, except as herein otherwise provided:

Group 1			
Anatomy, including embryology and histology	18 to	20%	
Group 2			
Physiology -----	6 to	8%	
Group 3			
Biochemistry, inorganic and organic chemistry	6 to	8%	
Group 4			
Pathology and bacteriology -----	10 to	12%	
Group 5			
Public health, hygiene and sanitation-----	3 to	4%	
Group 6			
Diagnosis, pediatrics, dermatology, syphilology and psychiatry -----	12 to	18%	

Group 7

Obstetrics and gynecology----- 3 to 4%

Group 8

Principles and practice of chiropractic, physiotherapy and office procedure----- 25 to 28%

Total ----- 83 to 100%

Electives ----- 17 to 0%

SEC. 2. Section 9 of said act is amended to read:

Exceptions

Sec. 9. Notwithstanding any provision contained in any other section of this act the board, upon receipt of the fee specified in Section 5, shall issue a license to any of the following named persons:

(a) To each member of the board.

(b) To any person licensed to practice chiropractic under the laws of another state, having the same general requirements as prescribed in this act; and provided, further, that such other state in like manner grants reciprocal registration to chiropractic practitioners of this State.

SEC. 3. Section 10 of said act is amended to read:

Refusal to grant, suspension, revocation of licenses

Sec. 10. (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. The proceedings for the refusal to grant, suspension or revocation of a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of

the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the ----- day of -----," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the fee specified in Section 5 upon the issuance of a new license.

Reissuance
after
revocation

SEC. 4. Section 12 of said act is amended to read:

Sec. 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of not less than ten dollars (\$10) nor more than twenty-five dollars (\$25), as may be set by the board. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of twice the annual amount of the renewal fee in effect at the time the restoration application is filed, except that such licensee who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Duty to pay
renewal fee

Failure to
renew:
Forfeiture

SEC. 5. This act shall take effect only if the amendments to the act cited in the title hereof proposed by Chapter 1768 of the Statutes of 1959 are adopted by the voters, and in such case this act shall take effect at the same time as such amendments take effect.

Effect
Stats 1959,
Ch 1768

CONCURRENT AND JOINT
RESOLUTIONS

REGULAR SESSION
1960

CONCURRENT AND JOINT RESOLUTIONS

ADOPTED AT THE 1960 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

Senate Concurrent Resolution No. 4—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 and consolidated special election held therein on the third day of November, 1959.

[Filed with Secretary of State February 3, 1960.]

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 26th 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

City and
County of
San
Francisco
Charter
amendments

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 seven (7) 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 seven (7) 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 and consolidated special election to be held in the City and County of San Francisco on the third day of November, 1959, the said seven (7) several proposals to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general municipal and consolidated special election was held in said City and County of San Francisco on the third day of November, 1959, 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 23d day of November, 1959, duly certify to the board of supervisors the results of said general municipal and consolidated special election as determined from the canvass of the returns thereof; and

WHEREAS, At said general municipal and consolidated special election so held on the third day of November, 1959, six (6) 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 D, E, F, G, H and I, and one (1) other charter amendment submitted at said general municipal and consolidated special election, to wit, charter amendment designated as Proposition J, received less than a majority of the votes of the electors voting thereon and was 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 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 45 thereof, relating to a quorum for the transaction of official business of the Art Commission.

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 3, 1959, a proposal to amend the charter of said city and county by amending Section 45 thereof, so that the same shall read as follows:

Art Commission

Section 45. An art commission for the city and county is hereby created, consisting of ten members appointed by the mayor and six ex officio members. The ex officio members shall be the mayor and the chairmen of the following boards and commissions: Public library, recreation and park, city planning, de Young Memorial Museum and California Palace of the Legion of Honor. The mayor shall appoint three lay members, and an artist-painter, an artist-sculptor, a musician, a litterateur, two architects and one landscape architect. In appointing the seven professional members, the mayor shall solicit nominations from architectural, art, musical, literary and other cultural organizations of the city.

The first appointments by the mayor shall be made not later than the 15th day of January, 1932, and shall be for the following terms, which shall expire at twelve o'clock noon on the 15th day of January in the respective years: One landscape architect and one lay member, one-year terms; one artist-sculptor and one architect, two-year terms; one musician and one lay member, three-year terms; one litterateur and one architect, four-year terms; and one artist-painter and one lay member, five-year terms. Upon the expiration of the terms, all successive appointments shall be for a period of five years.

The members of the commission shall serve without compensation. No member of this commission shall receive from the city and county, or from any trust, donation, or legacy, any compensation for any service as an artist for the benefit of the city and county.

A quorum for the transaction of official business of the art commission shall consist of six members thereof.

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 87 relating to the filing of claims for money or damages and the manner of their disposition.

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 3, 1959, a proposal to amend the charter of said city and county by amending Section 87 thereof, so that the same shall read as follows:

Limitation on Claims and Damages

Section 87. All claims for money or damages against the city and county must be filed in accordance with the general law of the State of California applicable to the filing of claims against local public entities; otherwise no suit for money or damages may be brought against the city and county.

All claims heretofore presented within the time prescribed by the general law of the State of California and which substantially complied therewith at the time of their presentation shall be deemed to have been properly presented.

This section applies only to claims relating to causes of action arising subsequent to the effective date of Chapter 1724, California Legislature, 1959 Regular Session.

Except as otherwise provided for in other sections of the charter, the Board of Supervisors, by ordinance, shall prescribe the method whereby claims or litigation, or proceedings based thereon, may be settled, compromised, adjusted or dismissed.

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 151.2 thereto, relating to the compensation of the attorney appointed by the Public Administrator.

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 3, 1959, a proposal to amend the charter of said city and county by adding Section 151.2 thereto, to read as follows:

Attorney
appointed by
public
adminis-
trator
Compensation

Section 151.2. Notwithstanding the provisions or limitations of Section 61 of this charter, the compensation of the attorney appointed by the public administrator shall be fixed in accordance with the salary standardization provisions of this charter. The effective date of this charter amendment shall be July 1, 1960.

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 adding Section 222.1 thereto, relating to interest in work, business, contracts, or sales of the City and County of San Francisco by supervisors, officers and employees thereof.

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 3, 1959, a proposal to amend the charter of said city and county by adding Section 222.1 thereto to read as follows:

Prohibited
interests

Section 222.1. A supervisor, officer or employee shall not be deemed interested in or in the performance of any contract, work, business, or the sale of any article, the expense, price or consideration of which is payable from the treasury, within the meaning of Section 222, unless such contract, work, business or sale is awarded, entered into, or authorized by him in his capacity as supervisor, officer or employee, or by an officer or employee under his supervision and control, or by a board or commission of which he is a member.

A supervisor or officer of the city and county shall not be deemed interested in any such contract, work, business or sale awarded, entered into or authorized by a board or commission of which he is a member if he has only a remote interest therein and the fact of such interest is disclosed to the board or commission of which he is a member and noted in its official records and the board or commission authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the supervisor, officer or member with the remote interest, unless the contract must be awarded to the highest or lowest responsible bidder as the case may be on a particular day and the vote of such supervisor, officer or member is necessary to a quorum on that day.

As used in this section "remote interest" means:

(1) The ownership of less than five per cent of the shares of a corporation for profit;

(2) That of a nonsalaried officer of a nonprofit corporation;

(3) That of an officer in being reimbursed for his actual and necessary expenses incurred in the performance of official duty;

(4) That of an employee of the contracting party having ten or more other employees; provided, that the supervisor or officer was an employee of said contracting party for at least three years prior to his initially accepting such office;

(5) That of a parent in the earnings of his minor child for personal services;

(6) That of a landlord or tenant of the contracting party;

(7) That of an attorney of the contracting party; or

(8) Except as to supervisors, such other interest or relationship other than those set forth in (1) to (7) above as may hereafter be designated by a vote of two thirds of the members of the Board of Supervisors.

All contracts, work, business or sales herein mentioned heretofore awarded, entered into or authorized by any board or commission of the City and County of San Francisco in which a supervisor, officer or member had a remote interest as hereinabove defined are hereby ratified and confirmed.

The provisions of this section shall not be applicable to any supervisor, officer or employee who influences or attempts to influence the award, execution or authorization of any contract, work, business or sale, the expense, price or consideration of which is payable from the treasury, in which he has a direct or indirect interest.

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 adding Section 92.1 thereto relating to the purchase, lease, or exchange by the City and County of San Francisco of real property to relocate thereon produce and related food processing industries displaced as a

result of a redevelopment plan adopted pursuant to the Community Redevelopment Law of California, as amended; and providing for the sale, exchange or lease to accomplish this purpose with or without bid.

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 3, 1959, a proposal to amend the charter of said city and county by adding Section 92.1 thereto, reading as follows:

Food
processing
establish-
ments
Relocation

Section 92.1. Whenever the board of supervisors finds that it is necessary to relocate produce and related food processing establishments because of a redevelopment plan adopted pursuant to Community Redevelopment Law of California, as amended, and in order to promote, foster and encourage the intelligent and orderly marketing of such products through cooperation; to eliminate speculation and waste; to make the distribution of such products between producer and consumer as directly as can be feasibly done; and to establish a market for such products in the interest of the people of San Francisco, the board of supervisors by ordinance may authorize the purchase, lease or exchange of such real property within the City and County of San Francisco as may be deemed desirable for the establishment, maintenance, equipment, ownership and operation of a municipal market for such purposes, or the sale, exchange or lease of such real property to any person, firm or association for the establishment or maintenance of such a market. Notwithstanding any other provisions of this charter, sales, exchanges or leases not to exceed fifty years may be made or executed by negotiation after public notice and public hearing under such regulations and on such terms and conditions as may be deemed proper with or without bids, under ordinance enacted by a three-fourths vote of all members of the board of supervisors.

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 151.4 thereof and adding Sections 151.4.1, 151.4.2, 151.4.3, 151.4.4, 151.4.5 and 151.4.6 thereto, relating to vacation benefits of 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 3, 1959, a proposal to amend the charter of said city and county by amending Section 151.4 thereof and adding sections 151.4.1,

151.4.2, 151.4.3, 151.4.4, 151.4.5 and 151.4.6 thereto, so that the same shall read as follows:

Annual Vacation of Employees

Section 151.4. Every person employed in the city and county service shall be allowed a vacation with pay annually, as long as he continues in his employment, as follows: Annual vacation of employees

- 1. After one year's continuous service, ten working days.
- 2. After five years' continuous service, fifteen working days.

Section 151.4.1. Employees may elect not to take their entire vacation in any one year and in such event may accumulate the days allowable and not taken for use at some future time, provided, however, that no employee may accumulate unused vacation allowance in excess of thirty working days regardless of length of service. Same - Accumulated vacation time

Section 151.4.2. In computing vacation pay, no employee shall be considered to work more than five days each week. Vacation pay for employees working less than a five-day week shall be computed proportionately. Same: Vacation pay

Section 151.4.3. If a holiday occurs during such employee's vacation, and the employee would as a matter of law have been entitled to said day as a regular day off, such holiday shall not be considered a day of vacation chargeable to the employee's vacation allowance provided for in Section 151.4. Same - Holidays

Section 151.4.4. The time when vacations are to be taken shall be at the convenience of the department head with due regard for seniority. Same - Taking of vacations

Section 151.4.5. An employee with one year or more of service who ceases to be employed by the city and county and who has neither received nor waived his current annual vacation allowance provided for in Section 151.4 shall receive a pro rata payment for all service performed since January 1 of the calendar year in which he ceases to be employed, together with an amount equivalent to any accumulated vacation allowance due him. Same - Pro rata payment

Section 151.4.6. The board of supervisors shall enact any and all ordinances necessary to administer, interpret and regulate the provisions of Sections 151.4 to and including 151.4.5. Same - Administration

State of California }
City and County of San Francisco } ss.

This is to certify that we, Harold S. Dobbs, President of the Board of Supervisors of the City and County of San Francisco, and Robert J. Dolan, 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 and consolidated special election held on Certificate

Tuesday, the third day of November, One Thousand Nine Hundred and Fifty-Nine; 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 thirtieth day of November, One Thousand Nine Hundred and Fifty-Nine.

(SEAL) HAROLD S. DOBBS
President of the Board of Supervisors
of the City and County of San Francisco
ROBERT J. DOLAN
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 Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City and County of San Francisco, as proposed to, and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the City and County of San Francisco.

CHAPTER 2

Assembly Concurrent Resolution No. 1—Relative to augmenting the funds of the Joint Interim Committee on the Public Education System.

[Filed with Secretary of State February 4, 1960.]

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 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 Joint Interim Committee on the Public Education System, created by Assembly Concurrent Resolution No. 137, 1959 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; and be it further

Resolved, That the committee is authorized to act until January 5, 1961, and shall file its final report not later than such date.

CHAPTER 3

Assembly Concurrent Resolution No. 2—Approving an amendment to the charter of the City of Sacramento, County of Sacramento, State of California, ratified by the qualified electors of the city at an election held therein on the third day of November 1959.

[Filed with Secretary of State February 4, 1960.]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of an amendment 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 the city, as follows:

City of Sacramento: Charter amendment

CERTIFICATE OF RATIFICATION BY ELECTORS OF THE CITY OF SACRAMENTO OF CERTAIN CHARTER AMENDMENT

State of California }
County of Sacramento } ss
City of Sacramento }

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:

Certificate

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, 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 Article XI, Section 8, of the Constitution of the State of California, the City Council of the City of Sacramento, being the legislative body thereof, on its own motion duly and regularly submitted to

the qualified electors of the City of Sacramento a proposition for the amendment of the Charter of the City of Sacramento at the regular municipal election held within the City on November 3, 1959. That the City Council resolved on August 27, 1959, to call said election on November 3, 1959, and said proposal was designated as "A."

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, the said proposed amendment was published and advertised in full, on September 21, 1959, in the SACRAMENTO UNION, a daily newspaper of general circulation, printed and published in the City of Sacramento, the official newspaper of said City of Sacramento. The foregoing is shown by the affidavit of publication on file in the office of the City Clerk.

That copies of said proposed amendment was 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 regular municipal election, November 3, 1959, as hereinafter set forth, there was published in said SACRAMENTO UNION an advertisement stating that copies of said proposed charter amendment 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 amendment could be had upon application therefor at the office of the City Clerk of said City at all times, to and including November 3, 1959, 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 November 3, 1959, after due notice was given and published on September 21, 1959, which said last aforementioned day was not less than forty, nor more than sixty (60) days after the completion of the publication and advertisement of the aforementioned proposed amendment in the SACRAMENTO UNION, the official newspaper of said City of Sacramento. That at said election, a majority of the qualified electors voting upon the proposed charter amendment voted in favor thereof and adopted and ratified the same.

That thereafter the Council of the City of Sacramento, did in the manner provided by law, duly and regularly canvass the returns of said election, and did adopt a resolution declaring the results of the canvass of the returns of said election. That the Council of said City did, by said resolution, find, determine, and declare that certain proposed amendment to the Charter of the City of Sacramento, as hereinafter set forth,

was ratified by a majority vote of the electors of said City voting thereon.

That as to said amendment 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 the said amendment to the Charter of the City of Sacramento, so adopted and ratified by the qualified electors of said City, and which shall be submitted to the Legislature for approval or rejection, is in words and figures as follows:

“PROPOSAL No. A

To amend Article IX, Sections 53 and 54 of the Charter of the City of Sacramento to read as follows:

Section 53. Organization.

The government of the Sacramento City Unified School District shall be vested in a Board of Education consisting of seven members who shall be nominated and elected from the district at large. The Board of Education shall annually elect one of its members as President of the Board, to serve for a term of one year, and shall not succeed himself. He may be removed from the presidency by a vote of three members. Absence from three consecutive regular meetings, unless excused by resolution of the Board, shall operate to vacate the seat of any member so absent. The Superintendent of Schools shall be ex officio Secretary of the Board of Education.

Board of
Education
Organization

Section 54. Election and Term of Office.

(a) The members of the Board of Education shall be elected for a term of four years, three to be elected at a regular election and four to be elected at the next regular election. Each member of the Board shall receive the sum of \$20.00 per meeting attended not to exceed the sum of \$100 00 per month.

Same.
Election and
term of
office

(b) Vacancies in the Board of Education from whatever cause shall be filled by the remaining members of the Board of Education for the remainder of the unexpired term. If the remaining members fail to agree, the vacancy shall be filled as provided by general law.

(c) Members of the Board of Education shall be electors of the Sacramento City Unified School District and residents therein for a period of not less than five consecutive years immediately preceding the date of the election. Residence within territory which becomes a part of the Sacramento Unified School District by annexation to the City of Sacramento, or by assignment or operation of law is to be deemed residence within the Unified School District, and may be combined with the period of residence within the Unified School District to constitute the five (5) consecutive years.

(d) The first election for members of the Board of Education shall be held on the 1st Tuesday after the first Monday in November of the year 1960.

At this election the four candidates who receive the highest number of votes shall serve for a term which shall begin January 1, 1961, and expire December 31, 1963, and the next three candidates who receive the higher number of votes over the remaining candidates shall serve for a term which shall begin January 1, 1961, and expire December 31, 1961.

(e) On the first Tuesday after the first Monday in November, 1961, an election shall be held for three members of the Board of Education who shall serve for a term of four years, beginning January 1, 1962, and on the first Tuesday after the first Monday in November, 1963, an election shall be held for four members of the Board of Education who shall serve for a term of four years, beginning January 1, 1964. Thereafter, elections shall be held biennially and the three candidates and the four candidates who receive a plurality of the votes cast are elected to membership on said board, and their terms of office shall be four years, respectively, beginning January 1st, following their elections to the Board of Education. All such elections shall be known as regular school district elections. All other school district elections that may be held shall be known as special school district elections.

(f) Except for the dates of elections, as herein provided, all elections, including the filing and nominations of candidates for members of the Board of Education, shall be held and conducted as provided by the State Constitution and general laws relating thereto."

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

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seal of said City of Sacramento to be affixed hereto on December 30th 1959.

CLARENCE L. AZEVEDO

(SEAL)

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

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 the amendment to the charter of the City of Sacramento,

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

CHAPTER 4

Assembly Concurrent Resolution No. 3—Relative to printing maps of assembly, senate, and congressional districts.

[Filed with Secretary of State February 4, 1960.]

WHEREAS, The supply of assembly and congressional district maps originally printed in 1951 has been depleted and the maps are no longer in print; and

WHEREAS, Due to the proximity of the 1961 reapportionment there has been a renewed demand for copies of these maps which were authorized to be printed and distributed by Assembly Concurrent Resolution No. 63, adopted as Resolution Chapter 205 of the 1951 Statutes; and

WHEREAS, There has also been a demand for maps of the assembly, senate, and congressional districts not included in the 1951 resolution; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That there shall be drafted and printed, or reprinted from available plates, as public documents, two thousand (2,000) copies of each of the following maps:

1. State of California showing the boundaries of the assembly districts of the State as described in Chapter 395 of the Statutes of 1951 (reprint of 1951 map).

2. State of California showing the boundaries of the senate districts of the State as described in Chapter 397 of the Statutes of 1951.

3. State of California showing the boundaries of the congressional districts of the State as described in Chapter 396 of the Statutes of 1951 (reprint of 1951 map).

4. Congressional District No. 1, which is composed of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa and Marin Counties, and showing the boundaries of Assembly Districts 1, 3, 5 and 7 contained in whole or in part therein.

5. Congressional District No. 2, which is composed of Modoc, Siskiyou, Trinity, Shasta, Lassen, Tehama, Plumas, Butte, Sierra, Nevada, Placer, El Dorado, Amador, Alpine, Calaveras, Tuolumne, Mono, Mariposa and Inyo Counties, and showing the boundaries of Assembly Districts 2, 3, 4, and 6 contained in whole or in part therein.

6. Congressional District No. 3, which is composed of Glenn, Colusa, Sutter, Yolo, Yuba and Sacramento Counties, and showing the boundaries of Assembly Districts 3, 4, 8 and 9 contained in whole or in part therein.

7. Congressional Districts Nos. 4 and 5 which comprise the City and County of San Francisco, and showing the boundaries of Assembly Districts 19 to 24, inclusive, contained therein (reprint of 1951 map).

8. Congressional District No. 6, which is composed of Solano and Contra Costa Counties, and showing the boundaries of Assembly Districts 5, 10 and 11 contained in whole or in part therein.

9. Congressional Districts Nos. 7 and 8 which comprise Alameda County, and showing the boundaries of Assembly Districts 13 to 18, inclusive, contained therein (reprint of 1951 map).

10. Congressional District No. 9, which is composed of San Mateo County, and showing the boundaries of Assembly Districts 25 and 26 contained therein (reprint of 1951 map).

11. Congressional District No. 10, which is composed of Santa Clara, Santa Cruz and San Benito Counties, and showing the boundaries of Assembly Districts 27, 28 and 29 contained therein.

12. Congressional District No. 11, which is composed of San Joaquin and Stanislaus Counties, and showing the boundaries of Assembly Districts 12 and 30 contained therein.

13. Congressional District No. 12, which is composed of Merced, Madera and Fresno Counties, and showing the boundaries of Assembly Districts 31, 32 and 33 contained therein.

14. Congressional District No. 13, which is composed of Monterey, San Luis Obispo, Santa Barbara and Ventura Counties, and showing the boundaries of Assembly Districts 34, 36 and 37 contained therein.

15. Congressional District No. 14, which is composed of Kings, Tulare and Kern Counties, and showing the boundaries of Assembly Districts 35, 38 and 39 contained therein.

16. Congressional Districts Nos. 15 to 26, inclusive (divided into 5 separate maps of portions of Los Angeles County), which comprise Los Angeles County, and showing the boundaries of Assembly Districts 40 to 70, inclusive, contained therein (reprint of 1951 maps).

17. Congressional District No. 27, which is composed of San Bernardino County, and showing the boundaries of Assembly Districts 72 and 73 contained therein (reprint of 1951 map).

18. Congressional District No. 29, which is composed of Riverside and Imperial Counties, and showing the boundaries of Assembly Districts 71 and 76 contained therein.

19. Orange County, which comprises part of Congressional District No. 28, and showing the boundaries of Assembly Districts 74 and 75 contained therein (reprint of 1951 map).

20. San Diego County, which comprises Congressional District No. 30 and part of Congressional District No. 28, and showing the boundaries of Assembly Districts 77 to 80, inclusive, contained therein (reprint of 1951 map); and be it further

Resolved, That the Chief Clerk of the Assembly and the Secretary of the Senate are hereby instructed to make available five (5) copies of each of the maps to each Member of the Assembly and the Senate, not to exceed three copies of each of the maps to each newspaper accredited by the Capitol Correspondents Association of California and to hold the remainder for sale by the Division of Printing; and be it further

Resolved, That the cost of such printing shall be payable from the Legislative Printing Fund.

CHAPTER 5

Assembly Concurrent Resolution No. 5—Relative to the passing of the Honorable Seth James Johnson.

[Filed with Secretary of State February 4, 1960]

WHEREAS, The Members of the California Legislature have been deeply grieved by the knowledge that on July 16, 1959, the Honorable Seth James Johnson, Member of the Assembly from the 56th District in Los Angeles County, passed from this life; and

WHEREAS, The Honorable Seth Johnson, in addition to his many other achievements, faithfully and ably served his district and the people of the State of California as a Member of the Assembly since his election in 1954; and

WHEREAS, Seth Johnson was born in Minden, Nebraska, received his formal education in Nebraska, and became a resident of California in 1920; and

WHEREAS, Seth Johnson displayed his outstanding administrative skills and capabilities during his 33 years on the administrative staff of the Los Angeles Fire Department; and

WHEREAS, During his tenure in the Assembly Seth Johnson devoted himself to improving the safety and welfare of the public he represented by giving his attention to such problems as radiation, fire prevention for schools, the transportation of explosives, and smog control; and

WHEREAS, His legislative programs were keynoted by his sincere and diligent determination to perform his duties to the best of his ability; and

WHEREAS, His friendly and kindly disposition made him beloved by all who came in contact with him; 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 deep sorrow at the untimely passing of this outstanding public servant who had unselfishly devoted so much of his life on behalf of his community, his State, and his country; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Margaret Tunison Johnson, his widow, and his son, Robert.

CHAPTER 6

Assembly Joint Resolution No. 1—Relative to deploring recent acts of anti-Semitism and the desecration of places of worship of members of the Jewish faith.

[Filed with Secretary of State February 4, 1960.]

WHEREAS, Decent citizens in a large number of countries, including the United States, have been shocked and incensed by recent virulent acts of anti-Semitism involving the desecration of places of worship of members of the Jewish faith and attempts to intimidate Jewish persons; and

WHEREAS, These vicious acts have included the defacement of walls with crude markings of the infamous swastika, a symbol identified with the commission, during the Nazi reign of terror in Europe, of the most cruel and barbaric atrocities in the history of human civilization; and

WHEREAS, This activity, foreign to everything for which America stands, has manifested itself in the State of California in recent anti-Semitic acts of vandalism; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Members of the Legislature of this State deplore these acts perpetrated against the Jewish people and call upon all law enforcement agencies both in the United States and other nations of the world to exert every effort to apprehend and prosecute to the full extent of the law those responsible for such acts; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Honorable Konrad Adenauer, Chancellor of the Federal Republic of Germany; the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Norris Poulson, Mayor of the City of Los Angeles, and the Honorable George Christopher, Mayor of the City and County of San Francisco.

CHAPTER 7

Senate Concurrent Resolution No. 8—Relative to adjournment of the Legislature for the constitutional recess and to re-assembling of the Legislature after said recess, fixing the date for said adjournment and said reassembling.

[Filed with Secretary of State February 4, 1960]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1960 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 third day of February, 1960, and shall reassemble at 2 o'clock p.m. on February 29, 1960.

CHAPTER 8

Assembly Concurrent Resolution No. 4—Approving the charter of the City of Gilroy, County of Santa Clara, State of California, ratified by the qualified electors of the city at an election held therein on the 18th day of August, 1959.

[Filed with Secretary of State February 8, 1960.]

WHEREAS, Proceedings have been had for the proposal, adoption, and ratification of the charter of the City of Gilroy, a municipal corporation in the County of Santa Clara, State of California, as hereinafter set forth in the certificate of the Mayor and the City Clerk of the City of Gilroy as follows:

CERTIFICATE OF PROCEEDINGS HAD BY THE CITY OF GILROY
IN FRAMING A CHARTER FOR ITS OWN GOVERNMENT

State of California }
County of Santa Clara } ss
City of Gilroy }

We, the undersigned, Sig Sanchez, Mayor of the City of Gilroy, and G. B. Carr, City Clerk of the City of Gilroy, do certify and declare as follows:

That the City of Gilroy, a Municipal Corporation in the County of Santa Clara, State of California, now is and at all times herein mentioned was a city containing a population of more than 3,500 and less than 50,000 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of the State of California;

That the Common Council of the said City of Gilroy, on its own motion framed a proposed Charter which it filed in the Office of the City Clerk on the 15th day of June 1959, and ordered that the proposal for the adoption of the Charter be submitted to the electors of the said city at a special election called for that purpose to be held on the 18th day of August 1959;

That on the 23rd day of June 1959, which was within 15 days after the filing of the Charter in the Office of the City Clerk, the proposed Charter was published in each edition of the Gilroy Evening Dispatch, which is the official newspaper of the City of Gilroy and is a newspaper of general circulation printed and published within the said city;

That the said election called as aforesaid, was duly and legally held on the 18th day of August, 1959, which date was not less than 40 nor more than 60 days after completion of the advertising in the said Gilroy Evening Dispatch, and that at the said election a majority of the qualified voters voting thereon voted in favor of the proposed Charter and for the adoption thereof;

That all the proceedings for the framing, adoption, and ratification of the proposed Charter were had in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and of other applicable state and local laws; and

That the Charter so ratified by the electors is in the words and figures following :

THE CHARTER OF THE CITY OF GILROY

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PROPOSED CHARTER OF THE CITY OF GILROY

We, the people of the City of Gilroy, State of California, do ordain and establish this Charter as the organic law of said City under the Constitution of said State.

Article I.

Incorporation and Succession

Section 100. Name. The City of Gilroy, County of Santa Clara, State of California, shall continue to be a municipal corporation with the name, "City of Gilroy." Name

Section 101. Boundaries. The boundaries of the City of Gilroy shall continue as now established until changed in the manner authorized by law. Boundaries

Section 102. Ordinances. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same Ordinances

have been duly repealed, amended, changed or superseded by proper authority.

Succession,
rights, etc

Section 103. Succession, Rights, Powers and Liabilities. The City of Gilroy shall continue to own, possess, control and exercise all rights, powers and property of every kind and nature, owned, possessed, controlled or exercised by it at the time this Charter takes effect, not in conflict with or inconsistent herewith, and shall be subject to all its debts, obligations, liabilities and contracts.

Present
officers, etc

Section 104. Continuance of Present Officers and Employees. The present officers and employees shall continue without interruption to perform the duties of their respective offices and employments upon the same conditions and for the same compensation provided by existing ordinances, resolutions, rules or laws, until the election or appointment and qualification of their successors under this Charter and subject to such removal and control as provided in this Charter. Persons holding the elective offices of City Clerk, City Marshal and City Treasurer under the preceding Charter at the time of the approval of this Charter by the Legislature shall continue to hold office and discharge their duties for the balance of the term for which they were theretofore elected and then serving.

Transfer of
records and
property

Section 105. Transfer of Records and Property. All records, property and equipment of any office, department or agency, or part thereof, all of the powers and duties of which are assigned to any other office, department or agency by or pursuant to this Charter, shall be transferred and delivered to the office, department or agency to which such powers and duties are so assigned. If part of the powers and duties of any office, department or agency, or part thereof, is assigned to another office, department or agency by or pursuant to this Charter, all records, property and equipment relating exclusively thereto shall be transferred and delivered to the office, department or agency to which said powers and duties are so assigned.

Continuity
of agencies

Section 106. Continuity of Agencies. Any agency provided for in this Charter with powers and duties substantially the same as those of an agency heretofore existing, shall be deemed to be a continuation of such agency, and shall exercise such powers and duties, and shall have power to continue any business, proceeding or other matter within the scope thereof. Any provision of any law, regulation, contract, grant or other document relating to such a formerly existing agency, so far as not inconsistent with the provisions of this Charter, shall apply to such agency as provided by this Charter.

Article II. Powers of the City

Section 200. **General Powers.** The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution and laws of the State of California.

General
powers

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon the generality of the foregoing provisions.

Section 201. **Procedures.** The City shall have the power and may act pursuant to any procedure established by any law of the State, unless a different procedure is established by this Charter or by ordinance.

Procedures

Section 202. **Contracts for Municipal Services.** The City shall have the power to enter into a contract with any other City or County within the State, with a State department or with any other public or private agency or firm for the performance of any administrative function of the City.

Contracts
Services

Article III. Form of Government

Section 300. **Form of Government.** The municipal government established by this Charter shall be known as the "Council-Administrator" form of government.

Form of
government

Article IV The Council

Section 400. **Powers Vested in the Council.** All powers of the City and the determination of all matters of policy shall be vested in the Council, subject to the provisions of this Charter and the Constitution of the State of California.

Powers of
Council

Section 401. **Number and Method of Election.** The Council shall consist of seven (7) members, including a Mayor and six (6) Councilmen, each of whom shall have the right to vote on all questions coming before the Council. The Mayor and Councilmen shall be elected at the General Municipal Election from the City at large.

Election

Section 402. **Term of Office.** Except as otherwise provided in this Section, the Mayor and Councilmen shall hold office for a term of four (4) years from and after the first Tuesday following their election and continuing until their respective successors qualify. If, at any municipal election for

Terms

members of the Council, there shall be no choice between candidates by reason of two (2) or more candidates having received an equal number of votes, then the Council shall proceed to determine the election of such candidates by lot.

The Mayor and all Councilmen shall be elected at the first election held under this Charter as provided in Section 1403. The Mayor and the three (3) Councilmen elected receiving the highest number of votes shall hold office until the second Tuesday of April, 1963, and the three (3) Councilmen elected receiving the lowest number of votes shall hold office until the second Tuesday of April, 1961. Such officers shall assume office on the first Tuesday following their election. Their successors shall be elected for a full term of four (4) years.

The terms of the members of the legislative body in office at the time this Charter is adopted shall expire upon the election and qualification of their successors under this Charter.

Eligibility

Section 403. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Council unless he is, and shall have been for at least two (2) years next preceding his election and appointment, a resident and qualified registered elector of the City of Gilroy or of territory annexed thereto. The Council shall be the judge of the election and qualifications of its members as defined in this Section.

Holding of other office

Section 404. Council Member to Hold No Other Office. No member of the Council shall hold any other public office or City employment except as is otherwise provided in this Charter. No member of the Council shall be appointed to any City position, office or employment during the term of office for which he was elected or appointed until one (1) year after the expiration of the term for which he was elected or appointed except to fill a vacancy in the office of Mayor. Nothing in this Section shall prevent a Councilman or the Mayor from resigning his office to accept either an elective or appointive office under the government of a county, state or of the United States, or any governmental agency, other than the City of Gilroy. Nor shall the provisions of this Section prohibit any such officer from being a Notary Public or a member of the armed services of this State or of the United States.

Reimbursement

Section 405. Reimbursement. The members of the Council shall receive reimbursement for expenses incurred while performing official business of the City as authorized and approved by the Council.

Vacancies

Section 406. Vacancies. An elective office becomes vacant when the incumbent thereof dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of a felony, or of an offense involving a violation of his official duties, or ceases to be a resident of the City, or neglects to qualify within the time prescribed by the provisions of this Charter, or shall have been absent from the State without leave for more than sixty (60) consecutive days, or fails to attend the meetings of the body of which he is a member for a like period without being excused therefrom by said body.

A vacancy in an elective office, from whatever cause arising, shall be filled by appointment by the Council, such appointee to hold office until the first Tuesday following the next general municipal election and until his successor qualifies. At the next general municipal election following any vacancy, a successor shall be elected to serve for the remainder of any unexpired term

The Council shall declare the existence of any vacancy. In the event the Council shall fail to fill a vacancy by appointment within thirty (30) days after such an office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy.

Section 407. Interference in Administrative Matters Prohibited. Neither the Council nor any of its members shall interfere with the execution by the City Administrator of his powers and duties, or order or request, directly or indirectly, the appointment by the City Administrator, or by any of his subordinates, of any person to any office or employment, or his removal therefrom, except as provided in this Charter. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch of the City government solely through the City Administrator, or his designated deputy, and neither the Council nor any member thereof shall give orders to any subordinate of the City Administrator, either publicly or privately.

Interference
in adminis-
trative
matters

Section 408. Meetings of The Council. The Council shall provide for the time, place and manner of holding its meetings by ordinance, not inconsistent with the provisions of this Section. Copies of such ordinances shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Except as is otherwise provided by the laws of this State, all meetings of the Council shall be open to the public, and all persons shall be permitted to attend any meeting thereof. The Council shall hold at least one regular meeting each month.

Meetings

A special meeting may be ordered at any time by the Mayor whenever in his opinion the public business may require it, or upon the written request of any three (3) members of the Council. Whenever a special meeting shall be called, written notice of such meeting shall be delivered personally or by mail by the City Clerk to each member of the Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice and order shall specify the time and place of the special meeting, and the business to be transacted. No other business shall be considered at such meetings by the Council.

Section 409. Citizen Participation. Within the established rules for the conduct of its official proceedings, no

Citizen
participation

citizen shall be denied the right personally, or through counsel, to present grievances or offer suggestions for the betterment of municipal affairs at any regular meeting of the Council.

Quorum Section 410. **Quorum.** A majority of the entire membership of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time. In the absence of all of the members of the Council from any meeting, the City Clerk may declare the same adjourned to a stated day and hour.

Rules, etc Section 411. **Rules and Procedures.** The Council shall establish rules for the conduct of its proceedings and to preserve order at its meetings. It shall cause a record of its proceedings to be maintained which shall be open to public inspection.

Oaths, etc Section 412. **Administering Oaths: Subpoenas.** Each member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify upon other than constitutional grounds shall constitute a misdemeanor and shall be punishable in the same manner as violations of this Charter are punishable.

Article V. The Mayor

Mayor Section 500. **Political Position.** It is the intent of this Article that the Mayor shall be the political leader within the community and the Council to facilitate the determination, expression and interpretation of City policies and programs and to assist the Council in the informed, vigorous and effective exercise of its powers of decision. Political leadership shall be concerned with the general development of the community and the general level of City services and activity programs.

Powers Section 501. **Powers and Duties.** The Mayor shall be recognized as the official head of the City for all political, representative and ceremonial purposes, by the courts for the purposes of serving civil processes, and by the Governor for military purposes. In time of public danger or emergency, he may direct the administration of the City Government through the City Administrator.

The Mayor shall be charged with the duty of making recommendations to the Council on all matters of policy and program which require Council decision, provided, that if he recommends any increases in the City budget, he shall recommend the method of financing such expenditures; and provided further, that if he proposes curtailments of services, such

recommendations and his reasons therefor shall be specific. The Mayor shall have the primary, but not exclusive, responsibility for interpreting the policies, programs and needs of the City government to the community. He may also, on his own account, inform the community on any matters of policy or program which he believes the welfare of the community makes necessary.

It shall be the duty of the Mayor to represent the Council in its relationships with civic groups within the City, and by direction of the Council, he shall represent the City in its relationships with other governmental agencies on matters of policy and program.

The Mayor shall preside at meetings of the Council and shall have a vote as a member of the Council. He shall have no power to veto any ordinance or resolution adopted by the Council.

The Mayor shall have authority to preserve order at all Council meetings and to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council, and to determine the order of business under the rules of the Council.

The Mayor shall exercise such other powers and perform such other duties as may be prescribed by the Council, not inconsistent with this Charter.

Nothing in this Section shall be construed in any way as an infringement or limitation on the powers and duties of the City Administrator as chief administrative officer and head of the administrative branch of the City government as prescribed in other sections of this Charter. The Mayor shall possess only such authority over the City Administrator and the administrative branch as he possesses as one member of the Council.

Section 502. Mayor Pro Tempore. At the first meeting of the Council following the election or appointment of a member to the Council, the Council shall elect one of its members as Mayor Pro Tempore who shall act as Mayor during the absence or inability of the Mayor to act. In the case of the temporary absence or disability of both the Mayor and the Mayor Pro Tempore, the Council shall elect one of its members to act as Mayor Pro Tempore.

Section 503. Vacancy. If a vacancy occurs in the office of Mayor, the Council shall forthwith appoint a member of the Council to fill such vacancy who shall serve until the next municipal election, when a Mayor shall be elected to serve for the unexpired term or the succeeding term as the case may be.

Article VI. Legislation

Section 600. Method of Action. When so provided by this Charter, or by law, the rights and powers conferred upon the Council shall be exercised by ordinance. Each act of the Council establishing a fine or other penalty, or granting a franchise, shall be by ordinance.

Adoption

Section 601. Adoption of Ordinances. Each ordinance shall be introduced in writing. With the sole exception of ordinances which take effect upon adoption, referred to in this Article, no ordinance shall be adopted by the Council on the day of its introduction nor within six (6) days thereafter, nor at any time other than a regular or adjourned regular meeting, nor until such ordinance shall have been published as required by this Charter. At the time of the introduction of an ordinance, it shall be read in full, unless after the reading of the title thereof the further reading thereof is waived by the unanimous vote of the Councilmen present. In the event that any ordinance is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than six (6) 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.

Emergency

Section 602. Emergency Ordinances. Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes.

Vote

Section 603. Vote Required. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four (4) members of the Council.

Roll call

Section 604. Roll Call Vote. A roll call vote shall be taken upon the passage of all ordinances and resolutions and be entered upon the journal of the proceedings of the Council. Upon request of any member, a roll call vote shall be taken and recorded on any vote. Whenever a roll call vote of the Council is in order, the Clerk shall call the names of the members in alphabetical order except that the name of the Presiding Officer shall be called last. All members present shall be required to vote.

Enacting clause

Section 605. Enacting Clause. The enacting clause of all ordinances shall be substantially as follows: "The Council of the City of Gilroy does ordain as follows."

Attestation

Section 606. Signature and Attestation. All ordinances and resolutions shall be attested by the City Clerk and when required by law, shall be signed by the Mayor.

Publication

Section 607. Publication of Ordinances. The City Clerk shall cause at least the title and a summary of each proposed ordinance, with the exception of those ordinances which take effect upon adoption referred to in this Article, to be published in a newspaper of general circulation in the City at least three (3) days prior to its adoption. The City Clerk shall cause at least the title and a summary of each ordinance which takes effect upon adoption to be published at least once in the official newspaper of the City within fifteen (15) days after its adoption.

Section 608. **Effective Date of Ordinances.** No ordinance adopted by the Council shall become effective until thirty (30) days from and after the date of its adoption, except the following which shall take effect upon adoption: Effective dates

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property;

(d) An emergency ordinance adopted in the manner provided for in this Article;

(e) An ordinance annexing areas to the City; or

(f) An ordinance providing for a tax levy or appropriation for the usual current expenses of the City.

Section 609. **Amendment of Ordinances.** The amendment of any section or sections of an ordinance or code section may be accomplished solely by the reenactment of such section or sections at length, as amended. Amendment

Section 610. **Codification of Ordinances.** The Council shall cause to be classified and codified under appropriate heads all general ordinances in force and cause the same to be printed in book, pamphlet, or looseleaf form for the use of the City, its officers and the public. Codification

Section 611. **Violation and Penalty.** The Council may make the violation of its ordinances a misdemeanor which may be prosecuted in the name of the People of the State of California, and may prescribe punishment for such violation by a fine not to exceed Five Hundred and no/100ths (\$500.00) Dollars or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment. Such violations may also be redressed by civil action. Violation

Article VII The City Administrator

Section 700. **City Administrator.** There shall be a City Administrator who shall be the chief executive officer and head of the administrative branch of the City government. He shall be chosen on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practices with respect to the duties of his office as hereinafter set forth. He shall have at least one (1) year's experience as the administrative head of a city, or three (3) years' experience as assistant administrative head of a city of comparable or larger size, or equivalent training and experience in municipal administration. City Administrator

No member of the Council shall be eligible for appointment to the office of City Administrator during the term for which he shall have been elected or appointed nor within one (1) year thereafter.

Appointment Section 701. Appointment and Removal. The Council shall appoint the City Administrator for an indefinite term and may remove him by a resolution adopted by at least four (4) affirmative votes. At least thirty (30) days before removing him, the Council by at least four (4) affirmative votes shall adopt a resolution of intention to consider the discharge of the City Administrator, which resolution shall set forth the reasons for considering his removal. The City Administrator may reply in writing within one (1) week thereafter, and at his request he shall be granted an opportunity to speak in his own behalf at the next regular meeting of the Council. At least thirty (30) days after the adoption of the resolution of intention, and after a public hearing, if one be requested, and after a full consideration of the matter, the Council may adopt a resolution of removal. The resolution stating the reasons for considering the removal of the City Administrator may provide for the suspension of the City Administrator from duty but in any case shall cause him to be paid forthwith any unpaid balance of his salary and his full salary for the next calendar month following the date of the adoption of the resolution.

Before voluntarily resigning the position, unless waived by the Council, it shall be the duty of the City Administrator to give the Council at least thirty (30) days' notice in writing of his intention to resign, stating the reasons therefor.

Compensation Section 702. Compensation. The City Administrator shall be paid a salary commensurate with his responsibilities as chief executive officer of the City which salary shall be established by the Council.

Powers Section 703. Powers and Duties. The City Administrator shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities and duties, the City Administrator shall have power and be required to:

(a) Take a continuing interest in the effectiveness and economy of all administrative arrangements throughout the City;

(b) Insure that administrative activities with which two (2) or more departments are concerned are effectively coordinated;

(c) Appoint, suspend, discipline and/or remove, subject to the provisions of this Charter, all officers and employees of the City except that department heads shall be appointed and removed with the consent of the Council. This subsection shall not apply to those department heads and officers whose appointment is vested by this Charter in the Council. The City Administrator may authorize the head of any department or office to appoint or remove subordinates in such office;

(d) Prepare the budget annually, submit it to the Council, and be responsible for its administration after its adoption;

(e) Prepare and submit to the Council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding year;

(f) Make and execute contracts on behalf of the City involving budgeted or appropriated expenditures of One Thou-

sand Five Hundred and no/100ths (\$1,500.00) Dollars or less;

(g) Establish a centralized purchasing system for all City offices, departments and agencies;

(h) Keep the Council advised of the financial condition and future needs of the City and make such recommendations on any matter as may to him seem desirable;

(i) See that the laws of the State pertaining to the City, the provisions of this Charter and the ordinances of the City are enforced;

(j) Submit a monthly report to the Council covering significant activities of City agencies, offices and departments under his supervision and any significant changes in administrative rules and procedures promulgated by him;

(k) Submit special reports in writing to the Council in answer to any requests for information when requested of him by the Council; and

(l) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 704. Participation in Official Proceedings. The City Administrator shall be accorded a seat at the Council table and at all meetings of boards and commissions and shall be entitled to participate in their deliberations but shall not have a vote. He shall attend all regular and special meetings of the Council unless physically unable to do so or unless he has received prior approval for such absence from the Council. Participation in official proceedings

Section 705. City Administrator Pro Tempore. The City Administrator shall appoint, subject to the approval of the Council, one of the other officers or department heads of the City to serve as City Administrator Pro Tempore during the temporary absence or disability of the City Administrator. If the City Administrator fails to make such an appointment, the Council shall designate an officer of the City to serve as City Administrator Pro Tempore during the absence or disability of the City Administrator. City Administrator pro Tempore

Article VIII Officers and Employees

Section 800. City Administrative Organization. The Council shall provide by ordinance, not inconsistent with this Charter, for the organization, conduct and operation of the several offices, departments and other agencies of the City. It may further provide by ordinance for the creation of additional departments, divisions, offices and agencies or for their alteration or abolition or for their assignment and re-assignment to departments. Each new department so created shall be headed by an officer as department head who shall be appointed and removed by the City Administrator with the consent of the Council. Subject to the provisions of this Charter, the Council shall provide by ordinance or resolution Administrative organization

for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

The Council by ordinance may assign additional functions or duties to officers, departments or other agencies established by this Charter, but shall not discontinue or assign to any other office, department, or any other agency any function or duty assigned by this Charter to a particular office, department or agency. When the positions are not incompatible, the Council may combine in one person the powers and duties of two (2) or more offices.

The City Administrator, within the earliest practicable time following the effective date of this Charter, shall cause to be prepared and submitted to the Council, and the Council, by ordinance, shall adopt an administrative code. Such code shall provide for a complete plan of administrative organization of the City government, and provide for the powers, duties, responsibilities, obligations and procedures of the officers and employees of the City, including rules and regulations of the City departments adopted by ordinance. Such code may be adopted by reference.

Rules and regulations governing administrative procedures of the City government, such as those covering personnel, budgeting, accounting and purchasing methods, shall be included in the administrative code. The code shall be amended by ordinance as necessary or advisable to keep it up to date. Sufficient copies shall be available for all officers of the City and other interested citizens.

Notwithstanding the foregoing, the Council may transfer or consolidate functions of the City government, to or with appropriate functions of the State or County government, and in case of any such transfer or consolidation, the provisions of this Charter providing for the function of the City government so transferred or consolidated shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance establishing such transfer or consolidation. Any such transfer or consolidation may be repealed by ordinance.

**Enumeration
of officers**

Section 801. Enumeration. The officers of the City shall consist of the Mayor, the Councilmen, the City Administrator, the City Attorney, the City Clerk, members of boards and commissions and such other officers, assistants, deputies and employees as the Council may provide.

Appointment

Section 802. Appointment and Removal. The City Attorney and City Clerk shall be appointed by and may be removed by the affirmative votes of at least four (4) members of the Council. Except as otherwise provided in this Charter, all other officers and employees of the City except department heads, shall be appointed by the City Administrator and shall serve at his pleasure.

Section 803. City Clerk: Powers and Duties. The City ^{City Clerk} Clerk shall have the power and be required to:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a full and true record of all the proceedings of the Council in books that shall bear appropriate titles and be devoted to such purpose;

(b) Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published in accordance with this Charter;

(c) Maintain separate books, in which a record shall be made of all written contracts and official bonds;

(d) Keep all aforementioned books properly indexed and open to public inspection when not in actual use;

(e) Be the custodian of the seal of the City;

(f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of the official records;

(g) Have charge of all City elections;

(h) Be responsible for the publication of all official advertising of the City; and

(i) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 804. City Attorney: Powers and Duties. The City ^{City Attorney} Attorney shall have power and be required to:

(a) Represent and advise the Council and all City officers in all matters of law pertaining to their offices;

(b) Represent and appear for the City in any or all actions and proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee or former City officer or employee in any or all actions and proceedings in which any such City officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity.

(c) Attend all meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the boards or officers of the City;

(d) Approve the form of all bonds given to and all contracts made by the City, endorsing his approval thereon in writing;

(e) Prepare all proposed ordinances, contracts and other legal instruments for the City;

(f) Prosecute on behalf of the City all cases for violation of the Charter, City ordinances and other City laws and regulations;

(g) Perform such other legal duties consistent with this Charter as may be required of him by the Council; and

(h) Upon vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City's affairs.

To become eligible for appointment as City Attorney, the appointee shall have been admitted to practice as an attorney at law before the Supreme Court of the State of California, and shall have been engaged in the practice of law for at least two (2) years immediately prior to his appointment.

- The Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein.
- Compensation** Section 805. Compensation. The compensation of all City officers and employees, except as otherwise provided in this Charter, shall be by salary to be fixed by ordinance or resolution. No officer or employee shall be allowed any fees, perquisites, emoluments, rewards or compensation for the performance of his official duties aside from the salary or compensation as fixed by the Council, but all fees received by him in connection with his official duties shall be paid by him into the City treasury. The provisions of this Section shall not preclude officers and employees from being reimbursed for actual and necessary expenses incurred while performing official business of the City when said expenses have been authorized or approved by the Council or the City Administrator.
- Oath of office** Section 806. Oath of Office. Each officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the Constitution of this State, and shall file the same with the City Clerk.
- Same** Section 807. Administering Oaths. Each department head and his deputy shall have the power to administer oaths and affirmations in connection with any official business pertaining to his department.
- Official bonds** Section 808. Official Bonds. The Council shall fix by ordinance the nature, amount and terms of the official bonds of all officials or employees who are required by ordinance to qualify for such bonds; provided, however, that all officers and employees having custody or control of public funds shall be required to be bonded. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.
- Prohibited interests** Section 809. Financial Interests Prohibited. The provisions of Article 4, Chapter 1, Division 4, Title 1 of the Government Code of the State of California as the same now exists or may hereafter be amended, relating to prohibitions applicable to specified officers, shall apply in the City.
- Nepotism** Section 810. Nepotism. The Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the third degree of any member of such Council, nor shall any department head or other officer having appointive power appoint any relative of a member of the Council or himself within such degree to any such position.
- Discrimination** Section 811. Discrimination. Except as otherwise provided by the general laws of this State heretofore or hereafter

enacted, no person employed by the City or seeking employment therewith shall be employed, refused employment, promoted, demoted, disciplined or discharged or in any way favored or discriminated against because of political opinion or affiliations or membership in a lawful employees association, or because of race or religious belief.

Article IX. Boards and Commissions

Section 900. Boards and Commissions: Intents and Purposes. Except as otherwise provided in this Article, the appointive boards and commissions established by or pursuant to this Charter are intended to serve as advisory bodies to the Council and the City Administrator in carrying out their respective duties. Membership on such bodies shall be representative of the entire community insofar as that is possible, and members on such boards shall be willing to serve as a civic responsibility. No member of any advisory board or commission shall hold any paid office or employment in the City Government. In order to be eligible for appointment to any board or commission, a person shall be a qualified registered elector of the City. In addition to those boards and commissions herein provided, the Council may create by ordinance such advisory boards or commissions as in its judgment are required and may grant them such powers and duties as are consistent with the provisions of this Charter. In addition, the Council by motion adopted by at least four (4) affirmative votes, or the City Administrator with the consent of the Council, may appoint from time to time such temporary committees as are deemed advisable to render counsel and advice to the appointing authorities on any designated matters or subject within the jurisdiction of such authorities.

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council except as otherwise provided in this Article. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. The provisions of Section 1770 of the Government Code of the State of California as they now exist or may hereafter be amended shall govern the existence of a vacancy except that if a member of a board or commission absents himself from three (3) consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes, his office shall become vacant and shall be so declared by the Council.

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

Appoint-
ments

Section 902. **Appointments; Terms.** The members of each of such boards or commissions shall be appointed by the Council. They shall be subject to removal by motion of the Council adopted by at least four (4) affirmative votes. Unless otherwise provided by ordinance, the members thereof shall serve for a term of four (4) years and until their respective successors are appointed and qualified. No person shall serve more than two (2) consecutive full terms on the same board or commission. No person who has served two (2) consecutive full terms on any board or commission shall be eligible for reappointment to the same board or commission until four (4) years after the expiration of his second term.

The members first appointed to such boards and commissions shall so classify themselves by lot that the term of one of each of their number shall expire each succeeding January first. Where the total number of members of a board or commission to be appointed exceeds four (4), the classification by lot shall provide for the pairing of terms to such an extent as is necessary in order that the terms of at least one, and not more than two (2) members, shall expire in each succeeding year. Their successors shall be appointed for a full term.

Existing
boards

Section 903. **Existing Boards.** The respective terms of office of all members of the boards and commissions in existence at the time this Charter takes effect shall terminate upon the effective date of this Charter.

Meetings

Section 904. **Meetings; Chairmen.** As soon as practicable following their original appointment, and following the first day of January of each year thereafter each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold regular meetings at least once each month and such special meetings as such board or commission may require. Except as is otherwise provided by the laws of this State, all proceedings shall be open to the public. Whenever a special meeting of any board or commission shall be called, written notice of such meeting shall be delivered personally or by mail by the City Clerk to each member of the board or commission and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The order shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings.

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

Minutes

Unless otherwise provided, the City Administrator shall provide a secretary for the recording of the minutes of each of such boards and commissions who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own procedural rules and regulations which shall

be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Each board or commission shall have the same power as the Council to compel the attendance of witnesses, to examine them under oath, to compel the production of evidence before it and to administer oaths and affirmations in any investigation or proceeding pending before it.

Section 905. Compensation. The members of boards and commissions shall serve without compensation for their services as such but shall receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have been authorized by the Council. Compensation

Section 906. Planning Commission: Established: Powers and Duties. There shall be a Planning Commission consisting of seven (7) members. The City Administrator, the City Attorney and such other officers as the Council shall designate, or their representatives, shall meet with the Planning Commission and may participate in the discussions but shall not have a vote. The Planning Commission shall have the power and duty to: Planning Commission

(a) Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of a master plan or any part thereof, or the adoption, amendment or repeal of a precise plan for the physical development of the City, as such terms are defined by Chapter 3, Title 7, of the Government Code of the State of California;

(b) List and classify annually all proposed public improvements recommended by officers, departments, boards or commissions of the City and, on or before March first of each year, have prepared and submit to the Council and the City Administrator a coordinated program of proposed public improvements for at least the ensuing five (5) year period, according to a logical order of priority, together with its recommendations in connection therewith;

(c) Exercise such functions with respect to land use, including but not limited to planning, zoning, subdivisions, public buildings, recreation and parks, streets and housing, as may be prescribed by ordinance, not inconsistent with the provisions of this Charter.

(d) Recommend to the Council for adoption and implementation plans for the clearance, rehabilitation, redevelopment or renewal of substandard areas within the City;

(e) Recommend to the Council for adoption and implementation such plans as are designed to promote the most beneficial and orderly growth and development of the City; and

(f) Perform such other duties as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 907. Personnel Commission: Established: Powers and Duties. There shall be a Personnel Commission consisting of five (5) members none of whom, while a member of the Commission, or for a period of one (1) year after he has Personnel Commission

ceased for any reason to be a member, shall be eligible for appointment to any salaried office or employment in the service of the City. The Personnel Commission shall have the power and duty to:

(a) Act in an advisory capacity to the Council of the City Administrator or other appointive power on matters relating to personnel administration;

(b) Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of the personnel rules and regulations referred to in Section 1002 of this Charter. Such personnel rules and regulations shall provide, among other things, for:

(1) The preparation, installation, revision and maintenance of a position classification plan covering all positions in the competitive service, including minimum standards and qualifications for each class; and

(2) The preparation, revision and administration of a plan of compensation directly correlated with the position classification plan, providing a range or maximum rate of pay for each class;

(c) Hear appeals of any officer or employee having regular status in any office, position or employment in the Competitive Service pertaining to suspension, demotion, dismissal or disciplinary action as provided for in Article X.

(d) Make any investigation which it may consider desirable concerning the conditions of employment and the administration of personnel in the municipal service and report its findings to the Council, the City Administrator and any other appointive power; and

(e) Perform such other duties relating to personnel matters, as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Library and
Culture
Commission

Section 908. Library and Culture Commission: Established: Powers and Duties. There shall be a Library and Culture Commission consisting of seven (7) members which shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Administrator in all matters pertaining to art, literature, music, and other cultural activities;

(b) Formulate and recommend to the Council and the City Administrator a program relating to art, literature, music or other cultural activities for the inhabitants of the City which will contribute to the utilization and enjoyment of their leisure time and which will promote the public appreciation, education and development of cultural activities;

(c) Promote the preservation of historic sites, landmarks, documents, paintings and other objects associated with the history of the City of Gilroy and develop educational interest in all such historical matters;

(d) Administer the operation of any museum that may be established by the Council;

(e) Have charge of the administration of City libraries and make and enforce such by-laws, rules and regulations as may be necessary therefor;

(f) Designate its own secretary;

(g) Prepare the annual budget for library and cultural purposes and make recommendations with respect thereto to the Council and the City Administrator;

(h) Purchase and acquire personal property, supplies and equipment, subject, however, to the limitations of the budget for such purposes. The expenditure and disbursement of funds for such purchases shall be made and approved as elsewhere provided in this Charter;

(i) Appoint, suspend or remove the Librarian, who shall be the department head;

(j) Accept money, personal property or real estate donated to the City for library and cultural purposes, subject to the approval of the Council;

(k) Contract with schools, county or other governmental agencies to render or receive library services or facilities, subject to the approval of the Council; and

(l) Perform such other duties relating to library and cultural matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 909. Recreation and Parks Commission: Established: Powers and Duties. There shall be a Recreation and Parks Commission consisting of seven (7) members, which shall have the power and duty to:

Recreation
and Parks
Commission

(a) Act in an advisory capacity to the Council and the City Administrator in all matters pertaining to recreation and parks;

(b) Consider the provisions of the annual budget for recreation and park purposes during the process of the preparation of the budget and make recommendations with respect thereto to the City Administrator and the Council;

(c) Formulate and recommend to the Council and the City Administrator a recreation and park program for the inhabitants of the City which will contribute to the attainment of general recreational objectives for children and adults of the City, promote and stimulate public interest therein, and to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein;

(d) Formulate and recommend to the Council and the City Administrator policies for the acquisition, development and improvement of parks and playgrounds and for the planning, care and removal of trees and shrubs in all parks, playgrounds and streets;

(e) Recommend to the Council and the City Administrator as to the acceptance or rejection of offers of donations of money, personal property or real estate to be used for recreation and park purposes; and

(f) Perform such other duties relating to recreation and park matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Article X. Personnel System

Adminis-
trative
service

Section 1000. Competitive and General Service. The administrative service of the City shall be divided into the General Service and the Competitive Service.

General
Service

(a) The General Service shall comprise the following offices and positions:

(1) All elective offices;

(2) All members of boards and commissions;

(3) The City Administrator and his deputies, if any, the City Clerk, the City Attorney and his deputies, if any, and the head of each department;

(4) Persons employed for a special or temporary purpose; and positions of any class or grade exempted from the competitive service for a maximum period of six (6) months in any calendar year;

(5) Persons employed to render professional, scientific, technical or expert services of an occasional or exceptional character;

(6) Part time positions or employments, school crossing guards, and voluntary personnel.

Competitive
Service

(b) The Competitive Service shall consist of all positions in the City administrative service which are not in the General Service.

Merit
principle

Section 1001. Merit Principle. All appointments to and promotions within the administrative service of the City shall be based upon merit and fitness which shall be ascertained by means of recognized personnel selection techniques. The Council shall establish by ordinance a personnel merit system for the selection, employment, classification, advancement, suspension and discharge of those appointive officers and employees who are included in the Competitive Service by the provisions of this Charter. Appointments and promotions in the Competitive Service of the City shall be made from eligible lists to be established by examination in accordance with personnel rules and regulations adopted in the manner provided in this Charter.

Rules, etc.

Section 1002. Personnel Rules and Regulations. The Council shall implement the personnel system by adopting rules and regulations governing its administration which shall at least include the items set forth in Section 907 (b) of this Charter.

Suspension,
etc.

Section 1003 Suspension. Demotion and Dismissal. An officer or employee holding a regular position in the Competitive Service may be suspended without pay, demoted or removed from his position for malfeasance, misconduct, incompetence, inefficiency, or for failure to perform the duties of his position or to observe the established rules and regulations in

relation thereto, or to cooperate reasonably with his superiors or fellow employees, but subject to the right to a hearing before the Personnel Commission in the manner set forth herein.

Upon his request an officer or employee suspended, demoted or removed shall be given in writing the reasons for his suspension, demotion or removal. He shall be allowed a reasonable time for answering the same and may demand a public hearing upon the charges before the Personnel Commission. Such hearings shall be held in accordance with procedures established therefor.

The findings and recommendations of the Personnel Commission with respect to hearings shall be transmitted to the appointing authority for final decision.

Section 1004. Prohibitions. (a) No person holding any position in the Competitive Service, or on an eligible list, shall take an active part in any municipal political campaign or contribute thereto on behalf of any candidate, nor shall such person seek signatures to any petitions seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such persons from seeking election or appointment to public office. Upon becoming a candidate for public office any such person shall request and shall be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate. Prohibitions

(b) No officer or employee of the City and no candidate for any City office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any municipal political purpose whatever from anyone on an eligible list or holding any position in the Competitive Service.

Section 1005. Status of Existing Employees. Any person who, on the effective date of this Charter, holds a position or employment included in the Competitive Service as defined by this Charter, and who has been performing the duties of a certain classification for a period of at least six (6) months immediately prior thereto, shall acquire competitive status in said classification. Existing employees

All other persons who, on the effective date of this Charter, hold a position or employment included in the Competitive Service as defined by this Charter shall have a probationary status in the personnel system.

Section 1006. Appointments from Competitive Service to General Service. In the event an officer or employee of the City holding a position in the Competitive Service is appointed to a position in the General Service, and should subsequently be removed or resign therefrom, he shall revert to his former position in the Competitive Service without loss of any rights or privileges and upon the same terms and conditions as if he had remained in said position continuously. Appointments

Article XI.
Fiscal Administration

Fiscal year Section 1100. Fiscal Year. Unless otherwise provided by ordinance the fiscal year of the City shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

Budget Section 1101. Budget: Preparation and Submission. At least thirty (30) days prior to the beginning of each fiscal year, the City Administrator shall submit to the Council a proposed budget for the ensuing fiscal year. The budget shall provide a complete financial plan for the budget year. It shall include the following:

(a) An itemized statement of estimated income and revenues from all sources for the year which the budget is to cover;

(b) An itemized statement of the proposed expenditures recommended by the City Administrator for each office, department or agency for the year which the budget is to cover;

(c) The probable amount required to be levied and raised by property taxation; and

(d) Such other information as the City Administrator may deem essential, or as the Council may require.

Public hearing Section 1102. Budget. Public Hearing. Upon receipt of the proposed budget from the City Administrator, the Council shall proceed to consider the proposed budget and may increase, decrease or omit any item or insert new items therein. Before adopting the budget, the Council shall fix the time and place for holding a public hearing on the proposed budget and shall cause a notice thereof to be published not less than ten (10) days prior to said hearing by at least one (1) insertion in the official newspaper of the City. Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten (10) days prior to said hearing. At the time and place so advertised, or at any time and place to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the proposed budget at which interested persons desiring to be heard shall be given such opportunity.

Adoption Section 1103. Budget: Further Consideration and Adoption. After the conclusion of the public hearing, the Council shall further consider the proposed budget and make any revisions thereto that it may deem advisable; provided, however, that if it shall increase the total proposed expenditures, the Council shall also increase the total anticipated revenues, but not beyond the reasonably anticipated revenues, so that the same, together with reasonably expected surpluses will at least equal such total expenditures. Thereafter, but prior to the beginning of the ensuing fiscal year, the Council shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year. A copy of the adopted budget, certified to by the City Clerk, shall be placed on file in the office of the City Clerk where it shall be available

for public inspection. The budget so certified shall be reproduced and copies made available for use of all officers, offices, departments and other agencies of the City and for use by civic organizations.

Section 1104. Budget: Appropriations. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several offices, agencies and departments for the respective objects and purposes therein specified. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered, except as otherwise provided by this Charter. Appropriations

At any meeting after the adoption of the budget the Council may amend or supplement the budget so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not appropriated in the budget.

No officer, department or agency of the City shall, during any fiscal year, expend or incur any obligation to expend money for any purposes not authorized by or in excess of the amounts appropriated by any budget, as amended, for a given classification or expenditure.

Section 1105. Tax System. Unless otherwise provided by ordinance, the City shall use, for the purpose of municipal ad valorem property taxation, the County system of assessment and tax collection as such system is now provided by law or may hereafter be amended and insofar as such provisions are not in conflict with this Charter. Taxation

Section 1106. Tax Levy. The Council shall determine the amount of money required to be raised by ad valorem municipal property taxation and shall fix the ad valorem municipal tax rate on or before August 31 of each year and certify the same to the County Authorities if the County system of ad valorem assessment and tax collection is used by the City. Tax levy

Section 1107. Independent Audit. The Council shall employ at the beginning of each fiscal year an independent certified public accountant who shall audit the books, records and accounts of all officers and employees of the City who receive, administer or disburse public funds, and such other officers, employees, departments and agencies as the Council may direct. Such audit shall be made at such times as may be prescribed by the Council but shall be at least annually. Independent audit

As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such independent accountant to the Council. Three (3) copies of the audit shall be placed on file in the office of the City Clerk where they shall be available for public inspection.

Section 1108. Bonded Debt Limit. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of fifteen (15%) per cent of the total assessed valuation for purposes of City Bonded debt limit

taxation of all the real and personal property within the City, exclusive of any indebtedness that has been or may hereafter be incurred for the purposes of acquiring, constructing, extending or maintaining municipal utilities for which purpose a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State Constitution and of this Charter.

No bonded indebtedness which shall constitute a general obligation of the City may be created unless authorized by the affirmative votes of two-thirds ($\frac{2}{3}$) of the electors voting on such proposition at any election at which the question is submitted to the electors and unless in full compliance with the provisions of the State Constitution and of this Charter.

Contracts:
Public
projects

Section 1109. Contracts for Public Projects. Every project involving an expenditure of City monies of more than the amount set forth in Section 37902 of the Government Code of the State of California as it now exists or hereafter may be amended shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven (7) days before the time for opening bids.

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

The Council, without advertising for bids, following the adoption of a resolution declaring that the project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market, may have the project done in the manner stated without further complying with the provisions of this section.

Bids

Section 1110. Requirements of Bids. All bids or proposals shall be accompanied by either a certified, or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in the State of California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount not less than ten (10%) per cent of the aggregate amount of the bid.

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

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

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

Section 1111. Contracts for Official Advertising. The Council shall contract annually for the official advertising of the City for the ensuing fiscal year. In the event there is more than one daily newspaper of general circulation in the City, the Council shall advertise for sealed bids for the work. The advertisement shall set forth distinctly and specifically the work contemplated to be done. The Council shall let the contract for such official advertising to the lowest responsible bidder publishing a daily newspaper of general circulation in the City which has been in existence at least one year at the time of awarding the contract; provided, however, that the Council may reject any and all bids and readvertise in its discretion. Official advertising

Section 1112. Actions Against the City. No suit shall be brought on any claim for money or damages against the City or any officer, employee, board or commission thereof until a verified demand for same has been presented as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise provided by law, all claims for damages against the City must be presented to the City Clerk within ninety (90) days after the occurrence, event or transaction from which the damages allegedly arose, and shall set forth in detail the name and address of the claimant, the time, date, place and circumstances of the occurrence and the extent of the injuries or damages received; all other claims or demands shall be presented within ninety (90) days after the last item of the account or claim accrued. Actions

In all cases such claims shall be approved or rejected in writing and the date thereof given. Failure to complete the action approving or rejecting any claim or demand within sixty (60) days from the day the same is filed with the City Clerk shall be deemed a rejection thereof.

Article XII. School System

Section 1200. Effect of Charter. The organization, gov-
ernment and administration of the public school system in the City of Gilroy shall not be affected by the adoption of this Charter, but shall continue in existence as is now or hereafter prescribed by the Education Code of the State of California. Public school system

Article XIII. Franchises

Section 1300. Authority to Require Franchises. Any person, firm or corporation furnishing the City or its inhabitants Franchises

with any public utility or public utility service, or using the public streets, ways, alleys or places, as the same now or may hereafter exist, in connection therewith, may be required by ordinance to have a valid and existing franchise.

Franchise
terms

Section 1301. Franchise Terms. Conditions and Procedures. The Council, by ordinance, shall prescribe the terms and conditions under which franchises will be granted, subject to the provisions of this Charter, and the procedure for granting franchises; provided, however, that such procedural ordinance or ordinances shall make provisions for the giving of public notice of franchise applications, for protests against the granting of such franchises and for public hearings on such applications. Until the adoption of such a procedural ordinance the method provided by any law of the State relative to the granting of a franchise of the character of that for which application is being made, shall apply.

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

Term of
grant

Section 1302. Term of Franchise. Every franchise shall state the term for which it is granted, which, unless it be indeterminate as provided for herein, shall not exceed twenty-five (25) years.

A franchise grant may be indeterminate; that is to say, it may provide that it shall endure in full force and effect until the same, with the consent of the Public Utilities Commission of the State of California, shall be voluntarily surrendered or abandoned by its possessors, or until the State of California, or some municipal or public corporation, thereunto duly authorized by law, shall purchase by voluntary agreement or shall condemn and take, under the power of eminent domain, all property actually used and useful in the exercise of such franchise and situate within the territorial limits of the State, municipal or public corporation purchasing or condemning such property, or until the franchise shall be forfeited for non-compliance with its terms by the possessor thereof.

Eminent
domain

Section 1303. Eminent Domain. No franchise grant shall in any way, or to any extent, impair or affect the right of the City to acquire the property of the grantee either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify, or to abridge, either for a term or in perpetuity, the City's right of eminent domain with respect to any public utility.

Duties of
grantee

Section 1304. Duties of Grantee. By its acceptance of any franchise hereunder, the grantee shall covenant and agree to

perform and be bound by each and all of the terms and conditions imposed in the grant, or by procedural ordinance and shall further agree to:

(a) Comply with all lawful ordinances, rules and regulations theretofore or thereafter adopted by the Council in the exercise of its police power governing the construction, maintenance and operation of its plants, works or equipment;

(b) Pay to the City on demand the cost of all repairs to public property made necessary by any of the operations of the grantee under such franchise;

(c) Indemnify and hold harmless the City and its officers from any and all liability for damages proximately resulting from any operations under such franchise;

(d) Remove and relocate without expense to the City any facilities installed, used and maintained under the franchise if and when made necessary by any lawful change of grade, alignment or width of any public street, way, alley or place, including the construction of any subway or viaduct, or if the public health, comfort, welfare, convenience, or safety so demands; and

(e) Pay to the City during the life of the franchise a percentage, to be specified in the grant, of the gross annual receipts of the grantee within the limits of the City, or such other compensation as the Council may prescribe in the grant.

Section 1305. Exercising Rights Without Franchise. The exercise of any person, firm or corporation of any privilege for which a franchise is required, without possessing a valid and existing franchise therefor, shall be a misdemeanor and shall be punishable in the same manner as violations of this Charter are punishable and each day that such condition continues to exist shall constitute a separate violation. Violations

Section 1306. Article Not Applicable to the City. Nothing in this Article shall be construed to apply to the City, or any department thereof, when furnishing any public utility or service. Exception

Section 1307. Preservation of Rights. Nothing contained in this Article shall be construed to affect or impair any rights, powers or privileges relating to franchises vested in, possessed by or available to the City by virtue of previous Charter provisions. Preservation of rights

**Article XIV.
Elections**

Section 1400. General Municipal Elections. A general municipal election shall be held on the second Tuesday of April of each odd numbered year, commencing with the year 1961, for the election of officers and for such other purposes as the Council may prescribe. General elections

Section 1401. Special Municipal Elections. All other municipal elections which may be held by authority of this Charter, or by any law, shall be known as Special Municipal Elections. Special

Procedure

Section 1402. Procedure for Holding Elections. Unless otherwise provided by ordinances hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exists or may hereafter be amended, for the holding of elections in cities, insofar as the same are not in conflict with this Charter.

Section 1403. First Election under Charter. A Special Municipal Election shall be held for the election of the first Mayor and the first members of the Council under this Charter on the tenth Tuesday following the filing with the Secretary of State of the concurrent resolution of the Legislature approving this Charter.

Initiative,
etc.

Section 1404. Initiative, Referendum and Recall. The powers of the initiative, the referendum and the recall of elected municipal officers are hereby reserved to the electors of the City. Unless otherwise provided by ordinances, hereafter enacted, the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative, the referendum and the recall of municipal officers, shall be applicable insofar as the same are not in conflict with this Charter.

Article XV. General Provisions

Effective date

Section 1500. Effective Date of Charter. For the purpose of nominating and electing the first Mayor and the first Councilmen, the provisions of the Charter shall become effective when the concurrent resolution of the Legislature approving this Charter is filed with the Secretary of State. For all other purposes it shall become effective at 8:00 o'clock P.M. on the first Tuesday following the date of the election of the first Mayor and first Councilmen.

First election

Section 1501. First Election under Charter. The legislative body of the City of Gilroy in office at the time this Charter is approved by the Legislature of the State of California shall provide for the holding of the first election of officers under this Charter as required by Section 1403 of this Charter and shall canvass the votes and declare the results.

Validity of
charter

Section 1502. Validity of Charter: Severability. If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter and the application of such provisions to other persons or circumstances shall not be affected thereby.

Definitions

Section 1503. Definitions. Unless the provisions or the context otherwise require, as used in this Charter:

- (a) "Shall" is mandatory, and "may" is permissive;
- (b) "City" is the City of Gilroy, and "department", "board", "commission", "agency", "officer" or "employee" is a department, board, commission, agency, officer or employee, as the case may be, of the City of Gilroy;

- (c) "Council" is the City Council of the City of Gilroy;
- (d) A "member of the Council" means any one of the seven (7) members of the Council, including the Mayor;
- (e) A "Councilman" means any one of the members of the Council other than the Mayor;
- (f) "County" is the County of Santa Clara;
- (g) "State" is the State of California; and
- (h) "Newspaper of general circulation within the City" is as defined by Section 6000 of the Government Code of the State of California.

Section 1504. **Violations.** The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding Five Hundred and no/100ths (\$500.00) Dollars or by imprisonment for a term of not exceeding six (6) months or by both such fine and imprisonment. Violations

Section 1505. **Amendments to Charter.** Amendments to this Charter shall be proposed and submitted to the electors of the City in the manner provided by the Constitution of the State of California. Amendments to charter

We further certify that the foregoing is a full and exact copy of the Charter submitted to the electors, and a true statement of the proceedings had for adoption of the Charter.

IN WITNESS WHEREOF, we have hereunto set our hands and hereunto affixed the official seal of the City of Gilroy, this 8th day of January, 1960.

(SEAL) SIG SANCHEZ
Mayor of the City of Gilroy
G. B. CARR
City Clerk of the City of Gilroy

and

WHEREAS, The proposed charter, as adopted and ratified, as hereinabove set forth, now is duly 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

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, Approval
That the said charter of the City of Gilroy, as proposed to and adopted and ratified by the electors of the city, as hereinabove fully set forth, is hereby approved as a whole, without alteration or amendment, as the charter of the City of Gilroy.

CHAPTER 9

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

[Filed with Secretary of State February 8, 1960.]

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 1960 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 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 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.

Introduction of Bills

8.3. No bill shall be introduced after the 120th calendar day of a general session except as follows:

(a) A written notice of intention to introduce a bill, a copy of the bill and a digest prepared pursuant to Rule 8.5 shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Rules Committee of the appropriate house. The notice and digest shall be printed in the Journal of that house.

(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for the introduction of the proposed bill.

(c) If the Rules Committee recommends that introduction of the proposed bill be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to introduce the bill. The adoption of the resolution granting such permission shall require an affirmative recorded vote of two-thirds of the elected members of the house in which the request is made.

As used in this rule "bill" includes constitutional amendments but does not include joint or concurrent resolutions.

Digest of Bills Introduced

8.5 No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof. If a material error in the printed digest is brought to the attention of the Legislative Counsel, he shall prepare a corrected digest which shall show the changes made in the digest as provided in Joint Rule 10 for amendments to bills. He shall deliver the corrected digest to the Secretary or the Chief Clerk, as the case may be. If the correction warrants it in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

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 or repealing 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 or repealed, 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 or repealed were a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification or when an entire title, part, division, chapter or article of a code is repealed, the sections comprising such code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

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 except the Governor after the 45th calendar day of any general session. No departmental bill shall be introduced 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.

Consideration of Bills

10.8. At a general session, no bill shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced, except this provision and the limitation contained in Section 2(a) of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for such dispensation entitled "Request to Consider and Act on Bill Within 30 Calendar Days" shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, printed in the Journal and transmitted to the Rules Committee of the appropriate house.

(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill's introduction.

(c) If the Rules Committee recommends that said waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution shall require an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

As used in this rule "bill" includes constitutional amendments but does not include joint or concurrent resolutions.

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.

Reprinted Bills

12.5. A charge of three dollars (\$3) shall be made for each enrolled copy of Senate Bill No. 2 (Statutes 1959, Chapter 2) which is distributed following the adoption of this rule. The money received by the State Printer for sales made pursuant to this rule shall be paid to the Secretary of the Senate and the Chief Clerk of the Assembly as provided in Rule 13.

Distribution of Legislative Publications

13. All requests by members for mailing or distribution of copies of the Weekly Histories, the Legislative Digest and the Legislative Index 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 copies of the Weekly Histories, the Legislative Digest and the Legislative Index to supply this list together with such number of bills and legislative publications as may be necessary for legislative requirements.

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.

13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation.

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.

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.

Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the consent calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman appropriate forms for such report. As used in this rule, "uncontested bill" means a bill, except a revenue measure, which: (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present; and (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill as approved by the committee; and (c) prior to final action by the committee has been requested, by the author, to be placed on the consent calendar.

Consent Calendar

22.2. Following their second reading and the adoption of any committee amendments thereto, if any, all bills certified by the committee chairman as uncontested bills shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the consent calendar, and shall be known as "consent calendar bills." Any consent calendar bill which is

amended from the floor shall cease to be a consent calendar bill and shall be replaced on the second reading file. Upon objection of any member to the placement or retention of any bill on the consent calendar, such bill shall cease to be a consent calendar bill and shall be replaced on the second reading file. No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the consent calendar.

Consideration of Bills on Consent Calendar

22.3. Bills on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit the proponents of such bills to answer such questions. Immediately prior to voting on the first bill on the consent calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next rollcall will be the rollcall on the first bill on the consent calendar.

The consent calendar shall be considered as the last order of business on the daily file.

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 amend-

ments, 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 thereon the offending correspondent may be suspended by the standing committee.

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

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

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

Dispensing With Joint Rules

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

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 or other persons. In all cases a Senate resolution or a House resolution, or both, shall be used to congratulate any person or organization upon the occurrence of any significant event or achievement.

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 subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas 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 subpoenas, 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 authority 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 appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative 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

375 In addition to the duties hereinabove prescribed the Legislative Analyst 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 sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. 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 Legislative Organization

40. The Joint Committee on Legislative Organization is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of seven members of the Assembly Committee on Rules and five members of the Senate Committee on Rules, and two Members of the Senate to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

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.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

(a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

(b) The legislative branch of the State Government and any defects or deficiencies in the law governing that branch.

(c) Methods whereby legislation is proposed, considered and acted upon.

(d) The operation of the Legislature, and the committees thereof, and the means of co-ordinating the work thereof and avoiding duplication of effort.

(e) Aids to the Legislature.

(f) Information and statistics for the use of the Legislature, the respective houses thereof, and the members.

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 the following additional powers and duties:

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

(b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.

(c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.

(d) 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.

(e) 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 subpoenas, orders and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time and at any time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

(h) 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.

The committee shall succeed to, and is vested with all of the powers and duties of the State Capitol Committee, the Joint Committee on Interhouse Co-operation, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

40.1 In addition to the powers and duties otherwise vested in it, the Joint Committee on Legislative Organization shall succeed to, and is vested with, all the powers and duties of the Joint Legislative Committee for School Visitations, created by Senate Concurrent Resolution No. 8 of the 1955 Regular Session and continued by the 1957 and 1959 Regular Sessions of the Legislature.

Second, that the Joint Legislative Committee for School Visitations, as last continued by Assembly Concurrent Resolution No. 1 of the 1959 Regular Session, is abolished.

Third, that the powers, duties, function, responsibilities, property, employees, and funds of the Joint Legislative Committee for School Visitations are transferred to the Joint Committee on Legislative Organization.

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 10

Senate Joint Resolution No. 2—Relative to use of labor of state prisoners for conservation of natural resources.

[Filed with Secretary of State March 8, 1960]

WHEREAS, California and the federal government have a mutual responsibility for the protection and conservation of the natural resources of this nation; and

WHEREAS, For many years this State has utilized on its public lands inmate labor from its prisons as a step in their rehabilitation and for the protection of the State's natural resources; and

WHEREAS, It was found and declared by this Legislature during the 1959 Regular Session that the establishment of a California conservation camp program would further provide for the training and use of inmates and wards assigned to conservation camps in the development of public conservation facilities and work programs related to forest fire protection and control, forest and watershed management, recreation, fish and game management, soil conservation, and forest and watershed revegetation; and

WHEREAS, It has now been determined that various federal agencies concerned with conservation projects on federal lands are precluded from joining with the State of California in accomplishing their mutual conservation responsibilities by Federal Executive Order 325-A, issued May 18, 1905, which order prohibits using persons undergoing sentences imposed by the courts of the several states to perform labor under contracts entered into by federal officers; and

WHEREAS, Executive Order 325-A appears to go far beyond the intent of the statute upon which it is based, namely, An Act of Congress of February 23, 1887, codified in Section 436 of Title 18, United States Code, inasmuch as that act refers only to hiring out the labor of prisoners confined for violation of laws of the federal government; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President of the United States be and is respectfully urged to amend the subject order in such a manner as to permit federal agencies to co-operate with the State of California in the use of the services of prisoners of the State in conservation programs related to forest fire protection and control, forest and watershed management, recreation, fish and game management, soil conservation, and forest and watershed revegetation; provided, however, that no such conservation projects will be undertaken to perform work otherwise performed by free labor and in competition to free labor; and be it further

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

CHAPTER 11

Assembly Concurrent Resolution No. 7—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State March 9, 1960.]

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 12

Senate Concurrent Resolution No. 2—Relative to reports of the annual conventions of the American Legion.

[Filed with Secretary of State March 10, 1960]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That there shall be printed as public documents 500 copies of the sessions of the annual conventions of the American Legion for the years 1959 and 1960, respectively. The reports shall include only the official actions of the conventions made by motions and resolutions and shall not include an appendix. There shall be 150 copies for the use of the Senate and 350 copies for the use of the Assembly, the cost of the same to be payable from the legislative printing appropriation.

CHAPTER 13

Senate Concurrent Resolution No. 6—Relative to designation of the City of Vallejo as an all-American city.

[Filed with Secretary of State March 10, 1960.]

WHEREAS, The City of Vallejo has been chosen by the National Municipal League and Look magazine as an all-American city following a competition among the various municipalities of the United States; and

WHEREAS, This coveted award has been conferred primarily on the basis of a high degree of citizen participation in the civic programs and undertakings of that community; and

WHEREAS, The initiative of citizens and neighborhood improvement clubs in a series of 22 successful annexations of inhabited territory, which increased the population of the City of Vallejo from 39,584 to 73,049, was particularly noted in this award; and

WHEREAS, Specific mention was also made of the citizen effort to institute and bring to fruition the now approved \$7,200,000 urban redevelopment program in that municipality; and

WHEREAS, The receipt of this honor is great cause for pride on the part of the people of the City of Vallejo and of the State and will engender a continuing citizen effort in civic affairs; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the congratulations of the Legislature are extended to the people of the City of Vallejo, its government and its city officials on its designation as an all-American city and on the benefits which those people have obtained through their own efforts and for which this award was conferred; and be it further

Resolved, That the Secretary of the Senate is instructed to deliver an appropriately engrossed copy of this resolution to the Mayor and City Council of the City of Vallejo.

CHAPTER 14

Senate Concurrent Resolution No. 9—Approving the charter of the City of Watsonville, County of Santa Cruz, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the 16th day of February, 1960.

[Filed with Secretary of State March 15, 1960.]

City of
Watsonville:
Charter

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

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

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

STATE OF CALIFORNIA, }
COUNTY OF SANTA CRUZ, } ss.
CITY OF WATSONVILLE, }

We, the undersigned Louis W. Gluhan, Mayor of the City of Watsonville, County of Santa Cruz, State of California, and Thomas J. Rowan, City Clerk of said City and ex-officio Clerk of the Board of Aldermen of said City, do hereby certify and declare as follows: Certificate

That the undersigned, said Thomas J. Rowan, was at all the times herein mentioned, the Clerk of the Legislative body of the City and City Clerk of said City of Watsonville.

That heretofore and prior to the 22nd day of December, 1959, the said Board of Aldermen of the City of Watsonville, of its own motion, did cause to be framed a proposed Charter for its own government, and on the 22nd day of December, 1959 at a regular adjourned meeting of said Board of Aldermen of said City, said Board of Aldermen by Resolution No. 180-59 directed said City Clerk to place the proposition of the adoption of said proposed Charter on the ballot at a special municipal election ordered in the City of Watsonville for the 16th day of February, 1960, for the purpose of submitting said proposal to the electors of said City of Watsonville; that said Resolution further directed that said City Clerk publish said proposed Charter in the WATSONVILLE-REGISTER PAJARONIAN AND SUN, a newspaper of general circulation, printed and published in the City of Watsonville.

That said proposed Charter of the City of Watsonville was filed in the office of the City Clerk in the City Hall at Watsonville, California, on the 22nd day of December, 1959.

That said proposed Charter was published pursuant to said direction in said newspaper and each edition thereof during its publication on the 4th day of January, 1960; that the date of such publication was within fifteen days after the said proposed Charter was filed in the office of said City Clerk of said Board of Aldermen; that the date set for the submission to the electors of said proposed Charter, to-wit: February 16th, 1960, was not less than forty days nor more than sixty days after the completion of the publication in said newspaper, as aforesaid.

That until the day fixed for the election there was advertised in the said Watsonville-Register Pajaronian and Sun a notice

that copies of said proposed Charter were available in the office of the City Clerk of the City of Watsonville and could be secured upon application therefore at said office; that such copies were so available.

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

That said special election was duly and regularly called and held on the 16th day of February, 1960; that at said election a majority of the qualified voters voting thereon voted in favor of said proposed Charter and for the ratification and adoption thereof.

That thereafter on February the 18th, 1960, the said Board of Aldermen of the City of Watsonville duly canvassed the returns of said special election and found and declared that a majority of said qualified electors voting thereon at said special election had voted in favor of said proposed Charter and for the ratification and adoption thereof.

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

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

**THE CHARTER OF THE CITY OF WATSONVILLE
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PROPOSED CHARTER OF THE CITY OF WATSONVILLE

We, the people of the City of Watsonville, State of California, do ordain and establish this Charter as the organic law of said City under the Constitution of said State.

Article I. Incorporation and Succession

Name	Section 100. Name. The City of Watsonville, County of Santa Cruz, State of California, shall continue to be a municipal corporation with the name, "City of Watsonville".
Boundaries	Section 101. Boundaries. The boundaries of the City of Watsonville shall continue as now established until changed in the manner authorized by law.
Ordinances	Section 102. Ordinances. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.
Succession, rights, etc	Section 103. Succession, Rights, Powers and Liabilities. The City of Watsonville shall continue to own, possess, control and exercise all rights, powers and property of every kind and nature owned, possessed, controlled or exercised by it at

the time this Charter takes effect, not in conflict with or inconsistent herewith, and shall be subject to all its debts, obligations, liabilities and contracts.

Section 104. Continuance of Present Officers and Employees. The present officers and employees shall, without interruption, continue to perform the duties of their respective offices and employments for the compensation provided by existing ordinances, resolutions, rules or laws, until the appointment, or election, and qualification of their successors under this Charter and subject to such removal and control as is provided in this Charter. Present officers, etc

Section 105. Transfer of Records and Property. All records, property and equipment of any office, department or agency, or part thereof, all of the powers and duties of which are assigned to any other office, department or agency by or pursuant to this Charter, shall be transferred and delivered to the office, department or agency to which such powers and duties are so assigned. If part of the powers and duties of any office, department or agency or part thereof is assigned to another office, department or agency by or pursuant to this Charter, all records, property and equipment relating exclusively thereto shall be transferred and delivered to the office, department or agency to which said powers and duties are so assigned. Transfer of records

Article II.

Powers of the City

Section 200. General Powers. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution and laws of the State of California. General powers

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, the generality of the foregoing provisions.

Section 201. Procedures. The City shall have the power and may act pursuant to any procedure established by any law of the State, unless a different procedure is established by this Charter or by ordinance. Procedures

Section 202. Contracts for Municipal Services. The City shall have the power to enter into a contract with any other City or County within the State, with a State department, or with any other public or private agency or firm for the performance of any administrative function of the City. Contracts: Services

Article III.
Form of Government

Form of
government

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

Article IV.
The Council

Powers of
Council

Section 400. Powers Vested in the Council. All powers of the City and the determination of all matters of policy shall be vested in the Council, subject to the provisions of this Charter and the Constitution of the State of California.

Election

Section 401. Number and Method of Election. The Council shall consist of seven (7) members, including a Mayor and six (6) Councilmen, each of whom shall have the right to vote on all questions coming before the Council. The Mayor and Councilmen shall be elected at the General Municipal Election from the City at large.

Terms

Section 402. Term of Office. Except as otherwise provided in this Section, the Mayor and Councilmen shall hold office for a term of four (4) years from and after the first Tuesday following their election and continuing until their respective successors qualify. If, at any municipal election for members of the Council, there shall be no choice between candidates by reason of two (2) or more candidates having received an equal number of votes, then the Council shall proceed to determine the election of such candidates by lot.

The Mayor and all Councilmen shall be elected at the first election held under this Charter as provided in Section 1303. The Mayor and the three (3) Councilmen elected receiving the highest number of votes shall hold office until the second Tuesday of May, 1963, and the three Councilmen elected receiving the lowest number of votes shall hold office until the second Tuesday of May, 1961. Such officers shall assume office on the first Tuesday following their election. Their successors shall be elected for a full term of four (4) years.

Eligibility

Section 403. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Council unless he is, and shall have been for at least two (2) years next preceding his election and appointment, a resident and qualified registered elector of the City of Watsonville or of territory annexed thereto. The Council shall be the judge of the election and qualifications of its members as defined in this Section.

Holding of
other office

Section 404. Council Member to Hold No Other Office. No member of the Council shall hold any other public office or City employment except as is otherwise provided in this Charter. No member of the Council shall be appointed to any City

position, office or employment during the term of office for which he was elected or appointed until one (1) year after the expiration of the term for which he was elected or appointed except to fill a vacancy in the office of Mayor. Nothing in this Section shall prevent a Councilman or the Mayor from resigning his office to accept either an elective or appointive office under the government of a county, state or of the United States, or any governmental agency, other than the City of Watsonville. Nor shall the provisions of this Section prohibit any such officer from being a Notary Public or a member of the armed services of this State or of the United States.

Section 405. Compensation. Except as is provided in Section 502, the members of the Council shall receive no compensation for their services as such, but shall receive reimbursement for expenses incurred while performing official business of the City as authorized and approved by the Council. In addition, each member of the Council shall receive such an amount as may be fixed by ordinance, not to exceed Fifty and no/100ths (\$50.00) 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 member of the Council. Absence of a member of the Council from all regular and special meetings of the Council during any calendar month shall render him ineligible to receive the monthly reimbursement for out-of-pocket expenditures for such calendar month unless such absence is with the permission of the Council expressed in its official minutes.

Section 406. Vacancies. The provisions of Section 1770 of the Government Code of the State of California as they now exist or may hereafter be amended shall govern the existence of a vacancy. If a vacancy shall occur in the office of Councilman, the vacancy shall be filled by appointment by the Council, and the person appointed shall hold office until the first Tuesday following the next General Municipal Election, or until his successor qualifies. At the next General Municipal Election following any vacancy, a new member shall be elected to serve for the remaining period of any unexpired term. In the event the Council shall fail to fill a vacancy by appointment within thirty (30) days after such an office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy.

Section 407. Interference in Administrative Matters Prohibited. Neither the Council nor any of its members shall interfere with the execution by the City Manager of his powers and duties, or order or request, directly or indirectly, the appointment by the City Manager, or by any of his subordinates, of any person to any office or employment, or his removal therefrom. Except for the purpose of obtaining information, the Council and its members shall deal with the administrative branch of the City government solely through the City Manager, or his designated deputy, and neither the Council nor

any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately.

Meetings

Section 408. Meetings of the Council. The Council shall provide for the time, place and manner of holding its meetings by ordinance, not inconsistent with the provisions of this Section. Copies of such ordinances shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Except as is otherwise provided by the laws of this State, all meetings of the Council shall be open to the public, and all persons shall be permitted to attend any meeting thereof. The Council shall hold at least one (1) regular meeting each month.

A special meeting may be ordered at any time by the Mayor whenever in his opinion the public business may require it, or upon the written request of any three (3) members of the Council. Whenever a special meeting shall be called, written notice of such meeting shall be delivered personally or by mail by the City Clerk to each member of the Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice and order shall specify the time and place of the special meeting, and the business to be transacted. No other business shall be considered at such meetings by the Council.

Citizen participation

Section 409. Citizen Participation. Within the established rules for the conduct of its official proceedings, no citizen shall be denied the right personally, or through counsel, to present grievances or offer suggestions for the betterment of municipal affairs at any regular meeting of the Council.

Quorum

Section 410. Quorum. A majority of the entire membership of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time. In the absence of all of the members of the Council from any meeting, the City Clerk may declare the same adjourned to a stated day and hour.

Rules, etc.

Section 411. Rules and Procedures. The Council shall establish rules for the conduct of its proceedings and to preserve order at its meetings. It shall cause a record of its proceedings to be maintained which shall be open to public inspection.

Oaths, etc

Section 412. Administering Oaths: Subpoenas. Each member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify upon other than constitutional grounds shall constitute a misdemeanor and shall be punishable in the same manner as violations of this Charter are punishable.

Article V. The Mayor

Section 500. Political Position. It is the intent of this ^{Mayor} Article that the Mayor shall be the political leader within the community and the Council to facilitate the determination, expression and interpretation of City policies and programs and to assist the Council in the informed, vigorous and effective exercise of its powers of decision. Political leadership shall be concerned with the general development of the community and the general level of City services and activity programs.

Section 501. Powers and Duties. The Mayor shall be ^{Powers} recognized as the official head of the City for all political, representative and ceremonial purposes, by the Courts for the purposes of serving civil processes, and by the Governor for military purposes. In time of public danger or emergency, he may direct the administration of the City government through the City Manager.

The Mayor shall be charged with the duty of making recommendations to the Council on all matters of policy and program which require Council decision, provided, that if he recommends any increases in the City budget, he shall recommend the method of financing such expenditures; and provided further, that if he proposes curtailments of services, such recommendations and his reasons therefor shall be specific. The Mayor shall have the primary, but not exclusive, responsibility for interpreting the policies, programs and needs of the City government to the community. He may also, on his own account, inform the community on any matters of policy or program which he believes the welfare of the community makes necessary.

It shall be the duty of the Mayor to represent the Council in its relationships with civic groups within the City, and by direction of the Council, he shall represent the City in its relationships with other governmental agencies on matters of policy and program.

The Mayor shall preside at meetings of the Council and shall have a vote as a member of the Council. He shall have no power to veto any ordinance or resolution adopted by the Council.

The Mayor shall have authority to preserve order at all Council meetings and to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council, and to determine the order of business under the rules of the Council.

The Mayor shall exercise such other powers and perform such other duties as may be prescribed by the Council, not inconsistent with this Charter.

Nothing in this Section shall be construed in any way as an infringement or limitation on the powers and duties of the

City Manager as chief administrative officer and head of the administrative branch of the City government as prescribed in other sections of this Charter. The Mayor shall possess only such authority over the City Manager and the administrative branch as he possesses as one member of the Council.

Salary Section 502. *Salary.* The Mayor shall receive as compensation for his services as such the sum of One Hundred and no/100ths (\$100.00) Dollars per month which shall be in addition to his remuneration as a member of the Council.

Mayor pro Tempore Section 503. *Mayor Pro Tempore.* At the first meeting of the Council following the election or appointment of a member to the Council, the Council shall elect one of its members as Vice Mayor who shall act as Mayor during the absence or inability of the Mayor to act, and shall hold office at the pleasure of the Council. In the case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall elect one of its members to act as Mayor Pro Tempore.

Vacancy Section 504. *Vacancy.* If a vacancy occurs in the office of Mayor, the Council shall forthwith appoint a member of the Council to fill such vacancy who shall serve until the next municipal election, when a Mayor shall be elected to serve for the unexpired term or the succeeding term, as the case may be.

Article VI. Legislation

Ordinances Section 600. *Legislation: Method of Action.* When so provided by this Charter, or by law, the rights and powers conferred upon the Council shall be exercised by ordinance. Each act of the Council establishing a fine or other penalty, imposing a new or additional tax, or granting a franchise, shall be by ordinance.

Adoption Section 601. *Adoption of Ordinances.* Each ordinance shall be introduced in writing. With the sole exception of ordinances which take effect upon adoption, referred to in this Article, no ordinance shall be adopted by the Council on the day of its introduction, nor within six (6) days thereafter, nor at any time other than a regular or adjourned regular meeting, nor until such ordinance shall have been published as required by this Charter. At the time of the introduction of an ordinance, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by the unanimous vote of the Councilmen present. In the event that any ordinance is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than six (6) 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.

Emergency Section 602. *Ordinances: Emergency.* Any ordinance declared by the Council to be necessary as an emergency measure

for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five (5) affirmative votes.

Section 603. Ordinances and Resolutions: ^{Vote} Required. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four (4) members of the Council.

Section 604. Ordinances and Resolutions: ^{Roll call} Roll Call Vote. A roll call vote shall be taken upon the passage of all ordinances and resolutions and be entered upon the journal of the proceedings of the Council. Upon request of any member, a roll call vote shall be taken and recorded on any vote. Whenever a roll call vote of the Council is in order, the Clerk shall call the names of the members in alphabetical order except that the name of the Presiding Officer shall be called last. All members present shall be required to vote.

Section 605. Ordinances: ^{Enactment} Enactment. The enacting clause of all ordinances shall be substantially as follows: "The Council of the City of Watsonville does ordain as follows".

Section 606. Ordinances and Resolutions: ^{Attestation} Signing and Attesting. All ordinances and resolutions shall be signed by the Mayor and attested by the City Clerk.

Section 607. ^{Publication} Publication of Ordinances. The City Clerk shall cause at least the title and a summary of each proposed ordinance, with the exception of those ordinances which take effect upon adoption referred to in this Article, to be published in a newspaper of general circulation in the City at least three (3) days prior to its adoption. The City Clerk shall cause at least the title and a summary of each ordinance which takes effect upon adoption to be published at least once in the official newspaper of the City within fifteen (15) days after its adoption.

Section 608. Ordinances: ^{Effective date} Effective Date. No ordinance adopted by the Council shall become effective until thirty (30) days from and after the date of its adoption, except the following, which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election;
- (b) An improvement proceeding ordinance adopted under some law or procedural ordinance;
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property;
- (d) An emergency ordinance adopted in the manner provided for in this Article;
- (e) An ordinance annexing areas to the City; or
- (f) An ordinance providing for a tax levy or appropriation for the usual current expenses of the City.

Section 609. Ordinances: ^{Amendment} Amendment. The amendment of any section or sections of an ordinance or code section may be

accomplished solely by the reenactment of such section or sections at length, as amended.

Codification Section 610. Ordinances. Codification. The Council shall cause to be classified and codified under appropriate heads all general ordinances in force and cause the same to be printed in book, pamphlet, or looseleaf form for the use of the City, its officers and the public.

Violation Section 611. Ordinances: Violation and Penalty. The Council may make the violation of its ordinances a misdemeanor which may be prosecuted in the name of the People of the State of California, or may be redressed by civil action and may prescribe punishment for such violation by a fine not to exceed Five Hundred and no/100ths (\$500.00) Dollars or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

Article VII.

The City Manager

City Manager Section 700. City Manager. There shall be a City Manager who shall be the chief executive officer and head of the administrative branch of the City government. He shall be chosen on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practices with respect to the duties of his office as hereinafter set forth. He shall have at least one (1) year's previous experience as a City Manager, or three (3) years' previous experience as an Assistant City Manager in a city of comparable or larger size

No member of the Council shall be eligible for appointment to the office of City Manager during the term for which he shall have been elected or appointed nor within one (1) year thereafter.

Appointment, etc. Section 701. Appointment and Removal. The Council shall appoint the City Manager for an indefinite term and may remove him by a resolution adopted by at least four (4) affirmative votes

Compensation Section 702 Compensation. The City Manager shall be paid a salary commensurate with his responsibilities as chief executive officer of the City which salary shall be established by the Council.

Powers Section 703: Powers and Duties. The City Manager shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities and duties, the City Manager shall have power and be required to:

(a) Take a continuing interest in the effectiveness and economy of all administrative arrangements throughout the City;

(b) Insure that administrative activities with which two (2) or more departments are concerned are effectively coordinated;

(c) Appoint, suspend and/or remove, subject to the personnel provisions of this Charter, all department heads, officers and employees of the City except those department heads and officers appointment of whom is vested in the Council. The City Manager may authorize the head of any department or office to appoint or remove subordinates in such office;

(d) Prepare the budget annually, submit it to the Council, and be responsible for its administration after its adoption;

(e) Prepare and submit to the Council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding year;

(f) Make and execute contracts on behalf of the City involving budgeted or appropriated expenditures of One Thousand Five Hundred and no/100ths (\$1,500.00) Dollars or less;

(g) Keep the Council advised of the financial condition and future needs of the City and make such recommendations on any matter as may to him seem desirable;

(h) See that the laws of the State pertaining to the City, the provisions of this Charter and the ordinances of the City are enforced;

(i) Submit a monthly report to the Council covering significant activities of City agencies, offices and departments under his supervision and any significant changes in administrative rules and procedures promulgated by him;

(j) Submit special reports in writing to the Council in answer to any requests for information when requested of him by the Council; and

(k) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 704. Participation in Official Proceedings. The City Manager shall be accorded a seat at the Council table and at all meetings of boards and commissions and shall be entitled to participate in their deliberations but shall not have a vote. He shall attend all regular and special meetings of the Council unless physically unable to do so or unless he has received prior approval for such absence from the Council.

Participation in official proceedings

Section 705. City Manager Pro Tempore. The City Manager shall appoint, subject to the approval of the Council, one of the other officers or department heads of the City to serve as City Manager Pro Tempore during the temporary absence or disability of the City Manager. If the City Manager fails to make such an appointment, the Council shall designate an officer of the City to serve as City Manager Pro Tempore during the absence or disability of the City Manager.

City Manager pro Tempore

Article VIII.

Officers and Employees

Section 800. City Administrative Organization. The Council shall provide by ordinance, not inconsistent with this Charter, for the organization, conduct and operation of the several offices, departments and other agencies of the City. It

Administrative organization

may further provide by ordinance for the creation of additional departments, divisions, offices and agencies or for their alteration or abolition or for their assignment and reassignment to departments. Each new department so created shall be headed by an officer as department head who shall be appointed by the City Manager and may be suspended and removed by the City Manager, except as otherwise provided by this Charter. Subject to the provisions of this Charter, the Council shall provide by ordinance or resolution for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

The Council by ordinance may assign additional functions or duties to officers, departments or other agencies established by this Charter, but shall not discontinue or assign to any other office, department, or any other agency any function or duty assigned by this Charter to a particular office, department or agency. No office provided in this Charter to be filled by appointment by the City Manager shall be combined with an office provided in this Charter to be filled by appointment by the Council. When the positions are not incompatible, the Council may combine in one person the powers and duties of two (2) or more offices.

The City Manager, within the earliest practicable time following the effective date of this Charter, shall cause to be prepared and submitted to the Council, and the Council, by ordinance, shall adopt an administrative code. Such code shall provide for a complete plan of administrative organization of the City government, and provide for the powers, duties, responsibilities, obligations and procedures of the officers and employees of the City, including rules and regulations of the City departments adopted by ordinance. Such code may be adopted by reference.

Rules and regulations governing administrative procedures of the City government, such as those covering personnel, budgeting, accounting and purchasing methods, shall be included in the administrative code. The code shall be amended by ordinance as necessary or advisable to keep it up to date. Sufficient copies shall be available for all officers of the City and other interested citizens.

Notwithstanding the foregoing, the Council may transfer or consolidate functions of the City government to or with appropriate functions of the State or County government and in case of any such transfer or consolidation, the provisions of this Charter providing for the function of the City government so transferred or consolidated shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance establishing such transfer or consolidation. Any such transfer or consolidation may be repealed by ordinance.

Enumeration
of officers

Section 801. Enumeration. The officers of the City shall consist of the Mayor, the Councilmen, the City Manager, the

City Attorney, the City Clerk and such other officers, assistants, deputies and employees as the Council may provide.

Section 802. Appointment and Removal. The City Attorney and City Clerk shall be appointed by and may be removed by the affirmative votes of at least four (4) members of the Council. Except as otherwise provided in this Charter, all other officers, department heads and employees of the City shall be appointed by the City Manager and shall serve at his pleasure.

Section 803. City Clerk: Powers and Duties. The City Clerk shall have the power and be required to:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a full and true record of all the proceedings of the Council in books that shall bear appropriate titles and be devoted to such purpose;

(b) Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published in accordance with this Charter;

(c) Maintain separate books, in which a record shall be made of all written contracts and official bonds;

(d) Keep all aforementioned books properly indexed and open to public inspection when not in actual use;

(e) Be the custodian of the seal of the City;

(f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of the official records;

(g) Have charge of all City elections;

(h) Be responsible for the publication of all official advertising of the City; and

(i) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 804. City Attorney: Powers and Duties. The City Attorney shall have power and be required to:

(a) Represent and advise the Council and all City officers in all matters of law pertaining to their offices;

(b) Represent and appear for the City in any or all actions and proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee or former City officer or employee in any or all actions and proceedings in which any such City officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity;

(c) Attend all meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the boards or officers of the City;

(d) Approve the form of all bonds given to and all contracts made by the City, endorsing his approval thereon in writing;

(e) Prepare all proposed ordinances, contracts and other legal instruments for the City;

(f) Prosecute on behalf of the City all cases for violation of the Charter, City ordinances and other City laws and regulations;

(g) Perform such other legal duties consistent with this Charter as may be required of him by the Council; and

(h) Upon vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City's affairs.

To become eligible for appointment as City Attorney, the appointee shall have been admitted to practice as an attorney at law before the Supreme Court of the State of California, and shall have been engaged in the practice of law for at least two (2) years immediately prior to his appointment.

The Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein.

Compensation Section 805. Compensation. The compensation of all City officers and employees, except as otherwise provided in this Charter, shall be by salary to be fixed by ordinance or resolution. No officer or employee shall be allowed any fees, perquisites, emoluments, rewards or compensation for the performance of his official duties aside from the salary or compensation as fixed by the Council, but all fees received by him in connection with his official duties shall be paid by him into the City treasury. The provisions of this Section shall not preclude officers and employees from being reimbursed for actual and necessary expenses incurred while performing official business of the City when said expenses have been authorized or approved by the Council or the City Manager.

Oath Section 806. Oath of Office. Each officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the Constitution of this State, and shall file the same with the City Clerk.

Same Section 807. Administering Oaths. Each department head and his deputy shall have the power to administer oaths and affirmations in connection with any official business pertaining to his department.

Bonds Section 808. Official Bonds. The Council shall fix by ordinance the nature, amount and terms of the official bonds of all officials or employees who are required by ordinance to qualify for such bonds; provided, however, that all officers and employees having custody or control of public funds shall be required to be bonded. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

Prohibited interests Section 809. Financial Interests Prohibited. The provisions of Article 4, Chapter 1, Division 4, Title 1 of the Government Code of the State of California as the same now exists or

may hereafter be amended, relating to prohibitions applicable to specified officers, shall apply in the City.

Section 810. **Nepotism.** The Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the second degree of any one or more of the members of such Council, nor shall any department head or other officer having appointive power appoint any relative of his within such degree to any such position. Nepotism

Section 811 **Discrimination.** Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no person employed by the City or seeking employment therewith shall be employed, refused employment, promoted, demoted, disciplined or discharged or in any way favored or discriminated against because of political opinion or affiliations, or membership in a lawful employees association, or because of race or religious belief. Discrimination

Article IX. Boards and Commissions

Section 900. **Boards and Commissions: Intents and Purposes.** Except as otherwise provided in this Article, the appointive boards and commissions established by or pursuant to this Charter are intended to serve as advisory bodies to the Council and the City Manager in carrying out their respective duties. Membership on such bodies shall be representative of the entire community insofar as that is possible, and members on such boards shall be willing to serve as a civic responsibility. No member of any advisory board or commission shall hold any paid office or employment in the City Government. In order to be eligible for appointment to any board or commission, a person shall be a qualified registered elector of the City. In addition to those boards and commissions herein provided, the Council may create by ordinance such advisory boards or commissions as in its judgment are required and may grant them such powers and duties as are consistent with the provisions of this Charter. In addition, the Council by motion adopted by at least four (4) affirmative votes, or the City Manager with the consent of the Council, may appoint from time to time such temporary committees as are deemed advisable to render counsel and advice to the appointing authorities on any designated matters or subject within the jurisdiction of such authorities. Boards and commissions

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council except as otherwise provided in this Article. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. The provisions of Section 1770 of the Government Code of the State of California as they now exist or may here- Vacancies

after be amended shall govern the existence of a vacancy expect that if a member of a board or commission absents himself from three (3) consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes, his office shall become vacant and shall be so declared by the Council.

Appropriations

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

Appointments: Terms

Section 902. Appointments: Terms. The members of each of such boards or commissions shall be appointed by the Council. They shall be subject to removal by motion of the Council adopted by at least four (4) affirmative votes. Unless otherwise provided by ordinance, the members thereof shall serve for a term of four (4) years and until their respective successors are appointed and qualified. No person shall serve more than two (2) consecutive full terms on the same board or commission. No person who has served two (2) consecutive full terms on any board or commission shall be eligible for reappointment to the same board or commission until four (4) years after the expiration of his second term.

The members first appointed to such boards and commissions shall so classify themselves by lot that the term of one of each of their number shall expire each succeeding January first. Where the total number of members of a board or commission to be appointed exceeds four (4), the classification by lot shall provide for the pairing of terms to such an extent as is necessary in order that the terms of at least one, and not more than two (2) members, shall expire in each succeeding year. Their successors shall be appointed for a full term.

Existing boards

Section 903. Existing Boards. The respective terms of office of all members of the boards and commissions in existence at the time this Charter takes effect shall terminate upon the effective date of this Charter.

Meetings

Section 904. Meetings: Chairmen. As soon as practicable following their original appointment, and following the first day of January of each year thereafter, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold regular meetings at least once each month and such special meetings as such board or commission may require. Except as is otherwise provided by the laws of this State, all proceedings shall be open to the public. Whenever a special meeting of any board or commission shall be called, written notice of such meeting shall be delivered personally or by mail by the City Clerk to each member of the board or commission and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The order shall specify the time and

place of the special meeting and the business to be transacted. No other business shall be considered at such meetings.

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

Unless otherwise provided, the City Manager shall provide ^{Minutes} a secretary for the recording of the minutes of each of such boards and commissions who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own procedural rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Each board or commission shall have the same power as the Council to compel the attendance of witnesses, to examine them under oath, to compel the production of evidence before it and to administer oaths and affirmations in any investigation or proceeding pending before it.

Section 905. Compensation. The members of boards and ^{Compensation} commissions shall serve without compensation for their services as such but shall receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have been authorized by the Council.

Section 906. Planning Commission: Established. There ^{Planning Commission} shall be a Planning Commission consisting of seven (7) members. Such officers as the Council shall designate, or their representatives, shall meet with the Planning Commission and participate in the discussions but shall not have a vote.

Section 907. Planning Commission: Powers and Duties. ^{Powers} The Planning Commission shall have the power and duty to:

(a) Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of a master plan or any part thereof, or the adoption, amendment or repeal of a precised plan for the physical development of the City, as such terms are defined by Chapter 3, Title 7, of the Government Code of the State of California;

(b) List and classify annually all proposed public improvements recommended by officers, departments, boards or commissions of the City and, on or before April first of each year, have prepared and submit to the Council and the City Manager a coordinated program of proposed public improvements for the ensuing five (5) year period, according to a logical order of priority, together with its recommendations in connection therewith;

(c) Exercise such functions with respect to land use, including but not limited to planning, zoning, subdivisions, public buildings, recreation and parks, streets and housing, as may be prescribed by ordinance, not inconsistent with the provisions of this Charter;

(d) Recommend to the Council for adoption and implementation plans for the clearance, rehabilitation, redevelopment or renewal of sub-standard areas within the City;

(e) Recommend to the Council for adoption and implementation such plans as are designed to promote the most beneficial and orderly growth and development of the City; and

(f) Perform such other duties as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Personnel
Commission

Section 908. Personnel Commission: Established. There shall be a Personnel Commission consisting of five (5) members none of whom, while a member of the Commission, or for a period of one (1) year after he has ceased for any reason to be a member, shall be eligible for appointment to any salaried office or employment in the service of the City.

Powers

Section 909. Personnel Commission: Powers and Duties. The Personnel Commission shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Manager or other appointive power on matters relating to personnel administration;

(b) Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of the personnel rules and regulations referred to in Section 1002 of this Charter. Such personnel rules and regulations shall provide, among other things, for:

(1) The preparation, installation, revision and maintenance of a position classification plan covering all positions in the competitive service, including minimum standards and qualifications for each class; and

(2) The preparation, revision and administration of a plan of compensation directly correlated with the position classification plan, providing a range or maximum rate of pay for each class;

(c) Hear appeals of any officer or employee holding a regular position in the competitive service pertaining to suspension, demotion, dismissal or disciplinary action as provided for in Article X;

(d) Make any investigation which it may consider desirable concerning the conditions of employment and the administration of personnel in the municipal service and report its findings to the Council, the City Manager and any other appointive power; and

(e) Perform such other duties relating to personnel matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Board of
Library
Trustees
Powers, etc.

Section 910. Board of Library Trustees: Established: Powers, and Duties. There shall be a Board of Library Trustees consisting of five (5) members which shall have the power and duty to:

(a) Have charge of the administration of City libraries and make and enforce such by-laws, rules and regulations as may be necessary therefor;

(b) Designate its own secretary;

(c) Consider the annual budget for library purposes during the process of its preparation and make recommendations with respect thereto to the Council and the City Manager;

(d) Purchase and acquire books, journals, maps, publications and other supplies peculiar to the needs of the library, subject, however, to the limitations of the budget for such purposes. The expenditure and disbursement of funds for such purchases shall be made and approved as elsewhere in the Charter provided;

(e) Accept money, personal property or real estate donated to the City for library purposes, subject to the approval of the Council;

(f) Contract with schools, county or other governmental agencies to render or receive library services or facilities, subject to the approval of the Council; and

(g) Perform such other duties relating to library matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 911. Recreation and Parks Commission: Established. There shall be a Recreation and Parks Commission consisting of five (5) members. In the event the Council contracts with other agencies interested in recreation and parks for the joint exercise of any such functions, it shall provide for representation on the Commission from such agencies during the existence of such contract or extensions thereof. Recreation and Parks Commission

Section 912. Recreation and Parks Commission: Powers and Duties. The Recreation and Parks Commission shall have the power and duty to: Powers

(a) Act in an advisory capacity to the Council and the City Manager in all matters pertaining to recreation and parks;

(b) Consider the provisions of the annual budget for recreation and park purposes during the process of the preparation of the budget and make recommendations with respect thereto to the City Manager and the Council;

(c) Formulate and recommend to the Council and the City Manager a recreation and park program for the inhabitants of the City which will contribute to the attainment of general educational and recreational objectives for children and adults of the City, promote and stimulate public interest therein, and to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein;

(d) Formulate and recommend to the Council and the City Manager policies for the acquisition, development and improvement of parks and playgrounds and for the planning, care and removal of trees and shrubs in all parks, playgrounds and streets;

(e) Recommend to the Council and the City Manager as to the acceptance or rejection of offers of donations of money, personal property or real estate to be used for recreation and park purposes; and

(f) Perform such other duties relating to recreation and park matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Article X.
Personnel System

Merit
System

Section 1000. Merit System. All appointments to and promotions within in the administrative service of the City shall be based upon merit and fitness which shall be ascertained by means of recognized personnel selection techniques. The Council shall establish by ordinance a personnel merit system for the selection, employment, classification, advancement, suspension and discharge of those appointive officers and employees who are included in the Competitive Service by the provisions of this Charter. Following the adoption of an ordinance establishing the personnel merit system, appointments and promotions in the Competitive Service of the City shall be made from eligible lists to be established by examination in accordance with personnel rules and regulations adopted in the manner provided in this Charter.

Administra-
tive Service

Section 1001. Competitive and General Service. The administrative service of the City shall be divided into the General Service and the Competitive Service.

General
Service

(a) The General Service shall comprise the following offices and positions:

- (1) All elective offices;
- (2) All members of boards and commissions;
- (3) The City Manager, the City Clerk, the City Attorney, and the head of each department;
- (4) Persons employed for a special or temporary purpose; and positions of any class or grade exempted from the competitive service for a maximum period of six (6) months in any calendar year;
- (5) Persons employed to render professional, scientific, technical or expert services of an occasional or exceptional character;
- (6) Part time positions or employments, school crossing guards, and voluntary personnel.

Competitive
Service

(b) The Competitive Service shall consist of all positions in the City administrative service which are not in the General Service.

Personnel
rules, etc

Section 1002. Personnel Rules and Regulations. The Council shall implement the personnel system by adopting rules and regulations governing its administration which shall at least include the items set forth in Section 909 (b) of this Charter.

Existing
employees

Section 1003. Status of Existing Employees. Any person who, on the effective date of this Charter, holds a position or employment included in the Competitive Service as defined by this Charter, and who has been performing the duties of a certain classification for a period of at least six (6) months immediately prior thereto, shall acquire competitive status in said classification.

Any person who, on the effective date of this Charter, holds a position or employment not included in the Competitive Service by the provisions of this Charter, and who has been performing the duties of said position for a period of at least six (6) months immediately prior thereto, shall be entitled, upon request, to assume regular status in the Competitive Service under this Charter in a position the duties of which shall be prescribed by the Council.

All other persons who, on the effective date of this Charter, hold a position or employment included in the Competitive Service as defined by this Charter shall have a probationary status in the personnel system.

Section 1004. Suspension, Demotion and Dismissal. An officer or employee holding a regular position in the Competitive Service may be suspended without pay, demoted or removed from his position for malfeasance, misconduct, incompetence, inefficiency, or for failure to perform the duties of his position or to observe the established rules and regulations in relation thereto, or to cooperate reasonably with his superiors or fellow employees, but subject to the right to a hearing before Personnel Commission in the manner set forth herein. ^{Suspension, etc}

Upon his request an officer or employee suspended, demoted or removed shall be given in writing the reasons for his suspension, demotion or removal. He shall be allowed a reasonable time for answering the same and may demand a public hearing upon the charges before the Personnel Commission. Such hearings shall be held in accordance with procedures established therefor.

The findings and recommendations of the Personnel Commission with respect to hearings shall be transmitted to the appointing authority for final decision.

Section 1005. Prohibitions. (a) No person holding any position in the Competitive Service, or on an eligible list, shall take an active part in any municipal political campaign or contribute thereto on behalf of any candidate, nor shall such person seek signatures to any petitions seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such persons from seeking election or appointment to public office. Upon becoming a candidate for public office any such person shall request and shall be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate. ^{Prohibitions}

(b) No officer or employee of the City and no candidate for any City office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any municipal political purpose whatever from anyone on an eligible list or holding any position in the Competitive Service.

Section 1006. Pension and Retirement System. The City, its Council and its several officers and employees are hereby vested with the power to do and perform any act, and to ^{Retirement}

exercise any authority granted, permitted or required under the provisions of the State Employees' Retirement Act, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under the State Employees' Retirement System, and, in addition, to participate in any pension system now or hereafter existing under the laws of the United States of America to which municipal officers and employees are eligible.

Participation in any such plan or retirement benefits shall not be extended to any officer or employee theretofore retired except by approval of the Council; provided, however, that no person heretofore retired shall be deprived of his existing pension rights.

No retirement or pension plan, heretofore or hereafter established, may be discontinued or terminated except under authority granted by an ordinance adopted by a majority vote of the electors of the City voting on such proposition at an election at which such proposal is presented, unless such action has been approved by a majority vote of the members affected.

Article XI.

Fiscal Administration

- Fiscal standards** Section 1100. Standards of Administration. The fiscal affairs of the City shall be administered in accordance with generally accepted principles of municipal accounting and finance.
- Fiscal year** Section 1101. Fiscal Year. Unless otherwise provided by ordinance, the fiscal year of the City shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.
- Taxation** Section 1102. Tax System. The Council shall provide a system for the assessment, levy and collection of city taxes upon property. The Council may by ordinance adopt at any time any provision made by the general laws of the State of California for the assessment, levy and collection, or either, of the City taxes by and through the officers of the County, or other public agency.
- Budget.** Section 1103. Budget: Preparation and Submission. At least thirty (30) days prior to the beginning of each fiscal year, the City Manager shall submit to the Council a proposed budget for the ensuing fiscal year. The budget shall provide a complete financial plan for the budget year. It shall include the following:
- Inclusions**
- (a) An itemized statement of estimated income and revenues from all sources for the year which the budget is to cover;
 - (b) An itemized statement of the proposed expenditures recommended by the City Manager for each office, department, or agency for the year which the budget is to cover;
 - (c) The probable amount required to be levied and raised by property taxation; and

(d) Such other information as the City Manager may deem essential, or as the Council may require.

Section 1104. Budget: Public Hearing. Upon receipt of the proposed budget from the City Manager, the Council shall proceed to consider the proposed budget and may increase, decrease or omit any item or insert new items therein. Before adopting the budget, the Council shall fix the time and place for holding a public hearing on the proposed budget and shall cause a notice thereof to be published not less than ten (10) days prior to said hearing by at least one (1) insertion in the official newspaper of the City. Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten (10) days prior to said hearing. At the time and place so advertised, or at any time and place to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the proposed budget at which interested persons desiring to be heard shall be given such opportunity.

Section 1105. Budget: Further Consideration and Adoption. After the conclusion of the public hearing, the Council shall further consider the proposed budget and make any revisions thereto that it may deem advisable; provided, however, that if it shall increase the total proposed expenditures, the Council shall also increase the total anticipated revenues, but not beyond the reasonably anticipated revenues, so that the same, together with reasonably expected surpluses will at least equal such total expenditures. Thereafter, but prior to the beginning of the ensuing fiscal year, the Council shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year. A copy of the adopted budget, certified to by the City Clerk, shall be placed on file in the office of the City Clerk where it shall be available for public inspection. The budget so certified shall be reproduced and copies made available for use of all officers, offices, departments and other agencies of the City and for use by civic organizations.

Section 1106. Tax Levy. The Council shall determine the amount of money required to be raised by ad valorem municipal property taxation and shall fix the ad valorem municipal tax rate on or before August 31 of each year and certify the same to the County authorities if the County system of ad valorem assessment and tax collection is used by the City.

Section 1107. Budget: Appropriations. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several offices, agencies and departments for the respective objects and purposes therein specified. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered, except as otherwise provided by this Charter.

At any meeting after the adoption of the budget the Council may amend or supplement the budget so as to authorize the

transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not appropriated in the budget.

No officer, department or agency of the City shall, during any fiscal year, expend or incur any obligation to expend money for any purposes not authorized by or in excess of the amounts appropriated by any budget, as amended, for a given classification or expenditure.

Budget
message

Section 1108. Budget Message: Current Operations. The budget message submitted by the City Manager to the Council shall be explanatory of the budget, shall contain an outline of the proposed financial policies of the City for the budget year and shall describe in connection therewith the important features of the budget plan. It shall set forth the reasons for salient changes from the previous year in cost and revenue items and shall explain any major changes in financial policy.

Same

Section 1109. Budget Message: Capital Improvements. As a part of the budget message, with relation to the down-payments and other proposed expenditures for capital projects as stated in the budget, the City Manager shall include a statement of pending capital projects and proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget, and the respective amounts, if any, proposed to be raised therefor from other sources during the budget year.

Same

Section 1110. Budget Message: Capital Program. The City Manager shall also include in the message, or attach thereto, a program of proposed public improvements for the ensuing five (5) year period prepared by the Planning Commission in accordance with Section 907 (b), together with his comments thereon.

General Fund

Section 1111 Funds: General Fund. All moneys paid into the City treasury shall be credited to and kept in separate funds in accordance with the provisions of this Charter, State law or ordinance. For the purpose of this Charter, the "General Fund" is established as a medium of control and accounting for City activities other than activities authorized or contemplated by special funds. All revenue and receipts which are not by this Charter, State law or ordinance pledged for special purposes shall be credited to the General Fund.

Cash Basis
Fund

Section 1112. Funds Cash Basis. The Council shall maintain a revolving fund to be known as the "Cash Basis Fund" for the purpose of placing the payment of the running expenses of the City on a cash basis. A reserve shall be built up in this fund from any available sources other than restricted funds in an amount which the Council deems sufficient with which to meet all lawful demands against the City for the first five (5) months or other necessary period of the succeeding fiscal year prior to the receipt of ad valorem tax revenues. Transfers may be made by the Council from such fund to any other fund or funds of such sum or sums that may be required for the purpose of placing such funds as nearly as possible on

a cash basis. All moneys so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.

Section 1113 Funds: Capital Outlays Fund. A fund for capital outlays generally is hereby created to be known as the "Capital Outlays Fund". The Council may create by ordinance a special fund or funds for a special capital outlay purpose. The Council may levy and collect taxes for capital outlays and may include in the annual tax levy a levy for such purposes in which event it must apportion and appropriate to any such fund or funds the moneys derived from such levy. It may not, in making such levy, exceed the maximum tax rate provided for in this Charter unless authorized by the affirmative votes of a majority of the electors voting on the proposition at any election at which such question is submitted. The number of years in which such increased levy is to be made shall be specified in such proposition. The Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Once created such fund shall remain inviolate for the purpose for which it was created; if for capital outlays generally, then for any such purposes, and if for a special capital outlay, then for such purpose only, unless the use of such fund for some other capital outlay purpose is authorized by the affirmative votes of a majority of the electorate voting on such proposition at a general or special election at which such proposition is submitted.

If the purpose for which any special capital outlay fund has been created has been accomplished, the Council may transfer any unexpended or unencumbered surplus remaining in such fund to the fund for capital outlays generally, established by this Charter.

Section 1114. Other Funds. The Council may provide, by ordinance, for the establishment and maintenance of such other special funds as it deems necessary for the proper administration of the fiscal affairs of the City. Such funds shall be operated on a revolving fund basis.

Section 1115. Independent Audit. The Council shall employ at the beginning of each fiscal year an independent accountant, who holds a valid license from the California State Board of Accountancy, who shall audit the books, records and accounts of all officers and employees of the City who receive, administer or disburse public funds, and such other officers, employees, departments and agencies as the Council may direct. Such audit shall be made at such times as may be prescribed by the Council, but shall be at least annually and shall be a complete continuous audit. The Council shall have the right to order a special audit of any particular department or division of the City government at any time. Such accountant at all times shall abide by the current and most accepted standards of municipal accounting.

As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such independent accountant to the Council, one (1) copy thereof to be distributed to each member thereof, one (1) copy to the City Manager and City Attorney, respectively, three (3) copies to be placed on file in the office of the City Clerk where they shall be available for public inspection, together with as many more such copies as may be required.

Bonded debt
limit

Section 1116. Bonded Debt Limit. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of fifteen (15%) per cent of the total assessed valuation for purposes of City taxation of all the real and personal property within the City, exclusive of any indebtedness that has been or may hereafter be incurred for the purposes of acquiring, constructing, extending or maintaining municipal utilities for which purpose a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State Constitution and of this Charter.

No bonded indebtedness which shall constitute a general obligation of the City may be created unless authorized by the affirmative votes of two-thirds ($\frac{2}{3}$) of the electors voting on such proposition at any election at which the question is submitted to the electors and unless in full compliance with the provisions of the State Constitution and of this Charter.

Bids

Section 1117. Public Bid Requirements. Every expenditure of City moneys for materials, supplies and equipment of more than One Thousand Five Hundred and no/100ths (\$1,500.00) Dollars and every expenditure of City moneys for public works construction as hereafter defined of more than Two Thousand Five Hundred and no/100ths (\$2,500.00) Dollars shall be let to the lowest responsible bidder after notice by publication in the official newspaper by one (1) or more insertions, the first of which shall be at least ten (10) days before time for opening bids. The Council may reject any and all bids presented and may re-advertise in its discretion.

The Council after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager the work in question may be performed better or more economically by the City with its own employees and after the adoption of a resolution to this effect by at least five (5) affirmative votes of the Council may proceed to have said work done in the manner stated, without further observance of the provisions of this Section.

Such expenditures may be made without advertising for bids, if such expenditures shall be deemed by the Council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five (5) affirmative votes of the Council and containing a declaration of the facts constituting the urgency.

All bids for public works construction shall be accompanied by either a certified or cashier's check or a bidder's bond

executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount not less than ten (10%) per cent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder's security may be declared forfeited to the City and may be collected and paid into its General Fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

For the purposes of this Section, public works construction shall be defined as a project for the erection or improvement of public buildings, streets, drains, sewers, parking lots, parks or playgrounds, provided, however, that expenditures for the extension, improvement or development of the City water system shall be excepted from the requirements of this Section. Maintenance or repair of public buildings, streets, drains, sewers, parking lots, parks or playgrounds shall not be considered as public works construction. The provisions of this Section shall not apply to materials, supplies or equipment obtained or purchased from any governmental agency, or for materials, supplies or equipment which can be obtained from only one vendor.

All bids shall be sealed and be filed with the officer in charge of the purchasing function no later than the opening time specified in the notice inviting bids, who shall receive and be custodian of such bids and keep the same confidential until they are opened and declared.

All bids shall be publicly opened and declared at the time and at the place fixed in the notice inviting bids.

Thereafter, the bids shall be tabulated and analyzed by the officer in charge of the purchasing function, who shall submit them, together with recommendations thereon, to the City Manager. The City Manager shall review the bids and submit them to the Council, along with his recommendations, at the next regular meeting of the Council.

The Council shall have the right to waive any informality or minor irregularity in a bid.

Section 1118. Contracts for Official Advertising. The Council shall let annually contracts for the official advertising of the City for the ensuing fiscal year. In the event there is more than one daily newspaper of general circulation published and circulated in the City, the Council shall advertise for one (1) day, in one (1) or more such papers, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The Council shall let the contracts for such official advertising to the lowest responsible bidder pub-
Official
advertising

lishing a daily newspaper in the City which is a newspaper of general circulation and has been in existence at the time of awarding the contract at least one (1) year; provided that the Council may reject any or all bids and advertise for new bids.

Presentation
of demands

Section 1119. Presentation of Demands. Demands against the City shall be presented and audited as prescribed by ordinance. No suit shall be brought for money or damages against the City or any board, commission or officer thereof until a claim or demand for the same has been presented and such claim and demand has been rejected in whole or in part. If rejected in part suit may be brought to recover the whole. Failure to complete action approving or rejecting any claim or demand within sixty (60) days from the day the same is presented shall be deemed a rejection thereof.

Purchasing
procedure

Section 1120. Centralized Purchasing Procedure. Under the control and direction of the City Manager there shall be established a centralized purchasing system for all City departments and agencies, which system shall be consistent with all the provisions of this Charter. When making purchases for the City, merchants with places of business located within the City shall be given preference if service, quality and prices are equal.

Registering
warrants

Section 1121. Registering Warrants. Warrants on the City treasury which are not paid for lack of funds shall be registered. All registered warrants shall be paid in the order of their registration when funds therefor are available and shall bear interest from the date of registration at such rate as shall be fixed by the Council.

Tax
limits

Section 1122. Tax Limits. (a) General. The Council shall not levy a property tax for municipal purposes in excess of One and fifty five/100ths (\$1 55) Dollars on each One Hundred and no/100ths (\$100.00) Dollars of the assessed value of taxable property in the City, except as otherwise provided in this Section, unless authorized by the affirmative votes of a majority of the electorate voting on a proposition to increase such levy at any election at which the question of such increased levy for municipal purposes is submitted to the electors. The number of years for which such increased levy is to be made shall be specified in such proposition.

(b) Additional Taxes. There shall be levied and collected, as additional taxes, at the time and in the same manner as other property taxes for municipal purposes are levied and collected if no other provision for the same is made:

(1) A tax sufficient to meet all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City; and

(2) A tax sufficient to meet all obligations of the City to the State Employees' Retirement System, or other system for the retirement of City employees, due and unpaid or to become due during the ensuing fiscal year.

Section 1123. Control and Use of Municipal Utility Funds. Municipal utility revenues
 All revenue derived from the operation of each municipal utility shall be kept separate and apart from all other moneys of the City and shall be applied in the following order:

(a) For the payment of interest on the bonded debt incurred for the construction, acquisition, operation or extension of such utility;

(b) For the payment, or provision for the payment, of the principal of said debt as it may become due;

(c) For capital expenditures of such utility;

(d) For the annual payment into the Depreciation Reserve Fund of a sum which, according to the estimate of the City Manager, and approved by the Council, shall be sufficient to meet the normal depreciation of said utility. Such depreciation funds shall be used only for the replacement, betterment or extension of said utility. Any reserve for depreciation of such utility accumulated prior to the effective date of this Charter shall be paid into said Depreciation Reserve Fund and shall be subject to the provisions of this Section covering said Fund;

(e) For the payment of the operating and maintenance expenses of such utility; and

(f) The remainder may be paid into the General Fund.

Section 1124. Sale of Public Utilities. Sale of public utilities
 No public utility now or hereafter owned or controlled by the City shall be sold, leased or otherwise transferred unless approved by the affirmative vote of the majority of the electors voting on such proposition at a general or special election at which such proposition is submitted.

Article XII. Franchises

Section 1200. Franchises to Operate. Franchises
 No person, firm or corporation shall exercise any public utility franchise right or privilege in the City except insofar as he or it may be entitled to do so by direct grant by the Constitution of the State of California or of the United States of America, unless he or it shall have obtained a grant therefor in accordance with the provisions of this Article of this Charter and in accordance with the procedure prescribed by ordinance. Until such a procedural ordinance shall hereafter be adopted, the method provided by any law of the State relative to the granting of a franchise of the character of that for which application is being made shall apply. Nothing contained in this Article shall be construed to invalidate any lawful franchise heretofore granted nor to necessitate the obtaining of a new franchise for a use for which a franchise holder shall have a valid unexpired franchise. Nothing contained in this Article shall be construed as applying to or requiring the operators of refrigeration or storage utilities or the carriers of freight or passengers not operating over a fixed route to obtain a franchise to

operate within the City unless required so to do by ordinance of the City of Watsonville.

Same

Section 1201. Authority to Grant Franchises. The Council is empowered to grant by ordinance a franchise to any person, firm or corporation, whether operating under an existing franchise or not, to engage in the business of furnishing the City and its inhabitants with any public utility or service, or to use the public streets, ways, alleys and places, as the same may now or may hereafter exist, either separately or in connection therewith.

Terms, etc.

Section 1202. Franchise Terms, Conditions and Procedures. The Council, by ordinance, shall prescribe the terms and conditions under which franchises will be granted, subject to the provisions of this Charter, and the procedure for granting franchises; provided, however, that such procedural ordinance or ordinances shall make provisions for the giving of public notice of franchise applications, for protests against the granting of such franchises and for public hearings on such applications.

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

Same

Section 1203. Method of Granting Franchise. The Council may grant a franchise without calling for bids or may, in its discretion, advertise for bids for the sale of a franchise upon a basis, not in conflict with the provisions of this Article, to be set out in the advertisement for bids and notice of sale.

Same

Section 1204. Term of Franchise. Every franchise shall be for either a fixed term or for an indeterminate period. If for a fixed term, the franchise shall state the term for which it is granted; if indeterminate, it shall set forth the terms and conditions under which it may be terminated.

Eminent domain

Section 1205. Purchase or Condemnation by City. No franchise grant shall in any way or to any extent impair or affect the right of the City now or hereafter conferred upon it by law to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the City's right of eminent domain with respect to any public utility.

Compensation

Section 1206. Adequate Compensation. No new franchise or the renewal of an existing franchise shall be granted without reserving to the City just and adequate compensation.

Penalties

Section 1207. Exercising Right without Franchise. The exercise by any person, firm or corporation of any privilege

for which a franchise is required without procuring such franchise shall be a misdemeanor, and each such day that such condition continues shall constitute a separate violation.

Section 1208. Article not Applicable to the City. Nothing in this Article shall be construed to apply to the City, or any department thereof, when furnishing any public utility or service. Applicability

Section 1209. Preservation of Rights. Nothing contained in this Article shall be construed to affect or impair any rights, powers or privileges vested in, possessed by or available to the City by virtue of previous Charter provisions relating to franchises. Vested rights

Article XIII. Elections

Section 1300. General Municipal Elections. A general municipal election shall be held on the second Tuesday in May of each odd numbered year, commencing with the year 1961, for the election of officers and for such other purposes as the Council may prescribe. General elections

Section 1301. Special Municipal Elections. All other municipal elections which may be held by authority of this Charter, or by any law, shall be known as Special Municipal Elections. Special

Section 1302. Procedure for Holding Elections. Unless otherwise provided by ordinances hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exists or may hereafter be amended, for the holding of elections in cities, insofar as the same are not in conflict with this Charter. Procedure

Section 1303. First Election under Charter. A Special Municipal Election shall be held for the election of the first Mayor and the first members of the Council under this Charter within one hundred and twenty (120) days following the approval of this Charter by the Legislature of the State of California. First election

Section 1304. Initiative, Referendum and Recall. The powers of the initiative, the referendum and the recall of elected municipal officers are hereby reserved to the electors of the City. Unless otherwise provided by ordinances, hereafter enacted, the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative, the referendum and the recall of municipal officers, shall be applicable insofar as the same are not in conflict with this Charter. Initiative, etc.

Article XIV.
School System

Public
school
system

Section 1400. **Effect of Charter.** The organization, government and administration of the public school system in the City of Watsonville shall not be affected by the adoption of this Charter, but shall continue in existence as is now or hereafter prescribed by the Education Code of the State of California.

Article XV.
General Provisions

Effective
date

Section 1500. **Effective Date of Charter.** For the purpose of nominating and electing the first Mayor and the first Councilmen, the provisions of the Charter shall become effective when the concurrent resolution of the Legislature approving this Charter is filed with the Secretary of State. For all other purposes, it shall become effective at 8:00 o'clock P.M. on the first Tuesday following the date of the election of the first Mayor and first Councilmen. At such time the terms of all elective officers of the City under the preceding Charter shall terminate.

First
election

Section 1501. **First Election under Charter.** The legislative body of the City of Watsonville in office at the time this Charter is approved by the Legislature of the State of California shall provide for the holding of the first election of officers under this Charter as required by Section 1303 of this Charter and shall canvass the votes and declare the results.

Validity of
Charter

Section 1502. **Validity of Charter.** If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter and the application of such provision to other persons or circumstances shall not be affected thereby.

Definitions

Section 1503. **Definitions.** Unless the provisions or the context otherwise require, as used in this Charter:

- (a) "Shall" is mandatory, and "may" is permissive;
- (b) "City" is the City of Watsonville and "department", "board", "commission", "agency", "officer" or "employee" is a department, board, commission, agency, officer or employee, as the case may be, of the City of Watsonville;
- (c) "Council" is the City Council of the City of Watsonville;
- (d) A "member of the Council" means any one of the seven (7) members of the Council, including the Mayor;
- (e) A "Councilman" means any one of the seven (7) members of the Council other than the Mayor;
- (f) "County" is the County of Santa Cruz;
- (g) "State" is the State of California; and
- (h) "Newspaper of general circulation within the City" is as defined by Section 6000 of the Government Code of the State of California.

Section 1504. Violations. The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding Five Hundred and no/100ths (\$500.00) Dollars or by imprisonment for a term of not exceeding six (6) months or by both such fine and imprisonment. Violations

Section 1505. Amendments to Charter. Amendments to this Charter shall be proposed and submitted to the electors of the City in the manner provided by the Constitution of the State of California. Amendments
to Charter

Section 1506. Publicity of Records. All records and accounts of every office, department or other agency of the City shall be open to inspection by any citizen, any representative of a citizens' organization, or any representative of the press at all reasonable times and under reasonable regulations established by the City Manager, except records and documents the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish. Records

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

IN WITNESS WHEREOF, We have hereunto set our hands and hereto affixed the seal of said City of Watsonville, this 19th day of February, 1960.

(SEAL)

LOUIS W. GLUHAN
Mayor of the City of
Watsonville, Calif.

ATTEST: THOMAS J. ROWAN
City Clerk of the City of
Watsonville

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

Resolved by the Senate of the State of California, the Assembly concurring, a majority of all members elected to each house voting therefor and concurring therein, That said charter of the City of Watsonville, as presented to, and adopted, and ratified, by the electors of said city and as hereinbefore fully set forth, be, and the same is hereby approved as a whole, without amendment or alteration, as and for the charter of the City of Watsonville. Approval

CHAPTER 15

Senate Concurrent Resolution No. 10—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

[Filed with Secretary of State, March 17, 1960]

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 fifty thousand dollars (\$450,000), 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 16

Assembly Concurrent Resolution No. 8—Relative to a study by the Department of Finance of the feasibility of buying property for, and constructing, a new state building in Van Nuys.

[Filed with Secretary of State, March 24, 1960]

WHEREAS, The steadily increasing volume of state business and activities and the number of state agencies and employees in the Los Angeles area makes it feasible and convenient to have administrative centers situated in various heavily populated communities for the purpose of co-ordinating and bringing together state facilities and services in those areas; and

WHEREAS, Van Nuys, both by population and location, is ideally qualified for the location of a state administrative center to co-ordinate and bring together state facilities and services in Van Nuys and the surrounding area; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Finance is hereby requested to make a study of the feasibility of buying property for, and constructing, a new state building in Van Nuys to serve as an administrative center for state agencies in Van Nuys and the surrounding area; and be it further

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

CHAPTER 17

Assembly Concurrent Resolution No. 13—Commending Assemblywoman Dorothy Donahoe.

[Filed with Secretary of State, March 24, 1960]

WHEREAS, The Members of the Legislature have learned with pride that a great honor has recently been bestowed upon one of their members, Assemblywoman Dorothy Donahoe, by the Los Angeles Times, which has named Miss Donahoe as 1959 Woman of the Year in the field of government; and

WHEREAS, Miss Donahoe first became interested in governmental problems and the need for legislation in particular fields while employed at the Bakersfield High School as a secretary and later as registrar; and

WHEREAS, During those years she became increasingly active in civic and community service in Kern County, where she often spoke before women's groups, championing the cause of equality for women and encouraging them to seek more prominence in government; and

WHEREAS, At the urging of her many friends and with the support of the California Federation of Business and Professional Women's Clubs, of which she is a past president, she was persuaded to become a candidate for a seat in the Legislature, and was elected in 1952 as representative for the 38th Assembly District; and

WHEREAS, In her four consecutive terms, she has achieved a widespread reputation as a well-informed and hard-working legislator, sincerely interested in the progress and welfare of the entire State as well as her own district, particularly in the fields of education and governmental finance; and

WHEREAS, Miss Donahoe has demonstrated her exceptional abilities as the diligent and effective chairman of the Assembly Committee on Education, and as a zealous and conscientious member of the State Allocation Board, the Joint Interim Committee on the Public Education System, and the Assembly Committees on Manufacturing, Oil, and Mining, and Ways and Means; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature heartily commend their charming colleague, Dorothy Donahoe, on her outstanding accomplishments, and congratulate her on receiving her recent distinguished award; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Assemblywoman Donahoe.

CHAPTER 18

Assembly Concurrent Resolution No. 18—Relative to commemorating the Pony Express run.

[Filed with Secretary of State, March 24, 1960]

WHEREAS, The United States Post Office Department has selected the City of Sacramento as the site for the issuance of the Pony Express Centennial Commemorative Stamp, the first day of sale of which has been fixed as July 19, 1960; and

WHEREAS, Sacramento was the initial western terminus of the original Pony Express, the first eastbound pony having left Sacramento at 2.45 a.m., on April 4, 1860 and the first westbound pony having arrived in Sacramento at 5.30 p.m., on April 14, 1860; and

WHEREAS, Extensive plans have been made for the rerun of the Pony Express with one pony starting from St. Joseph, Missouri, and one from Sacramento, on July 19, 1960; and

WHEREAS, Great national importance is attached to this centennial and international attention has been generated by the request for cancellation of first-day covers in Sacramento; and

WHEREAS, The City of Sacramento and the County of Sacramento have plans to properly observe and celebrate the Pony Express Centennial; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof, concurring, That the Members of the Legislature urge all of the people of the State to join with the people of the eight other western states through which the original Pony Express run was made in participating in the observance of this colorful, romantic effort of the early pioneers to bring the mail from the west to the east and from the east to the west.

CHAPTER 19

Assembly Concurrent Resolution No. 20—Relative to St. Patrick's Day.

[Filed with Secretary of State, March 24, 1960]

WHEREAS, On this 17th day of March, 1960, it is fitting and proper that this Legislature pause in its labors to contemplate the life and works of St. Patrick, the great patron saint of Ireland; and

WHEREAS, St. Patrick, according to reliable authorities, was born at Kilpatrick, near Dumbarton, Scotland, in the year 387, the son of a member of a Roman family of high rank; and

WHEREAS, When Patrick was 16 years old he was captured by Irish marauders and sold as a slave to a chieftain, who

was a Druid high priest, in the territory of the present County of Antrim, where he remained in servitude for six years, learning meanwhile to speak the Celtic language; and

WHEREAS, He escaped from his master, fleeing to the protection of his uncle, St. Martin at Tours, where he devoted himself to studies for the priesthood; and

WHEREAS, After 18 years of preparation he was commended to Pope Celestine, who commissioned him to preach the Gospel in Ireland; and

WHEREAS, With Patrick's zeal for the Gospel despite the opposition of the Druids, who once loaded Patrick with chains and condemned him to death, Christian monasteries and abbeys were established throughout Ireland; and

WHEREAS, To a pagan and warlike people he offered the nobler aspirations of charity and fraternal love, not to be fulfilled by the sword, and the histories of all peoples will not disclose an instance of such radical change in the character of a whole nation wrought within the lifetime of one man and without the shedding of one drop of blood; and

WHEREAS, As a direct result of the labors of St. Patrick, in a few years the renown of Irish learning and sanctity caused the outside world to refer to Ireland as the land of "saints and scholars" to which the crowned and other families of Europe and England sent their children for education; and

WHEREAS, St. Patrick lived until March 17, 493 A.D. and was buried in a shroud made for him by St. Brigid, his co-worker, at the place on which in later years the Cathedral of Down was built, and this day is the anniversary of his death; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That this Legislature, together with the people of the entire world, today honors and pays homage to that great scholar and man of God, St. Patrick, the patron saint of Ireland, whose works have had such a profound effect upon the development of Ireland and consequently of the countries of the world to which the Irish people in great numbers, over the years have immigrated and become leaders; 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. J. J. Mulvihill, President, San Francisco United Irish Societies; Mr. Charles F. Horan, President, Los Angeles United Irish Societies; and Mr. Clarence Derr, President of the Ancient Order of Hibernians of Sacramento.

CHAPTER 20

Assembly Concurrent Resolution No. 27—Approving the charter of the City of Del Mar, County of San Diego, State of California, ratified by the qualified electors of the city at an election held therein on the ninth day of February, 1960.

[Filed with Secretary of State, March 24, 1960]

City of
Del Mar
Charter

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of the charter of the City of Del Mar, a municipal corporation of the County of San Diego, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows:

CERTIFICATE OF MAYOR AND CITY CLERK OF THE CITY OF
DEL MAR RE RATIFICATION OF CITY CHARTER

State of California }
County of San Diego } ss.
City of Del Mar }

Certificate

We, the undersigned, Thomas S. Douglas, Mayor of the City of Del Mar, State of California, and Bernard R. Yantz, City Clerk of said city and clerk of the City Council of said city, do hereby certify and declare as follows:

That the undersigned said Bernard R. Yantz was at all times herein mentioned the clerk of the legislative body of the city and City Clerk of said City of Del Mar; that heretofore and prior to December 21, 1959, the said City Council of the City of Del Mar did cause to be framed a proposed charter for its own government, and on the 21st day of December, 1959, at a regular meeting of said City Council of said city, said City Council by Resolution No 22 adopted by unanimous vote of the four members of said City Council present, one member being absent, ordered the proposition for the adoption of said proposed charter to be placed on the ballot at the special election ordered in the City of Del Mar for the 9th day of February, 1960, for the purpose of submitting said proposition to the electors of said City of Del Mar; that said proposed charter of the City of Del Mar, consisting of pages one through three, was filed in the office of the City Clerk of Del Mar on the 21st day of December, 1959, and said resolution further ordered and directed that said City Clerk publish said proposed charter in the Del Mar Surfcomber, a newspaper of general circulation within the City of Del Mar;

That said proposed charter was published pursuant to said order in the Del Mar Surfcomber on the 24th day of December 1959, said newspaper being of general circulation in said City of Del Mar; that the date of such publication was within fifteen days after the said charter was filed in the office of said clerk of said City Council; that the date set for the submission to the electors of said proposed charter, to-wit, February 9, 1960,

was not less than forty days nor more than sixty days after the completion of the advertising in said newspaper as aforesaid;

That the population of said City of Del Mar is more than 3,500 and less than 50,000 inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of the State of California;

That said election was duly and regularly held on the 9th day of February, 1960, and that at said election a majority of the qualified voters voting thereon voted in favor of said charter and for the ratification and adoption thereof;

That the said City Council of the City of Del Mar at a meeting duly held on February 16, 1960, at the time and in the form and manner required by law, and in accordance with the law in such cases made and provided, duly canvassed the returns of said election, and duly found, determined, and declared that a majority of said electors, voting thereon had voted in favor of said proposed charter and for the adoption thereof, and that the same was adopted and ratified by more than the majority of the qualified voters of the City of Del Mar voting thereon, as follows, to-wit;

Votes in favor of the adoption and ratification of said proposed charter	578
Votes against the adoption and ratification of said proposed charter	81

That said election was held in accordance with the election laws of the State of California relating to, and governing, such special municipal elections within said State, so far as applicable, and in other respects in strict accordance with the general laws of the State of California;

That said charter so prepared, proposed, submitted, ratified, and adopted as herein set forth is in the words and figures following, to-wit:

THE CHARTER OF THE CITY OF DEL MAR

We, the people of the City of Del Mar, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State

Article I
Incorporation and Succession

Section 100. Name and Boundaries. The City of Del Mar, hereinafter termed the City, shall continue to be a municipal corporation under its present name of "City of Del Mar." The boundaries of the City shall be the boundaries as established at the time this Charter takes effect or as such boundaries may be changed thereafter in the manner authorized by law.

Name and boundaries

Section 101. Succession, Rights and Liabilities. The City of Del Mar shall continue to own, possess, control and be

Succession, etc.

entitled to all rights and property of every kind and nature owned, possessed, or controlled by it or to which it is entitled at the time this Charter takes effect and shall continue to be subject to all its debts, obligations, liabilities and contracts.

Ordinances

Section 102. Ordinances. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

Continuance of terms of office

Section 103. Continuance of Terms of Office. The members of the City Council in office at the time this Charter takes effect shall continue to hold their respective offices for the terms for which they were elected.

Continuance of present officers and employees

Section 104. Continuance of Present Officers and Employees. The present officers and employees of the City shall continue to perform the duties of their respective offices and employments without interruption for the same compensations and under the same terms and conditions provided by existing ordinances, resolutions, rules or laws but subject to such removal, amendment, change and control as is provided or permitted in this Charter.

Pending actions and proceedings

Section 105. Pending Actions and Proceedings. No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained.

Article II Powers of City

Powers of city

Section 200. Powers. The City shall have the power to levy a tax or taxes upon the right or privilege of being admitted to any premises for the purpose of attending or witnessing any exhibition, entertainment or event, or series of events (amusement, sporting, or otherwise) or upon the right or privilege of attending or witnessing any such exhibition, entertainment or event, or series of events, when a charge or price is paid or imposed for said right or privilege.

Subject to general laws

Section 201. Subject to General Laws. Except as otherwise expressly provided in this Charter, the City shall be subject to and governed by the general laws of the State as now and hereafter existing relating to cities organized under said general laws and shall have and may exercise all the rights, powers and privileges and be subject to all the restrictions, limitations and procedures granted or imposed by said general laws upon such general law cities.

Article III
Effect on School Districts

Section 300. No effect on Present School Districts. The adoption of this Charter shall have no effect upon any existing school district or the boundaries thereof or upon the Board of Education of any such school district or the members thereof. ^{Present school districts}

Article IV
Definitions

Section 400. Definitions. Unless the provision or the context otherwise requires, as used in this Charter: ^{Definitions}

(a) "Shall" is mandatory, and "may" is permissive.

(b) "City" is the City of Del Mar, and "City Council," "department," "agency," "officer," or "employee," is City Council, department, agency, officer or employee, as the case may be, of the City of Del Mar.

(c) "State" is the State of California.

Article V
Severability

Section 500. Validity. If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter and the application of such provision to other persons or circumstances, shall not be affected thereby. ^{Validity of Charter}

Article VI
Effective Date

Section 600. Effective Date of Charter. This Charter shall take effect upon its approval by the Legislature. ^{Effective date}

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

In witness whereof we have hereunto set our hands this 7th day of March, 1960,

THOMAS S. DOUGLAS
Mayor of the City of Del Mar

BERNARD R. YANTZ
City Clerk of the City of Del Mar

WHEREAS, The proposed charter, as adopted and ratified as hereinabove set forth, has been and now is duly 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 the charter of the City of Del Mar, as presented to and adopted and ratified by the electors of the city, as hereinbefore fully set forth, is hereby approved as a whole, without alteration or amendment, as the charter of the City of Del Mar.

CHAPTER 21

Assembly Joint Resolution No. 4—Relative to the federal “cabaret” excise tax.

[Filed with Secretary of State, March 24, 1960]

WHEREAS, The existing 20 percent rate of the federal so-called “cabaret” excise tax on admissions to roof gardens, cabarets and other similar places has resulted in a serious loss of customers by such places; and

WHEREAS, 500 of such places of entertainment operated by the hotels of the nation were, among others, thereby forced to close; and

WHEREAS, 40,912 job opportunities were lost to musicians, the loss of which accounts for one-half of the present unemployment among this group; and

WHEREAS, 200,000 cooks, waiters, service help and other entertainers have also lost job opportunities which otherwise would be available; and

WHEREAS, The federal government loses \$11,000,000 annually as a direct result only of the unemployment of such musicians, which amount represents income and business tax revenues in excess of what is presently collected under the “cabaret” tax; and

WHEREAS, The American people have uniformly supported the reduction or repeal of such “cabaret” tax since the termination of the wars during which the existing rates were adopted; and

WHEREAS, Numerous measures have been introduced in the Congress of the United States which would provide tax relief from the “cabaret” tax; and

WHEREAS, The enactment of this legislation will contribute immeasurably to the economic health of the nation, result in more employment among the affected groups, and increase the revenues in the United States Treasury; 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 enact legislation giving the American people

relief from the "cabaret" tax, either by the repeal of it or reduction of its rates; 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 22

Assembly Concurrent Resolution No. 6—Relative to approving continuation of studies by the California Law Revision Commission.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, Section 10335 of the Government Code provides that the commission shall file a report at each regular session of the Legislature which shall contain a calendar of topics selected by it for study, including a list of the studies in progress; and

WHEREAS, The commission has submitted to the Governor and the Legislature its 1960 report, containing a list of studies in progress, all of which the Legislature has heretofore approved for study; and

WHEREAS, Section 10335 of the Government Code provides that after the filing of its first report the commission shall confine its studies to those topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study by concurrent resolution of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature approves for continued study by the California Law Revision Commission the heretofore approved topics on which studies are in progress as listed in the commission's 1960 report.

CHAPTER 23

Assembly Concurrent Resolution No. 12—Relative to the compilation of bill binder sets in the Legislative Bill Room.

[Filed with Secretary of State, March 25, 1960]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Interim Committee on Legislative Organization is hereby requested to study and ascertain the number of bill binder sets which are necessary to be compiled, maintained and distributed by the Legislative Bill Room for the use of Members of the Legislature and others

and to consider the possibility of reducing the number of such sets now compiled and maintained; and be it further

Resolved, That the said committee is hereby requested to make whatever recommendations it may have in this regard to the State Printer, who is hereby requested to consider such recommendations in the operation of the Legislative Bill Room.

CHAPTER 24

Assembly Concurrent Resolution No. 16—Relative to the contributions of partial-pay tuberculosis patients to counties from July, 1947, to and including May 16, 1958, and the subsidies during that period.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, In the action of County of L.A. vs. State Department of Public Health, 158 Cal. App. (2d) 425, judgment was rendered in favor of Los Angeles County, effective May 16, 1958, by the court declaring void and giving the county relief from a State Department of Public Health regulation, adopted in August, 1946, under the Tuberculosis Subsidy Law; the regulation providing that any amount of money contributed by a tuberculosis patient toward his care in a county hospital must be deducted from the amount of the subsidy provided by the State to the county, and only the balance, if any, of the subsidy paid to the county; and

WHEREAS, The appellate court upheld Los Angeles County's position that subsidy shall be claimed in every case, including partial-pay patients, where the amount of the subsidy plus the amount paid for care does not exceed the cost of care; and the court gave relief to Los Angeles County accordingly from July 1, 1947, until January 1, 1960, when an amendment of Health and Safety Code Section 3300 became effective; and

WHEREAS, The Attorney General in an opinion to the Department of Public Health, dated May 25, 1959, ruled that the aforesaid court case applied only to Los Angeles County and therefore that no other affected county was entitled to any refunds for any period prior to the effective date of the judgment, May 16, 1958; and

WHEREAS, The other affected counties had relied on and complied with the aforesaid Department of Public Health regulation and were guided by the Attorney General's Opinions (7 AGO 224 and 18 AGO 29) which upheld the legality of the regulation that was declared void by the court; and

WHEREAS, In all fairness and justice to these other affected counties, their respective equities arising from the court decision in County of L.A. vs. State Department of Public Health, 158 Cal. App. (2d) 425, should be considered by this Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Public Health is hereby authorized and directed to determine, for the period from July 1, 1947, to May 16, 1958, the respective monetary equities of the counties affected by its regulation which was declared void by the court, together with its recommendations; and to submit a report of its findings to the Legislature at the 1961 Regular Session, within 60 days of the convening thereof; and be it further

Resolved, That the Chief Clerk is directed to transmit a copy of this resolution to the Director of the State Department of Public Health.

CHAPTER 25

Assembly Concurrent Resolution No. 17—Relative to efficiency and economy in state printing.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, The Legislature has undertaken to economize in the cost of its operation as it relates to legislative printing and is currently engaged in a study of this problem through the Joint Committee on Legislative Organization as provided by Assembly Concurrent Resolution No. 141 of the 1959 Regular Session (Res. Ch. 219); and

WHEREAS, The Joint Budget Committee has recommended certain changes in the accounting and cost analysis system of the State Printing Office to improve its efficiency; and

WHEREAS, Such studies as have been made to date indicate that all state printing is interrelated and that legislative printing averages less than one-tenth of the total amount of ten million dollars (\$10,000,000) expended annually for state printing; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Committee on Legislative Organization is hereby directed to continue and expand its study of state printing to include a study and investigation of all facts relating to state printing and the operation of the State Printing Office, and to report to the Legislature thereon not later than the fifth calendar day of the 1961 Regular Session, and to include in its report any recommendations it may have designed to bring about greater economy and efficiency in state printing.

CHAPTER 26

Assembly Concurrent Resolution No. 25—Relative to the preparation and printing of a Summary Digest and Subject List.

[Filed with Secretary of State, March 25, 1960]

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 1960 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 27

Assembly Joint Resolution No. 6—Relative to the Merced County Stream Group flood control project.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, In 1955, the United States Corps of Engineers completed construction as part of the authorized flood control work on the Merced County Stream Group, of dams and reservoirs on Bear, Burns, Owens, and Mariposa Creeks, and diversion channels from Black Rascal Creek to Bear Creek and from Owens Creek to Mariposa Creek; and

WHEREAS, The State of California, acting through the Reclamation Board, has completed the enlargement of the channels downstream from the above dams in conformity with the plans of the Corps of Engineers; and

WHEREAS, While the above completed works provide a substantial degree of protection, the floods during December of 1955 and the Spring of 1958 graphically indicate that there are some inadequacies with respect to capacity and the areas protected by the flood control works; and

WHEREAS, There are no protective works on Fahrens Creek and Canal Creek, which creeks produce flood flows that endanger the Castle Air Force Base installation of the Strategic Air Command; and

WHEREAS, The runoff from Castle Air Force Base into Canal Creek has been continually increasing due to the expansion of runways and building areas, which runoff has increased peak flows in Canal Creek to the detriment of properties both upstream and downstream from the base; and

WHEREAS, In addition, the reaches of Bear, Owens, Miles, and Mariposa Creeks downstream from the westerly boundary of the authorized Merced County Stream Group flood control project are unimproved, thereby leaving the adjacent lands subject to periodic flooding; and

WHEREAS, The rapid economic growth of the City of Merced and the surrounding areas and the proximity of Castle Air Force Base would appear to justify a higher degree and larger area of protection than originally contemplated in connection with the Merced County Stream Group project; and

WHEREAS, In 1958, the Public Works Committee of the House of Representatives authorized a review study of the Merced County Stream Group project by the Corps of Engineers, the total estimated cost of which was \$80,000, of which \$15,000 can be used effectively by the Corps of Engineers during the fiscal year commencing July 1, 1960; 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 the sum of \$15,000 for expenditure by the United States Corps of Engineers during the fiscal year beginning July 1, 1960, to initiate the review study of the Merced County Stream Group flood control project; 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 28

Assembly Joint Resolution No. 7—Relative to the Veterans' Benefits Act of 1957.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, The Veterans' Benefits Act of 1957 does not now provide a presumption that the death of a veteran resulted from disease or injury incurred or aggravated in line of duty while on active duty regardless of the number of years of active duty he may have served; and

WHEREAS, The deaths of most servicemen with 30 years or more active duty can be shown to have been the result of disease or injury incurred or aggravated in line of duty while on active duty; and

WHEREAS, It is often very difficult or impossible to establish the cause of death of servicemen with over 30 years service and there is no adequate procedure to establish such cause of death; and

WHEREAS, Many injustices have arisen due to the death of servicemen who have died after years of service without adequate provision and compensation being made to their families and widows; and

WHEREAS, Adequate protection to widows and families would be to the material benefit of the armed forces of the United States and to the national defense; and

WHEREAS, There are many bills in the Veterans' Affairs Committee of the House of Representatives which would establish a presumption that the deaths of servicemen with over 30 years of active duty service are service-connected; now, therefore, be it

Resolved by the Assembly and Senate of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to amend the Veterans' Benefits Act of 1957 to provide a conclusive presumption of service connection in case of death of servicemen with 30 years active duty service and to extend the benefits which would arise from this amendment to the widows and families of servicemen who would be affected by this amendment but who died prior to its enactment; 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 the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 29

Assembly Joint Resolution No. 9—Relative to urging the enactment of effective and comprehensive federal civil rights legislation.

[Filed with Secretary of State, March 25, 1960]

WHEREAS, The democratic tradition of California is opposed to the suppression of minority groups, as is exemplified not only by the State's opposition to slavery during the early years of its existence, but in the enactment, by its legislative bodies, during subsequent years, of extensive civil rights and anti-discrimination laws directed to effectuating the principles of freedom and equality of the individual; and

WHEREAS, Freedom-loving people in the United States as well as throughout the world are appalled by the repeated denials of the civil rights and indignities imposed upon individuals within minority groups in the United States; and

WHEREAS, The stature and influence of the United States of America on the international plane has in the past, and may in the future, be impaired by the singular intolerant acts of

prejudiced persons, to the detriment of this nation's position as the leading champion of human freedoms; and

WHEREAS, It is the special desire of the people of the State of California to be counted among those espousing the high moral and democratic principles so essential to ultimate actual realization of the goal of equality of all men; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States be and respectfully is urged to enact effective and comprehensive legislation to remove all inequities in the treatment of minority group citizens of this country; 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, and to each Senator and Representative serving in the Congress of the United States.

CHAPTER 30

Senate Concurrent Resolution No. 13—Relative to printing the Proposed Uniform Commercial Code Annotations.

[Filed with Secretary of State, March 25, 1960]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Printer be directed to print 1,000 copies of the California Annotations to the Proposed Uniform Commercial Code, one-half of the costs of such printing to be paid out of the Senate Contingent Fund, and the other half to be paid out of the Assembly Contingent Fund.

CHAPTER 31

Senate Concurrent Resolution No. 11—Relative to commemorating the Centennial of the Pony Riders of the Overland Pony Express of 1860 and 1861.

[Filed with Secretary of State, March 28, 1960]

WHEREAS, The first eastbound express mail of the Overland Pony Express left the headquarters of the Central Overland California and Pikes Peak Express at Merchant and Montgomery Streets in San Francisco at 4 p.m., on April 3, 1860, on ponyback for the river boat "New World" for Sacramento; and

WHEREAS, The river boat "New World" arrived at the Sacramento dock at 2.40 a.m., on April 4, 1860, and at 2.45 a.m. the mail mochila was delivered to the first eastbound Pony Rider William Hamilton at the Alta Telegraph Office on

Second Street, who threw it on his saddled pony and galloped up Jay Street for Placerville; and

WHEREAS, Through a driving rainstorm and with five changes of ponies, Pony Rider William Hamilton passed through Placerville at 6.40 a.m., picked up one express mail letter there and arrived at Sportsmans Hall at 7.45 a.m., about 45 minutes ahead of schedule. Here relay Pony Rider Warren Upson took the mochila and rode for Carson City, Nevada, through Websters, Strawberry Valley, Hope Valley and Woodfords, through a terrific snowstorm above Strawberry; and

WHEREAS, The courage and tenacity of such riders took the Pony Express mail weekly in 10 days from St. Joseph on the Missouri to the Pacific Coast and performed a great service in maintaining communications between the East and California until the transcontinental telegraph lines were connected on October 26, 1861; and

WHEREAS, The California State Division of Beaches and Parks, with the co-operation of many historical organizations, is sponsoring the erection of a series of California Historic Landmark Plaques at each of the 14 Overland Pony Express relay stations in California; and

WHEREAS, Many of these historical organizations plan a series of dedications and unveilings of these plaques on April 2 and 3, 1960, to inaugurate the centennial year of the Overland Pony Express; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature invite the people of the State of California to join in some of the ceremonies of unveiling the plaques on April 2 and 3, 1960, extending from San Francisco through Sacramento, Placerville, Folsom and Meyers to the Nevada line to commemorate the courage, and perseverance of the riders, station tenders, division superintendents and proprietors of the Central Overland Pony Express

CHAPTER 32

Senate Concurrent Resolution No. 3—Relative to small craft harbor loans.

[Filed with Secretary of State, March 28, 1960]

WHEREAS, Pursuant to the authority contained in Chapter 2362, Statutes of 1957, of the Public Resources Code, the Small Craft Harbors Commission, Department of Natural Resources, has received from the Division of Small Craft Harbors a request and supporting information concerning approval of construction loans for certain small craft harbor facilities, both inland and coastal, throughout the State of California; and

WHEREAS, Funds made available to the Division of Small Craft Harbors and authorized for construction loans in con-

nection with projects in the 1959 calendar year have been only partially expended; and

WHEREAS, Eleven million three hundred fifteen thousand dollars (\$11,315,000) remains available for the small craft harbor construction loan program, not including certain fuel tax moneys in the Small Craft Harbor Revolving Fund that may be made available for construction loans if said loans cannot be secured from other sources; and

WHEREAS, The projects concerned have been determined to serve a statewide purpose and are of statewide significance for the benefit of the people of the State of California; and

WHEREAS, The Division of Small Craft Harbors recommends to the Legislature for approval the projects set forth below:

Recommended for 1960		Increase or Decrease over 1959
Blythe -----	\$500,000	
Crescent City -----	250,000	
Dana Point (Federal) -----	1,000,000	
Eagle Lake -----	65,000	
Mono Lake -----	42,000	—\$8,000
Moss Landing -----	500,000	—700,000
Needles -----	167,000	
Oceanside (Federal) -----	1,000,000	
Park Moabi -----	300,000	
Petaluma -----	417,000	New Project
Pittsburg -----	450,000	
Port San Luis (Phase II) (Federal)	1,650,000	New Project
San Francisco -----	1,500,000	—500,000
San Leandro (Phase II) -----	1,100,000	New Project
Santa Barbara -----	700,000	New Project
Santa Cruz (Federal) -----	1,975,000	+325,000
South San Francisco -----	725,000	+425,000
Vallejo -----	1,200,000	+900,000
	\$13,541,000	

(NOTE: Projects designated (federal) are those for which federal appropriations are expected and for which state loans are needed to meet the requirements of local co-operation); and

WHEREAS, The economic feasibility studies, engineering plans, specifications, and cost estimates on some of these projects have not yet been completed; 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 approve the specific appropriations for construction loans hereinbefore presented, subject to revision of individual project amounts by the Small Craft Harbors Com-

mission upon review by the Division of Small Craft Harbors provided, that the total of such individual project amounts shall not exceed thirteen million five hundred forty-one thousand dollars (\$13,541,000); and be it further

Resolved, That the Secretary of the Senate be hereby directed to do and perform all acts necessary to expedite the issuance of required copies of this resolution.

CHAPTER 33

Senate Joint Resolution No. 1—Relating to an animal quarantine station for the Pacific area.

[Filed with Secretary of State March 28, 1960]

WHEREAS, Large numbers of animals and birds from foreign countries are being imported into the United States through Pacific Coast ports; and

WHEREAS, Several infectious and contagious diseases of livestock and birds are prevalent in foreign countries that are not established in the United States and every effort should be made to prevent such infections from coming into this country; and

WHEREAS, Several outbreaks of foreign diseases have occurred among California livestock, and such diseases have been a costly burden for the State's livestock industry and, in some instances, other businesses, and

WHEREAS, There are no adequate federally operated quarantine facilities in the Pacific area for confining and examining animals from foreign countries; and

WHEREAS, The federal government has had, for a long period of time, an animal quarantine station at Clifton, New Jersey, providing services and facilities for holding and observing animals and birds coming into this country through the Port of New York, but there are no comparable facilities on the Pacific Coast although more animals entered California by ocean vessel in 18 months than entered Clifton in the last five years; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That this serious situation be brought to the attention of the Congress and that they be urged to provide, at the earliest opportunity, an animal quarantine station to serve the Pacific area; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Thomas H. Kuchel and the Honorable Clair Engle, United States Senators from California, and to the Members of the House of Representatives from California, and to the members of the Senate Committee on Agriculture and Forestry, to the House Committee on Agriculture, to the Secretary of Agriculture, and to animal disease regulatory officials of the western states.

CHAPTER 34

Assembly Concurrent Resolution No. 15—Relative to merit awards to state employees.

[Filed with Secretary of State, March 28, 1960]

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 M. Liddil, Franchise Tax Board, for a suggestion that results in annual savings of seven thousand eight hundred fifty dollars (\$7,850) by proposing that the Franchise Tax Board consolidate arbitrary assessments when more than one year is involved for the same taxpayer. This has particular application to the Franchise Tax Board's federal comparison project which is handled once each three (3) years; and

WHEREAS, An award of one hundred fifty dollars (\$150), divided equally, has already been made to Jean N. Matsuura and Helena F. Iverson, Department of Motor Vehicles, for a suggestion that effects annual savings of ten thousand eight hundred ninety-six dollars (\$10,896), by recommending the combination of the field office transmittal report and central office clearance report into one form. This eliminates five thousand seven hundred fifty-two (5,752) man-hours per year and the cost of printing one hundred thousand (100,000) forms no longer necessary; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Marjorie G. Bowman, Department of Motor Vehicles, for a suggestion that results in annual savings of four thousand six hundred sixteen dollars (\$4,616) through recommending a change in the printing and processing of D-15 work order, simplifying the work in the automation unit and the balancing operation for clearances; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made, divided between David Kaprelian, Ralph Waits, Malcolm Wilson, and Melvin Forbes, Division of Highways, for a suggestion that results in annual savings of seven thousand one hundred dollars (\$7,100) through the construction of a machine which used the ditto process for coloring highway maps instead of coloring them by hand; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Pippo M. Scandurra, Division of Highways, for a suggestion that effects annual savings of ten thousand dollars (\$10,000) by recommending the use of (Contak) film on tracings, cloth, and/or paper. This eliminates the necessity of hand-coloring prints showing parcels of property to be identified and enables these different parcels to be identified by different symbols; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to May Lee, Department of Finance, for suggesting that electric meters in certain rented buildings be rewired into one meter thus effecting a reduction of the rate for energy charge and the demand charge. These annual savings are computed at two thousand ninety-one dollars (\$2,091) over the period of the leases on the buildings involved; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Jessie Jerke and John G. Chun, divided equally, Department of Employment, for a work improvement proposal that results in annual savings of eleven thousand two hundred ninety dollars (\$11,290) by recommending that unemployment benefit certificates involving standard payments be gangpunched instead of key punched. This procedure effects a reduction in key punch operator time as approximately only fifteen percent (15%) of these paid benefit certificates require key punching; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Louise W. Swearingen, Ruth Romesburg, Evelyn Pantle, Joyce Horyza, Margaret DeBree and Betty Carr, Department of Employment. This award was divided equally. The employees' proposal recommended shortening the work and time taken in entry of liens in the lien register and effects annual savings of six thousand dollars (\$6,000); and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Glen E. Wilcox, Franchise Tax Board, for a suggestion that results in annual savings of three thousand seven hundred twenty dollars (\$3,720) for recommending that the notice of personal income tax proposed to be assessed, show the amount of interest due on the additional tax instead of requiring the taxpayer to compute the additional tax due; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Marvin E. Couey, Department of Employment, for a suggestion that results in annual savings of four thousand eight hundred sixty-three dollars (\$4,863) by recommending the department discontinue the payment of return postage on completed and returned notice of disability claim filed; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Clara Frischling, Department of Employment, for a suggestion that results in savings of five thousand three hundred fifty-seven dollars (\$5,357) by proposing that earnings over six hundred dollars (\$600) reported beyond the three-thousand-dollar (\$3,000) limit for disability insurance purposes in the last quarter of the year be used to establish a valid award rather than completing a form necessary to make a lag period computation; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Marvin J. Bishop, Department of Motor Vehicles, for a suggestion resulting in annual savings of twenty

four thousand fifty-seven dollars (\$24,057) by recommending that miscellaneous transfers be processed with applications for duplicate registration cards; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to R. Bruce Jordan, Department of Mental Hygiene, for suggesting that whole dollar accounting be adopted in the state accounting systems wherever practical. His suggestion had particular application to the Board of Equalization where it has been adopted in their audit procedure effecting annual savings in audit time of sixty-seven thousand eight hundred dollars (\$67,800); and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Jane E. Lovett, Franchise Tax Board, for proposing that Section 13145 of the Government Code be amended to permit personal income tax overpayments of three dollars (\$3) or less to be absorbed rather than the two-dollar (\$2) limit formerly authorized. Senate Bill No. 485 was amended to make the proposal applicable to all tax collecting agencies. In the Franchise Tax Board the annual savings are three thousand forty-eight dollars (\$3,048); and

WHEREAS, The suggestions of these employees have resulted in recurring savings, and increased interest earnings amounting to one hundred sixty-eight thousand six hundred eighty-eight dollars (\$168,688) annually; and

WHEREAS, As a result of these savings it is unnecessary to appropriate additional funds; 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 M. Liddil, two hundred forty-two dollars (\$242);
 Jean N. Matsuura, four hundred sixty-nine dollars (\$469);
 Helena F. Iverson, four hundred sixty-nine dollars (\$469);
 Marjorie G. Bowman, three hundred eleven dollars (\$311);
 David Kaprelian, one hundred eighty-two dollars (\$182);
 Melvin Forbes, twenty-eight dollars (\$28);
 Malcolm Wilson, fifty-six dollars (\$56);
 Ralph Waits, fourteen dollars (\$14);
 Pippo M. Scandurra, eight hundred fifty dollars (\$850);
 May Lee, fifty-nine dollars (\$59);
 John G. Chun, three hundred fifty dollars (\$350);
 Jessie Jerke, three hundred fifty dollars (\$350);
 Louise Swearingen, seventy-five dollars (\$75);
 Ruth Romesburg, seventy-five dollars (\$75);
 Evelyn Pantle, seventy-five dollars (\$75);
 Joyce Horyza, seventy-five dollars (\$75);
 Margaret DeBree, seventy-five dollars (\$75);
 Betty Carr, seventy-five dollars (\$75);
 Glen E. Wilcox, two hundred twenty-two dollars (\$222);
 Marvin E. Couey, three hundred thirty-six dollars (\$336);
 Clara Frischling, one hundred eighteen dollars (\$118);

Marvin J. Bishop, two thousand two hundred fifty-five dollars (\$2,255);

R. Bruce Jordan, three thousand one hundred sixty-five dollars (\$3,165);

Jane E. Lovett, one hundred fifty-four dollars (\$154);
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 35

Assembly Joint Resolution No. 2—Relating to pesticidal residue on agricultural products.

[Filed with Secretary of State March 28, 1960]

WHEREAS, In administration of the provisions of the Agricultural Code relating to permissible amounts of pesticidal spray which may remain on agricultural products as a residue, the Department of Agriculture has the responsibility of determining if produce is legally within federal tolerances; and

WHEREAS, Numerical tolerances have been adopted for many pesticidal chemical sprays including zero tolerances and many additional pesticidal uses have been accepted in the belief that their use imparts no residue on the marketed crop; and

WHEREAS, It is feasible to determine whether or not produce meets a numerical tolerance but no feasible chemical method can show the complete absence of any residue at all which is required to meet a zero tolerance or "no residue" requirement; and

WHEREAS, Agriculture in the State of California affected by these requirements is vital to the health and welfare of the people of the entire Nation as well as the people of this State; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the United States Food and Drug Administration is hereby requested to announce the analytical methods and their sensitivities on which any zero tolerance is based, and on which any "no residue" usage has been officially accepted; and, if further data on pharmacology or analytical methods should cause a re-evaluation by the administration, it is requested to make due announcement regarding the new status of the pesticidal chemical; 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 United States Food and Drug Administration.

CHAPTER 36

Assembly Concurrent Resolution No. 10—Relative to the Redwood Highway.

[Filed with Secretary of State March 28, 1960.]

WHEREAS, It has come to the attention of the Legislature that many motorists from throughout the nation who are traveling U.S. Highway 101 are missing the joy and pleasure of seeing the giant redwood trees along the Redwood Highway in Humboldt County; and

WHEREAS, This condition has apparently arisen due to various highway signs appropriately placed along the new freeway portion of the highway which designate the old portion of U.S. 101, passing through the redwood groves, as the "Alternate Redwood Highway"; and

WHEREAS, This designation is apparently misleading many motorists into believing that the old highway is one to be used in event of emergency, but not for normal scenic travel; and

WHEREAS, Because of this condition many motorists are missing the thrilling sights of the magnificent redwood groves; and

WHEREAS, This beautiful stretch of highway has long been known as the "Avenue of the Giants" and no other name could be more fitting; 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 desire that the old Highway 101 wending its way among the awe-inspiring redwood groves be referred to by highway signs as the "Avenue of the Giants" and not as the "Alternate Redwood Highway"; and be it further

Resolved, That the Division of Highways of the Department of Public Works is hereby requested to change the highway signs as indicated above; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Governor, to the Director of Public Works, to the State Highway Engineer, to the Director of Natural Resources, and to the Chief of the Division of Beaches and Parks.

CHAPTER 37

Assembly Concurrent Resolution No. 22—Relative to the elimination of railway grade crossing accidents.

[Filed with Secretary of State March 28, 1960]

WHEREAS, Section 22452 of the Vehicle Code requires any motor tank truck used in the transportation of flammable

liquids to stop not less than 10 nor more than 50 feet from the nearest rail of the track of a railway before traversing a grade crossing of such railway; and

WHEREAS, That section further requires that while so stopped the driver of such a vehicle shall listen, and look in both directions along the track for any approaching train, and shall cause his vehicle to remain standing while any train is moving toward the crossing and is close enough to constitute an immediate hazard; and

WHEREAS, The horrible collision between a tank truck and the San Francisco Chief of the Santa Fe Railroad on March 1, 1960 in the vicinity of Bakersfield caused deplorable loss of life and shocking consequences; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Commissioner of the California Highway Patrol is requested to investigate this tragedy with particular emphasis upon determining what, if anything, may be done to prevent another such occurrence in the future, and to report his findings to the Legislature; and be it further

Resolved, That, in addition, the commissioner is requested to submit a report to the Legislature relative to the nature and extent of any and all programs of the California Highway Patrol designed to secure the adequate enforcement of Section 22452 of the Vehicle Code; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Commissioner of the California Highway Patrol.

CHAPTER 38

Assembly Concurrent Resolution No. 24—Relative to the Upper Feather River Basin investigation.

[Filed with Secretary of State March 28, 1960.]

WHEREAS, The Department of Water Resources has for the past several years been engaged in conducting an investigation with respect to water resources in the Upper Feather River Basin and more than \$750,000 has been expended for such purpose; and

WHEREAS, While the final report with respect to such investigation was originally scheduled for publication in June, 1958, such final report has not yet been released; and

WHEREAS, Important public controversies exist with respect to the development of water resources in this area and many public policy decisions will be required to be made, both at the state and local levels, in connection with such water development; and

WHEREAS, In order that informed and intelligent decisions may be made with respect to such public policy, it is essential

that the individuals and agencies involved have before them the results of the investigation made by the Department of Water Resources; and

WHEREAS, In the preparation of the report by the Department of Water Resources as to its Upper Feather River Basin investigation, it is essential that the department have before it the comments and recommendations of the Department of Fish and Game with respect to fish and wildlife preservation and enhancement in connection with any proposed water resources development in the Upper Feather River Basin; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Fish and Game be requested to submit forthwith to the Department of Water Resources its comments and recommendations as to the proposed Upper Feather River Basin development, and that the Department of Water Resources be requested to file a progress report on its Upper Feather River Basin investigation on or before April 15, 1960, with the Board of Supervisors of Plumas County and with the California Water Commission; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Director of Fish and Game and the Director of Water Resources.

CHAPTER 39

Senate Concurrent Resolution No. 12—Relative to the Fairs Allocation and Classification Committee.

[Filed with Secretary of State March 29, 1960.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the sum of twenty-eight thousand dollars (\$28,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate and the Contingent Fund of the Assembly for the expenses of the Fairs Allocation and Classification Committee created pursuant to Section 92.7 of the Agricultural Code and its members and for any charges, expenses or claims it may incur under said section, to be paid from said contingent funds equally and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 40

Senate Concurrent Resolution No. 14—Relative to Agua Mansa State Park.

[Filed with Secretary of State, March 29, 1960]

WHEREAS, The Legislature, by the passage of Senate Bill No. 1293 of the 1959 Regular Session, which bill was pocket-vetoed by the Governor, has expressed its intention that a state park, to be known as Agua Mansa State Park, be established in the Santa Ana River Valley in Riverside and San Bernardino Counties; and

WHEREAS, Such state park would fill a definite need for state recreational facilities in the area involved, which area represents one-sixth of the total area in the State, with a population of 1,000,000 inhabitants, and which area has been neglected with respect to state parks or other state recreational facilities; and

WHEREAS, Property necessary in connection with the establishment of such state park can be acquired at a price extremely advantageous to the State, if the necessary preliminary studies in connection with the establishment of the state park are completed at a reasonably early date; and

WHEREAS, Section 5017 of the Public Resources Code provides for investigations, studies, and surveys to be made, and generalized plans to be prepared, by the Division of Beaches and Parks whenever the Legislature directs the division to plan a state beach or park or recreational development; and

WHEREAS, At a meeting recently held at the City of San Bernardino to discuss the proposed establishment of the Agua Mansa State Park, which meeting was attended by state legislators representing the area involved and other appropriate state and local officials, it was agreed that the appropriate action that should be taken to initiate the establishment of such park was the adoption of a concurrent resolution by the Legislature requesting a preliminary study with respect to the proposed establishment of such state park; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Division of Beaches and Parks, Department of Natural Resources, be requested to cause investigations, studies, and surveys to be made, and generalized plans to be prepared, with respect to the proposed establishment of the Agua Mansa State Park in Riverside and San Bernardino Counties, and to report thereon to the Legislature at the 1961 Regular Session, and be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the Chief of the Division of Beaches and Parks, Department of Natural Resources.

CHAPTER 41

Assembly Joint Resolution No. 3—Relative to West Coast shipbuilding.

[Filed with Secretary of State, March 29, 1960]

WHEREAS, A bill, HR 8093, has been introduced in the Congress of the United States to delete subsection (d) of Section 502 of the Merchant Marine Act, 1936 (49 Stat. 1985), which allows a 6 percent differential for bids of West Coast shipyards for the construction of ships to be operated by steamship companies whose home office is located at Pacific Coast ports; and

WHEREAS, Congressman John F. Shelley has introduced HR 9899 to extend the allowance of a 6 percent differential for bids of West Coast shipyards for the construction of all ships regardless of the location of the home port of the steamship company; and

WHEREAS, The retention and expansion of the 6 percent differential is vital for the preservation of the West Coast shipbuilding industry because of the higher construction costs of this area; and

WHEREAS, The security of the United States requires a healthy and vigorous shipbuilding industry on the Pacific Coast as well as on the Atlantic and Gulf Seaboards; and

WHEREAS, Not only California but the other 12 western states including Alaska and Hawaii will be affected by the proposed repeal or extension of the 6 percent differential, since they furnish both raw materials and manpower to the shipbuilding industry on the Pacific Coast; 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 retain and expand the 6 percent differential allowed for bids of West Coast shipyards for the construction of ships by rejecting HR 8093 and supporting the Shelley Bill HR 9899; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California, and the other 12 western states, in the Congress of the United States, and to Jeremy Ets-Hokin, Chairman of the California Governor's Committee for Ship Construction and Repair, Thomas A. Rotell, Executive Secretary of the Pacific Coast Metal Trades District Council, Hugh Gallagher, Chairman of the San Francisco Mayor's Committee for Shipping, Shipbuilding and Ship Repair, and Louis Ets-Hokin, President of the Western Shipbuilding Association.

CHAPTER 42

Assembly Joint Resolution No. 8—Relative to the extension of educational and training benefits to persons entering the armed forces after January 31, 1955.

[Filed with Secretary of State, March 29, 1960]

WHEREAS, The Congress of the United States has recognized the justice, equity, and benefits to the nation arising from giving educational and training benefits to veterans by enacting the Servicemen's Readjustment Act of 1944 (Public Law 346 of the 78th Congress) and the Veterans' Readjustment Act of 1952 (Public Law 550 of the 82d Congress); and

WHEREAS, The benefits under these acts are no longer provided to servicemen who entered the armed forces after January 31, 1955, notwithstanding the fact that the nation has continued its compulsory military service program; and

WHEREAS, The result is that many young men who serve in our country's armed services will lose educational and economic opportunities even though the need for education for the purpose of competing in civilian life continues to be of great importance; and

WHEREAS, Our nation has found it necessary to its security, well-being, and position among nations to increase the educational level, professional competence, and technical skill of its citizens; and

WHEREAS, The increased earning power, increased efficiency in commerce and industry, and increased national product and income directly attributable to the program of educational and training benefits for servicemen results in increased tax revenues of the United States government so that the cost of the program is largely repaid by the increased tax revenues; 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 extend educational and training benefits similar to benefits provided by Public Law 550 of the 82d Congress as amended, to all persons who served, or who may serve, subject to such changes by law or regulation as Congress may deem fit to impose, in the armed forces of the United States during any period in which compulsory military service was or remains in effect, 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 43

Assembly Joint Resolution No. 10—Relative to flood control on the Eel, Mad, and Smith Rivers in the State of California.

[Filed with Secretary of State, March 29, 1960]

WHEREAS, Storms along the north coastal area of California have caused excessive flood runoff in the Eel River 20 times during the past 50 years, three of which floods occurred in the last five years, with the largest on record occurring in 1955; and

WHEREAS, The high water and floods in the lower reaches of the Eel River in December, 1955, February, 1958, and February, 1960, exceeded the river capacity and overflows of the river banks caused erosion, damaged buildings, property, and roads and endangered the welfare and safety of residents of this area; and

WHEREAS, Such damage or destruction due to flood waters will continue to occur at frequent intervals in the future unless remedial measures are taken to alleviate this condition; and

WHEREAS, Preliminary examinations and surveys of Eel and Mad Rivers in Humboldt County were authorized by Section 6 of the 1936 Flood Control Act (Public Law 738, 74th Congress; approved June 22, 1936); and

WHEREAS, A review of reports on Eel River in Mendocino County was authorized by a resolution of the House Committee on Public Works in August, 1939, and a resolution by that committee in June, 1956, provided additional authority for review of reports; and

WHEREAS, It is understood that it will be several years before a basinwide flood control project on the Eel River can be justified under the standard criteria; and

WHEREAS, No date has been established for the initiation of the investigation for a review of an unfavorable report submitted July 22, 1950 authorized by Congress on July 12, 1954 and June 13, 1956; and

WHEREAS, High water and floods in February, 1960, again flooded the lower reaches of the Smith River, overflowing Lake Earl, Lake Talowa, and the agricultural lands, roads, bridges, and buildings in the Smith River Delta; and

WHEREAS, Under the multiple use policy of Congress, this entire area, including 10 miles of beaches, urgently requires the making of this review and of bringing up to date engineering studies for flood control, conservation, shore and beach protection, recreation and wildlife habitat; 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 Corps of Engineers of the United States Army to take all steps necessary to complete its investigations, studies and review of reports in connection with flood

control on the Eel, Mad, and Smith Rivers in Humboldt and Mendocino Counties so that the urgently needed flood control and protection works can be undertaken and completed at the earliest possible time; 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 each Senator and Representative from California in the Congress of the United States, to the Secretary of the Army, and to the Chief of Engineers of the United States Army.

CHAPTER 44

Assembly Joint Resolution No. 11—Relative to agricultural economy.

[Filed with Secretary of State March 29, 1960.]

WHEREAS, The well-being of the agricultural industry of the United States is vital not only to those actively engaged in the farming, ranching, animal production and other segments of the industry but also to the entire nation, for the economic stability of agriculture directly affects all citizens of this country; and

WHEREAS, Many segments of our agricultural industry are presently experiencing ever increasing difficulty in maintaining that stability so essential to a vigorous, growing economy and unless steps are taken to insure such stability this weakness may well threaten the entire economy of our nation; and

WHEREAS, California has for many years found the use of self-help type of stabilization and marketing orders a most effective means to provide such stability with equitable treatment to all persons concerned from the individual producer, the many handlers and processors, the retail seller, to the ultimate consumer, and

WHEREAS, The present Congress has before it measures which will allow such programs to be used to aid the poultry industry, which is in great need for such help, and other legislation which would make available to farm producers generally the use of self-help type of marketing programs and including measures which will aid in the further development of family farms and stabilize their income; 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 favorably consider the enactment of self-help legislation to authorize poultry stabilization and marketing programs and legislation to further family farm development and stabilize such farm income; 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 45

Assembly Joint Resolution No. 13—Relative to the Palace of Fine Arts in San Francisco.

[Filed with Secretary of State March 29, 1960.]

WHEREAS, The people of San Francisco are desirous of restoring the beautiful Palace of Fine Arts built for the Panama Pacific Exposition of 1915; and

WHEREAS, To accomplish this purpose, philanthropist Walter S. Johnson has magnanimously donated the sum of two million dollars; and

WHEREAS, The remaining funds required for undertaking this project have been provided by the State of California and the City of San Francisco; and

WHEREAS, When the site of the palace was deeded to the city for the 1915 exposition, the federal government reserved to itself a right-of-way along Lyon Street; and

WHEREAS, It will be necessary to obtain a release of the right-of-way before San Francisco can deed the land to the State for commencement of the reconstruction; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests the Congress of the United States to approve the release of the right-of-way which it holds at the site of the Palace of Fine Arts in San Francisco; and be it further

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

CHAPTER 46

Assembly Concurrent Resolution No. 21—Relative to the Judicial Council making a study of court personnel.

[Filed with Secretary of State March 29, 1960]

WHEREAS, One impact of the growing population of the State has been the increased amount of litigation in the courts of the State; and

WHEREAS, The increased amount of litigation has brought with it many problems with regard to the number and compensation of court personnel; and

WHEREAS, At each regular session the Legislature is presented with a great many bills relating to the number and compensation of court personnel and in particular municipal court personnel and superior court official reporters; and

WHEREAS, The Legislature does not always have available adequate information upon which to base its decisions with regard to these bills; and

WHEREAS, Salaries and other costs of all municipal court personnel and superior court official reporters are paid fully by the counties without financial assistance from the State; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Judicial Council be requested to make a study of all municipal court personnel and superior court official reporters, including the number of such personnel and reporters in each municipal and superior court, their compensation, their working conditions, and other factors relating to the performance of their official duties, and including in such study a comparison of the compensation and working conditions of such personnel with the compensation and working conditions of other county personnel performing similar duties; and to submit a report to the Legislature, no later than the 10th legislative day of the 1961 Regular Session, summarizing this study together with such changes in the law as it deems necessary with regard to municipal court personnel and superior court official reporters; and be it further

Resolved, That the Judicial Council be requested to make recommendations with regard to legislation relating to municipal court personnel and superior court official reporters pending before the Legislature at the 1961 Regular Session, and to present, at the request of the chairman of any legislative committee to which bills relating to municipal court personnel and superior court reporters have been referred at such session, these recommendations to such committee; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Judicial Council.

CHAPTER 47

Assembly Concurrent Resolution No. 26—Relative to making additional funds available to the Legislative Audit Committee.

[Filed with Secretary of State March 29, 1960]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available to it, the sum of two hundred thousand dollars (\$200,000) or so much thereof as may be necessary, is hereby appropriated from the Contingent Funds of the Senate and Assembly for the payment of any and all 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 equally from said contingent funds and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 48

Assembly Concurrent Resolution No. 31—Relative to the regulation of corporations which manage investment plans involving deeds of trust in California real estate.

[Filed with Secretary of State March 29, 1960]

WHEREAS, The Legislature has learned of the existence of "Secured 10 Percent Investment Plans" backed by second deeds of trust in California real estate; and

WHEREAS, Thousands of investors have invested millions of dollars in these plans, often without adequate disclosure of the risks involved; and

WHEREAS, Large numbers of these investors are believed to be uninformed about the operations of the market in real estate trust deeds and lack sufficient financial resources to protect their investments; and

WHEREAS, Failure of any of these corporations could wipe out the savings of thousands of investors; and

WHEREAS, The historic policy of the State of California has been to regulate all forms of investments and to maintain the closest scrutiny of the operations of investment companies; and

WHEREAS, It is alleged that some of these corporations do not now appear to be subject to any of the regulatory laws administered by the several divisions of the Department of Investment; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby requests the Attorney General to investigate the applicability of the regulatory laws administered by the several divisions of the Department of Investment to corporations advertising "Secured 10 Percent Investment Plans" backed by second deeds of trust in California real estate, and to investigate the operations and alleged real estate manipulations of these corporations, reporting thereon not later than the 10th legislative day to the Legislature at its 1961 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Stanley Mosk, Attorney General of the State of California.

CHAPTER 49

Assembly Concurrent Resolution No. 33—Relative to Invest in America Week.

[Filed with Secretary of State March 29, 1960.]

WHEREAS, The American people through their own efforts have produced an economic system which provides the highest standard of living in the world; and

WHEREAS, Economic growth such as that experienced throughout California is based on the investment of savings which in turn creates opportunities, jobs and higher wages for all; and

WHEREAS, An understanding of the inner relationship of savings and the growth of our economy is fundamental; and

WHEREAS, Invest in America observance provides all of us an opportunity to reaffirm our understanding that every citizen is an investor; and

WHEREAS, The Northern California Invest in America community program has received national recognition three times in the past four years from the Freedoms Foundation at Valley Forge for its "outstanding achievement in bringing about a better understanding of the American Way of Life"; and

WHEREAS, The Invest in America program is supported and encouraged by every segment of our society including business, labor, religious, educational and governmental groups throughout California and the nation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of April 24th through April 30th be designated as Invest in America Week throughout the State of California, and all citizens be encouraged to join in reaffirming their faith in our American way of life.

CHAPTER 50

Assembly Concurrent Resolution No. 35—Relative to augmenting the funds of the Joint Committee on Legislative Reference Library.

[Filed with Secretary of State March 29, 1960.]

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 eighteen thousand dollars (\$18,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Senate and Assembly for the expenses of the Joint Committee on Legislative Reference Library created by Assembly Concurrent Resolution No. 40, 1959 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; provided, that three thousand dollars (\$3,000) of the money made available by this measure may be expended for the purchase of furniture and equipment for the Legislative Reference Library in the State Capitol.

CHAPTER 51

Assembly Concurrent Resolution No. 36—Relative to "Save Your Vision Week."

[Filed with Secretary of State March 29, 1960.]

WHEREAS, Efficient and comfortable vision are key requirements in the acquisition of 80 percent of the knowledge absorbed by our young people on the way to adulthood; and

WHEREAS, There is an ever-increasing emphasis on the need for even more knowledge through education as a vital link in the growth and development of the strength and leadership of our country; and

WHEREAS, Understanding and aiding the health, welfare and development of the youth of the community are the responsibilities of all the citizens of the community; and

WHEREAS, It is fitting for the Legislature to recognize the efforts of the members of the California Optometric Association to encourage a better understanding of the vision requirements of our youth in the minds of adults and young people alike; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature join with the California Optometric Association in dedicating the annual observance of "Save Your Vision Week",

March 27 through April 2, 1960, to the theme Youth Needs Vision and to the education of all citizens to this fact; 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 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.

STATUTES OF CALIFORNIA

FIRST EXTRAORDINARY SESSION

1960

Began Monday, February 1, 1960, and Adjourned

Thursday, April 7, 1960

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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the first day of February 1960, at 2 p.m. of said day for the following purpose and to legislate upon the following subject

1. To consider and act upon legislation relating to the establishment of an emergency fund to meet unforeseen contingencies in connection with holding the VIIIth Winter Olympics at Squaw Valley, California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of February 1960.

(SEAL)

EDMUND G. BROWN
Governor of California
FRANK M. JORDAN
Secretary of State
By WALTER C. STUTLER
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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement by Proclamation dated February 1, 1960, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subject specified in the original Proclamation, to wit:

Item No. 2. To consider and act upon legislation relative to air pollution.

Item No. 3. To consider and act upon legislation relative to public education above the high school level.

Item No. 4. To consider and act upon legislation relative to revising the Rees-Doyle Health and Welfare Program Supervision Act.

Item No. 5. To consider and act upon legislation relating to the conversion of city streets to pedestrian malls.

Item No. 6. To consider and act upon legislation establishing a procedure for the court determination of the constitutionality of acts appropriating money to pay claims against the State.

Item No. 7. To consider and act upon legislation relating to the registration of vehicles, the removal of vehicles from the highways and public property, and the regulation of vehicle parking.

Item No. 8. To consider and act upon legislation relative to the authority of the Board of Governors of The State Bar of California to determine the amount of regular annual membership fees of members of The State Bar of California, and classes thereof, and the classification of such members for the purpose of such regular annual membership fees.

Item No. 9. To consider and act upon legislation relative to contributions for prior service under the Judges' Retirement Law.

Item No. 10. To consider and act upon legislation relative to the functions and duties of members and employees of the California Law Revision Commission.

Item No. 11. To consider and act upon legislation relating to the testing of the juice of fresh grapes.

Item No. 12. To consider and act upon legislation to authorize local hospital districts to expend capital outlay funds for the acquisition or construction of additional patient bed capacity.

Item No. 13. To consider and act upon legislation relating to public library districts

Item No. 14. To consider and act upon legislation relating to powers and duties of county boards of supervisors in the acquisition, construction, operation and maintenance of convention and exhibition halls, trade and industrial centers, auditoriums, opera houses, and music halls and centers

Item No. 15. To consider and act upon legislation appropriating funds in augmentation of Item 278 of the Budget Act of 1959 for the Emergency Fund.

Item No. 16. To consider and act upon legislation to provide for the cancellation or refund of taxes for the fiscal year 1959-1960 on property as to which the church, college, orphanage or welfare exemption was available but inadvertently unclaimed.

Item No. 17. To consider and act upon legislation relative to validating the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 29th day of February, 1960.

(SEAL)

(SIGNED) EDMUND G. BROWN
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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated February 1, 1960, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subject specified in the original Proclamation and other items added thereto on February 29, 1960, to wit:

Item No. 18. To consider and act upon legislation relative to the issuance of bonds to provide capital outlay for construction or improvement of public schools.

Item No. 19. To consider and act upon legislation relative to the election of members of county boards of education.

Item No. 20. 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.

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, 1960.

(SEAL)

(SIGNED) EDMUND G. BROWN
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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated February

1, 1960, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subject specified in the original Proclamation and other items added thereto on February 29, 1960, and March 3, 1960, to wit:

Item No. 21. To consider and act upon legislation to provide funds required by the Department of Employment for the administration of unemployment service, unemployment compensation and extended duration benefits during the Fiscal Year 1959-1960.

Item No. 22. To consider and act upon legislation relative to the distribution of sample ballots and voter information in connection with school district elections.

Item No. 23. To consider and act upon legislation relative to the exercise of the power of eminent domain by the San Francisco Port Authority and the selection and tenure of that agency's port director.

Item No. 24. To consider and act upon legislation relative to official court reporters in the Counties of San Bernardino, San Diego, and Sonoma.

Item No. 25. To consider and act upon legislation relative to constables and marshals in the County of San Bernardino.

Item No. 26. To consider and act upon legislation relative to the establishment of a municipal court in the Walnut Creek Judicial District.

Item No. 27. To consider and act upon legislation to create an Embarcadero Municipal Improvement District in Santa Barbara County

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of March, 1960.

(SIGNED) EDMUND G. BROWN
Governor of California

(SEAL)

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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated February 1, 1960, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subject specified in the original Proclamation and other items added thereto on February 29, 1960, March 3, 1960, and March 10, 1960, to wit:

Item No. 28. To consider and act upon legislation relating to sales of goods at less than cost.

Item No. 29. To consider and act upon legislation relating to the bonding of dealers of vehicles

Item No. 30. To consider and act upon legislation relating to the payment of taxes by incorporated areas in fire protection districts.

Item No. 31. To consider and act upon legislation to require a candidate for partisan office at the direct primary election to obtain his own party's nomination as a condition to obtaining the nomination of the opposing party by means of the write-in process.

Item No. 32. To consider and act upon legislation to increase the compensation of members of the board of supervisors of Tulare County.

Item No. 33. To consider and act upon legislation to create an Esteros Municipal Improvement District in San Mateo County, and Bethel Island Municipal Improvement District in Contra Costa County.

Item No. 34. To consider and act upon legislation to permit the exchange of state property located in the Rio Del Mar section of Seacliff State Park for property owned by the City of Capitola and located at the corners of Esplanade and Monterey Streets in that city.

Item No. 35. To consider and act upon legislation relating to the acquisition by the State of Federal lands in Riverside and San Bernardino Counties and the use and management thereof.

Item No. 36. To consider and act upon legislation to amend Chapter 390 of the Statutes of 1909 and Chapter 654 of the Statutes of 1911 relating to lands granted to the City of Oakland.

Item No. 37. To consider and act upon legislation to grant certain submerged lands of the State to the San Mateo County Harbor District.

Item No. 38. To consider and act upon legislation relative to the use of tide and submerged lands in Morro Bay granted to the County of San Luis Obispo.

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 March, 1960.

(SIGNED) EDMUND G. BROWN
Governor of California

(SEAL)

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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated February 1, 1960, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subject specified in the original Proclamation and other items added thereto on February 29, 1960, March 3, 1960, March 10, 1960, and March 17, 1960, to wit:

Item No. 39. To consider and act upon legislation relating to eligibility to engage in the business of, and bonding of real property loan brokers and relative to application of the Real Estate Law to persons who for compensation or in expectation thereof assist or offer to assist others in filing applications for purchase or lease of, or in locating or entering upon, lands owned by the State or Federal Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of March, 1960.

(SIGNED) EDMUND G. BROWN
Governor of California

(SEAL)

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 February 1, 1960; 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, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated February 1, 1960, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subject specified in the original Proclamation and other items added thereto on February 29, 1960, March 3, 1960, March 10, 1960, March 17, 1960, and March 23, 1960, to wit:

Item No. 40. To consider and act upon legislation relative to benefits payable upon the death of Members of the Legislature

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixth day of April, 1960.

(SIGNED) EDMUND G. BROWN
Governor of California

(SEAL)

ATTEST: FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1960 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

An act to augment the emergency fund created by Item 278 of the Budget Act of 1959, relating to the holding of the VIII Winter Olympic Games in California, making an appropriation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 11, 1960 Filed with
Secretary of State February 15, 1960.]

In effect
immediately

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

SECTION 1. The Legislature finds that the California Olympic Commission, created by Chapter 124 of the Statutes of 1955 to stage the VIII Winter Olympic Games in 1960, has entered into contracts for that purpose with a nonprofit California corporation known as "Organizing Committee, VIII Olympic Winter Games, Squaw Valley, California, U.S.A., 1960, Incorporated." These contracts obligate the corporation to perform the services necessary to stage the games and require the commission to make periodic payments to the corporation to compensate it for its services. The contracts include a so-called "Master Agreement" dated June 20, 1957 and various modifications and addenda thereto, the most recent being "Addendum No. 8" dated January 16, 1960.

The Legislature finds, further, that the 1960 Addendum No. 8 contemplates, during the six months period commencing January 1, 1960, and ending June 30, 1960, budgeted expenditures in the amount of five hundred fifty-seven thousand one hundred nine dollars (\$557,109) by the commission itself, and, in addition, budgeted expenditures by the corporation for which the commission will compensate it in the amount of two million two hundred fifty-four thousand eight hundred fifty dollars (\$2,254,850). Said addendum recites that the entire payment to the corporation for its services during this period is expected to be made available from ticket revenues and revenues from other sources. Most of the revenues of the corporation, under the contracts, are paid over to the commission and are available to meet its obligations and the addendum provides that the commission has no liability to pay for the corporation's services in excess of the amount of such revenues. The 1960 Addendum No. 8 also provides that the commission is not required to compensate the corporation for

any of the expenses of staging the games which the commission pays for directly or obligates itself to pay for directly during this period.

It is the intention of the Legislature, in enacting this statute, to provide a contingency fund which will enable the commission to meet its obligations to the corporation under the agreements referred to and which will permit the staging of the VIII Winter Olympic Games within, but not exceeding, the budgeted expenditures contemplated for the commission and for the corporation in said 1960 Addendum No. 8.

Appropriation

SEC. 2. There is hereby appropriated, in augmentation of the emergency fund created by Item 278 of the Budget Act of 1959, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary; provided that the funds thus appropriated shall be available solely for the purpose of meeting contingencies for which an insufficient appropriation has been made in connection with staging the 1960 Winter Olympic Games, and that such funds shall be expended only on written authorization of the Department of Finance. The funds appropriated by this act shall be available to, and including, June 30, 1960 but shall not be available thereafter.

Expenditure of funds

SEC. 3. Expenditure of the funds appropriated by this act shall be authorized by the Department of Finance only to the extent that the commission is required to pay to the corporation a maximum of two million two hundred fifty-four thousand eight hundred fifty dollars (\$2,254,850) for the performance of Olympic Games services for the six-months period commencing January 1, 1960; except that this maximum shall be reduced by (a) the amount of any new construction the commission shall become, or shall have heretofore become, obligated for at the request of the corporation, and (b) by the amount of any direct expenses of the corporation paid for by the commission, and (c) by the amount of any other moneys which are received by the corporation during the six-months period commencing January 1, 1960, which are not transmitted to the commission. Any revenues which are now or hereafter become available to the commission during the six-months period commencing January 1, 1960, which are in the judgment of the Director of Finance in excess of total expenditure requirements of the commission as presently budgeted, shall be used as payments required under the contract between the corporation and the commission covering the six-months period following January 1, 1960, and the amounts authorized for expenditure by the Department of Finance pursuant to this act shall be reduced in a corresponding amount.

All records and accounts of the revenues and expenditures of the commission and the corporation shall be made available upon the request of the Director of Finance, the Legislative Analyst or the Auditor General. The Director of Finance and the Auditor General shall make an immediate audit of all the receipts and expenditures of the commission and the corpora-

tion and shall report thereon to the Legislature on February 29, 1960.

No authorization for the expenditure of funds as provided herein shall be made by the Director of Finance until a contract has been made between the commission and the corporation which includes the conditions specified in this act.

SEC. 4. Every official action taken by the commission or on its behalf which authorizes or otherwise involves, or will result in, the expenditure of money, shall be subject to the approval of the Department of Finance. Approval by
Department
of Finance

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

The staging of the VIII Olympic Winter Games in California, which has focused national and international attention on California's recreational opportunities, will provide lasting benefits to the people of this State. While the financing of the games has been managed so that anticipated revenues, together with prior appropriations, should be sufficient to meet all obligations, there is not a sufficient existing reserve to meet the immediate obligations which must be incurred during the games in February, 1960 if, because of inclement weather or because of the unrestricted television coverage of the events, attendance estimates are not met. Furthermore, a portion of earned revenues will not be collected for some time following the staging of the games. These facts threaten to impair the staging of the games and reflect adversely on California's reputation as the host State. Therefore it is necessary that this act take effect immediately.

CHAPTER 2

An act to amend Section 25351.3 of the Government Code, relating to powers and duties of boards of supervisors.

[Approved by Governor March 31, 1960. Filed with
Secretary of State March 31, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 25351.3 of the Government Code is amended to read:

25351.3. In addition to its other powers and duties the board may :

(a) Acquire land for and construct, lease, sublease, build, furnish, refurbish or repair buildings for convention and exhibition halls, trade and industrial centers, auditoriums, opera houses, music halls and centers, and related facilities as places

of public assembly for the use, benefit and enjoyment of the public, including off-street parking places for motor vehicles, ways of ingress and egress and such other facilities and improvements as are necessary or convenient for their use.

(b) Acquire land and construct such buildings, structures and facilities thereon in whole or in part, with county funds or it may, by contract or lease with any nonprofit association or corporation, provide for the acquisition of land or the construction of such buildings, structures and facilities, or all or any part thereof, for such public purposes, upon such terms as the board may determine.

(c) Lease, pursuant to Section 25371 of this code, any real property owned by the county and available for such public purposes to any person, firm, corporation or nonprofit association or corporation for such purposes, or any thereof, such person, firm, corporation or nonprofit association or corporation to lease the real property as improved back to the county for use for the purposes stated in the lease. Any lease authorized by the board under this subdivision (c) shall be awarded to the lowest responsible bidder after public competitive bidding conducted in the manner determined by the board. Notice inviting bids shall be published pursuant to Section 6066 of this code in such newspaper as the board may direct.

(d) Enter into a lease or sublease, without advertising for bids therefor, of such buildings, structures and facilities or any thereof with any nonprofit association or corporation which agrees to use the buildings, structures and facilities so leased to it for the public purposes for which the same were or are to be built; or contract, without advertising for bids therefor, with any nonprofit association or corporation for the maintenance, operation and management, or any thereof, of such buildings, structures and facilities or any part thereof, including the scheduling and promotion of events therein, for a specified term, not to exceed forty (40) years, upon such terms and conditions as may be agreed upon. Such leases, subleases or contracts shall provide that at least annually there shall be paid to the county the net revenue, if any, from the operation and use of the facilities, remaining after the payment of expenses and costs, if any, for maintenance, operation or management, interest and principal payments upon loans to the nonprofit corporation or association for purposes of maintenance, operation or management, and any other expenses, and after providing maintenance and operation reserves. Such lease, sublease, or contract shall also provide that upon its expiration, all of the assets of the nonprofit association or corporation after payment or discharge of its indebtedness and liabilities shall be transferred to the county.

(e) If the county has a population in excess of 4,000,000, without advertising for bids therefor, grant any real property

owned by the county, or lease, for a term not to exceed ninety-nine (99) years, any real property owned by the county, to any city, district or other public corporation for any of the above public uses, without consideration except the agreement of grantee or lessee to use said real property for the public uses specified, and upon such terms and conditions as may be agreed upon by the board and the grantee or lessee.

CHAPTER 3

An act to amend Section 602 of, and to add Section 615 to, the Education Code, relating to the selection of members of county boards of education, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 31, 1960. Filed with
Secretary of State March 31, 1960]

In effect
immediately

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

SECTION 1. Section 602 of the Education Code is amended to read:

602. Upon request of the county board of education, the county committee on school district organization by a two-thirds vote of the members, may change the boundaries of any or all of the trustee areas of the county. The trustee areas shall be as nearly equal in population as may be, except that in establishing the boundaries of the trustee areas the county committee may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the trustee areas. Changes in boundaries shall be made in writing and filed with the county board of supervisors not later than the first day of March of any school year.

Trustee
area
boundary
changes

In those counties in which the election of members of county boards of education are required to be held on the same date as prescribed for the election of members of governing boards of school districts, as provided in Section 605, the county committees on school district organization shall fix the boundaries of trustee areas, insofar as possible, to coincide with the boundaries of school districts.

SEC. 2. Section 615 is added to said code, to read:

615. In those counties in which the election of members of county boards of education are required to be held on the same date as prescribed for the election of members of governing boards of school districts, as provided in Section 605, the offices of those members of the county board of education whose terms have been fixed to expire in the years 1960 and 1962, respectively, shall become vacant upon the expiration of

Expiration of
term of
office:
Vacancies

those terms. The vacancies arising shall be filled by the majority of the remaining members of the board, and the appointees shall hold office only until the first day of the month following the election of their successors.

Election of successors

The successors of persons appointed pursuant to this section to fill vacancies in terms expiring in the year 1960 shall be elected at the same time as members of governing boards of school districts are elected in the year 1961, and the successors of persons appointed pursuant to this section to fill vacancies in terms expiring in the year 1962 shall be elected at the same time as members of governing boards of school districts are elected in the year 1963.

Length of term of office

Persons elected to a county board of education in the years 1961 and 1963 in those counties to which this section relates, and the successors to those persons, shall hold office for four years and until their successors are qualified.

Urgency

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

The Legislature, in 1959, enacted legislation to require that the election of members of governing boards of school districts be held in odd-numbered years, rather than annually. This legislation, due to an oversight on the part of the Legislature, did not make provision for the election of members of county boards of education in those counties in which the time of electing such members is based on annual school district elections. As a result, it is now uncertain as to when to elect successors to members whose terms have been fixed to expire in 1960, an even-numbered year, and unless legislation is enacted immediately the election of those successors will take place at the forthcoming direct primary election. This will involve procedural difficulties of a serious nature, since the trustee areas from which county board members are elected do not coincide with county precinct lines, making it virtually impossible to consolidate the elections. In order to avoid the necessity of holding the election of county board members at the direct primary election, and to co-ordinate county board elections with school district elections, as the Legislature has always intended, it is essential that this act go into immediate effect.

CHAPTER 4

An act making an appropriation for the payment of the expenses of the Senate and Members of the Senate necessarily incurred by them while attending the 1960 First Extraordinary Session of the Legislature, to take effect immediately.

[Approved by Governor April 1, 1960 Filed with
Secretary of State April 1, 1960]

In effect
Immediately

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

SECTION 1. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of the Senate, including expenses of Members of the Senate necessarily incurred by them while attending the 1960 First Extraordinary Session of the Legislature.

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

Current
expenses

CHAPTER 5

An act making an appropriation for the payment of the expenses of the Assembly and Members of the Assembly necessarily incurred by them while attending the 1960 First Extraordinary Session of the Legislature, to take effect immediately.

[Approved by Governor April 1, 1960. Filed with
Secretary of State April 1, 1960]

In effect
Immediately

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

SECTION 1. The sum of fifty thousand dollars (\$50,000) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of the Assembly, including expenses of Members of the Assembly necessarily incurred by them while attending the 1960 First Extraordinary Session of the Legislature.

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

Current
expenses

CHAPTER 6

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.

In effect
immediately

[Approved by Governor April 7, 1960. Filed with
Secretary of State April 7, 1960.]

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

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

“Public
body”

(a) The term “public body” means counties, cities and counties, cities, 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

California water 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 agencies

County water authorities

County water districts

County waterworks districts

Drainage districts

Fire protection districts

Flood control and water conservation 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

Housing authorities

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
Rapid transit districts
Reclamation districts
Recreational harbor districts
Recreation and park 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
Urban renewal agencies
Vehicle parking districts
Veterans' memorial districts
Water authorities
Water conservation districts
Water districts
Water storage districts
Weed abatement districts

Zones of flood control districts

Zones of flood control and water conservation 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.

"Bonds"

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

Existing public bodies validation

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

Boundaries

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

Validation of acts and proceedings Annexations and inclusions

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.

Bonds

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

All bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body.

Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

SEC. 6. (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.

Limitation
of actions
based on
former
laws

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.

Filing of
maps and
plats

- Definitions** 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.
- Short title** SEC. 10. This act may be cited as the First Validating Act of 1960.
- Urgency** SEC. 11. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:
- The peace, health and safety of the citizens of the State require the orderly and unhampered functioning of public bodies and such functioning depends upon the validity of the organization, boundaries, and governing officers or boards of public bodies, and upon the validity of acts, proceedings, and bonds of public bodies, and it is therefore imperative and essential that such matters be validated so that during the period before this act would otherwise become effective:
- (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 7

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.

[Approved by Governor April 7, 1960. Filed with Secretary of State April 7, 1960.]

In effect July 7, 1960

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
- California water 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 agencies
- County water authorities
- County water districts
- County waterworks districts
- Drainage districts
- Fire protection districts
- Flood control and water conservation 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
- Housing authorities
- Irrigation district distribution districts
- Irrigation district improvement districts

"Public body"

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
Rapid transit districts
Reclamation districts
Recreational harbor districts
Recreation and park 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
Urban renewal agencies
Unified air pollution control districts
Vehicle parking districts
Veterans' memorial districts
Water authorities
Water conservation districts
Water districts
Water storage districts
Weed abatement districts

Zones of flood control districts

Zones of flood control and water conservation 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. "Bonds"

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. Existing public bodies - Validation

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. Boundaries

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. Annexations

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. Bonds

All bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds,

if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

SEC. 6. (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.

Limitation of
actions based
on former
laws

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. Definitions

SEC. 10. This act may be cited as the Second Validating Act of 1960. Short title

CHAPTER 8

An act to add Section 2621.5 to the Elections Code, relating to the nomination of candidates at the direct primary election, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 8, 1960. Filed with
Secretary of State April 8, 1960]

In effect
immediately

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

SECTION 1. Section 2621.5 is added to the Elections Code, to read:

2621.5. In the event that only one candidate has declared or accepted a candidacy for a partisan nomination at the direct primary election for all parties qualified to participate at that election, and that candidate dies after the last day prescribed for the delivery of nomination papers to the county clerk, as provided in Section 2621, and not less than 60 days before the election, any person qualified under the provisions of Section 2501 may circulate and deliver nomination papers for the office to the county clerk up to 5 o'clock p.m. on the 50th day prior to the election. In such case, the county clerk shall, immediately after receipt of such nomination papers, certify and transmit them to the Secretary of State in the manner specified in this article.

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

Due to the recent passing of Assemblywoman Dorothy Donahoe following the closing date for filing nomination papers, no candidate's name will appear on the direct primary ballot of either qualified party for the office of which she was the incumbent. Unless steps are immediately taken to permit the filing of nomination papers for the office, the voters of the district involved will be deprived of an opportunity to choose a candidate for the office, except by means of the writen process. To avoid this result, and to permit the direct primary election to operate in the effective manner intended by law, it is essential that this act go into immediate effect.

CHAPTER 9

An act to add Section 32127.1 to, and to amend Section 32221 of, 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 8, 1960. Filed with
Secretary of State April 8, 1960.]

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

SECTION 1. Section 32221 of the Health and Safety Code is amended to read:

Capital
outlay
fund

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.

SEC. 2. Section 32127 1 is added to said code, to read:

Acquisition
of additional
patient beds

32127.1. Notwithstanding any other provision of law, the board of directors of any district which is licensed to have 85 beds and located within a county of 2,000,000 or more population, as determined by the 1950 census, may, without establishing a fund for capital outlays and without the approval of the district electors, use all or any portion of the funds of the district which are derived from tax levies accumulated, assessed, or received during the two-year period immediately following the effective date of this section, and all or any funds in the possession of, or held by, the district on the effective date of this section which were derived from previous tax levies, for the 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.

Urgency

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Unprecedented demands for hospital services are being made upon the hospitals of local hospital districts licensed to have 85 beds and located in a county of 2,000,000 or more population. These demands are the result of the tremendous increase which has taken place in the population of such districts. To enable the hospitals adequately to meet these demands, it is imperative that immediate action be taken to permit the districts which maintain the hospitals to expend tax revenues for the acquisition or construction of additional patient bed capacity for the hospitals. It is, therefore, necessary that this act take effect immediately.

CHAPTER 10

An act making an appropriation for the administration of employment service, and unemployment compensation and extended duration benefits by the Department of Employment, State of California, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 8, 1960 Filed with
Secretary of State April 8, 1960]

In effect
immediately

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

SECTION 1. The sum of one million two hundred thousand dollars (\$1,200,000), or so much thereof as may be necessary, is hereby appropriated for the administration of employment service, and unemployment compensation and extended duration benefits by the Department of Employment, State of California, for the 1959-1960 fiscal year beginning July 1, 1959 and ending June 30, 1960, payable from moneys credited to this State's account in the Unemployment Trust Fund and made available to this State under Section 903 of the Social Security Act, as amended, provided that:

(a) The money appropriated by this act is requisitioned from the Unemployment Trust Fund pursuant to Section 1528.5 of the Unemployment Insurance Code.

(b) No part of the money appropriated by this act may be obligated after June 30, 1960.

(c) The total amount obligated pursuant to this act and Item 417 5 of Section 2.3 of the Budget Act of 1959 during the fiscal year 1959-1960 shall not exceed the amount by which

(1) The aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during such fiscal year and the four preceding fiscal years exceeds

(2) The aggregate of the amounts obligated for administration and paid out for benefits and charged against

the amounts credited to the account of this State during such five fiscal years.

Urgency

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

Because the federal government has drastically reduced the amounts available for the use and support of the Department of Employment of the State of California for the fiscal year 1959-1960, the Department of Employment will be compelled to drastically reduce the service it provides to workers and employers in administering the unemployment insurance and employment service programs required by the Unemployment Insurance Code, unless funds are provided to sustain these services. Such a reduction would seriously hamper the administration of these unemployment insurance and employment service programs, compelling a drastic restriction or complete abandonment of many vital services including those now provided to veterans, youths, handicapped workers, apprentices, and persons encountering difficulty in securing employment because of their age. Such a reduction provides no funds for the administrative costs for the payment of extended duration benefits to individuals in the event that the second calendar quarter of 1960 is declared an extended duration quarter and individuals who have exhausted their normal unemployment insurance benefits thereby become entitled to receive extended duration benefits provided by Part 3 of the Unemployment Insurance Code. The appropriation made by this act permits the continuance of existing services and programs of the Department of Employment which must otherwise be drastically curtailed due to inadequate funds. It is therefore necessary that this act go into immediate effect.

CHAPTER 11

An act to amend Section 14480 of, and to add Section 14481.1 to, the Health and Safety Code, relating to taxes in fire protection districts, and declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor April 8, 1960 Filed with
Secretary of State April 8, 1960]

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

SECTION 1. Section 14480 of the Health and Safety Code is amended to read:

Annual tax

14480. The board shall levy a tax each year upon all taxable property, real, personal or mixed in each district sufficient to defray the cost of maintenance and to meet such

other expenditures as are authorized, provided that the amount of the taxes to be collected from the levy made upon property located within the incorporated area of a city may be paid in whole or in part by the city, if the city elects to make such payment as provided in Section 14481.1.

SEC. 2. Section 14481.1 is added to said code, to read:

14481.1. On or before the first day of July in any year the governing body of any city, the area of which is located entirely within a county fire protection district, may elect to pay out of municipal funds the whole or a stated percentage of the amount of taxes which will be levied for district purposes for the fiscal year commencing upon said first day of July upon property located within such city.

Election to
pay tax
out of
municipal
funds

The election shall be made by the adoption of an order reciting that the city, pursuant to this section, elects to pay the whole or a stated percentage of the amount of taxes which will be levied by the district upon property located within the incorporated limits of the city and stating the time and manner in which payment shall be made.

Upon the adoption of the order a certified copy of same shall be presented to the governing body of the district for its approval. If the governing board of the district is satisfied that the financial condition of the city reasonably will assure such payment and if the time and manner of payment is acceptable, the board shall by order approve the city's election to pay the taxes. Immediately upon the adoption of the order approving the city's election to pay the taxes, certified copies of both orders shall be filed with the county auditor, county assessor and county tax collector.

Thereafter, if the whole of the taxes which are levied on property within the city is to be paid by the city, the county auditor shall not extend the district tax on such property, or if only a percentage of the tax which is levied on such property is to be paid by the city the auditor shall only extend the balance of the district tax on such property.

If the payment made by any city shall exceed the total amount of district taxes which have been levied against property within the city, the amount of such excess without interest shall be refunded to the city prior to the close of the fiscal year for which the payment was made.

Any election to pay taxes pursuant to this section shall be effective only for the fiscal year for which made.

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

Taxes levied by fire districts upon property located within an incorporated area of a city are presently paid by individual taxpayers. The act would permit such a city to elect to pay such taxes for its resident taxpayers so as to insure the district of sufficient revenue to operate efficiently and thus guarantee

adequate fire protection services in the area. To insure such efficient operation during the fiscal year beginning in 1960 it is necessary that the act be effective immediately, so that a city may have an opportunity to make the election to pay such taxes on or before July 1, 1960.

CHAPTER 12

An act calling a special election to be consolidated with the Direct Primary Election of 1960 and to provide for the submission to the electors of the State at such consolidated election constitutional amendments adopted by the Legislature at the 1960 First Extraordinary Session, to take effect immediately.

In effect
immediately

[Approved by Governor April 9, 1960. Filed with
Secretary of State April 9, 1960.]

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

Special
election
consolidated
with primary
election

SECTION 1. A special election is hereby called to be held throughout the State on the seventh day of June, 1960. The special election shall be consolidated with the direct primary election to be held on that date. The 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. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measures submitted pursuant to this act. A separate ballot pamphlet shall be prepared, compiled, and distributed relating to such measures. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 1515 of the Elections Code.

SEC. 2. At the special election called by this act there shall be submitted to the electors Assembly Constitutional Amendment No. 4, Senate Constitutional Amendment No. 2, and Assembly Constitutional Amendment No. 6, all of the 1960 First Extraordinary Session.

SEC. 3. Upon the effective date of this act, the author of each measure submitted pursuant to this act and two members of the other house who voted with the majority on each such measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measures. If any such measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument

against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this act takes effect.

SEC. 4. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act.

SEC. 5. Upon the effective date of this act the Secretary of State shall request the Attorney General to prepare a ballot title for each measure and shall also request the Legislative Counsel to prepare an analysis of each measure in accordance with Section 1509.7 of the Elections Code. The title and analysis shall be filed with the Secretary of State within five 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 titles.

SEC. 6. This act, inasmuch as it provides for the calling ^{Calling} of an election, shall, under the provisions of Section 1 of ^{election} Article IV of the Constitution, take effect immediately.

CHAPTER 13

An act to amend Section 6140 of the Business and Professions Code, relating to State Bar membership fees.

[Approved by Governor April 11, 1960. Filed with
Secretary of State April 12, 1960.]

In effect
July 7,
1960

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 thirty-five dollars (\$35), except that for the years commencing January 1, 1959 and ending December 31, 1968 the board may increase the annual membership fee so fixed by an additional amount not exceeding five dollars (\$5) in any or all of said years, said additional amount in any 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.

Notwithstanding the foregoing provisions of this section, the annual membership fee, including any additional amount, for active members who have been admitted to the practice of law in this State for less than five (5) years preceding the February 1st of the year for which the fee is payable shall not exceed twenty-five dollars (\$25).

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 14

An act to amend Section 71604.1 of the Government Code, relating to constables and marshals.

[Approved by Governor April 11, 1960. Filed with
Secretary of State April 12, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 71604.1 of the Government Code is amended to read:

71604.1. In counties containing a population of 280,000 and under 285,000 as ascertained and determined by the 1950 federal census, there shall be a division of constabulary which shall include all constables and deputy constables and marshals and deputy marshals of such county and shall be headed by a chief constable. The chief constable shall be appointed by the board of supervisors and he shall appoint the constables and deputy constables and marshals and deputy marshals. All such appointments shall be made in conformity with the procedures of the civil service ordinances of such county, if any. Persons presently holding the office of constable or deputy constable or the office of marshal or deputy marshal shall continue to hold such office in the judicial district in which they now hold office until discharged, reduced, promoted or suspended in accordance with the procedures of the civil service ordinances of such county, and persons presently holding the office of constable or marshal shall not be compulsorily retired by reason of age prior to the greatest age at which they would have been compulsorily retired by reason of age had they continued to hold elective office.

No constable or marshal whose office is an elective office shall be included in the division of constabulary, and this section shall not apply to such constable or marshal, unless at an election held in the judicial district of which he is constable or

marshal a majority of the district electors voting on a proposition to make the office appointive under civil service pursuant to this section vote in favor of such proposition. If at any election in which a majority of the electors vote to make the office of constable or marshal appointive and subject to this section, the electors also elect a new constable or marshal, such newly elected constable or marshal shall be subject to this section. Such election shall be called by the board of supervisors as soon as practicable after the presentation to the board of supervisors of a petition signed by at least 5 percent of the electors of the judicial district requesting the submission of the proposition to the district electors. Such election shall be called, held, and conducted in the same manner as the elections in the judicial district for the election of the judge or constable or marshal of the district.

CHAPTER 15

An act to add Sections 1.75, 1.80, and 1.85 to Chapter 390 of the Statutes of 1909, relating to the use of the lands granted to the City of Oakland by said act for public multipurpose recreation.

[Approved by Governor April 11, 1960. Filed with Secretary of State April 12, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 1.75 is added to Chapter 390 of the Statutes of 1909, to read:

Sec. 1.75. The City of Oakland, acting by and through its city council and board of port commissioners as their interests may appear, may use or permit to be used for the acquisition, construction, maintenance, operation, improvement and development of public multipurpose recreation centers, stadiums for football, baseball, basketball and all other sports, together with facilities for public recreation, public assembly and meeting places, parking facilities and all other facilities for public recreation and the public exhibition of events, fairs and other public activities, any or all of the lands, salt marsh and tidelands described and granted to the City of Oakland by Chapter 390 of the Statutes of 1909.

Use of lands
for public
multipurpose
recreation

SEC. 2. Section 1.80 is added to said act, to read:

Sec. 1.80. If the lands, or any part thereof, granted to the city by this act are not used for the additional purposes authorized by Section 1.75 within ten years from the effective date of the act adding this section, or if such use is discontinued thereafter, the authorization to use said lands for said additional purposes shall automatically terminate and lapse.

Lapse of
authoriza-
tion

SEC. 3. Section 1.85 is added to said act, to read:

Sec. 1.85. (a) The lands granted to the city by this act shall be held by the city in trust for the purposes of navigation, commerce, and fishery.

Lands held
in trust

(b) Said lands shall be improved by the city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or any water or aircraft or railroad owned or operated by the State of California.

(c) In the management, conduct, or operation of said harbor or any of the utilities, structures, appliances, or facilities constructed thereon, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California, the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said lands, 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 said lands.

(f) The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the office of the Recorder of Alameda County, the area of state lands described in this act. Said city shall enter into a contract with the State Lands Commission for the surveying, monumenting, and platting the area of state lands described in this act, and shall, upon submission of invoices by the State Lands Commission, pay the costs of the survey.

CHAPTER 16

An act to amend Section 70047.5 of the Government Code, relating to the Sonoma County Superior Court, and declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor April 11, 1960. Filed with
Secretary of State April 12, 1960.]

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

SECTION 1. Section 70047.5 of the Government Code is amended to read:

70047.5. In a county with a population of 99,000 and not over 104,000, as determined by the 1950 federal census, each regular official reporter shall be paid an annual salary of eight thousand seven hundred dollars (\$8,700), which salary shall include payment for his services in reporting proceedings by the grand jury, the coroner and the district attorney.

Reporters pro tempore shall be paid at the rate of thirty dollars (\$30) a day for the days they are actually on duty under order of the court, and shall receive from the county their necessary traveling and other expenses when necessarily called from other counties.

Regular official reporters shall be entitled to the same privileges with respect to retirement, vacation, sick leave and other benefits allowed to employees of the county.

In such a county the fee required by Section 70053 shall be seven dollars (\$7).

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:

Within less than one year last past, almost all of the regular official reporters required for the transaction of court business in Sonoma County have resigned. The courts have not been able to replace them, due to the inadequacy of compensation available to such positions as opposed to that paid in nearby counties. The consequent vacancies, shortages and absences in such positions in Sonoma County have seriously impeded and delayed the transaction of its court business and the administration of justice. It is necessary to remedy this situation at once, and it is therefore urgently required that this act take effect immediately.

CHAPTER 17

An act to amend Sections 73682 and 73683 of the Government Code, relating to officers and attaches of the municipal court established in the Fresno Judicial District.

[Approved by Governor April 11, 1960. Filed with Secretary of State April 12, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 73682 of the Government Code is amended to read:

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 sixty-three dollars (\$563) a month, and upon the recommendation of the judges, increments of thirty-two dollars (\$32) after six months of service, thirty-four dollars (\$34) after one and one-half years, thirty-six dollars (\$36) after two and one-half years, thirty-eight dollars (\$38) to a maximum salary of seven hundred three dollars (\$703) after four and one-half years of service.

SEC. 2. Section 73683 of said code is amended to read:

Same
Clerk's
appointees

73683. The clerk may appoint:

(a) One assistant clerk who shall receive a minimum salary of four hundred fifty dollars (\$450) a month, and upon the recommendation of the clerk, increments of twenty-six dollars (\$26) after six months of service, twenty-seven dollars (\$27) after one and one-half years, twenty-nine dollars (\$29) after two and one-half years, and thirty-one dollars (\$31) to a maximum salary of five hundred sixty-three dollars (\$563) after four and one-half years of service.

(b) One legal process clerk who shall receive a minimum salary of four hundred twenty-six dollars (\$426) a month, and upon the recommendation of the clerk, increments of twenty-four dollars (\$24) after six months of service, twenty-six dollars (\$26) after one and one-half years, twenty-seven dollars (\$27) after two and one-half years, and twenty-nine dollars (\$29) to a maximum salary of five hundred thirty-two dollars (\$532) after four and one-half years of service.

(c) Four clerks IV, each of whom 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.

(d) One senior account clerk who shall receive a minimum salary of three hundred sixty dollars (\$360) a month, and upon the recommendation of the clerk, increments of twenty-one dollars (\$21) after six months of service, twenty-two dollars (\$22) after one and one-half years, twenty-three dollars (\$23) after two and one-half years, and twenty-four dollars (\$24) to a maximum salary of four hundred fifty dollars (\$450) after four and one-half years.

(e) One senior clerk who 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.

(f) Two clerks III, each of whom shall receive a minimum salary of three hundred five dollars (\$305) a month, and upon the recommendation of the clerk, increments of seventeen dollars (\$17) after six months of service, nineteen dollars (\$19) after one and one-half years, nineteen dollars (\$19) after two and one-half years, and twenty-one dollars (\$21) to a maximum salary of three hundred eighty-one dollars (\$381) after four and one-half years of service.

CHAPTER 18

An act to add Article 35 (commencing at Section 74900) to Chapter 10 of Title 8 of the Government Code, relating to the Walnut Creek Municipal Court.

[Approved by Governor April 11, 1960 Filed with
Secretary of State April 12, 1960.]

In effect
July 7,
1960

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

SECTION 1. Article 35 (commencing at Section 74900) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 35. Walnut Creek Municipal Court

74900. This article applies to the municipal court established in the Walnut Creek Judicial District of County of Contra Costa, which includes the City of Walnut Creek.

Municipal
court:
Walnut
Creek

74901. There shall be one judge.

Judge

74902. There shall be one clerk who shall be appointed by the judge, and who shall receive a minimum salary of four hundred eighty-one dollars (\$481) a month with annual increments of twenty-four dollars (\$24), twenty-five dollars (\$25), twenty-six dollars (\$26), and twenty-eight dollars (\$28) a month to a maximum of five hundred eighty-four dollars (\$584) a month.

Salary Clerk

74903. 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:

Same:
Judge's
appointees

(a) One chief deputy clerk who shall receive a minimum salary of three hundred forty-one dollars (\$341) a month with annual increments of seventeen dollars (\$17), eighteen dollars (\$18), nineteen dollars (\$19), and twenty dollars (\$20) a month to a maximum salary of four hundred fifteen dollars (\$415) a month.

(b) Two deputy clerks who shall be intermediate typist-clerks and who shall receive a minimum salary of three hundred twenty-five dollars (\$325) a month with annual increments of sixteen dollars (\$16), seventeen dollars (\$17), eighteen dollars (\$18) and nineteen dollars (\$19) a month to a maximum of three hundred ninety-five dollars (\$395) a month.

(c) One deputy clerk who shall be a typist-clerk and who shall receive a minimum salary of two hundred eighty-one dollars (\$281) a month with annual increments of fourteen dollars (\$14), fifteen dollars (\$15), fifteen dollars (\$15), and sixteen dollars (\$16) a month to a maximum salary of three hundred forty-one dollars (\$341) a month.

74904. There shall be one marshal who shall be the present incumbent of the office of constable of the Walnut Creek Judicial District, and who shall receive a minimum salary of six hundred forty-four dollars (\$644) a month with annual

Salary
Marshal

increments of thirty-two dollars (\$32), thirty-four dollars (\$34) thirty-five dollars (\$35), and thirty-seven dollars (\$37) a month to a maximum salary of seven hundred eighty-two dollars (\$782) a month.

Same:
Marshal's
appointees

74905. 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 thirty-six dollars (\$436) a month with annual increments of twenty-two dollars (\$22), twenty-three dollars (\$23), twenty-four dollars (\$24), and twenty-five dollars (\$25) a month to a maximum salary of five hundred thirty dollars (\$530) a month.

(b) One deputy marshal who shall be an intermediate typist-clerk, and who shall receive a minimum salary of three hundred twenty-five dollars (\$325) a month with annual increments of sixteen dollars (\$16), seventeen dollars (\$17), eighteen dollars (\$18), and nineteen dollars (\$19) a month to a maximum salary of three hundred ninety-five dollars (\$395) a month.

Salary.
Court
reporter

74906. The judge may appoint one official reporter pursuant to Section 72194 who shall be an attache of the court. The reporter appointed pursuant to this section shall, in addition to his other duties prescribed by law, perform such secretarial services for the judge as he requires in the performance of his official duties. Except when excused for good and sufficient reason by order of the court, the official reporter shall attend to the duties of his office in person. Employment in his professional capacity elsewhere shall not be a good and sufficient reason for such excuse. In lieu of any other compensation provided by law for his services in reporting testimony and proceedings in the court and for performing secretarial services for the judge, he shall receive a salary of seven hundred ten dollars (\$710) a month, which shall be a charge against the general fund of the county. He shall be a member of the retirement system maintained by Contra Costa County, and, for such purpose, the salary here provided shall be deemed his entire compensation.

Clerk and
deputy
clerks.
Appointment
without
examination

74907. The clerk and deputy clerks shall be appointed from the present personnel of the Walnut Creek Judicial District without examination, and upon appointment, shall become members of the county civil service system.

Other
appoint-
ments Civil
Service
System
procedures
followed

74908. Except as provided in Section 74907 appointments to positions provided for in Sections 74902, 74903, and 74905 shall be made pursuant to the same procedures as those 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.

74909. Notwithstanding the provisions of Section 72150, or any other provision of law to the contrary, if an increase in the business of the court or any other emergency requires a greater number of employees for the prompt and faithful discharge of the business of the court than the number expressly provided by law, or requires the performance of duties of positions in the lowest salary bracket where all such positions have been filled, with the approval of the judge and the board of supervisors, the clerk or the marshal may appoint as many additional deputies as are needed. Such additional employees shall be selected in the same manner as those for whom express provision is made, and they shall receive compensation in the same amount as the lowest salary bracket provided for such class of employee. Employees may continue in such positions not longer than ninety (90) days after the adjournment of the next regular session of the Legislature.

Appointment
of additional
deputies for
emergencies

74910. In any civil action or proceeding, in addition to the fees required by Article 2 (commencing at Sec. 72050) 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:

Additional
fee upon
filing, etc.,
of a
civil action

- (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 (commencing at Sec. 72050) of Chapter 8 of this title.

CHAPTER 19

An act to add Article 36 (commencing at Section 74920) to Chapter 10 of Title 8 of the Government Code, relating to municipal court districts.

[Approved by Governor April 11, 1960 Filed with
Secretary of State April 12, 1960]

In effect
July 7,
1960

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

SECTION 1. Article 36 (commencing at Section 74920) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 36. Visalia

Municipal court
Visalia
Judicial District,
officers,
salaries

74920. This article applies to the municipal court established in the Visalia Judicial District in the County of Tulare.

74921. There shall be one judge.

74922. There shall be one clerk.

74923. The clerk may appoint two deputy clerks II and two deputy clerks I.

74924. There shall be one marshal.

74925. The marshal may appoint one deputy marshal.

74926. The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the following salary schedule :

Salary Schedule

	Step A	Step B	Step C	Step D	Step E
Clerk _____	\$351	\$371	\$392	\$415	\$439
Deputy clerk II_____	314	332	351	371	392
Deputy clerk I_____	281	297	314	332	351
Marshal _____	500	500	500	500	500
Deputy marshal ___	351	371	392	415	439

Compensation
procedure

74927. Subject to the provisions of Section 72001, the compensation of officers and attaches shall be governed as follows:

(a) The initial hiring rate for each position shall normally be at step A. If it is difficult to secure qualified personnel at such rate, or if a person of unusual qualifications is hired, the appointing authority, with the approval of the Board of Supervisors of the County of Tulare, may employ such person at one of the higher salary steps provided for the position.

(b) A step advancement from step A to step B of a position shall be granted on the first day of the month following the completion of 12 full months of service in the position. A person shall advance to steps C, D and E upon completion of successive 12-month periods of service in the same position.

(c) The salaries of municipal court officers and attaches may, upon recommendation by the appointing authority and approval of the board of supervisors, be increased or decreased within the limits set forth in Section 74926 in order to provide compensation which is comparable to compensation received by county employees of similar qualifications and experience and holding equal or comparable positions, as said comparability is determined by the board of supervisors.

Compensation of
officers, etc
of superseded
justice court

74928. When the municipal court is established, an incumbent officer or attache of the superseded justice court shall be placed on the step level of the salary schedule made applicable to his position which pays the same rate of compensation as he received as an officer or attache of the superseded justice court, and if there is no equivalent salary in the salary schedule, he shall be placed in the step level having a rate of compensation next higher than his former salary.

Vacations,
sick leave,
etc.

74929. The officers and attaches of the municipal court shall be entitled to the same vacation, sick leave and similar benefits

and privileges as are granted to other employees of the County of Tulare by the salary ordinance of said county.

74930. All fees collected by the marshal or his deputies Fees shall be deposited with the county treasurer.

74931. All officers and attaches of the court shall devote their full time to the performance of their duties. Full-time employment

74932. All matters affecting the employment of such officers and attaches which are not specifically determined by this article or other provision of state law shall be governed and regulated by the then current salary ordinance of the County of Tulare. County salary ordinance applicable

74933. This article shall become effective when it is determined in the manner prescribed by Section 71043 that the population of the Visalia Judicial District exceeds 40,000. Effect

CHAPTER 20

An act to amend Section 7953 of the Education Code, relating to powers of county superintendents of schools.

[Approved by Governor April 11, 1960 Filed with
Secretary of State April 12, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 7953 of the Education Code is amended to read:

7953. 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.

Except as otherwise provided in this section, all of the powers and duties authorized for governing boards of school districts by Section 7951 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. He may acquire, by gift only, and maintain real or personal property needed for such programs with title thereto vested in the office of the county superintendent of schools. Any such acquisition of property by gift must be approved by the county board of education. When any real property has been acquired by gift, and title to the property is vested in the office of the county superintendent of schools, the county superintendent may, with the approval of the county board of education, convey such real

property to the United States of America or any agency thereof, to the State of California, to any school district under his jurisdiction, or to any other political subdivision of the State, in exchange for other real property of comparable value, upon such terms and conditions as are agreed upon.

CHAPTER 21

An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

In effect
July 7,
1960

[Approved by Governor April 11, 1960. Filed with
Secretary of State April 12, 1960.]

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

SECTION 1. Section 28115 of the Government Code is amended to read:

28115. In a county of the fifteenth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The county auditor, seven thousand five hundred dollars (\$7,500) a year.

(b) The district attorney, ten thousand dollars (\$10,000) a year. He shall devote his entire time to the duties of his office and shall not engage in the private practice of law during his term in office.

(c) Each supervisor, six thousand dollars (\$6,000) a year for all personal services performed by him as supervisor and member of the board of equalization, and his actual and necessary traveling expenses incurred in performing any of the duties of his office, the claim for which shall be allowed and paid out of the county general fund in the same manner as other claims are allowed and paid. The traveling expenses exclusive of meals and hotel accommodations shall not exceed seven cents (\$0.07) a mile.

(d) Each member of the grand jury shall be allowed four dollars (\$4) for each day in attendance upon the sessions of the grand jury or for each day's active and necessary service as a member of any committee of the grand jury. Each grand juror shall be allowed mileage at the rate of five cents (\$0.05) a mile for each mile actually and necessarily traveled in attendance upon and returning from meetings of the grand jury or any actual or necessary session of a grand jury committee duly called by the secretary or committee chairman, but no mileage shall be allowed outside of the county. For attending as a trial juror in a criminal action in the superior court, three dollars (\$3) per day if called but not sworn to try the cause, and four dollars (\$4) per day if called and sworn to try the cause. For attending as a trial juror in a civil action in

the superior court, four dollars (\$4) per day if called but not sworn to try the cause and five dollars (\$5) per day if called and sworn to try the cause. For attending as a trial juror in the justice court for each juror sworn to try the cause, two dollars (\$2) a day. For each mile actually traveled in attending court as a juror, seven cents (\$.07) a mile each way from the place of residence to the court.

CHAPTER 22

An act to create the Bethel Island Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

[Approved by Governor April 11, 1960. Filed with Secretary of State April 12, 1960.]

In effect July 7, 1960

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

Article 1. General Provisions

SECTION 1. The Bethel Island Municipal Improvement District is hereby created to consist of the unincorporated territory in Contra Costa County, bounded and described as follows:

Bethel Island Municipal Improvement District Boundaries

Beginning at the northwest corner of the bridge constructed in about the year 1915 across the dredge cut at or near the head of what is commonly called Taylor Slough and near the southwest corner of Sec. 15, T. 2, N. R. 3 East, M. D. B. & M.; thence following the easterly bank of said Taylor Slough with its meanderings to the junction of said Taylor Slough with what is commonly called Piper Slough; thence following the southerly and westerly bank of said Piper Slough to its junction with Sand Mound Slough; thence following the northerly bank of said Sand Mound Slough to its junction with the dredge cut near the large hay barn situate on the lands of E. A. Bridgford, in the northeast quarter of Section 22, Township 2, North Range, 3 East M. D. B. & M.; thence following the northerly bank of said dredge cut running westerly to the place of beginning.

The number of acres in said district is 3516.54, all in Contra Costa County, State of California.

SEC. 2. This act shall be known and may be cited as Bethel Island Municipal Improvement District Act.

Article 2. Definitions

SEC. 10. The terms defined in this article have the meaning set forth unless the context requires a different meaning.

Definitions

SEC. 11. "District" means the Bethel Island Municipal Improvement District.

"District"

- "Board" SEC. 12. "Board" means the board of directors of the district.
- "President,"
"secretary" SEC. 13. "President" and "secretary" mean the president and secretary, respectively, of the district.
- "County" SEC. 14. "County" means the County of Contra Costa.
- "Board of
Supervisors" SEC. 15. "Board of Supervisors" means the board of supervisors of the county.
- "Charges," SEC. 16. "Charges" includes fees, tolls, rates and rentals.
- "Voter" SEC. 17. "Voter" means a registered elector in the district.
- "Officers of
election" SEC. 18. "Officers of election" consist of an inspector and two judges. They shall be persons appointed by the board of directors and need not be voters.
- "Reclama-
tion
district" SEC. 19. "Reclamation district" means Reclamation District No. 1619 of Bethel Island.
- Definitions SEC. 20. In the application to the district of laws, the procedure of which is made applicable to proceedings of the district, terms used in those laws shall have the following meanings:
- (a) "City council," "council," and "legislative body" mean board.
- (b) "City," "municipality," and "local agency" mean district.
- (c) "Clerk" and "city clerk" mean the secretary of the district.
- (d) "Superintendent of streets," "street superintendent," and "city engineer" mean the engineer of the district or other person appointed to perform such duties, to be called district engineer.
- (e) "Tax collector" means the tax collector of the district.
- (f) "Treasurer" and "city treasurer" mean the county treasurer or district finance officer.
- (g) "Auditor" means the county auditor or district finance officer.
- (h) "Budget law" means Chapter 1 (commencing at Section 29000) of Division 3 of Title 3 of the Government Code.

Article 3. General Administrative Provisions

Board
Membership

SEC. 26. The board is the governing body of the district and shall consist of five (5) members, one of whom shall be president. The officers of the district are the five members of the board and a secretary. The district may have a finance officer, and other officers as the board may from time to time create. A voter may nominate a voter for each office to be filled by election.

Election
of first
board

SEC. 27. The first board shall be elected at the election at which the act is submitted to the electors of the district for ratification and shall take office on the effective date of the act. The election shall be called and held in the manner provided in Article 4. The first district board shall classify itself by lot so that two directors will hold office for two years and three directors will hold office for four years following the

district formation or until their successors have been elected or appointed and qualified.

SEC. 28. The directors, excepting the first board, shall be voters. Directors

SEC. 29. The term of each director, after the first board, shall be four years, or until the election or appointment, and qualification of his successor. Same Terms

SEC. 30. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors. Same Vacancies

SEC. 31. An appointment to fill a vacancy in the office of director shall be for the unexpired term of the office in which the vacancy exists, and until the qualification of his successor.

SEC. 32. Once each year, the board shall elect one of its members to serve as president, shall appoint a secretary and shall fill any other offices as it may from time to time create. President Selection

SEC. 33. The president shall be a member of the board and the secretary may be a member of the board.

SEC. 34. The board shall act only by ordinance, resolution, motion, or contract. Board action Ordinance etc

SEC. 35. A majority of the board shall constitute a quorum for the transaction of business. Quorum

SEC. 36. No ordinance, resolution, motion, or contract shall be passed or become effective without the affirmative vote of at least the majority of the members of the board. Affirmative vote of majority necessity

SEC. 37. Except where action is taken by the unanimous vote of all members present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions, motions, or contracts and entered upon the minutes of the board. Recording ayes and noes in minutes

SEC. 38. The enacting clause of all ordinances passed by the board shall be "Be it ordained by the Board of Directors of the Bethel Island Municipal Improvement District, as follows:" Enacting clause

SEC. 39. All ordinances shall be signed by the president and attested by the secretary. Ordinances to be signed

SEC. 40. All legislative sessions of the board shall be public. Legislative sessions to be public

SEC. 41. The board, by ordinance, shall provide for the time and place of holding its regular meetings, the manner of calling special meetings, and shall establish rules for its proceedings. Time and place of holding meetings

SEC. 42. Each officer shall receive such compensation as the board shall, by ordinance, establish. Compensation

SEC. 43. All contracts, deeds, warrants, releases, receipts, and documents shall be signed in the name of the district by the president and countersigned by the secretary. Contracts

SEC. 44. If allowed by the board, a director may receive traveling and other expenses incurred by him when acting for the board, and compensation for any other services rendered by him for the district. Expenses Directors

SEC. 45. The finance officer shall serve at the pleasure of the board. He and the secretary shall receive such compensation as the board shall determine. Finance officer

Ex officio officers SEC. 46. The county treasurer, county auditor, and county tax collector shall be ex officio officers of the district, when acting.

Duties County officers SEC. 47. All county officers shall be liable under their several official bonds for the faithful discharge of the duties imposed upon them by this act.

Same SEC. 48. In addition to the duties prescribed herein the officers of the district shall have such duties as are prescribed by the board.

Article 4. Elections

Elections SEC. 55. A general district election shall be held on the fourth Tuesday in March in every other year commencing with the second year following the formation of the district.

SEC. 56. A special election may be called by the board to be held at any time.

Hours SEC. 57. The hours during which the polls shall be opened at any general or special district election shall be as established by the board.

Notice SEC. 58. Notices of elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal elections.

Nominations SEC. 59. Nominations for the position of director shall be in writing, shall be signed by five (5) voters, and shall be filed with the secretary, not more than 45 nor less than 25 days before the election.

SEC. 60. No voter shall sign any more nominations than there are offices to be filled.

Same One or no nominations SEC. 61. If on the 24th day prior to a general district election only one person has been nominated for each of the positions to be filled at that election, or no person has been nominated for any such office, or offices, an election shall not be held.

Same Appointment in lieu of election SEC. 62. In such case the notice of election shall, instead of calling an election, state that no election is to be held but that the board shall appoint those nominated for positions of directors, or, if no person has been nominated, the board shall appoint any qualified person to the position.

Appointment of directors SEC. 63. If, pursuant to Section 62, a general district election is not held, the board, at a meeting held prior to the day fixed for the election, shall appoint to the positions of directors those persons nominated, or, if no persons are nominated, any qualified persons, who shall qualify and serve as if elected at a general district election.

Majority vote SEC. 64. A majority of the votes cast shall be required to elect a director or approve a proposition.

Canvass of election ballots SEC. 65. Following the close of the polls, the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president.

Entry of returns by board in its minutes conclusive SEC. 66. The board shall meet and canvass the returns and enter the returns on its minutes. The entry shall be conclusive

evidence of the fact and regularity of all prior proceedings and of the facts stated in the entry.

SEC. 67. Except as provided in this act, the election shall be conducted as nearly as practicable in accordance with the election laws for cities.

Article 5. Powers

SEC. 75. The district may use a seal, alterable at the pleasure of the board. Seal

SEC. 76. The district may sue and be sued by its name. Sue and be sued by name

SEC. 77. The district may acquire, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain, and operate facilities for the collection, treatment, and disposal of sewage, industrial wastes, storm water, garbage, and refuse; the production, storage, treatment, and distribution of water for public and private purposes; parks and playgrounds; airports; and works to provide for the drainage of roads, streets, and public places, including, but not limited to, curbs, gutters, sidewalks, and grading and pavement. Acquisition of facilities for sewage disposal water, etc

SEC. 78. The district may acquire, construct, maintain, and operate works, improvements, and facilities for the reclamation of submerged or other lands by watering or dewatering, including grading, excavation, fill, levees, bulkheads, walls of rock or other materials, water pumping facilities and equipment, and all works and facilities incidental to or necessary or useful therefor. Acquisition of facilities for reclamation, etc

SEC. 79. The district may take, acquire, hold, use, lease, and dispose of property of every kind within or without the district, necessary, expedient, or advantageous to the full exercise and economic enjoyment of its purposes and powers. Acquisition and disposal of property

SEC. 80. The district may exercise the right of eminent domain for the condemnation of private property for public use, within but not without the county in which the district is located. The board has the same rights and powers with respect to the taking of property for the public uses of the district as are now or may hereafter be conferred by general law on the legislative body of a city. The provisions of Title 7 (commencing at Section 1237) of Part 3 of the Code of Civil Procedure shall apply. Eminent domain

SEC. 81. Notwithstanding the provisions of Sections 79 and 80 of this act, the district shall not acquire property located outside the district boundaries without first obtaining the consent of the board of supervisors of the county in which the property to be acquired is located. Acquisition of property outside district

SEC. 82. The district may make and accept contracts, deeds, releases, and documents that, in the judgment of the board, are necessary or proper in the exercise of any of the powers of the district. Contracts, deeds, etc

SEC. 83. The district may co-operate and contract with the federal government of the United States and with the State Co-operation and contracts with other public bodies, etc

of California, or with any county, municipal corporation, district, or other public corporation, or with any person, firm, or corporation, for the joint acquisition, construction, or use or aid in the cost of any facilities which the district has the power to acquire or construct under this act or for the providing of any service within the powers of the district.

Borrowing
money

SEC. 84. The district may borrow money and provide for its repayment in the manner provided in Article 7 (commencing at Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

Guarantees
of
performance
Bonds

SEC. 85. The district may guarantee the performance of any of its transactions.

SEC. 86. The district may incur bonded indebtedness and issue bonds in the manner herein provided.

SEC. 87. Bonds issued by the district shall be of the form and executed in the manner provided by the board.

SEC. 88. If any officer whose signature or countersignature appears on bonds or coupons ceases to be such officer before delivery of the bonds, his signature shall be as effective as if he had remained in office.

SEC. 89. Any bonds issued by the district are given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State.

Refund or
retirement
of public
indebtedness,
etc

SEC. 90. The district may refund or retire any public indebtedness or lien that may exist or be created against the district or any property therein which shall have arisen out of the transaction of the affairs of the district.

Issuance
of warrants

SEC. 91. The district may issue warrants on any moneys in the district treasury in payment of district obligations. The warrants shall be registerable as provided for county warrants when not paid for want of funds. Demands allowed by the board shall be prepared, presented, and audited in the same manner as demands upon the funds of the county, but free of the limitation of any budget law.

Special
assessments

SEC. 92. The district may cause special assessments to be levied and collected and issue bonds to represent unpaid assessments on the basis of benefit to the properties assessed for the purpose of financing the acquisition and construction of public improvements.

Compensation
of
employees

SEC. 93. The district may appoint, employ, and fix the compensation of engineers, attorneys, assistants, and other employees at it deems proper.

Products
resulting
from sewage
disposal
Sale

SEC. 94. The district may sell any effluent or other product resulting from the operation of any treatment or disposal plant or facility constructed or acquired by or for the district.

Insurance

SEC. 95. The district may take out insurance in the form and in the amounts as the board may deem necessary for the adequate protection of the district's property, officers, employees, and interests.

Regulations
Garbage
removal,
sewage, etc

SEC. 96. The district may make and enforce all necessary and proper regulations, not in conflict with the laws of this State, for the removal of garbage and refuse and the supplying

of sewage, water, storm water and reclamation service. A violation of a regulation of the district is a misdemeanor punishable as such. A regulation of the board shall be adopted by ordinance and shall be posted for one week in three public places in the district and shall take effect upon expiration of the week of such posting. A subsequent finding of the board, entered in its minutes, that posting has been made is conclusive evidence that the posting has been properly made.

SEC. 97. The district may compel all residents and property owners in the district to connect their houses, habitations, and structures requiring sewage or drainage disposal service with the sewer and storm drains of the district, and to use district garbage and refuse removal service and facilities.

Compel property owners to use district facilities

SEC. 98. The district may prescribe, revise, and collect charges for services and facilities furnished by it, for the regulation thereof and for revenue. Charges may be collected either singly or collectively, and the board may establish rules governing their levy and collection.

Collection, etc., of charges for services and facilities

SEC. 99. In the application of any law to this district, said law shall be as then amended.

SEC. 100. The reclamation district is merged with the district and the title to all property held by or for it is vested in the district and all of its obligations are obligations of the district.

Merger of reclamation district

Article 6. General Obligation Bonds

SEC. 105. The district may issue bonds as provided in this article for any of the purposes stated in Sections 77, 78, 79, and 80.

Bonds

SEC. 106. By resolution, when in its judgment it is advisable, the board may call an election and submit to the voters of the district the question of whether bonds shall be issued.

Election

SEC. 107. The resolution calling the election may submit as one proposal the question of issuing bonds to make all the outlays or so many of them as may be selected, or the resolution may submit at the election as separate questions the issuance of bonds for any of the outlays singly or in combination.

Issuance of bonds for single or combination outlay

SEC. 108. Notices of bond elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal elections.

Notice of bond election

SEC. 109. The vote shall be by ballot, without reference to the general law in regard to the form of ballot.

Form of ballot

The ballot shall contain the words "Bonds—Yes" and "Bonds—No," and the person voting at the election shall put a cross (+) upon his ballot after the "Yes" or "No" to indicate whether he has voted for or against the bonds.

SEC. 110. Following the close of the polls the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president. The board shall meet and canvass the returns and enter the returns in its minutes.

Entry of returns in minutes by board conclusive

The entry is conclusive evidence of the fact and regularity of all prior proceedings, and of the facts stated in the entry. No informality shall affect the validity of said bonds.

SEC. 111. Except as herein provided, the election shall be conducted as nearly as practicable in accordance with the general laws for cities.

Two-thirds
vote
required for
issuance

SEC. 112. If, at the election, two-thirds of the votes cast are in favor of the issuance of bonds, the board may issue and dispose of the bonds.

Denomina-
tion of
bonds

SEC. 113. Bonds issued by the district under the provisions of this article shall be of such denomination as the board determines except that no bonds shall be of a denomination less than one hundred dollars (\$100) or greater than one thousand dollars (\$1,000).

Payment,
etc.

SEC. 114. The bonds shall be payable in lawful money of the United States at the office of the treasurer or at such other place, depository, paying agent or fiscal agent within or without the State of California as may be designated by the board, and bear interest at a rate not exceeding six percent (6%) per annum, payable semiannually in like lawful money, except the first year which may be for more or less than one year.

Bonds
payable in
full

SEC. 115. No bonds shall be payable in installments, but each shall be payable in full on the date specified therein by the board. The board may provide that all bonds issued by the district may be subject to retirement at any time prior to maturity, in which event they shall so state on their face.

Execution by
signature of
president,
etc

SEC. 116. Each bond shall be signed by the president and countersigned by the secretary. The signature of the president on the bonds and of the secretary on the coupons may be printed, lithographed, or engraved and such shall constitute due execution.

Consecutive
numbering

SEC. 117. The bonds shall be numbered consecutively, beginning with number one, and shall have coupons attached referring to the number of the bond.

Notice for
sealed bids
prior to sale

SEC. 118. Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body 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 legislative body determines that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

Term

SEC. 119. The term of bonds issued shall not exceed forty (40) years.

Resolution
for issuance
conclusive

SEC. 120. The resolution providing for the issuance of the bonds, by its adoption, shall be conclusive evidence of the regularity of said bond proceedings.

Proceeding
to determine
right to
issue bonds,
etc.

SEC. 121. The board may, in its discretion, before or after issuance, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and

their validity, similar to the proceedings in relation to irrigation bonds, provided for by the Irrigation District Law, Division 11 (commencing at Section 20500) of the Water Code, and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable. The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that law. The board may use the same procedure to validate the creation of the district and any annexation thereto.

SEC. 122. An issue of bonds is the aggregate principal amount of all bonds authorized to be issued in accordance with proposals submitted to and approved by the voters of the district, but no indebtedness will be deemed to have been contracted until bonds shall have been sold and delivered and then only to the extent of the principal amount of bonds sold and delivered.

Amount of
bond issue

SEC. 123. The board may, in its discretion, divide the aggregate principal amount of an issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at the time or times as may be fixed by the board separate and distinct from the time or times of payment of bonds of any other division or series of the same issue.

Division of
bond issue
into series,
etc.

Article 7 Improvement District Bonds

SEC. 130. Bonds of a portion of the district may be authorized and proceedings therefor shall be had in the manner now or hereafter provided for the issuance of bonds for a portion of a county water district. When revenue bonds of a portion of the district are issued under Article 8 hereof, the election shall be held in such portion only.

Bonds of a
portion of
the district

Article 8. Revenue Bonds

SEC. 135. The district may create revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

Revenue
bonds

SEC. 136. Proceedings for the authorization, issuance, sale, security, and payment of revenue bonds shall be had, the board shall have the powers and duties, and the bondholders shall have the rights and remedies, all in substantial accordance with and with like legal effect as provided in the Revenue Bond Law of 1941, Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code; provided, however, that qualified voters at the election therein provided shall be voters as defined in this act, and the method of voting shall be as herein provided. As used therein the word "resolution" shall mean ordinance, the words "local agency"

Proceedings
for issuance,
etc

shall mean district, and the words "legislative body" shall mean board.

Article 9. Assessment Bonds

Applicability
of other
provisions

SEC. 150. The Municipal Improvement Act of 1913, Division 12 (commencing at Section 10000) of the Streets and Highways Code, the Improvement Act of 1911, Division 7 (commencing at Section 5000) of the Streets and Highways Code, the Street Opening Act of 1903, Part 1 (commencing at Section 4000) of Division 6 of the Streets and Highways Code, and the Improvement Bond Act of 1915, Division 10 (commencing at Section 8500) of the Streets and Highways Code, as now or hereafter provided, are applicable to the district.

Consent of
county
unnecessary
to conduct
assessment
proceedings

SEC. 151. The provisions of any act to the contrary, it shall not be necessary to obtain the consent of the county to conduct assessment proceedings. No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment and the diagram attached thereto shall be recorded in the office of the district engineer and in the office of the county surveyor of the county.

Article 10. Refunding

Refunding
outstanding
indebtedness

SEC. 160. An outstanding indebtedness of the district or of an improvement district therein, heretofore or hereafter incurred, may be funded or refunded in the manner provided for cities in Article 3 (commencing at Section 43720), Chapter 4, Division 4, Title 4 of the Government Code.

Same

SEC. 161. An outstanding indebtedness of the district or of an improvement district therein, heretofore or hereafter incurred, may be funded or refunded in the manner provided in Article 11 (commencing at Section 54660), Chapter 6, Part 1, Division 2, Title 5 of the Government Code.

Election to
authorize
refunding,
etc

SEC. 162. When the obligation to be funded or refunded is an obligation of an improvement district, and is to be funded or refunded under Section 160 or 161 as an obligation of the improvement district or of a special fund thereof, the election to authorize the funding or refunding, when required, shall be held only in the improvement district. No election shall be required to refund bonds formerly authorized by electoral vote of the district or of an improvement district therein.

Maturity
and price

SEC. 163. All funding or refunding bonds issued under Section 160 or 161 may be made to mature at such amount per year as the board shall determine, and may be issued and sold at the prices and in the manner provided in Article 6 hereof.

Refunding
outstanding
indebtedness

SEC. 164. An outstanding indebtedness of the district or an improvement district therein, heretofore or hereafter incurred, may be refunded in the manner provided in Chapter 5 (commencing at Section 59100), Division 1, Title 6 of the Government Code, and the provisions thereof, as supplemented by the following provisions of this article, shall apply.

SEC. 165. The words and phrases defined in the Improvement Act of 1911 and the Improvement Bond Act of 1915 shall be construed to have the same meaning when used in this article as is ascribed to them in such acts so far as properly applicable.

Words and phrases defined by former acts

SEC. 166. "Bonds" includes warrants, demand or time, whether payable from fixed lien or ad valorem assessments which have been or may be levied therefor, and any fixed lien assessments which have been levied therefor, and accrued interest and penalties on the warrants and the assessments.

"Bonds"

SEC. 167. "Improvement" includes any lawful purpose for which warrants have been or may be issued.

"Improvements"

SEC. 168. When no newspaper is published in the local agency, publication shall be had in a newspaper published in the county in which it or the major portion of it is located.

Publication by newspaper

SEC. 169. Where, under the law pursuant to which the bonds to be refunded were issued, said bonds and the interest thereon are provided to be payable from assessments, levied or to be levied, that are ad valorem in nature or an assessment valuation per acre, the consents shall be by the owners owning taxable land and improvements thereon in the district having an assessed valuation equal to a majority of the assessed valuation of all taxable lands and improvements in the district as shown on the last equalized county tax roll.

Consents by owners of taxable land, etc

SEC. 170. Owners of land are those who appear to be such as shown on said roll, or their successor in interest. If any person signing a consent is a joint tenant or a tenant in common the property shall be counted as if all of the owners thereof had signed. The signature of a husband or wife shall be sufficient in the case of community property.

Owners of land

SEC. 171. The assessment shall be recorded by the engineer of the district and he shall perform all services herein otherwise provided to be performed by the superintendent of streets or county surveyor. A copy of the assessment shall also be recorded by the county surveyor.

Recording of assessment

SEC. 172. The board may, by resolution, provide that payments shall be made to the auditor or tax collector of the district, in which case he shall act in lieu of the person herein otherwise provided, and his official bond shall apply.

Payments made to auditor, etc. by resolution

SEC. 173. The board may contract with a bank that payments be made to it as a fiscal agent, in which case it shall act in lieu of the person herein otherwise provided.

Payments made to fiscal agent, by contract

SEC. 174. When the reassessment has been recorded, the board shall cause to be canceled all fixed lien assessments which have been levied, the proceeds of which were to be used to pay the principal and interest of the bonds to be refunded.

Recording of reassessment

SEC. 175. Bond Plan A bonds shall be payable to bearer.

Bond Plan A bonds

Article 11. Taxation—County Roll

SEC. 180. The lien for taxes for the first fiscal year in which a district tax may be levied shall attach on the first

Attachment of lien for district taxes

Monday in March or on the date the district is created, whichever is later. It shall not be necessary to make or file a notice of the creation of this district.

Board shall furnish annual written statements of amounts necessary for interest, etc

SEC. 181. Annually, at least fifteen (15) days before the first day of the month in which the board of supervisors is required by law to levy the amount of taxes required by law for county purposes, the board shall furnish to the board of supervisors a written statement of the following:

1. The amount necessary to pay the interest on bonds for that year, and the portion of the principal that is to become due before the time for making the next general tax levy.

2. The amount necessary to maintain, operate, extend, or repair any work or improvements of the district, and to defray all other expenses incidental to the exercise of any of the district powers or to pay any existing obligations of the district, not to exceed two dollars (\$2) per one hundred dollars (\$100) assessed valuation of taxable property in the district.

Tax on real and personal property in district

SEC. 182. The board of supervisors shall at the time and in the manner of levying other county taxes, levy and cause to be collected a tax upon the taxable real and personal property in the district, based upon the last equalized assessment roll of the county, sufficient to pay the amounts set forth in the statement of the board.

Failure by board to furnish statement

SEC. 183. If the board fails to furnish the written statement, the board of supervisors shall ascertain the amount necessary to pay the interest on the bonds for that year and the portion of the principal that is to become due before the proceeds of the next general tax levy shall become available, and shall levy and cause to be collected the amount.

Collection of the tax

SEC. 184. The tax shall be collected at the same time and in the same manner as the general tax levy for county purposes, and when collected, shall be paid into the county treasury to the credit of the proper district fund, as provided in Article 13. The board shall control and order its expenditure.

Payment on district bonds

SEC. 185. The principal and interest on district bonds shall be paid by the treasurer, if payable at his office, in the manner now or hereafter provided by law for the payment of principal and interest on the bonds of the county, unless said bonds shall be made payable elsewhere.

Compensation for county services

SEC. 186. Compensation to the county for the performance of services described in this article shall be fixed by the parties.

Article 12. Alternative Tax Procedure

SEC. 190. The alternative procedure of the County Water District Law for the levy and collection of district taxes shall apply. Alternative procedure

Article 13. Funds

SEC. 195. In a fund called the "Bethel Island Municipal Improvement District General Fund," the treasurer shall place and keep the money levied by the board for that fund. Fund

SEC. 196. The proceeds of the sale of revenue bonds or general obligation bonds or proceeds of special assessments levied by the board shall be deposited with the treasurer and shall be placed in a fund to be called the "Bethel Island Municipal Improvement District Construction Fund No. ___" (inserting number). Deposit of proceeds

SEC. 197. The money in any construction fund shall be used for the purpose indicated in the resolution calling the election upon the question of the issuance of bonds, or for the purpose described in the resolution of intention in the assessment proceedings, or for repayment of money borrowed for the purpose of financing the improvement for which bonds were subsequently issued or the assessment levied. Use of money

SEC. 198. The bond moneys may also be used for interest and working capital for the period of construction and for twelve (12) months thereafter, and also to pay the costs of their authorization and issuance including fees for legal, engineering, fiscal, economic or other service. Same

SEC. 199. Any money in the construction fund determined by resolution of the board to be in excess of the amounts required for completion of the improvement authorized may, by the resolution so determining, be transferred to any other fund of the district and be used for any lawful purpose. Excess

SEC 200. In a fund called the "Bethel Island Municipal Improvement District Bond Fund, _____" (inserting series number), the treasurer shall keep money levied or collected for that fund. Fund

SEC. 201. No part of the money belonging in the bond fund may be transferred to any other fund or be used for any purpose other than the payment of principal and interest of the bonds of the district, or for repayment of money borrowed for the purpose of paying the principal and interest of the bonds of the district, until said bonds are fully paid, at which time it may be transferred to any other fund. Transfers

SEC. 202. The budget law shall not apply to the district. Budget law not applicable

Article 14. Alternative Depository of District Money

SEC. 210. The provisions of this article are alternative or supplemental to those providing for the use of the county treasury. Alternative procedure

Alternative
depository of
district
money

SEC. 211. The board may by resolution designate a bank as depository of any or all of its funds. No question of interest shall affect such appointment. If the depository is not designated for all of its funds, it shall designate what funds are to be deposited with the depository. The county treasurer shall be the depository for all funds not so designated.

Charge a
proper
expense

SEC. 212. The charges of any depository selected shall be a proper expense of the district.

Appointment
of finance
officer

SEC. 213. If the board appoints a depository, it shall appoint a person who shall be known as finance officer, who shall serve at its pleasure. It shall fix the amount of his compensation. It shall fix the amount of and approve his bond. He may, but need not be a member of the board, or his office may be consolidated with that of the secretary.

Payment of
interest,
salaries, etc

SEC. 214. Bond principal and interest and salaries shall be paid when due. All other claims and demands shall be approved in writing or in open meeting by a majority of the members of the board.

Warrants

SEC. 215. Warrants shall be drawn by the finance officer and signed by the president and secretary, or one of them and one member of the board.

Finance
officer
Auditing,
accounting

SEC. 216. The finance officer shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district.

Finance
officer
Reports

SEC. 217. The finance officer shall make annual or earlier written reports to the board, as it shall determine, as to the receipts and disbursements and balances in the several accounts under his control. The report shall be signed by him and filed with the secretary.

Article 15. Changes in Organization

Inclusion of
territory

SEC. 220. Territory may be included in the district in the manner now or hereafter provided for the inclusion of territory in a county water district.

Exclusion
of territory

SEC. 221. Territory may be excluded from the district in the manner now or hereafter provided for the exclusion of territory from a county water district.

Annexation
of portion
of district
by city
Withdrawal

SEC. 222. Whenever any portion of the district is included within a city by annexation to the city such portion may be withdrawn from the district. The legislative body of the city may provide, by resolution, that such territory shall be withdrawn from the district. Such withdrawal shall be effective on the date fixed by the legislative body of the city. Where the withdrawal is effective on or before February 1 of the fiscal year the district shall furnish district services to the territory until the first day of July next succeeding. Where the withdrawal is effective subsequent to February 1 of the fiscal year and where the territory is subject to district taxation and assessment the district shall furnish district services to the territory until the 30th day of June of the fiscal year next succeeding.

SEC. 223. Whenever any portion of the district is included within a city by reason of incorporation of the city, such portion may be withdrawn from the district. Such withdrawal shall be effective upon the filing with the State Board of Equalization, the governing body of the district, the county clerk or registrar of voters, and the county assessor, of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn.

Incorporation
by city
of portion
of district
Withdrawal

SEC. 224. Upon the withdrawal of any territory of the district pursuant to Section 222 or 223:

Effect on
city and
district from
withdrawal
of territory

(a) If the assessed value of the real property within the area withdrawn represents one-half of 1 percent, or less, of the total assessed value of the real property within the district prior to the withdrawal, as determined from the last equalized assessment roll of the property within the district, all of the property and assets of the district shall be retained by the district.

(b) If the assessed value of the real property in the area withdrawn exceeds the amount prescribed by subdivision (a), the city and the district shall have six months from the effective date of the withdrawal in which, after giving consideration to all factors involved, including population, assessed valuation, the effect of the annexation or change of boundaries on the remaining portion of the district, the length of time the portion being withdrawn has paid taxes and the total amount of such taxes paid, and such other matters as should be considered in arriving at an equitable distribution, they may establish a mutually agreeable basis for the distribution of the property and assets of the district between the city and the remaining district. If, within such period a mutually agreeable basis is reached, the property and assets of the district shall be distributed between the city and the remaining district upon such basis.

(c) If, under the provisions of subdivision (b), no mutually agreeable basis for the distribution of the property and assets of the district is reached within the six-month period, on the date the district ceases to furnish district services to the area withdrawn or upon the end of the six-month period, whichever is the last to occur, all of the property and unencumbered funds of the district shall be divided between the city and the remaining district in proportion to the average assessed value of the real property within the area withdrawn to the average assessed value of the real property within the entire district during the five-year period prior to the effective date of the withdrawal, as determined from the equalized assessment rolls for such period.

All funds and property received by the city shall be used exclusively and directly for the types of services furnished by the district; provided, that nothing herein shall prevent the sale of property not needed for such purposes for its fair market value if the funds derived from such sale are used solely for such purposes.

For the purpose of this section, the unencumbered funds are the sum of money, uncollected taxes, and other uncollected amounts in excess of an amount sufficient to pay all claims and accounts against the district, but shall not include funds necessary for the maintenance and operation of the district for any period for which the district has the duty to provide district services within the area withdrawn.

Taxability of property in territory withdrawn

SEC. 225. Property in territory withdrawn or detached from the district shall continue to be subject to tax, levied as provided in Section 182, to pay the principal of and interest on bonds issued for the account of the district and outstanding at the time of such withdrawal or detachment.

Withdrawal of property containing improvements owned, etc. by district

SEC. 226. (a) When land, upon which there are structural improvements owned, being acquired or leased by the district, is withdrawn from the district and included in a city by incorporation, annexation or otherwise, the city shall, if it succeeds to the rights of the district in such structural improvements, as a part of the division of property provided for in Section 224, assume the outstanding liability of the district in connection with the acquisition or leasing of such improvements.

(b) In every case where land, upon which there is a structural improvement owned, being acquired or leased by the district, is proposed to be annexed to a city, the clerk of such city shall cause written notice of such proposed annexation to be mailed to the governing body of the district. Such notice shall be sent not less than 10 days before the first public hearing upon such proposed annexation.

Dissolution of district; title to property

SEC. 227. The district may be dissolved in the manner now or hereafter provided for the dissolution of county water districts, excepting Sections 32851.5 and 32858 of the Water Code and excepting that title to any property and moneys shall vest in the landowners of the district in the proportion that the assessed valuation of the land of each bears to the total assessed valuation of all land in the district that is on the county assessment roll at the time of such dissolution. Land and improvements shall mean land. Electors shall mean voters herein.

Article 16. When in Effect

Ratification of act's operation

SEC. 230. This act shall not become operative unless and until it has been ratified by a majority of the electors within the district voting on the proposition therefor at an election called and held in the district.

Operative date

SEC. 231. Said election may be called and held at any time following the passing of this act and its filing with the Secretary of State. If it is ratified prior to 90 days after the adjournment of the session at which it was adopted, it shall be effective upon the expiration of said time. If it is not ratified until subsequent to said time it will be effective upon such ratification.

SEC. 232. The proposition to be submitted at such election shall read: "Shall the creation of the Bethel Island Municipal Improvement District by the State Legislature, and the merger of Reclamation District No. 1619 therein, be ratified?" ^{Election proposition}

SEC. 233. The election at which said proposition shall be submitted shall be called and held as a special election in the manner provided in Article 4 hereof. ^{Special election}

Article 17. Need for Special Act

SEC 240. The purpose of this act is to form the Bethel ^{Purpose} Island Municipal Improvement District in order that the area benefited may be provided with various municipal improvements. Special facts and circumstances, applicable to the general area within which the district lies and not generally, make the accomplishment of this purpose impossible under existing general laws and therefore special legislation is necessary. The special facts are as follows:

(a) The area has no facilities for the treatment and disposal of sewage and, in its development, will consequently contaminate the waters of the State.

(b) The area is without an adequate water supply, storage and distribution system for public and private purposes.

(c) The area is protected by a system of levees from overflow by water. With a population of 2,500, there is urgent need to supplant the reclamation district with a popular vote form of district.

(d) There is urgent need for the improvements which the district is empowered to construct under this act, but other municipal powers which could be exercised by a city are not required, and would result in more government than the area needs or wants.

(e) There are no existing general laws under which the area could be provided with the facilities it needs short of incorporation as a city. Therefore, the only way in which the particular needs of the area can be provided is by special act.

CHAPTER 23

An act to add Chapter 3 (commencing at Section 24378) to Division 20 of the Health and Safety Code, to amend Sections 4000 and 4750 of, and to add Sections 27156 and 40004 to, the Vehicle Code, relating to the control of motor vehicle air pollution, and making an appropriation therefor.

In effect
July 7,
1960

[Approved by Governor April 14, 1960. Filed with
Secretary of State April 14, 1960.]

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

SECTION 1. Chapter 3 (commencing at Section 24378) is added to Division 20 of the Health and Safety Code, to read:

CHAPTER 3. MOTOR VEHICLE POLLUTION CONTROL

Article 1. Application

Necessity
for
regulation

24378. The Legislature finds and declares:

(a) That the emission of pollutants from motor vehicles is a major contributor to air pollution in many portions of the State;

(b) That the control and elimination of such pollutants is of prime importance for the protection and preservation of the public health and well-being, and for the prevention of irritation to the senses, interference with visibility, and damage to vegetation and property.

(c) That, as the Department of Public Health has established standards for air quality and for emissions of contaminants from motor vehicles pursuant to Sections 426.1 and 426.5, the State has a responsibility to establish uniform procedures for compliance with these standards.

Definitions

24379. (a) As used in this chapter the following terms shall be construed as defined in the Vehicle Code:

- (1) Commercial vehicle
- (2) Implement of husbandry
- (3) Motor vehicle
- (4) Motor-driven cycle
- (5) Used vehicle
- (6) Passenger vehicle

(b) As used in this chapter, "motor vehicle pollution control device" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle.

(c) As used in this chapter, "certified device" means a motor vehicle pollution control device for which a certificate of approval has been issued by the Motor Vehicle Pollution Control Board.

Article 2. Motor Vehicle Pollution Control Board

24383. There is in the State Department of Public Health a Motor Vehicle Pollution Control Board. The board shall be responsible directly to the Governor. Administrative services for the board shall be provided by the State Department of Public Health. The board shall consist of 13 members, nine of whom shall be appointed by the Governor with the consent of the Senate, and four shall be the following officers of the State, or their nominees: Director of Public Health, Director of Agriculture, Commissioner of the California Highway Patrol, and Director of Motor Vehicles.

Motor Vehicle Pollution Control Board Members

24384. (a) Of the nine members originally appointed by the Governor, three shall be appointed to serve until July 1, 1962, three shall be appointed to serve until July 1, 1963, and three shall be appointed to serve until July 1, 1964. Thereafter, all members shall be appointed for a term of four years. All members shall hold office until the appointment of their successors. Any vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur.

Same Terms

(b) Members of the Motor Vehicle Pollution Control Board shall serve without compensation, but each member shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties.

Compensation

(c) The members of the board appointed by the Governor shall be selected in such a fashion that the interests of various affected groups throughout the State, including agriculture, labor, organizations of motor vehicle users, the motor vehicle industry, science, air pollution control officials and the general public are represented to the fullest extent possible.

Selection of board members

24385. The Motor Vehicle Pollution Control Board shall select annually from its membership a chairman and vice chairman. Only those members who have been appointed by the Governor shall be eligible for these offices

Chairman, vice chairman

24386. The Motor Vehicle Pollution Control Board shall have the powers and authority necessary to carry out the duties imposed on it by this chapter, including, but not limited to, the following:

Powers

(1) To adopt rules and regulations in accordance with the provisions of the Administrative Procedure Act (commencing at Section 11370 of the Government Code), necessary for proper execution of the powers and duties granted to, and imposed upon the board by this chapter.

(2) To employ such technical and other personnel as may be necessary for the performance of its powers and duties.

(3) To determine and publish the criteria for approval of motor vehicle pollution control devices. In determining the criteria the board shall take into consideration the cost of the device and its installation, its durability, the ease and facility of determining whether the device, when installed on a motor vehicle, is properly functioning, and any other factors which,

in the opinion of the board, render such a device suitable or unsuitable for the control of motor vehicle air pollution or for the health, safety, and welfare of the public.

(4) To issue certificates of approval for any motor vehicle pollution control device where, after being tested by the board or tested and recommended by a laboratory designated by the board as an authorized vehicle pollution control testing laboratory, the board finds that the device operates within the standards set by the state department under Section 426.5 and meets the criteria adopted under subdivision (3) of this section.

(5) To exempt from Article 3 of this chapter designated classifications of motor vehicles for which certified devices are not available, and motor vehicles whose emissions are found by appropriate tests to meet state standards without additional equipment, and motor-driven cycles, implements of husbandry, and vehicles which qualify for special license plates under Section 5004 of the Vehicle Code.

Report to Governor, Legislature

24386.5. The Motor Vehicle Pollution Control Board shall submit a report to the Governor and the Legislature not later than 10 calendar days following the commencement of each general session of the Legislature covering the board's recommendations concerning such legislation and other action as is necessary for the implementation and enforcement of this chapter. The board shall submit its first report to the Governor and the Legislature at the 1961 General Session.

Regulations: Testing, certification of devices

24387. The Motor Vehicle Pollution Control Board shall adopt regulations specifying the manner in which a motor vehicle pollution control device shall be submitted for testing and certification.

Certificates of approval

24388. Whenever the Motor Vehicle Pollution Control Board issues certificates of approval for two or more devices for motor vehicles, it shall so notify the Department of Motor Vehicles.

Article 3. Compliance

"Certification date"

24389. (a) As used in this article "the certification date" means the date on which the Motor Vehicle Pollution Control Board notifies the Department of Motor Vehicles that it has issued certificates of approval for two or more devices

"Principal vehicle location"

(b) As used in this article "principal vehicle location" means (1) for passenger vehicles owned by a person (as distinguished from a firm, copartnership, association, or corporation), the county in which the owner resides; (2) for commercial vehicles, and passenger vehicles registered in the name of a firm, copartnership, association, or corporation (as distinguished from a person), that county or counties in which the vehicle will be operated during the greatest portion of time during the period for which registered. If the vehicle referred to in subdivision (2) of subsection (b) operates the greatest

portion of time in more than one county in which the provisions of Sections 24391, 24392 and 24393 are operative, the principal vehicle location shall be designated as one of the counties in which the provisions of Sections 24391, 24392 and 24393 are operative.

(c) Where only a portion of a county is located within an air pollution control district of the class described in subdivision (b) of Section 24394 and where Sections 24391, 24392 and 24393 are operative in only one portion of the county, the principal vehicle location shall be determined with respect to the portion of the county in which the owner resides or in which the vehicle is operated, respectively.

24390. No new motor vehicle shall be registered in this State after one year after the certification date unless and until the motor vehicle is equipped with a certified device. Registration of new motor vehicles

24391. No used motor vehicle upon transfer of registered owner shall be registered after one year after the certification date when the principal vehicle location for the motor vehicle is a county, or a portion of a county, wherein the provisions of this section are operative, unless and until the motor vehicle is equipped with a certified device. Registration of used motor vehicles

24392. No used commercial motor vehicle shall be registered after the second December 31 next following the certification date when the principal vehicle location is a county, or a portion of a county, wherein the provisions of this section are operative, unless and until the motor vehicle is equipped with a certified device. Same Used commercial vehicles

24393. No motor vehicle shall be registered after the third December 31 next following the certification date when the principal vehicle location is a county, or portion of a county, wherein the provisions of this section are operative, unless and until the motor vehicle is equipped with a certified device. Registration of motor vehicles by continuous owner

24394. (a) In any county which is not, in whole or in part, included within the boundaries of an air pollution control district created by special law to include the area of two or more counties, the board of supervisors may determine, in the manner provided in this section, that the provisions of Sections 24391, 24392 and 24393 are unnecessary for the accomplishment of the purposes of this chapter and that those sections shall not be operative within that county. Applicability of provisions to county not within boundaries of air pollution district

The board of supervisors may hold a hearing to determine the existence and extent of motor vehicle created air pollution in the county. In determining the existence and extent of air pollution, the air quality standards established by the State Department of Public Health shall be used. The board of supervisors may, at the completion of the public hearing, and on the basis of its finding as to air quality in the county, determine and adopt a resolution declaring that the provisions of Sections 24391, 24392 and 24393 are unnecessary for the preservation of air quality and that those sections shall not be

operative within the county. A copy of each such resolution shall be filed with the Motor Vehicle Pollution Control Board and the Department of Motor Vehicles.

Applicability to counties included within boundaries

(b) In each county which is included within the boundaries of an air pollution control district created by special law to include the area of two or more counties the governing body of the district may, by following the procedures set forth in subdivision (a) of this section, on a districtwide basis, (rather than the board of supervisors of each county included within the district) determine that the provisions of Sections 24391, 24392 and 24393 shall not be operative within the district.

Applicability to counties partially included within boundaries

(c) Where only a portion of a county is located within an air pollution control district of the class described in subdivision (b) of this section, the board of supervisors of that county may, by following the procedures set forth in subdivision (a) of this section determine that the provisions of Sections 24391, 24392 and 24393 shall not be operative within that portion of the county not included in the air pollution control district.

County within boundaries may adopt provisions

(d) Thereafter the board of supervisors, or governing body, of each such county (or portion thereof) or district in which the provisions of Sections 24391, 24392 and 24393 are not operative, shall hold such a public hearing at least every two years and may adopt a resolution declaring that the provisions of Sections 24391, 24392 and 24393 are necessary for the preservation of air quality and that those sections shall be operative within the county (or portion thereof) or district, respectively. Thereupon the provisions of Sections 24391, 24392 and 24393 shall be operative in the county (or portion thereof) or district. A copy of each such resolution shall be filed with the Motor Vehicle Pollution Control Board and the Department of Motor Vehicles.

Notice of public hearing Time, place

24394.3. The board of supervisors or the governing body of the district, respectively, shall give notice of the time and place of each such public hearing by publication twice in a newspaper of general circulation in each county affected not less than 15 days before, and not more than 45 days before such hearing.

No sales, etc., of uncertified devices

24395. No person shall sell, display, advertise, or represent as a certified device any device which, in fact, is not a certified device. After the certification date, no person shall install or sell for installation upon any motor vehicle any motor vehicle pollution control device which has not been certified by the Motor Vehicle Pollution Control Board

Violation a misdemeanor

24396. Any violation of this article is a misdemeanor.

Article 4. Authorized Motor Vehicle Pollution Control Testing Laboratories

Laboratories Standards

24397. The Motor Vehicle Pollution Control Board may designate such laboratories as it finds are qualified and equipped to analyze and determine, on the basis of the standards established by the board, devices which are so designed

and equipped to meet the standards set by the state department under Section 426.5 and the criteria established by the Motor Vehicle Pollution Control Board.

24398. The Motor Vehicle Pollution Control Board may contract for the use of, or the performance of the tests or other services by, a laboratory or laboratories operated by any public or private agency, within or without the State. All testing of devices by the board for purposes of certification shall be performed pursuant to such contracts. Contracts for testing of devices

SEC. 2. Section 4000 of the Vehicle Code is amended to read:

4000. No person shall drive, move, or leave standing any motor vehicle, trailer, semitrailer, pole or pipe dolly, or auxiliary dolly upon a highway unless it is registered and the appropriate fees have been paid under this code. Registration required

No person shall drive, move, or leave standing any motor vehicle upon a highway which has been registered in violation of Chapter 3 (commencing at Section 24378) of Division 20 of the Health and Safety Code.

SEC. 3. Section 4750 of said code is amended to read:

4750. The department shall refuse registration or renewal or transfer of registration upon any of the following grounds: Grounds requiring refusal

(a) That the application contains any false or fraudulent statement.

(b) That the required fee has not been paid.

(c) That the registration or renewal or transfer of registration is prohibited by the requirements of Chapter 3 (commencing at Section 24378) of Division 20 of the Health and Safety Code.

SEC. 3.5. Section 27156 is added to said code, to read:

27156. No motor vehicle which is required to be equipped with a certified motor vehicle pollution control device as a condition to registration under Chapter 3 (commencing at Section 24378) of Division 20 of the Health and Safety Code shall be operated upon any highway unless the motor vehicle is equipped with a certified motor vehicle pollution control device which is correctly installed and properly maintained so as to be in operation whenever the vehicle is operated. No such device shall be modified or altered in a manner which will decrease its efficiency or effectiveness in the control of air pollution. Pollution control device

SEC. 4. Section 40004 is added to said code, to read:

40004. It is unlawful and constitutes a misdemeanor for any person knowingly to make any false or fraudulent statement on an application for registration or renewal or transfer of registration of a motor vehicle. False statements in registration application Misdemeanor

SEC. 5. The sum of five hundred thousand dollars (\$500,000) is appropriated from the General Fund in augmentation of Item 195, Budget Act of 1960, for support of the State Department of Health in carrying out the provisions of Chapter 3 (commencing at Section 24378), Division 20 of the Health and Safety Code. Appropriation

Severability
of provisions

SEC. 6. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

CHAPTER 24

An act to validate the incorporation of cities incorporated after February 1, 1960, and on or prior to March 1, 1960, to validate matters pertaining to such cities, including acts of counties or any boards or officers thereof, and declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960.]

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

"City"

SECTION 1. As used in this act, "city" means any city for which an order of incorporation has been filed with the Secretary of State after February 1, 1960, and on or prior to March 1, 1960.

Validation
Organization,
etc

SEC. 2. Each city is hereby declared to have been legally organized and to be legally functioning as a city as of and subsequent to the date upon which an order of incorporation was filed for it with the Secretary of State.

Same
Boundaries

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

Same
Incorporation

SEC. 4. The incorporation of each city is hereby validated for purposes of assessment and taxation if the statement, together with the map or plat, required to be filed under Section 54900 to 54904, inclusive, of the Government Code, is filed on or before March 8, 1960.

Same
Ordinances,
taxes, etc

SEC. 5. (a) Every act, proceeding, and ordinance heretofore taken or adopted (either now in effect or hereafter to take effect) by each city or by any county, county officer or board with regard to such city, relative to the preparation, transmitting, computing, determining or fixing the budget or the tax rate or rates or the property tax lien date of each city, or to the assessment or equalization of property or to the levy of taxes thereon or of tax sales or certificates of tax sales, tax deeds or other conveyances, are hereby confirmed, validated and declared legally effective.

(b) Among the acts specifically validated by this act shall be the transfer of the duties of collection of city taxes to

county assessor as provided in Section 51502 of the Government Code, providing the certified copy of the required ordinance is filed on or before March 15, 1960.

SEC. 6. (a) This act shall be limited to the correction of defects, irregularities, omissions, and ministerial errors in carrying out statutory provisions which the Legislature could have originally omitted from the law under which such acts or proceedings were taken; provided, that this act shall also operate to supply such legislative authorization as may be necessary to validate any such proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken. Limitations
of act

(b) This act is 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) 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 proceedings 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 proceedings to be illegal, void or ineffective.

SEC. 7. As used in this act, "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. Definitions

SEC. 8. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: 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 newly incorporated cities;

(2) Public works and construction by newly incorporated cities 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.

CHAPTER 25

An act to amend Section 75076 of the Government Code, relating to contributions under the Judges' Retirement Law for prior service.

In effect
July 7,
1960

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960.]

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

SECTION 1. Section 75076 of the Government Code is amended to read:

75076. (a) A judge who qualifies, as prescribed in Section 75075, to receive the benefits accorded by this article shall receive a retirement allowance equal to 65 percent of the salary payable, at the time payment of the allowance falls due, to the judge holding the judicial office to which he was last elected or appointed; except that if upon retirement a judge has received credit for 20 or more years of service rendered prior to the expiration of the time within which the judge is eligible to elect to receive the benefits accorded by this article and for which he has contributed to the Judges' Retirement Fund his retirement allowance shall equal 75 percent of such salary.

(b) Any judge retiring after the effective date of this subdivision who has or shall become entitled to credit for service as a judge of a court of record prior to the inclusion of the judges of such courts, or of all such courts, under the Judges' Retirement Law, or as a "judge of an excluded court" as defined by Section 75029, or as a "constitutional officer" or "public legal officer" as defined by Section 75030.5, without having contributed therefor to the Judges' Retirement Fund, may at any time prior to retirement contribute for all or any part of such service by paying into the fund a sum of money computed by applying to the rate of salary which he actually received during his first year of service as a judge the rate of deduction first applicable to his salary as a judge after the inclusion of the judges of his court under the Judges' Retirement Law, multiplied by the period of service for which contributions are elected to be made, plus interest at 3 percent a year to the date of his payment upon the amounts of such deductions and from the respective dates they would have been made if he had been the holder of a judicial office subject to the provisions of the Judges' Retirement Law at the time

of the rendition of the services for which he has received or hereafter receives such credit.

This subdivision shall apply also to any judge who has retired prior to the effective date of this subdivision and subsequent to September 18, 1959, provided such judge shall file his election and make such contribution with respect to prior service, as authorized hereunder, within one year after the effective date of this subdivision. Any change in the retirement benefits to any such judge which results from such contribution on prior service shall become effective and shall accrue from the date of filing such election and payment of such contribution as authorized hereunder.

The amount of any contribution hereunder and interest thereon shall be determined by the Controller in accordance with this subdivision.

(c) If the judge retires pursuant to Section 75025, the allowance is payable during the remainder of his life; if pursuant to Section 75060, it is payable as provided in Section 75060.6.

CHAPTER 26

An act to amend Sections 24375.03, 24375.10, 24375.12, 24375.15, 24375.16, 24375.50, 24375.84, 24375.86, 24375.87, 24376.20, 24376.21, and 24376.22 of the Health and Safety Code, relating to the San Joaquin Valley Air Pollution Control District.

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 24375.03 of the Health and Safety Code is amended to read.

24375.03. The problems of air pollution are primarily regional and dependent upon factors of weather, topography, population, transportation, methods of waste disposal, and agricultural and industrial development. These factors vary greatly from area to area. The airshed of the San Joaquin Valley presents a special problem, distinct from that found in the remainder of the State. This chapter is enacted to provide a special district to control and suppress air pollution in that area. Special district

Since the problem requiring this legislation is local and special due to atmospheric and geographic conditions, a general law cannot now be made applicable so as to insure its effective alleviation. It is necessary, therefore, to create, by special law, an air pollution control district which includes Special law

an area lying within the boundaries of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare Counties.

Boundaries **SEC. 2.** Section 24375.10 of said code is amended to read:
 24375.10. An air pollution control district is hereby created, which shall be called the San Joaquin Valley Air Pollution Control District and shall comprise the area lying within the boundaries of Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare Counties, and all of the area within Kern County except that not within the airshed of the San Joaquin Valley which comprises that area in Kern County lying within the boundaries of the China Lake, Indian Wells Valley Union, Johannesburg, Mojave Unified, Randsburg, Tehachapi Union, Aqueduct Cummings Valley, South Kern County Union and Muroc Unified School Districts as shown on the School District Map of Kern County prepared by the office of the county surveyor February 15, 1955. The area included within the district is found and determined to be the airshed of the San Joaquin Valley.

Meetings **SEC. 3.** Section 24375.12 of said code is amended to read:
 24375.12. The city selection committee of each county shall meet on January 3, 1961, at 10 a. m. in the chambers of the board of supervisors of such county for the purpose of making the first appointment to the district board as prescribed in Section 24375.15. The committee of each county shall thereafter meet on the second Monday in May of each even-numbered year, at 10 a. m. in the chambers of the board of supervisors of such county, for the purpose of making succeeding appointments to the district board as prescribed in Section 24375.16. At least two weeks prior to the date of each meeting the county clerk of each county shall give notice of such meeting to each member of the city selection committee of such county. The meeting of the city selection committee of each county shall be conducted in the presence of the county clerk of such county who shall act as the recording officer for the meeting. It shall be the duty of the county clerk to notify in writing the board of supervisors of such county and also the clerk of the district board of the appointment made by the city selection committee within 10 days after such appointment has been made.

Board of directors Members **SEC. 4.** Section 24375.15 of said code is amended to read:
 24375.15. The governing body of the district is a board of directors who shall be selected as provided in this article.

On or before January 3, 1961, the board of supervisors of each county in the district shall appoint one of its members to be a member of the board.

On January 3, 1961, the city selection committee of each county shall appoint one member of the board. Such member shall be selected from among the mayors and city councilmen of the cities within such county.

Same: Terms **SEC. 5.** Section 24375.16 of said code is amended to read:
 24375.16. Each member of the first board shall hold office until June 1, 1962, and thereafter each member appointed by

the board of supervisors shall hold office for a term of four years and until the appointment and qualification of his successor and each member appointed by the city selection committee shall hold office for two years and until the appointment and qualification of his successor. Any vacancy on the board shall be filled by appointment in the same manner as the vacating member was appointed. Any member of the board may be removed at any time in the same manner as he was appointed; provided, however, that if four-fifths of the members of the board of supervisors of a county request the removal of a member appointed by the city selection committee of such county, the city selection committee of such county shall meet within 20 days to consider the removal of such member. Removal

Any member of the board may be recalled from his office of member of the board of supervisors or of mayor or member of the legislative body of a city pursuant to Division 13 (commencing at Section 11000) of the Elections Code, in which event his office as member of the board shall be vacant. Recall

SEC. 6. Section 24375.50 of said code is amended to read:
 24375.50. Within 30 days after the district, by resolution of necessity, determines it necessary to adopt rules and regulations pursuant to Article 10 (commencing at Section 24375.70), the district board shall appoint a hearing board, to consist of five members, none of whom is otherwise employed by the district, but one of whom shall be a member of the district board. One member shall have been admitted to practice law in this State. One member shall be a chemical or mechanical engineer. Rules and regulations
Hearing board

SEC. 7. Section 24375.84 of said code is amended to read:
 24375.84. The hearing board shall serve a notice of the time and place of a hearing to grant a variance upon the control officer, each board of supervisors and city council in the district, the board of directors, the applicant, if any, and upon such other persons as the hearing board deems should be notified, not less than 10 days prior to such hearing. Notice of hearing

SEC. 8. Section 24375.86 of said code is amended to read:
 24375.86. The hearing board may revoke or modify by written order, after a public hearing held upon notice, any order permitting a variance. Revocation,
etc.

SEC. 9. Section 24375.87 of said code is amended to read:
 24375.87. The hearing board shall serve notice of the time and place of such hearing not less than 10 days prior to such hearing upon the control officer, each board of supervisors and city council in the district, the board of directors, upon all persons who will be subjected to greater restrictions if such order is revoked or modified as proposed, and upon all other persons interested or likely to be affected who have filed with the hearing board or control officer a written request for such notification. Notice of hearing
Service

SEC. 10. Section 24376.20 of said code is amended to read:
 Incurring
 indebtedness 24376.20. The district may incur indebtedness by the issuance of negotiable promissory notes pursuant to this section for any purpose for which the district is authorized to expend funds. Such notes shall be general obligations of the district payable from taxes levied and collected on the taxable real and personal property within the district as hereinafter provided, and shall mature not later than June 30 of the ensuing fiscal year to that in which they are issued, and shall bear interest at a rate not to exceed 6 percent per annum, payable as provided therein. The aggregate amount of such notes outstanding at any one time shall not exceed 75 percent of the total amount of the district treasurer's estimate of moneys from taxes on the taxable real and personal property within the district to be received either in the fiscal year in which the indebtedness is to be incurred or in the ensuing fiscal year. Such notes shall be issued in the form and in the manner provided for by a resolution of the board and shall be signed by a member of the board designated for that purpose and by the district treasurer. The district shall not incur any indebtedness pursuant to this section unless and until a majority of the voters of the district voting at an election called and held in accordance with the provisions of Article 6 (commencing at Section 58160) of Chapter 1, Division 1, Title 6 of the Government Code, have voted in favor of the proposal to incur the indebtedness.

Sec. 11. Section 24376.21 of said code is amended to read:
 Apportion-
 ment of
 money 24376.21. Before the fifteenth day of June of each year the board shall estimate and determine the amount of money required by the district for purposes of the district during the ensuing fiscal year and shall apportion this amount to the counties included within the district according to the proportion, as determined by the board from the last equalized assessment rolls of the counties, which the valuation of the taxable real property within the area of each county within the district bears to the assessed valuation of all of the taxable real property within the district. The rate of taxation in any county for district purposes during any fiscal year shall not, however, exceed one-half cent (\$.005) on each one hundred dollars (\$100) of assessed valuation.

Sec. 12. Section 24376.22 of said code is amended to read:
 Taxes
 Levy,
 collection 24376.22. On or before the 15th day of June of each year, the board shall inform the boards of supervisors of each county of the amount apportioned to the county. Each board of supervisors shall levy an ad valorem tax on the taxable real and personal property within the county included within the district sufficient to secure the amount so apportioned to it and such taxes shall be levied and collected together with, and not separately from, the taxes for county purposes and paid to the treasurer of each of the counties to the credit of the district.

CHAPTER 27

An act to amend the heading of Article 3 (commencing with Section 640) of Chapter 1 of Division 3.5 of Title 1 of the Government Code, and to add Section 625 and Article 3 (commencing with Section 630) to Chapter 1 of Division 3.5 of Title 1 of the Government Code, relating to claims against the State, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 15, 1960 Filed with Secretary of State April 15, 1960]

In effect immediately

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

SECTION 1. The heading of Article 3 (commencing with Section 640) of Chapter 1 of Division 3.5 of Title 1 of the Government Code is amended and renumbered to read:

Article 4. Actions

SEC. 2. Section 625 is added to the Government Code, to read:

625. This article shall not be construed an exclusive means for presenting claims to the Legislature nor as preventing the Legislature from making such appropriations as it deems proper for the payment of claims against the State which have not been submitted to the board or recommended for payment by it pursuant to this article

Claims Appropriations by Legislature

SEC. 3 Article 3 (commencing with Section 630) is added to Chapter 1 of Division 3.5 of Title 1 of the Government Code, to read:

Article 3. Proceedings to Determine Constitutionality

630. As used in this article "omnibus claim appropriation" means an act of appropriation, or an item of appropriation in a budget act, by which the Legislature appropriates a lump sum to pay the claim of the board or its secretary against the State in an amount which the Legislature has determined is properly chargeable to the State.

"Omnibus claim appropriation"

631. Promptly following the effective date of an omnibus claim appropriation, the board or its secretary shall submit to the Controller a claim covering the full amount of the appropriation made in the omnibus claim appropriation. Any such claim is exempt from the provisions of Article 1 (commencing with Section 600) of this chapter, and the board shall have those powers necessary to administer and disburse the omnibus claim appropriation.

Submission of claim to Controller

632. If the Controller believes or has reason to believe that the payment of any portion of the omnibus claim appropriation may violate the provisions of the Constitution, he shall withhold payment of the questioned portion and shall issue his

Withholding of portion where constitutionality questionable

warrant for the remainder of the appropriation. The secretary, subject to the board's approval, shall promptly disburse the undisputed portion of the omnibus claim appropriation and shall promptly give notice to the Joint Legislative Budget Committee of the Controller's action concerning the withheld portion.

Refusal of
Legislature
to recon-
sider Effect

633 Unless the Joint Legislative Budget Committee within 60 days after receipt of such notice advises the board in writing that the Legislature desires to reconsider any part of the withheld portion, the board shall institute proceedings to compel the Controller to issue his warrant for the balance of the omnibus claim appropriation. The board shall prosecute any such proceeding to final determination and shall disburse the funds finally paid over to it. Funds subject to such proceedings shall continue to be available until the end of the fiscal year in which final determination of the proceeding occurs.

Reconsidera-
tion by
Legislature:
Effect

634. If the Joint Legislative Budget Committee advises the board that the Legislature desires to reconsider any part of the omnibus claim appropriation withheld by the Controller, no further action shall be taken with respect to that part and the money appropriated therefor shall revert to funds from which they were appropriated, pending further legislative action. The board, however, shall institute proceedings as provided in Section 633 to compel payment of the remainder of the omnibus claim appropriation withheld by the Controller.

Urgency

SEC. 4. This act is an emergency 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 effect immediately. The facts which constitute such necessity are:

The Controller has been advised by the Attorney General, after his review of the omnibus claim appropriation made in the Budget Act of 1959, that part of the appropriation may violate the provisions of the Constitution. As such a review of the omnibus claim appropriation has never before been made nor contemplated by the Legislature, there is no specific statutory procedure whereby the constitutionality of the challenged portion of the appropriation may be determined in a judicial proceeding. The present administrative uncertainty as to the procedure to be followed has delayed the administration and disbursement of the omnibus claim appropriation made in the Budget Act of 1959. The procedure set forth in this act will apply to the challenged portion of the omnibus claim appropriation made in the Budget Act of 1959, as well as to omnibus claim appropriations made at subsequent sessions. It is therefore necessary that this act take effect immediately.

CHAPTER 28

An act to add Section 616 to the Education Code, relating to the election of members of county boards of education and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960.]

In effect immediately

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

SECTION 1. Section 616 is added to the Education Code, to read:

616. The county board of education, upon request of the county clerk, may provide, by resolution, that the members of the county board of education shall be elected by the voters from the county at large, rather than by the voters from trustee areas as provided in this chapter. The county clerk shall not make a request pursuant to this section unless he finds that precinct lines within trustee areas do not coincide with county precinct lines.

A resolution adopted by the county board of education pursuant to this section shall supersede any order of the county committee on school district organization establishing trustee areas or changing the boundaries of such areas. Following the adoption of such a resolution, the members of the county board of education shall be elected by the voters from the county at large.

Notwithstanding any resolution adopted pursuant to this section, the name of a candidate for election to a county board of education shall be placed on the ballot under a designation indicating the trustee area in which such candidate resides. There shall appear immediately following the designation of such trustee area, the words "Vote for One," which shall extend to the extreme right of the column containing the names of the candidates and immediately over the voting square. The candidate under each such designation receiving the highest number of votes cast by the voters from the county at large shall be elected to the county board of education and shall be considered to represent the trustee area under which his name appears. It is the intent of the Legislature that the voters in the county at large shall elect one member of the county board of education from each trustee area.

The provisions of this section shall remain operative until September 1, 1960.

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 boundaries of trustee areas established for the election of members of county boards of education do not coincide with election precinct lines used to conduct county or school district

elections in certain counties. As a result, due to the procedural difficulties involved, it is virtually impossible to consolidate the election of members of county boards of education with either the direct primary election or school district elections, as is required by law. This act will make it possible to eliminate the problem in the counties involved, and in order that it may operate with respect to the pending election of members of county boards of education at the direct primary election, it is essential that it go into effect immediately.

CHAPTER 29

An act to amend Section 70048 of the Government Code, relating to superior court reporters.

In effect
July 7,
1960

[Approved by Governor April 15, 1960. Filed with
Secretary of State April 15, 1960]

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

SECTION 1. Section 70048 of the Government Code is amended to read:

70048. In a county with a population of 500,000 and under 700,000, regular official phonographic reporters shall be paid, effective July 1, 1960, a monthly salary, at a rate established according to the following salary schedule:

Step A	Step B	Step C	Step D	Step E
\$715	\$755	\$797	\$842	\$889

Except as otherwise provided herein, a person appointed as a regular official phonographic reporter shall receive for his first six months of service a monthly salary at the rate specified in Step A. Upon the first day of the month following six month's continuous service, such person shall receive a monthly salary at the rate specified in Step B. On or after the first day of the month following each ensuing 12 months of such service such salary shall be increased to the rate specified in the next higher step of the salary schedule until such salary equals the sum specified in Step E of said schedule.

Regular official phonographic reporters with more than three and one-half years of service as of July 1, 1960, shall receive a monthly salary at the rate specified in Step E. Regular official phonographic reporters employed prior to July 1, 1960, and having less than three and one-half years of service, shall receive a monthly salary at the rate specified in Step D. All other regular official phonographic reporters shall receive a monthly salary under the schedule according to length of service.

For purposes of this section employment as an official reporter in any municipal, superior or federal court located in the State shall be included in determining length of service.

Official phonographic reporters pro tempore shall be compensated at the rate of forty dollars (\$40) a day.

SEC. 2. This act shall be operative July 1, 1960.

Operative date

CHAPTER 30

An act to amend Sections 73974, 74263 and 74264 of the Government Code, relating to the municipal courts.

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960]

In effect July 7, 1960

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

SECTION 1. Section 73974 of the Government Code is amended to read:

73974. The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the schedule set forth below:

	A	B	C	D	E
Chief clerk	464	489	516	545	575
Municipal court clerk	375	395	417	440	464
Municipal court clerk assistant	355	375	395	417	440
Deputy municipal court clerk	319	337	355	375	395
Deputy municipal court clerk typist	273	288	303	319	337
Marshal	489	489	489	489	489
Deputy marshal	375	395	417	440	464
Deputy marshal clerk	319	337	355	375	395

Salary schedules

The hiring salary for each position shall be the salary in column "A." A service period of six months shall be required for a salary increase from column "A" to column "B" and one additional year's service for a salary increase from column "B" to column "C." A service period of 18 additional months shall be required for a salary increase from column "C" to column "D" and two additional years' service for a salary increase from column "D" to column "E."

SEC 2. Section 74263 of said code is amended to read:

74263. There shall be one marshal who may appoint one chief deputy marshal, two deputy marshals, four deputy bailiffs, and one deputy marshal clerk.

Marshal, etc

SEC. 3. Section 74264 of said code is amended to read:

74264. The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the schedule set forth below:

Salary schedules

	A	B	C	D	E
Chief clerk	608	641	677	715	755
Assistant clerk	464	489	516	545	575

	A	B	C	D	E
Court clerk	375	395	417	440	464
Supervising clerk	375	395	417	440	464
Court clerk assistant.....	355	375	395	417	440
Deputy municipal court clerk.....	319	337	355	375	395
Municipal court clerk, typist II....	273	288	303	319	337
Marshal	545	545	545	545	545
Chief deputy marshal.....	395	417	440	464	489
Deputy marshal	375	395	417	440	464
Deputy bailiff	355	375	395	417	440
Deputy marshal clerk.....	319	337	355	375	395

The hiring salary for each position shall be the salary in column "A." A service period of six months shall be required for a salary increase from column "A" to column "B" and one additional year's service for a salary increase from column "B" to column "C." A service period of 18 additional months shall be required for a salary increase from column "C" to column "D" and two additional years' service for a salary increase from column "D" to column "E."

CHAPTER 31

An act to add Section 2742 to the Elections Code, relating to the nomination of candidates at the direct primary election, and declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960.]

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

SECTION 1. Section 2742 is added to the Elections Code, to read:

2742. A candidate who fails to receive the highest number of votes for the nomination of the political party with which he was registered as affiliated on the date his declaration of candidacy or declaration of acceptance of nomination was filed with the county clerk cannot be the candidate of any other political party.

Urgency

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. The facts constituting such necessity are:

There is a practice now existing whereby a member of one party reregisters as a member of the opposing party for the sole purpose of having his name placed on the ballot of that party as a candidate for partisan office. Since the law does not limit writein voting at the direct primary election to candidates affiliated with the same party as the voter, it is

now possible for such a candidate who reregisters in this manner to secure the nomination of his original party, even though he is defeated for the nomination of the party with which he reregisters. As a result, the candidate may in this manner defeat the purpose of the Legislature in abolishing crossfiling, and may, through deception, obtain for himself the opportunity to secure a double nomination at the direct primary election. This bill would prevent the practice in question, and in order that it may operate with respect to the pending direct primary election, it is essential that it go into immediate effect.

CHAPTER 32

An act to amend and renumber Section 9302 of the Government Code, relating to benefits payable upon the death of a Member of the Legislature, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960]

In effect
immediately

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

SECTION 1. Section 9302 of the Government Code is amended and renumbered to read:

9359 95. In addition to any other benefits provided for in this chapter, upon the death, on or after January 1, 1959, and before retirement, of any member who, at the time of his death was a Member of the Legislature, there shall be paid to his beneficiary, if he has designated one, and if not, to his estate, an amount equal to the annual compensation payable to a Member of the Legislature during the 12 months immediately preceding his death.

Member
who dies
Additional
death
benefit

SEC. 2. There is hereby appropriated for the claim of the Secretary of the State Board of Control, in lieu of any other appropriation to the Board of Administration of the State Employees' Retirement System and as an alternate means for the payment under this act of claims of the estates specified in this section, the sum of twelve thousand dollars (\$12,000) in accordance with the following schedule:

Appropriation

Schedule:

- (a) Claim of the estate of Seth J. Johnson_____ \$6,000.00
- (b) Claim of the estate of Dorothy M. Donahoe 6,000.00

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

Following the adoption of Assembly Constitutional Amendment No. 37 at the General Election of November, 1930, which authorized the establishment of a retirement system for state officers and employees, the Legislature enacted Chapter 773 of the Statutes of 1931, providing a death benefit for the heirs of legislators who died during their term of office. Despite doubts expressed by various administrative officers from time to time concerning the validity of such a retirement benefit for legislators, death benefits have been provided for many years under the circumstances contemplated by the 1931 statute which is amended and renumbered by this act.

In view of the uncertainties of the present law, under which the amount of the benefit depends on the length of the member's unexpired term of office and under which challenge has been made as to the actions heretofore taken, the Legislature intends by this act to substitute a certain amount as the death benefit, to make it applicable to pending situations, and to set the matter at rest for the future. The Legislature is advised that only a portion of the death benefit provided in the Budget Act of 1960 for Assemblyman Seth Johnson can be approved for payment. Further, the unfortunate death of Assemblywoman Dorothy M. Donahoe on April 4, 1960 makes it necessary for the Legislature to provide this benefit for her heirs at law. It is therefore necessary that this act take effect immediately.

CHAPTER 33

An act to add Division 13 (commencing at Section 11000) to the Streets and Highways Code, relating to the conversion of city streets to pedestrian malls.

In effect
July 7,
1960

[Approved by Governor April 15, 1960. Filed with
Secretary of State April 15, 1960.]

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

SECTION 1. Division 13 (commencing at Section 11000) is added to the Streets and Highways Code, to read:

DIVISION 13. PEDESTRIAN MALLS

PART 1. PEDESTRIAN MALL LAW OF 1960

CHAPTER 1. GENERAL PROVISIONS

Short title 11000. This part may be cited as the Pedestrian Mall Law of 1960.

11001. Unless the context otherwise requires, the definitions contained in this chapter shall govern the construction of this part.

11002. "City" includes every county, city, and city and county within this State. "The city" means the particular county, city, or city and county, acting pursuant to this part. "City"

11003. "Legislative body" means the legislative body of "the city." "Legislative body"

11004. "Street" as used in the definitions of the terms "city streets," "mall intersection" and "intersecting streets" hereinafter defined means any public street, road, highway, alley, lane, court, way or place of any nature open to the use of the public. "Street"

11005. "City street," as used with regard to streets located within a city or city and county, means any "street" located within the city or city and county, except a "freeway," "state highway," or "county highway" as defined in Sections 23.5, 24, and 25. "City street," as used with regard to streets located within a county, means any "street" located within the county, except a "freeway" or "state highway," as defined in Sections 23.5 and 24. "City street"

11006. "Pedestrian mall" means one or more "city streets," or portions thereof, on which vehicular traffic is or is to be restricted in whole or in part and which is or is to be used exclusively or primarily for pedestrian travel. "Pedestrian mall"

11007. "Mall intersection" means any intersection of a "city street" constituting a part of a "pedestrian mall" with any "street," which intersection is itself part of the "pedestrian mall." "Mall intersection"

11008. "Intersecting street" means any "street" which meets or crosses a "pedestrian mall" at a "mall intersection" but includes only those portions thereof on either side of a "mall intersection" which lie between the "mall intersection" and the first intersection of the "intersecting street" with a public street or highway open to vehicular traffic. "Intersecting street"

11009. "Assessment roll" means the assessment roll or rolls used by the city for purposes of city ad valorem taxes on real property of the city. "Assessment roll"

CHAPTER 2. PURPOSE AND POWERS

11100. The Legislature hereby finds and declares that in certain areas in cities and particularly in retail shopping areas thereof, there is need to separate pedestrian travel from vehicular travel and that such separation is necessary to protect the public safety or otherwise to serve the public interest and convenience. The Legislature further finds and declares that such objective can, in part, be accomplished by the establishment of pedestrian malls pursuant to this part. Purpose

11101 The legislative body of a city shall have the power: Powers - City legislative body

(a) To establish pedestrian malls

(b) To prohibit, in whole or in part, vehicular traffic on a pedestrian mall.

(c) To pay, from general funds of the city or other available moneys or from the proceeds of assessments levied on lands

benefited by the establishment of a pedestrian mall, the damages, if any, allowed or awarded to any property owner by reason of the establishment of a pedestrian mall. No money available for expenditure within the city from the proceeds of any tax, license or fee imposed by any public agency upon the ownership or operation of vehicles or the fuel used therein shall be used to pay such damages, except as may be permitted by Section 11005 of the Revenue and Taxation Code.

(d) To construct on city streets which have been or will be established as a pedestrian mall improvements of any kind or nature necessary or convenient to the operation of such city streets as a pedestrian mall, including but not limited to, paving, sidewalks, curbs, gutters, sewers, drainage works, street lighting facilities, fire protection facilities, flood protection facilities, water distribution facilities, vehicular parking areas, retaining walls, landscaping, tree planting, statuary, fountains, decorative structures, benches, restrooms, child care facilities, display facilities, information booths, public assembly facilities, and other structures, works or improvements necessary or convenient to serve members of the public using such pedestrian mall, including the reconstruction or relocation of existing city-owned works, improvements or facilities on such city streets. The foregoing, or any portions thereof, are sometimes in this part referred to as "improvements."

(e) To pay, from general funds of the city or other available moneys or from the proceeds of assessments levied on property benefited by any such improvements, the whole or any portion of the cost of such improvements. No money available for expenditure within the city from the proceeds of any tax, license or fee imposed by any public agency upon the ownership or operation of vehicles or the fuel used therein shall be used to pay such cost or expense, except as may be permitted by Section 11005 of the Revenue and Taxation Code.

(f) To do any and all other acts or things necessary or convenient for the accomplishment of the purposes of this part.

Powers not limited by any other law

11102. The powers herein granted to prohibit, in whole or in part, vehicular traffic on any city street shall be in addition to and not limited by the powers granted by Section 21101 of the Vehicle Code or by any other law.

Provisions to be liberally construed

11103. This part and all of its provisions shall be liberally construed to the end that its purpose may be effective. Any proceedings taken pursuant to this part shall not be held invalid for failure to comply with the provisions of this part, if the acts done and proceedings taken are not invalid under the State or Federal Constitutions.

This part does not affect any other law relating to the same or similar subject, but provides an alternative procedure for the subject to which it relates. When proceedings are taken under this part, its provisions only shall apply. The Special Assessment Investigation, Limitation and Majority Protest Act

of 1931 shall not apply to any proceedings taken under this part nor to any proceedings taken under any other law for the improvement of a pedestrian mall.

CHAPTER 3. RESOLUTION OF INTENTION

11200. When the legislative body shall determine that the public interest and convenience require the establishment of a pedestrian mall and that vehicular traffic will not be unduly inconvenienced thereby, it may adopt a resolution declaring its intention to establish such pedestrian mall. Such resolution shall contain:

Resolution of
intention
Contents

- (a) The determination and declaration referred to above.
- (b) A general description of the city streets, or portions thereof, which are proposed to be established as a pedestrian mall.
- (c) A general description of the mall intersections.
- (d) A general description of the intersecting streets.
- (e) A statement that the legislative body proposes to adopt an ordinance prohibiting, in whole or in part, vehicular traffic on such pedestrian mall. If vehicular traffic is proposed to be prohibited only in part, the resolution shall also contain a general statement of the exceptions proposed to be made. Such exceptions may include exceptions in favor of public, emergency, utility and other classes of vehicles, may include exceptions in favor of all or certain classes of vehicles during certain days or during portions of days, and may include other exceptions of any kind or nature.
- (f) A general statement of the source or sources of moneys proposed to be used to pay damages, if any, allowed or awarded to any property owner by reason of the establishment of the pedestrian mall.
- (g) A day, hour and place for the hearing by the legislative body of protests and objections to the establishment of the proposed pedestrian mall, and a statement that any and all persons having any objection to the establishment of the proposed pedestrian mall may file a written protest with the clerk of the legislative body at any time not later than the hour so fixed for the hearing.
- (h) A statement that any person owning or having any legal or equitable interest in any real property which might suffer legal damage by reason of the establishment of the proposed pedestrian mall may file a written claim of damages with the clerk of the legislative body at any time not later than the hour so fixed for hearing; that such written claim must describe the real property as to which the claim is made, must state the exact nature of the claimant's interest therein, must state the nature of the claimed damage thereto, and must state the amount of damages claimed.

11201. In such resolution any street may be described by referring thereto by its lawful or official name, or the name by which it is commonly known, and the pedestrian mall, the

Descriptions,
etc

mall intersections, and the intersecting streets may be described by reference to a map or plat thereof on file in the office of the clerk of the legislative body.

Resolution
Damages,
assessments,
etc

11202. In such resolution the legislative body may propose to pay the whole or any part of damages based on claims filed pursuant to Section 11304, if any, allowed or awarded to any property owner by reason of the establishment of the pedestrian mall from the proceeds of assessments levied upon lands benefited by the establishment of the pedestrian mall. In such case the resolution shall also contain:

(a) A general description of the district (which may consist of noncontiguous portions) within which lie the lands deemed by the legislative body to be benefited by the establishment of the proposed pedestrian mall. Such district may be described as provided in Section 5181.

(b) A statement that an assessment will be levied pursuant to this part to pay the whole or a stated portion of the damages based on claims filed pursuant to Section 11304, if any, allowed or awarded to any property owner by reason of the establishment of such pedestrian mall and the costs and expenses in connection with proceedings or actions taken pursuant to this part.

(c) If bonds are to be issued, a statement that bonds to represent unpaid assessments will be issued, and the interest rate, or maximum interest rate, and term, or maximum term, of any such bonds.

Resolution
Improvements

11203. If in connection with the initial establishment of a pedestrian mall, the legislative body proposes to make any improvements of the kind or type referred to in subdivision (d) of Section 11101, such resolution shall also contain:

(a) A general description of the improvements proposed to be made. Such description may be made (but is not required to be made) in any manner permitted or provided in any law under which such improvements are to be made or financed.

(b) A general statement of the source or sources of moneys proposed to be used to pay the costs and expenses of such improvements.

(c) If all or any part of such improvements are proposed to be made or financed under the Improvement Act of 1911, the Municipal Improvement Act of 1913, or similar special assessment law, a statement as to what law is proposed to be so used.

Expenditures,
special funds,
etc

11204. (a) In connection with the initial establishment or the extension of a pedestrian mall, expenditures for the acquisition, construction or maintenance of streets within the proposed pedestrian mall made subsequent to such resolution or within three years prior to the adoption of such resolution from the proceeds of any tax, license, or fee imposed upon the ownership or operation of vehicles or the fuel used therein, shall be included as a cost of improvement of the mall. If the mall is subsequently established, an amount equivalent thereto shall be paid from moneys used to finance improvement of the

mall into the special gas tax street improvement fund or the traffic safety fund in the case of a city, or into the special road improvement fund in the case of a county.

(b) The provisions of subdivision (a) shall not apply to any expenditure made from proceeds of the vehicle license fee imposed under Division 2, Part 5 of the Revenue and Taxation Code, nor to any expenditure made prior to March 1, 1960.

CHAPTER 4. NOTICE AND HEARING

11300. The resolution of intention shall be published pursuant to Section 6066 of the Government Code in a newspaper of general circulation published within the county, city, or city and county, as the case may be. The first publication shall be not less than 60 days prior to the date fixed therein for hearing. In a city where no such newspaper is published, the resolution shall instead be so published in a newspaper of general circulation published in the county in which the city is located. Resolution
Publication

11301. Copies of the resolution headed "Notice of Intention to Establish a Pedestrian Mall" in letters at least one-half inch in height shall be posted not more than 300 feet apart as follows: Same
Posting

(a) On all city streets, or portions thereof, proposed to be established as a pedestrian mall.

(b) On all intersecting streets.

(c) If assessments are to be levied as contemplated by Section 11202, then upon all open streets within the district described in the resolution pursuant to such section.

Such copies shall be posted not less than 60 days prior to the hearing.

11302. A copy of the resolution shall be mailed, postage prepaid, not less than 60 days prior to the hearing to each person to whom any of the following described lands is assessed as shown on the last equalized assessment roll, at his address as shown upon such roll, and to any person, whether owner in fee or having a lien upon, or legal or equitable interest in, any of such lands whose name and address and a designation of the land in which he is interested is on file in the office of the city clerk or county clerk, as the case may be. Such lands are as follows: Same.
Mailing to
owners,
lienors, etc.

(a) All parcels of land abutting upon any portion of the pedestrian mall or any portion of any intersecting street.

(b) If assessments are to be levied as contemplated by Section 11202, then all parcels of land within the assessment district described in the resolution pursuant to such section.

The legislative body may determine that such resolution shall also be mailed to such other persons as it may specify.

11303. Not later than the hour set for hearing any interested person may, severally or with others, file with the clerk of the legislative body written objection to the establishment of the proposed pedestrian mall or to the extent of any district Objections

described pursuant to Section 11202 or both. Any protest or objection may be withdrawn at any time by written notice of such withdrawal filed with the clerk of the legislative body with the same effect as if it had never been made.

Claim of
damages

11304. Not later than the hour set for hearing any person owning, or having any legal or equitable interest in, any real property which might suffer legal damage by reason of the establishment of the proposed pedestrian mall may file with the clerk of the legislative body a written claim of damages. Such written claim must describe the real property as to which the claim is made, must state the exact nature of the claimant's interest therein, must state the nature of the claimed damage thereto, and must state the amount of damages claimed. Any such claim may be withdrawn by the claimant at any time by written withdrawal with the same effect as if it had never been filed.

Hearing

11305. At the hearing all objections and protests shall be heard and considered, and all claims shall be heard and considered. The hearing may be continued from time to time by order entered on the minutes.

Termination
of pro-
ceedings for
estab-
lishment
Majority
objection

11306. If the owners of lands abutting on the proposed pedestrian mall representing a majority of the frontage on the proposed pedestrian mall have made written objection to the establishment of the proposed pedestrian mall, the legislative body shall so find and shall terminate the proceedings for such establishment. In such event no proceeding hereunder for the establishment of the same or substantially the same pedestrian mall shall be commenced within one year after such termination.

Discontinu-
ance of
assessments
for damages

11307. If assessments are to be levied as contemplated by Section 11202, then if the owners of more than one-half of the area of land included within the district described in the resolution of intention and subject to assessment have made written objection to the establishment of the proposed pedestrian mall, the legislative body shall so find and in that event the legislative body may continue with proceedings for the establishment of the pedestrian mall but shall have no power to make any assessment upon benefited property to pay damages. In such event no proceeding hereunder for the levy of assessments upon benefited property to pay damages in connection with the establishment of the same or substantially the same pedestrian mall shall be commenced within one year after such finding.

Levy of
assessments
Boundaries,
notice,
objections

11308. If assessments are to be levied as contemplated by Section 11202, then at the hearing the legislative body may change the boundaries of the proposed district by adding thereto land which in its opinion will be benefited by the establishment of the pedestrian mall or by excluding from the district lands which in its opinion will not be so benefited. If the legislative body proposes any such change it shall take proceedings as required by this section and shall continue the hearing to the time fixed for hearing objections to the proposed change.

No such change shall be made except after notice of intention to do so, given by at least one insertion in the newspaper in which the resolution of intention was published, describing the proposed change and specifying the time for hearing objections, which shall not be less than 30 days after publication of the notice. If the change proposed is one to include additional land in the district, a copy of such notice shall be mailed to each person to whom land proposed to be added is assessed as shown on the last equalized assessment roll, at his address as shown on such roll, and to any person, whether owner in fee or having a lien upon, or legal or equitable interest in, any such lands whose name and address and a designation of the land in which he is interested is on file in the office of the city clerk or county clerk, as the case may be. Such notice shall be mailed at least 25 days prior to the time set for hearing objections. Written objection to any proposed changes may be filed with the clerk of the legislative body at any time up to the hour fixed for hearing objections to such changes.

11309. Any objections or protests, whether to the things proposed by the resolution of intention or to any changes proposed pursuant to Section 11308, not made at the time and in the manner provided by this part are deemed voluntarily waived, and the proceedings hereunder shall not be attacked on any ground not stated in a written objection filed as provided in this part. Except in the case of a majority protest, as provided in Section 11306, or Section 11307, the legislative body may sustain or deny any or all objections or protests and its determination is final.

Waiver of protest, etc

Denial of objection

11310. At the hearing on the resolution of intention the legislative body may allow any claim for damages made pursuant to Section 11304. Any such allowance shall be for the full amount of damages claimed in the written claim except that the legislative body, with the written consent of the claimant, may allow a claim for a lesser amount. The right of any claimant to payment of the amount of any allowed claim shall be contingent upon the final establishment of the pedestrian mall; but all allowed claims must be paid by the city, from such source as the legislative body may determine, before vehicular traffic is prohibited, in whole or in part, on the pedestrian mall, pursuant to this part.

Hearing Claim for damages

11311. Following the conclusion of the hearing, the legislative body shall by resolution either abandon the proceeding taken pursuant to this part or determine that the pedestrian mall shall be established.

CHAPTER 5. DETERMINATION OF DISPUTED CLAIMS

11400. If following the hearing the legislative body shall determine that the pedestrian mall shall be established, and if at that time there remain any written claims for damages which have not been allowed pursuant to Section 11310 or which have not been withdrawn, the legislative body shall

Action to be brought in superior court. Name and form. direct that an action or actions be brought in the superior court in the name of the city by the county counsel, district attorney, or city attorney, as the case may be, or other attorney designated by the legislative body for a determination of the damages, if any, to which the claimant may legally be entitled because of the establishment of the pedestrian mall. Such action shall be in the nature of a proceeding in eminent domain for the condemnation of the right or rights in real property, the taking of which by the establishment of the pedestrian mall results in the damages claimed. In such action the amount set forth in the claim relating thereto shall not constitute a limitation upon the amount which may be pleaded, proved or recovered. Except as may otherwise be provided in this part, such action and proceeding shall be governed so far as the same may be made applicable by those provisions of the Code of Civil Procedure relating to actions and proceedings in eminent domain; provided, however, that the time within which the proceedings may be abandoned pursuant to Section 1255a of said code and the time within which the sum of money assessed must be paid under Section 1251 of said code are hereby extended to one year from the date of the final judgment. In any such action the resolution of intention adopted pursuant to this part and the resolution adopted under Section 11311 shall be conclusive evidence of the public necessity of the proposed pedestrian mall; that the property or rights in property to be taken are necessary therefor, and that the pedestrian mall is planned and located in the manner which will be compatible with the greatest public good and the least private injury.

Amount of recovery.

Limitations on action.

Judgment. 11401. The judgment in any such action shall be satisfied and a final order taken before vehicular traffic is prohibited, in whole or in part, on the pedestrian mall pursuant to this part.

Act creates no right to compensation. 11402. Anything in this part to the contrary notwithstanding, nothing in this part shall be construed or interpreted as creating any right in any person to damages or compensation by reason of the establishment of a pedestrian mall, it being the intention of the Legislature in enacting this part to provide an orderly method for the determination and payment only of such damages and compensation as are required by the Constitutions of the State of California and the United States of America. In this connection the Legislature hereby expressly declares that it is its intention that to the extent to which the establishment of a pedestrian mall is justifiable as an exercise of the police power for which no compensation is constitutionally required, no damages or compensation shall be allowed in any action.

Act as police power exercise.

Other claims, etc. 11403. Claims for money or damages arising out of the establishment or operation of a pedestrian mall, other than those referred to in Section 11304, are governed by Chapter 2 (commencing with Section 700) of Division 3.5 of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto.

CHAPTER 6. ASSESSMENTS AND BONDS

11500. If assessments are to be levied as contemplated by Section 11202, then in the resolution provided for in Section 11311, the legislative body shall fix and establish the boundaries of the district as finally determined. Assessments
Boundaries

11501. After all claims for damages filed pursuant to Section 11304 have been finally determined, by allowance by the legislative body, by withdrawal, or by a judgment in an action or actions brought pursuant to Chapter 5 (commencing at Section 11400), and the full amount of damages to be paid has accordingly been finally determined, all or any part of the total amount of such damages (but not exceeding such part thereof as may be specified in the resolution of intention), together with all costs and expenses incurred in connection with any proceedings or actions taken pursuant to this part, may be assessed against the lands within the district and subject to assessment, in proportion to the benefits to be derived from the establishment of the pedestrian mall. Same

11502. Such assessment may be levied and bonds to represent unpaid assessments issued and sold substantially in the manner provided in the Vehicle Parking District Law of 1943, and to the extent applicable, such law shall govern as to the preparation of the diagram, the preparation of the assessment, the lands subject to assessment, the hearing upon the assessment and the notice thereof, the confirmation and recordation of the assessment, the lien of the assessments, the notice of recordation, the collection of assessments, the issuance, sale and delivery of bonds upon unpaid assessments, the term of the bonds, the maximum interest rate thereon, the collection and enforcement of such bonds, and all other matters to the extent applicable and except as provided in this part. Issuance,
sale, form,
etc of bonds

11503. In so applying the provisions of the Vehicle Parking District Law of 1943, the following provisions and exceptions shall apply: Amount,
interest, etc
of bonds

(a) The limits provided by said law on the amount of the assessment shall not apply.

(b) The legislative body shall provide for the form of the bonds and of the principal and interest coupons to be attached thereto.

(c) The legislative body may provide that the redemption provisions of said bonds shall require the payment of such premium as the legislative body may specify.

11504. All collections of assessments and all proceeds of the sale of bonds issued upon unpaid assessments shall be placed in a special fund and used exclusively for the payment of the damages, if any, and expenses for which the assessments were levied. If there is a surplus in such special fund, the legislative body may expend such surplus for the improvement or operation of the pedestrian mall. Proceeds,
assessments
Special fund

11505. Notwithstanding the fact that the proceedings under this part have provided that assessments are to be levied Revocation of
assessment

Use of
general or
other funds,
etc

as contemplated by Section 11202, the legislative body, at any time and either before or after the adoption of the resolution provided for in Section 11311, may determine that such assessments shall not be levied. In lieu thereof the legislative body may provide for the payment of all or any part of the amounts referred to in Section 11501 out of general funds of the city or out of any other available funds. No money available for expenditure within the city from the proceeds of any tax, license or fee imposed by any public agency upon the ownership or operation of vehicles or the fuel used therein shall be used to pay such amounts, except as may be permitted by Section 11005 of the Revenue and Taxation Code. The legislative body may also provide at any time for the payment of all or any part of such amounts by including the same as part of the incidental expenses in any proceeding taken for the improvement of the pedestrian mall under the Improvement Act of 1911, the Municipal Improvement Act of 1913, or similar special assessment law for the improvement of the pedestrian mall.

CHAPTER 7. ESTABLISHMENT OF THE MALL

Establish-
ment by
ordinance
Contents

11600. Following the adoption of the resolution provided for in Section 11311, and as soon as moneys have been fully provided for the payment of all claims, if any, allowed pursuant to Section 11310 and for the payment of all damages and compensation, if any, awarded in any action or actions brought pursuant to Chapter 5 (commencing at Section 11400) hereof, the legislative body may adopt an ordinance establishing the pedestrian mall. Such ordinance shall contain:

(a) A general description of the pedestrian mall and a declaration and determination that the same is finally established. The mall as finally established shall be substantially the same as that described in the resolution of intention.

(b) Rules and regulations prohibiting vehicular traffic on such pedestrian mall subject to such exceptions as the ordinance may provide. Such rules and regulations and such exceptions shall be substantially in accordance with the statements made in the resolution of intention.

(c) Such additional rules and regulations as the legislative body may determine pertaining to the interpretation, operation and enforcement of the rules and regulations referred to in subdivision (b) above, and otherwise pertaining to the use, operation, maintenance and control of the pedestrian mall.

(d) Such provisions as the legislative body may determine pertaining to the operative date or dates of any of such rules or regulations.

Adoption,
publication,
etc

11601. Such ordinance shall be adopted and published in the manner, and shall take effect, as provided by law or charter for other ordinances of the city.

Referendum

11602. Such ordinance shall be subject to referendum in the same manner as other ordinances of the city. No payment of allowed claims or damages or compensation awarded by any

court shall be made until such ordinance is in effect but all such allowed claims, damages and compensation shall be paid before the rules and regulations provided in such ordinance become operative.

11603. Proceedings under this part and the adoption of such ordinance notwithstanding, the city and its legislative body shall retain its police powers and other rights and powers relating to the city streets constituting a part of the pedestrian mall. No action taken pursuant to this part shall be interpreted or construed to be a vacation or abandonment, in whole or in part, of any city street or any right therein, it being intended that the establishment of a pedestrian mall pursuant to this part be a matter of regulation only. Nothing in this part shall be interpreted or construed to prevent the city and its legislative body, at any time subsequent to the adoption of the ordinance provided for in this chapter, from abandoning the operation of the pedestrian mall, from changing the extent of the pedestrian mall, or from changing or repealing any of the rules and regulations pertaining to the pedestrian mall.

City retains
police
powers, etc

Abandon-
ment,
changes

CHAPTER 8. IMPROVEMENT OF THE PEDESTRIAN MALL

11700. The city and its legislative body shall have the power to improve a pedestrian mall as provided in subdivision (d) of Section 11101, and for the accomplishment, in whole or in part, of that purpose may use the Improvement Act of 1911, the Municipal Improvement Act of 1913, or any similar special assessment law. Any work or improvement permitted by said subdivision (d) shall be deemed to be work or improvement permitted to be done under any such act or law. The city may also pay the whole or any part of the cost and expenses of improving a pedestrian mall from its general funds or from any other available money and may let contracts for the work in any manner permitted by law or charter. No money available for expenditure within the city from the proceeds of any tax, license or fee imposed by any public agency upon the ownership or operation of vehicles or the fuel used therein shall be used to pay such cost or expense, except as may be permitted by Section 11005 of the Revenue and Taxation Code.

Power
to make
improve-
ments Costs

11701. A pedestrian mall established or to be established pursuant to this part may be so improved either concurrently with the proceedings taken under this part for the establishment of the pedestrian mall or at any time subsequent to the establishment of the city mall, but no contract for the work or improvement shall be awarded until moneys have been fully provided for the payment of all claims allowed pursuant to Section 11310 and for the payment of all damages and compensation, if any, awarded in any action or actions brought pursuant to Chapter 5 (commencing at Section 11400) hereof.

Time for
improve-
ments

Combination
of establish-
ment and
improvement
proceedings

11702. If in connection with the establishment of a pedestrian mall and concurrently with the proceedings taken pursuant to this part, the legislative body proposes to improve the proposed pedestrian mall and for that purpose uses the Improvement Act of 1911, the Municipal Improvement Act of 1913, or any similar special assessment law, the legislative body may combine any part of the proceedings taken pursuant to this part with any part of the proceedings taken under any such special assessment law, to the end that duplication of ordinances, resolutions, notices, hearings and other acts or proceedings may be avoided.

CHAPTER 34

An act to validate the organization and acts of unified school districts, declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor April 15, 1960. Filed with Secretary of State April 15, 1960.]

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, 1960, 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, is filed prior to April 1, 1960.

Urgency

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

Under 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 March, 1960, to properly function the first fiscal year of their existence for all purposes, it is necessary that this act take effect immediately.

CHAPTER 35

An act to amend Sections 11711 and 11705 of, and to add Section 11722 to, the Vehicle Code, relating to the licensing and bonding of dealers of vehicles.

[Approved by Governor April 15, 1960 Filed with
Secretary of State April 15, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 11711 of the Vehicle Code is amended to read:

11711. (a) If any person shall suffer any loss or damage by reason of any fraud practiced on him or fraudulent representation made to him by a licensed dealer or one of such dealer's salesmen acting for the dealer, in his behalf, or within the scope of the employment of such salesman; provided, such person has possession of a written instrument furnished by the licensee, containing stipulated provisions and guarantees which the person believes have been violated by the licensee, or shall suffer any loss or damage by reason of the violation by such dealer or salesman of any of the provisions of Division 3 of this code, or if any person, other than a licensee, is not paid for a vehicle sold to and purchased by a licensee, such person shall have a right of action against such dealer, his said salesman, and the surety upon the dealer's bond, in an amount not to exceed the value of the vehicle purchased from or sold to the dealer. Fraud

(b) If the State or any political subdivision thereof shall suffer any loss or damage by reason of any fraud practiced on the State or fraudulent representation made to the State by a licensed dealer, or one of such dealer's representatives acting for the dealer, in his behalf, or within the scope of employment of such representatives, or shall suffer any loss or damage by reason of the violation of such dealer or representative of any of the provisions of Division 3 of this code, or Division 2, Part 5 of the Revenue and Taxation Code, the State or any political subdivision thereof, through the department, shall have a right of action against such dealer, his representative, and the surety upon the dealer's bond in an amount not to exceed the value of the vehicles involved.

SEC. 2. Section 11722 is added to said code, to read:

11722. The bond provided for in Section 11710 shall not be conditioned to protect the monetary interest of a financing agency which has loaned money to a licensee or assignee thereof; provided, however, that as to any conditional sales contract as defined in Section 2981 of the Civil Code, acquired by way of purchase or pledge, a financing agency shall be entitled to protection under said bond if such agency is defrauded by a licensee. Bond
Conditions

SEC. 3. Section 11705 of said code is amended to read:

Suspension,
revocation,
refusal to
renew
Grounds

11705. The department after notice and hearing may suspend, revoke or refuse to renew the license and certificate issued to a dealer, transporter, or manufacturer upon determining that any said person is not lawfully entitled thereto, has made or knowingly or negligently permitted any illegal use of the special plates issued to said person, used a false or fictitious name, knowingly made any false statements or concealed any material fact in any application for the registration of a vehicle or otherwise committed a fraud in such application, failed to deliver to a transferee lawfully entitled thereto a properly endorsed certificate of ownership, used duplicate dealers' reports of sale contrary to the provisions of Section 4456, or has violated one or more of the terms and provisions of Division 3 (commencing at Section 4000), Division 4 (commencing at Section 10500), or Article 1 (commencing at Section 11700) of Chapter 4 of Division 5 of this code, or has been convicted of a felony or a crime involving moral turpitude.

Every hearing as provided for in this section shall be pursuant to the provisions of Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

CHAPTER 36

An act to amend Section 426.5 of the Health and Safety Code, relating to air pollution.

In effect
July 7,
1960

[Approved by Governor April 21, 1960 Filed with
Secretary of State April 22, 1960]

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

SECTION 1. Section 426.5 of the Health and Safety Code is amended to read:

426.5. It shall be the duty of the State Director of Public Health to determine by February 1, 1960, the maximum allowable standards of emissions of exhaust contaminants from motor vehicles which are compatible with the preservation of the public health including the prevention of irritation to the senses, interference with visibility and damage to vegetation.

The standards shall be developed after the department has held public hearings and afforded an opportunity for all interested persons to appear and file statements or be heard. The department shall publish such notice of the hearings as it determines to be reasonably necessary.

The department after notice and hearing may revise the standards, and shall publish the revised standards, from time to time. In revising the standards the department shall, after February 1, 1960, take into account all emissions from motor vehicles rather than exhaust emissions only.

CHAPTER 37

An act to amend Section 233 of the Bethel Island Municipal Improvement District Act, relating to ratification.

[Approved by Governor April 21, 1960. Filed with
Secretary of State April 22, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 233 of the Bethel Island Municipal Improvement District Act is amended to read:

Sec. 233. The election at which said proposition shall be submitted shall be a special election called and conducted by the board of supervisors as nearly as practicable in the manner provided in Article 4 hereof.

CHAPTER 38

An act to amend Section 19576 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 26, 1960. Filed with
Secretary of State April 26, 1960.]

In effect
immediately

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

SECTION 1. Section 19576 of the Education Code is amended to read:

19576. The board may approve, in whole or in part, an application submitted by a school district under Section 19571 and in such amount, not exceeding the amount applied for, as the board may deem appropriate.

The board may, upon approval of the application, in whole or in part, and subsequently from time to time, make a conditional apportionment or conditional apportionments not exceeding in the aggregate the total amount determined by the board as aforesaid, to the applicant school district from the State School Building Aid Fund for such portion or portions of the construction project as the board determines the district is ready to proceed with. If the board has approved an application and made an apportionment as to a portion or portions of a construction project, the board may approve the remaining portion or portions of the construction project and make an additional apportionment or apportionments within two years after the original approval without requiring a district to issue additional bonds.

If the board determines that the actual cost is in excess of the estimated cost of the specific school plant facilities or sites for which an apportionment to a district has been made, or for which a district's application has been approved in

whole or in part pursuant to this section, the board may make an additional apportionment to such district in an amount equal to such excess even though such additional apportionment will result in the total apportionments to the district exceeding the amount of the application originally approved by the board. Before such additional apportionment becomes final the district, pursuant to Section 19590, shall hold an election to repay the amount of such additional apportionment which is in excess of the amount which the district has previously voted to repay. Such additional apportionment shall become final when the county superintendent of schools transmits to the board and the State Controller a certificate in duplicate stating that the school district has authorized the acceptance and expenditure of the necessary amount of such excess. The first paragraph of Section 19595 shall not apply to such additional apportionments. If such additional apportionments are made by the board within two years after the original approval, the district shall not be required to issue additional bonds.

Except as otherwise provided in this section, all provisions of this chapter (Sections 19551 to 19689, inclusive) relating to apportionments shall apply to apportionments made under this section.

Whenever an apportionment has heretofore been made or is hereafter made to a district for a site and the district heretofore or hereafter proposes to acquire the site through negotiation or condemnation but the total acquisition cost thereof, plus all other costs incidental to either the acquisition or condemnation of the site, exceeds or exceeded the apportionment for the site, the board may at any time hereafter make an additional apportionment to provide for the differential in total acquisition cost without the district being required to issue additional bonds to qualify, providing the board finds (1) that it is in the interest of the State to proceed with the acquisition despite the acquisition costs, and (2) that the district is unable to provide, or it would be a hardship to require it to provide, the excess costs. The board may also, in its discretion, as a condition of making such apportionment, require the district to repay in full all or any part of the excess apportionment, under such terms and conditions as the board deems desirable, and the district shall be empowered and obligated to comply if it accepts the excess apportionment, notwithstanding any other law to the contrary; provided, (1) that no such repayment shall be required from any source that would be exempt from required contribution toward the cost of a project under Sections 19571 and 19572 (excepting amounts in the General Fund raised by taxes to pay any judgment requiring such repayment), and (2) that any portion of the apportionment not required to be repaid in full, shall be repayable in the same manner as a construction apportionment.

Approval of an application under this section shall not be construed as creating or implying any obligation, commitment or promise on the part of the board or the State to make apportionments under this chapter (Sections 19551 to 19689, inclusive).

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 effect immediately. The facts constituting such necessity are:

Several school districts after having obtained apportionments for sites under this chapter and having had to condemn the sites, have discovered in some instances that judgments in condemnation becoming final two or three years later have exceeded the amounts apportioned based on the appraisals. Some of these districts have been unable to finance the excess costs and have been unable to receive additional apportionments to cover the excess costs because of the limitations of Section 19576 of the Education Code requiring requalification as to bonding capacity for apportionments made for excess costs after two years from the date of the original apportionment. State aid is immediately needed to meet these excess costs where it is desired to acquire these parcels notwithstanding the amounts awarded, in order to avoid implied abandonment of these condemnations with resulting liability for possibly heavy damages by virtue of Section 1255(a) of the Code of Civil Procedure. It is therefore essential that this act go into effect immediately to authorize apportionments for these excess costs.

CHAPTER 39

An act to amend Section 19651 of, to add Section 19652 to, the Education Code, relating to providing loans to school districts for construction purposes.

[Approved by Governor April 26, 1960 Filed with
Secretary of State April 26, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 19651 of the Education Code is amended to read:

19651. (a) As used in this article (Sections 19651 to 19667, inclusive):

(1) "State-aided district" means a district to which a conditional or final apportionment has been made under this chapter (Sections 19551 to 19689, inclusive).

(2) "Acquiring district" means a district in which all or a part of, a state-aided district or an applicant district has been included.

Definitions;
effective
date of
reorganization

(3) "Original district" means a state-aided or applicant district included in whole or in part in an acquiring district.

(b) For the purposes of this article (Sections 19651 to 19667, inclusive) as it applies to an acquiring district, the effective date of any change of boundaries, annexation, formation of a new district, or other reorganization shall be:

(1) For granting conditional apportionments: the date such action became effective for the purposes of Section 1603.

(2) For making conditional apportionments final: the date such action became effective for the purposes of Section 1603.

(c) For the purposes of this article (Sections 19651 to 19667, inclusive) as it applies to an original district, the effective date of any change of boundaries, annexation, formation of a new district, or other reorganization in which the original district is included in whole or in part in an acquiring district shall be:

(1) For granting conditional apportionments: the date such action becomes effective for all purposes as specified in Section 1601.

(2) For making conditional apportionments final: the date such action became effective for all purposes as specified in Section 1601.

(3) No conditional apportionment may be made to any original district affected by any reorganization after the date such action became effective for the purposes of Section 1603 except upon an application that has the approval of the governing board of the acquiring district.

SEC. 2. Section 19652 is added to said code, to read:

Authority of
the acquiring
district to
accept
state loan

19652. On the date an acquiring district becomes effective for all purposes, as specified in Section 1601, the authority to accept a state loan voted by an original district pursuant to this chapter (Sections 19551 to 19689, inclusive) whose boundaries are coterminous with the boundaries of the acquiring district shall become authority of the acquiring district to accept a state loan.

CHAPTER 40

An act to add Section 40309 to the Vehicle Code, relating to the deposit of bail by mail for overtime parking violations.

In effect
July 7,
1960

[Approved by Governor April 26, 1960 Filed with
Secretary of State April 26, 1960.]

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

SECTION 1. Section 40309 is added to the Vehicle Code, to read:

40309. Whenever a citation is issued for overtime parking in accordance with the provisions of Sections 41102 and 41103 of this code, the amount fixed as bail for the violation charged

may be forwarded by United States mail to the person authorized to receive a deposit of bail. Bail forwarded by mail shall be effective only when actually received, and the presumption that a letter duly directed and mailed was received, shall not apply. The provisions of Section 40512 of this code are applicable to bail posted pursuant to this section.

CHAPTER 41

An act to amend Section 9251 of the Vehicle Code, relating to the registration of electric vehicle.

[Approved by Governor April 26, 1960 Filed with Secretary of State April 26, 1960.]

In effect July 7, 1960

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

SECTION 1. Section 9251 of the Vehicle Code is amended to read:

9251. In addition to the registration fee specified in Section 9250, there shall be paid a registration fee of ten dollars (\$10) for the registration of every electric passenger vehicle, except where the vehicle is subject to a different additional fee as provided in Section 9400, and those defined in Sections 400 and 405 of this code.

CHAPTER 42

An act to amend Sections 2552, 2672, 2673, and 2674, and to repeal Section 2675, of the Education Code, relating to junior college district organization.

[Approved by Governor April 26, 1960 Filed with Secretary of State April 26, 1960.]

In effect July 7, 1960

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

SECTION 1. Section 2552 of the Education Code is amended to read:

2552. "High school district," as used in this chapter Section 814 and Sections 2551 to 2768, inclusive, means high school district or unified school district.

"High school district"

SEC. 2. Section 2672 of said code is amended to read:

2672. The petition shall be accompanied by a verified copy of a resolution adopted by the governing board of the junior college district named in the petition consenting to the annexation thereto of the high school district. The resolution consenting to the annexation may stipulate that the high school district shall assume a proportionate share of the outstanding bonded indebtedness of the junior college district as a condition to the annexation. Upon receipt of the petition and the

Board of supervisors shall call election in high school district after presentation of petition

resolution of consent, the board of supervisors shall call an election to be held in each elementary school district in the high school district named in the petition for the purpose of determining whether the high school district shall be annexed to the junior college district.

SEC. 3. Section 2673 of said code is amended to read:

Conduct of
election and
form of
ballot

2673. The election shall be called, held, and conducted in the same manner as are the elections of governing boards of elementary school districts, except that the words to appear upon the ballot shall be:

(a) If the assumption of bonded debt is not involved: "For annexation to _____ junior college district—Yes" and
(insert name)

"For annexation to _____ junior college district—No."
(insert name)

(b) If the assumption of bonded debt is stipulated in the resolution of the governing board of the junior college district: "For annexation to _____ junior college district and the
(insert name)

assumption of bonded debt—Yes" and "For annexation to _____ junior college district and the assumption of bonded
(insert name)

debt—No," and except that the returns shall be made to the board of supervisors.

SEC. 4. Section 2674 of said code is amended to read:

Order of
annexation

2674. If the assumption of bonded debt is not involved and if it appears that a majority of all votes cast at the election were cast in favor of the annexation or if the assumption of bonded debt is stipulated in the resolution of the governing board of the junior college district and it appears that two-thirds of the votes cast at the election were in favor of the annexation, the board of supervisors shall make an order annexing the high school district to the junior college district. Upon the making of the order the annexation shall be deemed to have been made effective pursuant to the provisions of Sections 1601 and 1603 of this code.

Repeal

SEC. 5. Section 2675 of said code is hereby repealed.

CHAPTER 43

An act to add Section 20753 to the Education Code, relating to fire protection in public schools.

In effect
July 7,
1960

[Approved by Governor April 26, 1960. Filed with
Secretary of State April 26, 1960.]

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

SECTION 1. Section 20753 is added to the Education Code, to read:

20753. The maximum rate of school district tax for the fiscal years 1960-61 and 1961-62 is hereby increased by the

minimum amount that the governing board of any school district finds necessary to expend during each fiscal year to cause buildings existing in the district on the effective date of this section to comply with minimum standards and regulations adopted by the State Fire Marshal pursuant to Section 13143 of the Health and Safety Code and in effect on the effective date of this section. The tax increase shall not exceed 2 percent of the appraised replacement cost of each building for which the fire prevention improvements are to be made.

The tax increase shall not be adopted until there has been filed with the county superintendent of schools a report by the State Fire Marshal certifying that such fire prevention improvements are necessary to meet the minimum standards and regulations adopted under Section 13143 of the Health and Safety Code, and a report by the State Department of Education stating that the school district's financial resources are such that the increased tax is necessary to provide for the proposed fire prevention improvements. The report by the State Department of Education shall also state that the school district has voted on a bond issue for capital outlay purposes twice within the last year, and that at each election the issue received a majority vote but failed to obtain the necessary two-thirds vote.

If at the end of any fiscal 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 fiscal year for the expenditures of the school district during that fiscal year required by regulations adopted by the State Fire Marshal pursuant to Section 13143 of the Health and Safety Code.

CHAPTER 44

An act to amend Section 23757 of the Education Code, relating to student fees of the state colleges.

[Approved by Governor April 26, 1960 Filed with
Secretary of State April 26, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 23757 of the Education Code is amended to read:

23757. Except as otherwise specially provided, an admission fee and rate of tuition fixed by the Director of Education shall be required of each nonresident student. The rate of tuition to be paid by each nonresident student shall not be less than one hundred eighty dollars (\$180) per year.

No admission fee or tuition fee shall be required of any student who is a citizen and resident of a foreign country and who attends a state college under an agreement entered into

by a governmental agency formed under the Constitution or laws of this State or a nonprofit corporation or organization so formed, with a similar agency, or corporation or association, domiciled in and organized under the laws of a foreign country, where a principal purpose of the agreement is to encourage the exchange of students with the view of enhancing international good will and understanding. The Director of Education shall, in each instance, determine whether the conditions for such exemption from fees exist and may prescribe appropriate procedures to be complied with in obtaining the exemption.

CHAPTER 45

An act to amend Sections 10131, 10132 and 10134 of the Business and Professions Code, relating to land locators, declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor April 26, 1960 Filed with
Secretary of State April 26, 1960]

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

SECTION 1. Section 10131 of the Business and Professions Code is amended to read:

"Real estate
broker"

10131. A real estate broker within the meaning of this part is a person who, for a compensation or in expectation of a compensation, sells or offers for sale, buys or offers to buy, lists or solicits for prospective purchasers, or negotiates the purchase or sale or exchange of real estate, who, for a compensation or in expectation of a compensation, solicits borrowers or lenders for or negotiates loans on real estate, leases or offers to lease, or negotiates the sale, purchase, or exchange of leases, rents or places for rent, or collects rent from real estate, or improvements thereon, for another or others, or who, other than as an officer or employee of the State or federal government, for a compensation or in expectation of a compensation, assists or offers to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the State or federal government.

SEC. 2. Section 10132 of said code is amended to read:

"Real
estate
salesman"

10132. A real estate salesman within the meaning of this part is a natural person who, for a compensation or in expectation of a compensation, is employed by a licensed real estate broker to sell, or offer for sale, or to list, or to buy, or to offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to solicit the prospective purchasers of real estate, or to solicit borrowers or lenders for or negotiate a loan on real estate, or to lease, or to negotiate the sale, purchase or exchange of leases, or offer to lease, rent or place for rent, any real estate, or improvements thereon, or to assist or offer to

assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the State or federal government.

SEC. 3. Section 10134 of said code is amended to read:

10134. One act of buying or selling real estate of or for another for a compensation or in expectation of a compensation, or offering for another to buy or sell or exchange real estate, or negotiating the purchase or sale or exchange of, or listing or soliciting prospective purchasers of real estate, or soliciting borrowers or lenders for or negotiating a loan on or leasing or renting or placing for rent real estate, or collecting rent therefrom, or, other than as an officer or employee of the State or federal government, assisting or offering to assist another or others, for compensation or in expectation of compensation, in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the State or federal government, constitutes the person performing such act a real estate broker or real estate salesman within the meaning of this part.

Acts constituting person a broker or salesman

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Urgency

Various persons now engaged in the business of assisting others to file applications for lands owned by the State and federal government appear to be misrepresenting and grossly overcharging for services which they perform and to be misrepresenting the availability of such lands. To eliminate these practices it is imperative that this act take effect immediately.

CHAPTER 46

An act to amend Section 19560 of the Education Code, relating to apportionment of funds for the purchase of school facilities from another school district, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 27, 1960. Filed with Secretary of State April 27, 1960.]

In effect immediately

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

SECTION 1. Section 19560 of the Education Code is amended to read:

19560. Apportionment from the State School Building Aid Fund to school districts shall be made in the manner and subject to the conditions herein provided and in accordance with policies adopted by the board, for the following purposes, all of which purposes are hereby declared to be, and are, public works: (a) the purchase and improvement of school sites which have been approved by the State Depart-

ment of Education; (b) the purchase of necessary desks, tables, chairs and other movable furniture and equipment, as approved by the Department of Education; and (c) the planning and construction, reconstruction, alteration of, the moving of portable classroom buildings on an existing site or to another school site, and addition to, school buildings, including built-in or fixed equipment, for such facilities as are approved by the Department of Education as essential, except (1) a room used solely for an auditorium for a school of any type or class and (2) a room used solely for a gymnasium or a room used solely for a cafeteria for elementary schools. This section does not prohibit the Department of Education from approving multipurpose rooms which are rooms designed to be used for two or more of the following purposes:

- (a) Classroom
- (b) Auditorium
- (c) Gymnasium
- (d) Cafeteria
- (e) Such other purposes as the district requires which are approved by the Department of Education.

Where a district is required by a contract entered into between itself and a contractor, to obtain at its own expense insurance covering risks incurred during any construction, reconstruction or alteration for which an apportionment has been made, the cost thereof may be paid either directly, or by way of reimbursement, to said district out of said apportionment, or out of any apportionment made specifically covering such insurance; provided, that in other respects said apportionments are eligible for payment under provisions of this chapter (Sections 19551 to 19689, inclusive).

In addition to the foregoing, the board may make an apportionment to a school district for the purchase from another school district of existing facilities, real or personal, including the site thereof, or any portion of any of the foregoing, providing that the board finds (1) that it is economical and good practice on the part of the acquiring district to purchase the same, and (2) that the consideration to be paid in the light of all the circumstances surrounding the transfer is fair and equitable both to the acquiring district and to the State.

Urgency

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

Some school districts need to purchase existing facilities immediately and will be greatly impaired in providing for the students of the districts unless such purchases are made soon. Such purchases cannot be made by the districts unless the authorization for apportionment of funds contained in this act goes into effect immediately. Therefore it is necessary that this act take effect immediately.

CHAPTER 47

An act to amend Section 20205 of the Education Code, relating to county junior college tuition funds.

[Approved by Governor April 27, 1960. Filed with Secretary of State April 27, 1960.]

In effect
July 7,
1960

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

SECTION 1. Section 20205 of the Education Code is amended to read:

20205. The auditor shall notify the superintendent of schools of the amount in the funds when allocated, but in no case, later than the first Monday in February of each year for the first installment due on November 1, and not later than the first Monday in June of each year for the second installment due on February 1. The superintendent of schools shall thereupon apportion the funds to the several school districts maintaining junior colleges, in his county or in other counties, in proportion to the amounts specified for subdivisions (a), (b), and (c) of Section 20201 for each of the districts; except that any apportionment otherwise allocable to a school district no longer maintaining a junior college by virtue of the inclusion of that district in a newly formed or reorganized district maintaining a junior college and established so as to be effective for all purposes pursuant to Section 1601 on or after July 1, 1961, shall be made to the new or reorganized district. The superintendent of schools shall certify the apportionment to the auditor.

CHAPTER 48

An act to add Article 11 (commencing with Section 2791) to Chapter 7 of Division 5 of the Education Code, relating to junior college district organization.

[Approved by Governor April 27, 1960. Filed with Secretary of State April 27, 1960.]

In effect
July 7,
1960

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

SECTION 1. Article 11 (commencing at Section 2791) is added to Chapter 7 of Division 5 of the Education Code, to read:

Article 11. Disposition of Assets on Discontinuance of Maintenance of Junior College

2791. When a high school district or unified school district ceases to maintain a junior college by virtue of its inclusion in a new or reorganized junior college district established so as to be effective for all purposes pursuant to Section 1601 on or after July 1, 1961, any balances remaining in the general

Discontinuance of junior college: Disposition of general and special reserve funds

fund and special reserve fund of the high school district or unified district at the end of the last year in which the district maintained a junior college shall be divided between such district and the junior college district in the following manner:

(a) The balance remaining in the general fund shall be divided in the same ratio that the expenditures from that fund for junior college purposes for the last year in which the junior college was maintained bear to the other expenditures of the district during that year. The amount so allocable to the junior college district shall be transferred to, and deposited in, the general fund of that district.

(b) The balance remaining in the special reserve fund deposited there by the district governing board to be used for junior college purposes, shall be transferred to the junior college district and deposited in the special reserve fund of that district.

CHAPTER 49

An act to add Division 16.5 (commencing at Section 22500) to the Education Code, relating to higher education, and making an appropriation.

In effect
July 7,
1960

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

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

SECTION 1. Division 16.5 is added to the Education Code, to read:

DIVISION 16.5. HIGHER EDUCATION

CHAPTER 1. GENERAL PROVISIONS

"Public
higher
education"

22500. Public higher education consists of (1) all public junior colleges heretofore and hereafter established pursuant to law, (2) all state colleges heretofore and hereafter established pursuant to law, and (3) each campus, branch and function of the University of California heretofore and hereafter established by the Regents of the University of California.

Legislative
policy

22501. It is hereby declared to be the policy of the Legislature not to authorize or to acquire sites for new institutions of public higher education unless such sites are recommended by the Co-ordinating Council for Higher Education and not to authorize existing or new institutions of public education, other than those described in subdivisions (2) and (3) of Section 22500, to offer instruction beyond the 14th grade level.

Nothing in this section shall be construed to require any further recommendations as a prerequisite to legislative action with respect to state colleges intended to be in operation by

1965 or University of California campuses intended to be under construction by 1962, as set forth in the recommendations contained in the Master Plan for Higher Education printed at page 42, paragraphs 4 and 6, Senate Journal (Regular Session) for February 1, 1960.

22502. Each segment of public higher education shall strive for excellence in its sphere, as assigned in this division.

22503. This division shall not affect the existence or status of the state nautical school.

Nautical school unaffected

22504. The provisions of this division shall supersede the provisions of any other law which conflict with the provisions of this division.

Provisions supersede conflicting laws

CHAPTER 2. UNIVERSITY OF CALIFORNIA

22550. The Legislature hereby finds and declares that the University of California is the primary state-supported academic agency for research.

University of California Primary research agency

22551. The university may provide instruction in the liberal arts and sciences and in the professions, including the teaching profession. The university has exclusive jurisdiction in public higher education over instruction in the profession of law, and over graduate instruction in the professions of medicine, dentistry, veterinary medicine and architecture.

Curriculum

22552. The university has the sole authority in public higher education to award the doctoral degree in all fields of learning, except that it may agree with the state colleges to award joint doctoral degrees in selected fields.

Doctoral degrees

22553. The university may make reasonable provision for the use of its library and research facilities by qualified members of the faculties of other institutions of public higher education in this State.

Library and research facilities

CHAPTER 3. THE STATE COLLEGE SYSTEM

22600. The State College System shall be administered by a board designated as the Trustees of the State College System of California, which is hereby created.

State College System Administration

22601. The board shall be composed of the following four ex officio members: the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, and the person named by the trustees to serve as the chief executive officer of the system; and 16 appointive members appointed by the Governor, except that the members, as of the effective date of this section, of the State Board of Education shall serve ex officio as and among the first appointive trustees. The terms of the appointive members shall be four years, except that the first appointive trustees, including the members of the State Board of Education, shall classify the terms of their offices by lot so that four of the first appointive terms shall expire on the first day of March of each calendar year, commencing in 1961 and ending in 1964.

Board Members, terms, etc

The Speaker of the Assembly shall have the status of a legislative interim committee on the subject of the State College System and shall meet with the board and participate in its work to the extent that such participation is not incompatible with his position as a Member of the Legislature.

Terms of
appointive
trustees

22601.5. Notwithstanding Section 22601, commencing on March 1, 1961, the terms of the appointive trustees shall be eight years, except that the 16 appointive trustees serving on February 28, 1961, shall have new terms of office which they shall classify by lot so that two of the terms of such appointive members shall expire on the first day of March of each calendar year commencing in 1962 and ending in 1969.

Effect:
S C A No. 1,
1960
1st Ex Sess.

This section shall become operative only if Senate Constitutional Amendment No. 1 of the 1960 First Extraordinary Session of the Legislature is approved by the electors.

Expiration
of terms,
vacancies

22602. The expiration of a trustee's term of office as a member of the State Board of Education or any earlier vacancy in that office shall create a vacancy in his trusteeship, unless the term ascribed thereto by lot has already expired. In case of any vacancy on the board of trustees, the Governor shall appoint a successor for the balance of the term as to which such vacancy exists.

Advisory
capacity
members
Regents,
trustees

22603. If the trustees and the Regents of the University of California both consent, the chief executive officer of the State College System shall sit with the Regents of the University of California in an advisory capacity and the President of the University of California shall sit with the trustees in an advisory capacity.

Trustees'
succession to
powers,
duties, etc

22604. The Trustees of the State College System shall succeed to the powers, duties and functions with respect to the management, administration and control of the state colleges heretofore vested in the State Board of Education or in the Director of Education, including all powers, duties, obligations, and functions specified in Article 2 (commencing at Section 24501) of Chapter 11 of Division 18 of this code, and all obligations assumed by the State Board of Education pursuant to that article prior to July 1, 1961.

On and after July 1, 1961, the Trustees of the State College System shall have full power and responsibility in the construction and development of any state college campus, and any buildings or other facilities or improvements connected with the State College System. Such powers shall be exercised by the Trustees of the State College System notwithstanding the provisions of Chapter 2 (commencing at Section 14100) and Chapter 3 (commencing at Section 14250) of Part 5 of Division 3 of Title 2 of the Government Code, except that the powers shall be carried out pursuant to the procedures prescribed by these laws.

Operative
date

The provisions of this chapter relating to the transfer of the powers, duties, and functions with respect to the management, administration and control of the state colleges shall become operative on July 1, 1961.

22605. The State College System shall be entirely independent of all political and sectarian influence and kept free therefrom in the appointment of its trustees and in the administration of its affairs, and no person shall be debarred admission to any department of the state colleges on account of sex.

State College System nonpolitical, nonsectarian, etc

22606. The primary function of the state colleges is the provision of instruction for undergraduate students and graduate students, through the master's degree, in the liberal arts and sciences, in applied fields and in the professions, including the teaching profession. Presently established two-year programs in agriculture are authorized, but other two-year programs shall be authorized only when mutually agreed upon by the Trustees of the State College System and the State Board of Education. The doctoral degree may be awarded jointly with the University of California, as provided in Section 22552. Faculty research is authorized to the extent that it is consistent with the primary function of the state colleges and the facilities provided for that function.

Primary function of state colleges Programs

22607. All state employees employed on June 30, 1961, in carrying out functions transferred to the Trustees of the State College System of California by this chapter, except persons employed by the Director of Education in the Division of State Colleges and Teacher Education of the Department of Education, are transferred to the State College System.

Transfer of state employees to State College System' Classifications, benefits, salaries, etc

Nonacademic employees so transferred shall retain their respective positions in the state service, together with the personnel benefits accumulated by them at the time of transfer, and shall retain such rights as may attach under the law to the positions which they held at the time of transfer. All non-academic positions filled by the trustees on and after July 1, 1961, shall be by appointment made in accordance with Chapter 9 (commencing at Section 24201) of Division 18 of this code, and persons so appointed shall be subject to the provisions of Chapter 9.

The trustees shall provide, or co-operate in providing, academic and administrative employees transferred by this section with personnel rights and benefits at least equal to those accumulated by them as employees of the state colleges, except that any administrative employee may be reassigned to an academic or other position commensurate with his qualifications at the salary fixed for that position and shall have a right to appeal from such reassignment, but only as to whether the position to which he is reassigned is commensurate with his qualifications. All academic and administrative positions filled by the trustees on and after July 1, 1961, shall be filled by appointment made solely at the discretion of the trustees. The trustees shall establish and adjust the salaries and classifications of all academic and administrative positions and neither Section 18004 of the Government Code nor any other provision of law requiring approval by a state officer or agency for such salaries or classifications shall be applicable thereto. The trustees, however, shall make no adjustments

which require expenditures in excess of existing appropriations available for the payment of salaries. The provisions of Chapter 9 (commencing at Section 24201) of Division 18 of this code relating to appeals from dismissal, demotion or suspension shall be applicable to academic employees.

Persons
excluded
from transfer

Persons excluded from the transfer made by this section shall retain all the rights and privileges conferred upon civil service employees by law. Personnel of state agencies employed in state college work other than those transferred by this section and who are employed by the trustees prior to July 1, 1962, shall likewise be provided with personnel rights and benefits at least equal to those accumulated by them as employees of such state agencies.

CHAPTER 4. JUNIOR COLLEGES

Public
junior
colleges

22650 The public junior colleges shall continue to be a part of the public school system of this State. The State Board of Education shall prescribe minimum standards for the formation and operation of public junior colleges and exercise general supervision over public junior colleges.

Categories of
instruction

22651 Public junior colleges shall offer instruction through but not beyond the 14th grade level, which instruction may include, but shall not be limited to, programs in one or more of the following categories (1) standard collegiate courses for transfer to higher institutions; (2) vocational and technical fields leading to employment; and (3) general or liberal arts courses. Studies in these fields may lead to the associate in arts or associate in science degree.

CHAPTER 5. CO-ORDINATING COUNCIL FOR HIGHER EDUCATION

Co-ordinat-
ing Council
for Higher
Education

22700 There is hereby created an advisory body, the Co-ordinating Council for Higher Education, to be composed of three representatives each of the University of California, the State College System, the public junior colleges, the private colleges and universities in the State, and the general public. The university shall be represented by three representatives appointed by the regents. The State College System shall be represented by its chief executive officer and two trustees appointed by the trustees. Public junior colleges shall be represented by a member of the State Board of Education or its chief executive officer as the board may from time to time determine, and a member of a local public junior college governing board and a public junior college administrator. The junior college governing board member shall be selected by the State Board of Education from a list or lists of five names submitted for its consideration by any association or associations of statewide coverage which represent junior college governing boards. The public junior college administrator shall be selected

by the State Board of Education from a list of five names submitted for its consideration by the California Junior College Association. The private colleges and universities shall be represented by three persons, each of whom shall be affiliated with a private institution of higher education as a governing board member or as a staff member in an academic or administrative capacity and shall be appointed by the Governor after consultation with an association or associations of such private institutions. The general public shall be represented by three members appointed by the Governor. Appointments and removals made pursuant to this section shall be at the sole discretion of the appointing authority specified herein.

22701. The council shall appoint and may remove a director in the manner hereinafter specified. He shall appoint persons to such staff positions as the council may authorize

Duty to
appoint
director,
etc. Re-
moval

22702. The council shall prescribe rules for the transaction of its own affairs, subject, however, to the following requirements and limitations: (1) the votes of all representatives shall be recorded; (2) effective action shall require the affirmative vote of eight members and (3) the affirmative votes of 10 members shall be necessary to the appointment or removal of the director.

Rulemaking
power
Limitations

22703. The co-ordinating council shall have the following functions, advisory to the governing boards of the institutions of public higher education and to appropriate state officials; (1) review of the annual budget and capital outlay requests of the university and the State College System, and presentation of comments on the general level of support sought; (2) advice as to the application of the provisions of this division delineating the different functions of public higher education and counsel as to the programs appropriate to each segment thereof, and in connection therewith shall submit to the Governor and to the Legislature within five days of the beginning of each general session a report which contains recommendations as to necessary or desirable changes, if any, in the functions and programs of the several segments of public higher education; and (3) development of plans for the orderly growth of public higher education and the making of recommendations on the need for and location of new facilities and programs.

Functions

22704. The council shall have power to require the institutions of public higher education to submit data on costs, selection and retention of students, enrollments, plant capacities and other matters pertinent to effective planning and coordination, and shall furnish information concerning such matters to the Governor and to the Legislature as requested by them.

Other powers

22705. This division shall be known and may be cited as the Donahoe Higher Education Act

Title

SEC. 2. There is hereby appropriated from the General Fund for the support of the state system of higher education

Appropriation

the sum of one hundred thirty-one thousand eight hundred sixty dollars (\$131,860), or so much thereof as may be necessary, to be expended as follows:

- (a) To the Trustees of the State College System of California for expenses incurred by the trustees pursuant to Chapter 3 (commencing at Section 22600) of Division 16.5 of the Education Code, including planning for the uninterrupted performance of the functions and duties transferred to the board..... \$81,860
- (b) To the Co-ordinating Council for Higher Education for expenses incurred by the council pursuant to Chapter 5 (commencing at Section 22700) of Division 16.5 of the Education Code..... \$50,000

CHAPTER 50

An act to add Article 5h (commencing at Section 996.75) 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 the Veterans' Finance Committee of 1943 and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued.

In effect
July 7,
1960

[Approved by Governor April 27, 1960. Filed with Secretary of State April 27, 1960.]

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

SECTION 1. Article 5h is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5h. Veterans Bond Act of 1960

Title 996.75. This article may be cited as the Veterans Bond Act of 1960.

State General Obligation Bond Law. Adopted herein 996.76. The State General Obligation Bond Law, except as otherwise provided herein, 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 article,

and the provisions of that law are included in this article as though set out in full in this article. All references in this article to "herein" shall be deemed to refer both to this article and such law.

996.77. As used in this article and for the purposes of this article as used in the State General Obligation Bond Law, Title 2, Division 4, Part 3, Chapter 4 (commencing at Section 16720) of the Government Code, the following words shall have the following meanings: Definitions

(a) "Bond" means Veterans Bond, a State General Obligation Bond issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(b) "Committee" means the Veterans' Finance Committee of 1943, created by Section 991 of the Military and Veterans Code.

(c) "Board" means the Department of Veterans Affairs.

(d) "Fund" means the Veterans Farm and Home Building Fund of 1943 created by Section 988 of the Military and Veterans Code.

(e) "Bond Act" means this article authorizing the issuance of State General Obligation Bonds and adopting Title 2, Division 4, Part 3, Chapter 4 of the Government Code by reference.

996.78. 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 aggregate amount of four hundred million dollars (\$400,000,000), in the manner provided herein, but not otherwise, nor in excess thereof. Purposes:
Farm, home
aid, etc

996.79. 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. Authority to
create debt

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. Bonds:
Principal
and
interest
appropriation

Collection of
additional
revenue

Payments

On the several dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal and interest on the bonds 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 remittance dates is less than 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 semi-annually.

Unpaid balances

Amount of bonds to be issued

996.80. 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.

Successive issues

Annual survey
Financial condition,
operations

996.81. 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.

Reports

Authority to sell bonds

996.82. 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, 16754 and subdivision (j) of Section 16731 of the Government Code respecting the direction of the Governor shall not be applicable to such sale.

996.83. The annual rate or rates of interest on the bonds may be in multiples of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The definitive rates of interest which the bonds hereby authorized shall bear 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. Rate of
interest

996.84. The sum of five thousand dollars (\$5,000) 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 article have been sold, the amount of the appropriation made by this section shall revert to the unappropriated surplus in the General Fund. Bond
preparation,
etc.,
expense:
Appropriation

SEC. 2. This act shall take effect upon adoption by the people of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective the Veterans Bond Act of 1960. Effect
Adoption of
constitu-
tional
amendment

CHAPTER 51

An act to amend Section 777 of the Agricultural Code, relating to agriculture.

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

In effect
July 7, 1960

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

SECTION 1. Section 777 of the Agricultural Code is amended to read:

777. Notwithstanding any other provisions contained in this chapter, in the event (1) a marketing order is made effective or (2) the director is requested by any person engaged in the business of purchasing fresh grapes for byproducts or processing purposes, requiring the extraction or pressing out of juice, to determine the average percentage of soluble solids as required by this chapter, and the director and commissioner determine that said determinations can be more effectively performed by the director, in lieu of such determinations by the commissioner the director may make such determinations and certify, by the issuance of a certificate, to marketing order

advisory boards, handlers, associations, or financially interested persons the determinations and findings so made. For the purpose of carrying out the provisions of this section, the director may establish necessary regulations under the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2, of the Government Code, including reasonable fees to be charged for such services and for the acceptance of advance fees to effectuate such determination. Any fees so established shall be based upon the approximate cost of the service to be rendered. All money received under this section shall be paid into the Department of Agriculture Fund to be expended in carrying out the provisions of this section.

CHAPTER 52

An act to amend Section 5000 of the Vehicle Code, relating to commercial vehicle registration.

In effect
July 7, 1960

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

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

SECTION 1. Section 5000 of the Vehicle Code is amended to read:

5000. (a) License plates issued for trailers, semitrailers, motor-driven cycles, and pole and pipe dollies, and such vehicles as are exempt from the payment of registration fees under this code shall display suitable distinguishing marks or symbols, and the registration numbers assigned to each class of vehicles shall run in a separate numerical series, except that registration numbers assigned to vehicles exempt from the payment of registration fees may run in several separate numerical series.

(b) Vehicles subject to the provisions of Section 9400 shall be issued license plates with suitable distinguishing marks or symbols distinguishing them from other license plates issued.

CHAPTER 53

An act to add Section 24304.1 to the Education Code, relating to state college employees.

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

In effect
July 7, 1960

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

SECTION 1. Section 24304.1 is added to the Education Code, to read:

24304.1. Notwithstanding the provisions of Sections 24302, 24304, 24306 or any other provision of law, an academic teaching and administrative employee serving as a vice president or dean of a state college shall not acquire a right to permanent status at the level and salary step of vice president or dean, as the case may be, or higher, but shall, at the time and in the manner otherwise provided in this article for acquiring permanent status as an academic teaching and administrative employee, acquire a right to permanent status as a permanent academic teaching and administrative employee whose principal duty is teaching at the state college.

CHAPTER 54*An act to amend Section 24316 of the Education Code, relating to state colleges.*

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

In effect
July 7, 1960

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

SECTION 1. Section 24316 of the Education Code is amended to read:

24316. Whenever a new state college is established and an employee is transferred from an existing college to the newly established college before or during the first academic year of the newly established college, each employee so transferred shall be entitled to retain all sickness and injury, sabbatical and other leave rights and all seniority and tenure rights accumulated as an employee of the existing college as though the rights had been accumulated as an employee of the newly established college.

Whenever the educational program of a newly established state college is, during the first year of its existence, limited to an offcampus educational program rather than a regular state college educational program, any employee transferring from an existing college to the newly established college before

or during the first three academic years of the newly established college shall be entitled to retain all sickness and injury, sabbatical and other leave rights and all seniority and tenure rights accumulated as an employee of the existing college as though the rights had been accumulated as an employee of the newly established college.

CHAPTER 55

An act to amend Section 70055 of the Government Code, relating to filing fees.

In effect
July 7, 1960

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

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

SECTION 1. Section 70055 of the Government Code is amended to read:

70055. In a county with a population of 280,000 or over and under 285,000, the fee required by Section 70053 shall be eight dollars (\$8).

CHAPTER 56

An act to amend Section 70046 of the Government Code, relating to court reporters.

In effect
July 7, 1960

[Approved by Governor April 27, 1960. Filed with
Secretary of State April 27, 1960.]

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

SECTION 1. Section 70046 of the Government Code is amended to read:

70046. In a county with a population of 280,000 or more and under 285,000, each regular official reporter shall be paid an annual salary of nine thousand six hundred dollars (\$9,600), and each pro tempore official reporter shall be paid thirty-five dollars (\$35) a day for the days he actually is on duty under order of the court.

CHAPTER 57

An act to add Section 22659 to, and amend Sections 22702, 22850, 22852, 22853, and 22854 of, the Vehicle Code, relating to the removal of vehicles.

[Approved by Governor April 27, 1960 Filed with Secretary of State April 27, 1960.]

In effect July 7, 1960

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

SECTION 1. Section 22659 is added to the Vehicle Code, to read:

22659. Any officer of the California State Police may remove a vehicle from property owned by the State, or rented or leased from others by the State, or from property of a district agricultural association as to which the California State Police is providing policing services, under any of the following circumstances:

Removal from state property

(a) When the vehicle is illegally parked in locations where signs are posted giving notice of violation and removal.

(b) When an officer arrests any person driving or in control of a vehicle for an alleged offense and the officer is by this code or other law required to take the person arrested before a magistrate without unnecessary delay.

(c) When any vehicle is found upon such property and report has previously been made that the vehicle has been stolen or complaint has been filed and a warrant thereon issued charging that the vehicle has been embezzled.

(d) When the person or persons in charge of a vehicle upon such property are by reason of physical injuries or illness incapacitated to such an extent as to be unable to provide for its custody or removal.

SEC. 2. Section 22850 of said code is amended to read:

22850. Whenever an officer removes a vehicle from a highway, or from public or private property, unless otherwise provided, he shall take the vehicle to the nearest garage or other place of safety or to a garage designated or maintained by the governmental agency of which the officer is a member, where the vehicle shall be placed in storage.

Storage of vehicle

SEC. 3 Section 22852 of said code is amended to read:

22852 Whenever an officer removes a vehicle from a highway, or from public or private property, and stores it under this chapter, and the officer knows or is able to ascertain from the registration records in the vehicle or from the registration records of the Department of Motor Vehicles the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal, the grounds thereof and of the place to which such vehicle has been removed. In the event the vehicle is stored in a public garage a copy of the notice shall be given to the proprietor of the garage.

Notice to owner

SEC. 4. Section 22853 of said code is amended to read:

Notice of
storage to
Department
of Motor
Vehicles

22853. Whenever an officer removing a vehicle from a highway, or from public or private property, for storage under this chapter does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as provided in Section 22852 and in the event the vehicle is not returned to the owner within a period of 120 hours, the officer shall immediately send or cause to be sent written report of such removal by mail to the Department of California Highway Patrol at Sacramento and shall file a copy of the notice with the proprietor of any public garage in which the vehicle may be stored. The report shall be made on a form furnished by such department and shall include a complete description of the vehicle, the date, time and place from which removed, the grounds for removal and the name of the garage or place where the vehicle is stored.

SEC. 5. Section 22854 of said code is amended to read:

Notice to
owner by
department

22854. The Department of California Highway Patrol upon receiving notice under Section 22853 of the removal of a vehicle from a highway, or from public or private property, shall notify the registered and legal owner in writing at the addresses of such persons as shown by the records of the Department of Motor Vehicles, if the vehicle is registered in this State, of the removal of such vehicle, and give the name of the officer reporting such removal, the grounds upon which the removal was authorized and the location of the vehicle. If the vehicle is not registered in this State, the department shall make reasonable effort to notify the legal or registered owner of the removal and location of the vehicle.

SEC. 6. Section 22702 of said code is amended to read:

Removal of
abandoned
vehicles

22702. (a) Any member of the California Highway Patrol or any regularly employed and salaried deputy of the sheriff's office of a county in which a vehicle is located or any regularly employed and salaried officer of a police department in a city in which a vehicle is located who has reasonable grounds to believe that the vehicle has been abandoned, may remove the vehicle from a highway or from public or private property.

(b) Any member of the California State Police who has reasonable grounds to believe that a vehicle has been abandoned upon property owned by the State, or rented or leased from others by the State, or property of a district agricultural association as to which the California State Police is providing policing services, may remove the vehicle from such property.

CHAPTER 58

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.

[Approved by Governor April 28, 1960. Filed with Secretary of State April 28, 1960.]

In effect immediately

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, 1957, 1958, or 1959 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.

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 59

An act to amend Sections 8003, 8152, 22651, and 22652 of the Vehicle Code, relating to the registration of vehicles, the removal of vehicles from highways and public property, and the regulation of vehicle parking.

[Approved by Governor April 28, 1960. Filed with Secretary of State April 28, 1960.]

In effect July 7, 1960

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

SECTION 1. Section 8003 of the Vehicle Code is amended to read:

Reciprocity
for parties

8003. Agreements or arrangements may authorize owners of or persons entitled to the possession of or right to operate commercial vehicles who are residents of one of the states or of a foreign jurisdiction which is a party to the agreement or arrangement to register or license the vehicles in another jurisdiction which is a party thereto. Vehicles registered or licensed in one of the jurisdictions under such provision shall be exempt from registration or licensing requirements in the other jurisdictions which are parties thereto and shall be entitled to all exemptions, benefits and privileges granted with respect to other vehicles registered or licensed in the jurisdiction.

SEC. 2. Section 8152 of said code is amended to read:

“Interstate
commerce”

8152. “Interstate commerce,” for purposes of this article, means the operation of commercial vehicles during each year in two or more states or foreign jurisdictions.

SEC. 3. Section 22651 of said code is amended to read:

Removal of
vehicles

22651. Any member of the California Highway Patrol or any regularly employed and salaried deputy of the sheriff’s office of a county in which a vehicle is located or any regularly employed and salaried officer of a police department in a city in which a vehicle is located may remove a vehicle from a highway under the following circumstances:

(a) When any vehicle is left unattended upon any bridge, viaduct or causeway or in any tube or tunnel where the vehicle constitutes an obstruction to traffic.

(b) When any vehicle is left standing upon a highway in such a position as to obstruct the normal movement of traffic.

(c) When any vehicle is found upon a highway and report has previously been made that the vehicle has been stolen or complaint has been filed and a warrant thereon issued charging that the vehicle has been embezzled.

(d) When any vehicle is illegally parked so as to block the entrance to a private driveway and it is impractical to move such vehicle from in front of the driveway to another point on the highway.

(e) When any vehicle is illegally parked so as to prevent access by firefighting equipment to a fire hydrant and it is impracticable to move such vehicle from in front of the fire hydrant to another point on the highway.

(f) When any vehicle, except any highway maintenance or construction equipment, is left unattended for more than four hours upon the right-of-way of any freeway within the limits of an incorporated city.

(g) When the person or persons in charge of a vehicle upon a highway are by reason of physical injuries or illness incapacitated to such an extent as to be unable to provide for its custody or removal.

(h) When an officer arrests any person driving or in control of a vehicle for an alleged offense and the officer is by this code or other law required to take the person arrested before a magistrate without unnecessary delay.

SEC. 4. Section 22652 of said code is amended to read:

22652. In addition, an officer mentioned in Section 22651 ^{Local regulation of removal} may remove a vehicle from a highway under the following circumstances:

(a) When a vehicle is parked or left standing upon a highway for 120 or more consecutive hours in violation of a local ordinance authorizing removal.

(b) When a vehicle is illegally parked on a highway in violation of local ordinance forbidding standing or parking and the use of a highway or a portion thereof is necessary for the cleaning, repair, or construction of the highway or for the installation of underground utilities; or

(c) Where the use of the highway or any portion thereof is authorized by local authorities for a purpose other than the normal flow of traffic; or for the movement of equipment, articles or structures of unusual size; and the parking of such vehicle would prohibit or interfere with such use or movement and signs, giving notice that such vehicle may be removed, are erected or placed at least 24 hours prior to the removal by local authorities pursuant to ordinance.

(d) Where any vehicle is parked or left standing when local authorities by resolution or ordinance have prohibited such parking and have authorized the removal by ordinance. No vehicle may be removed unless signs are posted giving notice of the removal.

CHAPTER 60

An act to add Sections 1916 and 1917 to the Harbors and Navigation Code, relating to the San Francisco Port Authority, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 28, 1960. Filed with Secretary of State April 28, 1960.]

In effect immediately

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

SECTION 1. Section 1916 is added to the Harbors and Navigation Code, to read:

1916. For the purpose of acquiring additional area for the construction of docks, wharves, slips, and piers and increasing the harbor facilities on the waterfront of the City and County of San Francisco, the authority may acquire, when in its discretion it is deemed for the best interests of the harbor, by purchase, condemnation, gift, grant, or cession, for and on behalf of the State, all or any portion of that certain tract or portion of land situated in the City and County of San Francisco, State of California, within the following described boundaries:

Beginning at a point on the southerly line of Tulare Street ^{Boundaries} at the intersection on said line with the westerly line of Illinois

Street extended, running thence easterly along the southerly line of Tulare Street to the intersection with the easterly line of Waterfront Street; thence northerly along the easterly line of Waterfront Street to the intersection of said line with the southerly line of 26th Street extended; thence westerly along the southerly line of 26th Street and its extension to the intersection with the westerly line of Maryland Street; thence southerly along the westerly line of Maryland Street to its intersection with the northerly line of Army Street; thence westerly along the northerly line of Army Street to its intersection with the westerly line of Michigan Street; thence southerly along the westerly line of Michigan Street to its intersection with the northerly line of Marin Street; thence westerly along the northerly line of Marin Street to its intersection with the westerly line of Illinois Street; thence southerly along the westerly line of Illinois Street to the point of beginning.

The jurisdiction of the authority is extended so as to include all land described in this section.

Payment

The authority may pay the purchase price thereof, or any judgment rendered in condemnation proceedings, by drafts drawn upon the Controller of the State, who shall draw his warrant or warrants therefor on the State Treasurer, payable out of any moneys in the State Treasury to the credit of the "San Francisco Harbor Improvement Fund."

Proceedings
Eminent
domain

Proceedings for the condemnation of any real or personal property or any interest therein shall be taken under the provisions of the Code of Civil Procedure relating to eminent domain. The authority shall not commence any such proceedings unless it first adopts a resolution declaring that public interest and necessity require acquisition by the State of the property or interest therein, described in the resolution, and that the acquisition is necessary to exercise the powers granted the authority by this part.

SEC. 2. Section 1917 is added to said code, to read:

Authority's
resolution
conclusive of
necessity,
etc

1917. The resolution of the authority shall be conclusive evidence:

(a) Of the public necessity of the proposed acquisition.
(b) That the real or personal property or interest therein is necessary therefor.

(c) That the proposed acquisition is planned or located in a manner which will be most compatible with the greatest public good and the least private injury.

Urgency

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The San Francisco Port Authority is in the process of completing plans calling for the construction of a large marine

terminal. There exists an urgent necessity to begin building this project in the near future and unless the authority is granted the immediate power to acquire by purchase or condemnation real and personal property at the site of the terminal, the prices of the parcels of land required for the project will soar to inestimable heights.

CHAPTER 61

An act to amend Section 10308 of the Government Code, relating to the California Law Revision Commission.

[Approved by Governor April 29, 1960. Filed with
Secretary of State April 29, 1960.]

In effect
July 7, 1960

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

SECTION 1. Section 10308 of the Government Code is amended to read:

10308. No employee of the commission and no member appointed by the Governor shall, with respect to any proposed legislation concerning matters assigned to the commission for study pursuant to Section 10335, advocate the passage or defeat of any such legislation by the Legislature or the approval or veto of any such legislation by the Governor or appear before any committee of the Legislature as to such matters unless requested to do so by the committee or its chairman. In no event shall an employee or member of the commission appointed by the Governor advocate the passage or defeat of any legislation or the approval or veto of any legislation by the Governor, in his official capacity as such employee or member.

CHAPTER 62

An act making an appropriation in augmentation of the appropriation in the Budget Act of 1959, for the Emergency Fund, to take effect immediately.

[Approved by Governor April 29, 1960. Filed with
Secretary of State April 29, 1960.]

In effect
immediately

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

SECTION 1. The sum of seven hundred thousand dollars (\$700,000) is appropriated from the General Fund to the Emergency Fund, for expenditure during the 1959-60 fiscal year, in augmentation of the appropriation made by Item 278 of the Budget Act of 1959.

SEC. 2. The appropriation made by Item 278, Budget Act of 1960 shall be reduced by the amount appropriated by Section 1 of this act.

Current
expense

SEC. 3. 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 63

An act to add Article 4.5 (commencing at Section 24856) to Chapter 13 of Division 18 of the Education Code, relating to a branch facility of Los Angeles State College.

In effect
July 7, 1960

[Approved by Governor April 29, 1960 Filed with
Secretary of State April 29, 1960.]

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

SECTION 1. Article 4.5 (commencing at Section 24856) is added to Chapter 13 of Division 18 of the Education Code, to read:

Article 4.5. Los Angeles State College of Applied Arts and Sciences in San Bernardino County

Branch
facility

24856. The Los Angeles State College of Applied Arts and Sciences may establish and operate as a part of the college a branch facility in San Bernardino County.

Curriculum

24857. The curriculum of the branch facility shall be restricted to an instructional program in upper division education courses leading to an elementary teaching credential.

Facilities

24858. In establishing and maintaining such branch facility, the Los Angeles State College shall rent existent facilities for use by the branch facility.

CHAPTER 64

An act to add Article 11 (commencing at Section 25201) to Chapter 13 of Division 18 of the Education Code, relating to state colleges.

In effect
July 7, 1960

[Approved by Governor April 29, 1960 Filed with
Secretary of State April 29, 1960.]

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

SECTION 1. Article 11 (commencing at Section 25201) is added to Chapter 13 of Division 18 of the Education Code, to read:

Article 11. State College for San Bernardino and Riverside Counties

25201. There is hereby established a state college, to be located in San Bernardino County, to be known as the San Bernardino-Riverside State College.

Establishment,
location
of San
Bernardino-
Riverside
State
College

25202. The provisions of Sections 23601 to 23607, inclusive, Sections 23651 to 23958, inclusive, Sections 24051 to 24703, inclusive, and Sections 24951 to 24954, inclusive, and all other laws relating to state colleges are applicable to the San Bernardino-Riverside State College.

Applicability
of other
laws

CHAPTER 65

An act to add Article 12 (commencing at Section 25251) to Chapter 13 of Division 18 of the Education Code, relating to state colleges.

[Approved by Governor April 29, 1960 Filed with
Secretary of State April 29, 1960]

In effect
July 7, 1960

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

SECTION 1. Article 12 (commencing at Section 25251) is added to Chapter 13 of Division 18 of the Education Code, to read:

Article 12. State College for Los Angeles County

25251. There is hereby established a state college, to be located in Los Angeles County in the vicinity of the Los Angeles International Airport, to be known as the South Bay State College.

Establishment and
location of
South Bay
State College

25252. The provisions of Sections 23601 to 23607, inclusive, Sections 23651 to 23958, inclusive, Sections 24051 to 24703, inclusive, and Sections 24951 to 24954, inclusive, and all other laws relating to state colleges are applicable to the South Bay State College.

Applicability
of other
laws

CHAPTER 66

An act to add Article 14 (commencing at Section 25351) to Chapter 13, of Division 18 of the Education Code, relating to a state college for Sonoma County.

[Approved by Governor April 29, 1960 Filed with
Secretary of State April 29, 1960]

In effect
July 7, 1960

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

SECTION 1. Article 14 (commencing at Section 25351) is added to Chapter 13 of Division 18 of the Education Code.

Article 14. State College for Sonoma County

Sonoma State College 25351. There is hereby established a state college to be located in Sonoma County, to be known as Sonoma State College.

Applicability of other laws 25352. The provisions of this code relating to state colleges, and all other laws relating to state colleges, are applicable to Sonoma State College.

CHAPTER 67

An act to add Section 24000 to the Education Code, relating to state colleges.

In effect
July 7, 1960

[Approved by Governor May 2, 1960. Filed with
Secretary of State May 3, 1960.]

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

SECTION 1. Section 24000 is added to Article 1, Chapter 7, Division 18, of the Education Code, to read:

24000. The Trustees of the State College System of California may accept on behalf of the State any gift or donation of real or personal property whenever such gift and the terms and conditions thereof will aid in carrying out the primary functions of the state colleges as specified in Section 16 of Article IX of the State Constitution. Neither Section 11005 of the Government Code or any other provision of law requiring approval by a State officer of gifts and donations shall apply to such gifts or donations. Such gifts or donations shall be annually reported to the Co-ordinating Council for Higher Education.

CHAPTER 68

An act to convey certain tide and submerged lands to the San Mateo County Harbor District, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

In effect
July 7, 1960

[Approved by Governor May 2, 1960. Filed with
Secretary of State May 3, 1960.]

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

San Mateo
County
Harbor
District:
Grant of
tidelands

SECTION 1. There is hereby granted to the San Mateo County Harbor District, hereinafter called "district," a political subdivision of the State of California, and to its successors, all the right, title and interest now held by the State of California by virtue of its sovereignty, in and to all tidelands

and submerged lands of the northerly portion of Half Moon Bay, whether filled or unfilled, situated and lying within boundaries described as follows:

Beginning at a point on the intersection of the 1959 Ordinary High Water Mark of Halfmoon Bay as surveyed by the State Lands Division with a line parallel to and 80 feet westerly (measured at right angles) of the center line of the West Breakwater of Halfmoon Bay, as said center line is shown upon the U.S. Corps of Engineers drawing No. 15-55-3, Sheet 1 of 1, entitled "Halfmoon Bay, Harbor Improvements, Land for Breakwaters", dated 16 December 1958; said point of beginning is further described as bearing S. 44° 29' 10" .5 E., 1,371.40 feet and N. 83° 17' 21" W., 95 07 feet from California State Lands Commission Triangulation Station "Pillar Point 3, 1959"; thence from said point of beginning S. 26° 00' E., 6,634.95 feet and N. 57° 00' E., 8,717.62 feet to a point on the 1959 Ordinary High Water Mark of Halfmoon Bay, being S. 48° 51' 58" .7 E., 4,706.45 feet from Station 0+00 of the East Breakwater of Halfmoon Bay as shown upon the aforementioned U.S. Corps of Engineers drawing No. 15-55-3, and being S. 36° 39' 36" .5 E., 1,442.91 feet from California State Lands Commission Triangulation Station "Miramar 2, 1959"; thence along said 1959 Ordinary High Water Mark in a northerly and westerly direction to the point of beginning. Containing 1,235 acres more or less.

Bearings and distances used are grid, and conform to the California Coordinate System, Zone 3.

To be forever held by said district, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said district, and its successors, only for the establishment, improvement and conduct of a harbor, including any marine airport or marine aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and for the construction, maintenance and operation thereon of structures and facilities for public recreational purposes, and said district, or its successors, shall not at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatsoever; provided, that said district, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such franchises, leases and privileges, including, without prejudice to leases made prior to the

effective date of this act pursuant to completed applications pending before the State Lands Commission on or before March 15, 1960, those certain leases:

(1) Between the State of California and Henry Doelger Builder, Inc., dated May 13, 1947, (P.R.C. 184.1),

(2) Between the State of California and Henry Doelger Builder, Inc., dated May 13, 1947, (P.R.C. 325.1),

(3) Between the State of California and Princeton Properties, Inc., dated March 4, 1947, (P.R.C. 242.1),

(4) Between the State of California and The Romeo Company, dated November 5, 1949, (P.R.C. 720.1).

(b) That said lands shall be improved by said district within 10 years of the effective date of this act without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other watercraft, owned or operated by the State of California. If the State Lands Commission determines that the district has failed during said 10-year period to improve said lands as herein required, all right, title, and interest of said district in and to all lands granted by this act shall cease and said lands shall revert and vest in the State.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said district or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes together with the right of navigation.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, 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 said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes, without compensation to the district, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the Office of the County Recorder of San Mateo County, the area of state lands described in this act. Said district shall enter into a contract with the State Lands Commission for surveying, monumenting and platting the area of state lands described in this act, and shall, upon submission of invoices by the State Lands Commission, pay said costs. Survey, etc

SEC. 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable. Severability of provisions

SEC. 4. Nothing contained in this act shall preclude the district from accepting and retaining any grant of funds from the State made available for the purpose of aiding in the development of said lands for any public purpose not inconsistent with the promotion and accommodation of commerce and navigation. Development for other purposes

CHAPTER 69

An act authorizing the Division of Beaches and Parks to exchange property belonging to the State for property belonging to the City of Capitola, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 2, 1960. Filed with Secretary of State May 3, 1960]

In effect immediately

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

SECTION 1. The Division of Beaches and Parks of the State Department of Natural Resources is authorized to convey to the City of Capitola all right, title and interest of the State in and to certain parcels of land located in the Rio Del Mar Section of Seacliff State Park, in exchange for and upon there being conveyed to the State by the City of Capitola all right, title and interest of the City of Capitola in property belonging to that city, known as the Saba property, located at the corners of Esplanade and Monterey Streets in that city.

The state lands authorized to be conveyed by this act are more particularly described as follows:

All that real property in the County of Santa Cruz, State of California, described as follows:

Lots 28, 29, 30 and 31, in Block 94, as numbered and designated upon the map entitled, "Subdivision No. 8, Aptos Beach Country Club Properties, Aptos, Santa Cruz County, California," filed September 20th, 1928, in Volume 24 of Maps, Page 29, Records of Santa Cruz County.

The exchange authorized by this act shall be made only if the Division of Beaches and Parks finds: (a) that the state property to be conveyed is no longer needed for park purposes, (b) that the property to be conveyed to the State by the City of Capitola is comparable in value to that which is to be conveyed to the city, and (c) that the exchange will be made upon such terms and conditions as will be for the best interests of the State.

Urgency

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

The need for an adequate comfort station at the Capitola State Park is urgent. Around 250,000 persons visit this park during the summer months and at present must use shamefully outmoded facilities at the park or resort to facilities afforded by nearby business establishments. The result is a menace to the public health and with the rapid approach of the busy season, it is imperative that an appropriate site be obtained in order that the construction of these facilities may be expedited.

CHAPTER 70

An act to amend Section 1 of Chapter 1076 of the Statutes of 1947, relating to tidelands and submerged lands in San Luis Obispo County.

In effect
July 7, 1960

[Approved by Governor May 2, 1960 Filed with
Secretary of State May 3, 1960]

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

SECTION 1. Section 1 of Chapter 1076 of the Statutes of 1947 is amended to read:

San Luis
Obispo
County
Grant of
tidelands

Section 1. There is hereby granted and conveyed to the County of San Luis Obispo and to its successors, all of the right, title, and interest of the State of California, held by it by virtue of its sovereignty, in and to the tidelands and submerged lands, whether filled or unfilled, in or adjacent to Morro Bay, and more particularly bounded and described as follows:

Boundaries

Beginning at the northwesterly corner of Section 6, T. 30 S., R. 11 E., M. D. M., being also the northeast corner of Lot 5, Section 1, T. 30 S., R. 10 E., M. D. M., as shown on General Land Office Township Plat of T. 30 S., R. 10 E., approved October 17, 1889, thence south a distance of 1149.70 feet to a point, as shown on "Map of Survey of Parcels of Land in Lot 5 of Section 1, T. 30 S., R. 10 E., M. D. M., San Luis Obispo County, California, Pacific Engineers and Surveyors, Inc., September 1952" and recorded in Book 6 page 73 of

Records of Surveys, San Luis Obispo County Records, thence west on a true line to the ordinary high water mark of Morro Bay, the true point of beginning; thence from the true point of beginning, in a northwesterly direction to the northeasterly corner of Lot 1, Section 1, T. 30 S., R. 10 E., M. D. M.; thence along the ordinary high water mark of Morro Bay and the Pacific Ocean to the northwesterly corner of Lot 1, Section 2, T. 30 S., R. 10 E., M. D. M., thence west to a point 3 miles seaward of the ordinary high water mark of the Pacific Ocean; thence in a northerly direction to the point of intersection with the westerly prolongation of the center line of 66th Street, Atascadero Beach, 3 miles seaward of the ordinary high water mark of the Pacific Ocean as it existed prior to the construction of the seawall extending from Atascadero Beach to Morro Rock; thence along said ordinary high water mark of the Pacific Ocean and Morro Bay, as shown on a plat entitled "Map Showing Survey of San Luis Obispo County Property in Lot 1, Block 31, Atascadero Beach and Line of Mean High Water along the Pacific Ocean Adjacent to and North and South of Said Property and Near the Proposed Breakwater at Morro Rock, Surveyed by Kenneth Beek, County Surveyor, March 1934" and recorded in Book 2 at page 39 of Licensed Surveyors' Maps, San Luis Obispo County Records, to the point of intersection with the northwesterly line of Tidelands Survey No. 14, as shown on plat entitled "Map of Survey of Parcels of Land Being Portions of Lots 1 and 2 of Block 31 and Speedway, Atascadero Beach, and Portion of Block F, Town of Morro, San Luis Obispo County, California, Pacific Engineers & Surveyors, Inc., December 1954" and filed in Book 7, page 60 of Records of Surveys, San Luis Obispo County Records, thence along the landward boundary lines of Tidelands Surveys Nos. 14 and 10, thence continuing along the ordinary high water mark of Morro Bay to the true point of beginning, excepting therefrom tidelands patented by the State under Tidelands Surveys Nos. 10 and 14, and any land owned by the State under the jurisdiction of the Division of Beaches and Parks, State of California, consisting of 3,300 acres, more or less.

To be forever held by said county and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

Purposes and
conditions

(a) That said lands shall be used by said county, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and for recreational use, public park, parking, highway, playground, and business incidental thereto; and said county, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any

individual, firm or corporation for any purposes whatever; provided, that said county, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

(b) That said lands shall be improved by said county without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, 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 said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the county, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

(g) There is hereby excepted and reserved to the State of California and the people thereof the absolute right, as the case may be, to regulate, control, establish, provide for, and dispose of oyster beds pursuant to the provisions of Article 4 (commencing with Section 6480) Chapter 5, Part 1, Division 6 of the Fish and Game Code of this State.

(h) If the lands, or any part thereof, granted to the county by this act are not used for the additional purposes authorized by the amendment of this section made at the 1960 First Extraordinary Session of the Legislature within 10 years from the effective date of said amendment, or if such use is discontinued thereafter, the authorization to use said lands for such additional purposes shall automatically terminate and lapse.

CHAPTER 71

An act to amend Section 13.5 of Chapter 124 of the Statutes of 1955, relating to Squaw Valley.

[Approved by Governor May 2, 1960. Filed with
Secretary of State May 3, 1960.]

In effect
July 7, 1960

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

SECTION 1. Section 13.5 of Chapter 124 of the Statutes of 1955 is amended to read:

Sec. 13.5. Such control and possession as the commission may have of all real and personal property and facilities and improvements acquired or constructed by the commission pursuant to this act shall be transferred as soon as is practicable after completion of the 1960 Winter Olympic Games, but in no event later than June 30, 1960, to the Division of Beaches and Parks, Department of Natural Resources of the State of California, for inclusion in the state park system.

CHAPTER 72

An act calling a special election to be consolidated with the general election of 1960 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 1960 First Extraordinary Session, to take effect immediately.

[Approved by Governor May 2, 1960. Filed with
Secretary of State May 3, 1960.]

In effect
immediately

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 eighth day of November, 1960. The 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

Special
election

electors, in addition to such other measures as may be submitted in accordance with law, all constitutional amendments proposed by the Legislature at the 1960 First Extraordinary Session, except those constitutional amendments submitted at the specific direction of the Legislature at a special election consolidated with the direct primary election of 1960. 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.

Drafting of
arguments

SEC. 2. Within five days after final adjournment of the 1960 First Extraordinary Session, the author of any constitutional amendment enacted at that session, except those which at the specific direction of the Legislature are submitted at a special election consolidated with the direct primary election of 1960, 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, 1960.

Ballot
titles

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 titles.

Calling an
election

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

CHAPTER 73

An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Section 19625 of the Education Code, relating to capital outlay for construction or improvement of public schools, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 4, 1960. Filed with Secretary of State May 4, 1960.]

In effect immediately

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

SECTION 1. There is hereby appropriated from the General Fund, to be expended under Section 19625 of the Education Code, such sums, not to exceed in total amount twenty million dollars (\$20,000,000), as the State Allocation Board may, from time to time certify to the Controller as necessary to provide for apportionment by the State Allocation Board the sum of eight million dollars (\$8,000,000) on April 5, 1960, or as soon thereafter as this act shall become effective, the sum of two million dollars (\$2,000,000) on the fifth day of each month thereafter to and including October 5, 1960, totaling twenty million dollars (\$20,000,000). Appropriation

The provisions of this section shall remain in effect until the first series of bonds is issued under the authority of Section 20 of Article XVI of the Constitution as passed by the Legislature at the 1960 First Extraordinary Session and thereafter adopted by the electors of the State.

SEC. 2. The State Controller shall transfer to the General Fund the total of the amounts which may have been transferred therefrom to the State School Building Aid Fund under this act, from moneys received from the sale of any 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. Transfers to General Fund

If Section 20 of Article XVI of the Constitution is not passed by the Legislature and adopted by the voters, bonds may be issued in the manner and in the amount provided for in Section 19712 of the Education Code, except that the proceeds shall be utilized to repay any money appropriated from the General Fund under Section 1 of this act. Effect: Adoption of Section 20, Article XVI

SEC. 3. 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: Urgency

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 19 of the Constitution and the need must be met immediately.

CHAPTER 74

An act to amend Sections 31204 and 31214 of, to add Section 31214.3 to, and to repeal Section 31219, of the Education Code, relating to the competitive scholarship program, and making an appropriation.

In effect
July 7, 1960

[Approved by Governor May 4, 1960. Filed with
Secretary of State May 4, 1960.]

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

SECTION 1. Section 31204 of the Education Code is amended to read:

Number and
apportion-
ment of
scholarships

31204. There shall be available two such scholarships for each senatorial and assembly district and 400 scholarships at large throughout the State for the fiscal year 1956-57; four such scholarships for each senatorial and assembly district and 800 scholarships at large throughout the State for the fiscal year 1957-58; six such scholarships for each senatorial and assembly district and 1,200 scholarships at large throughout the State for the fiscal year 1958-59; and eight such scholarships for each senatorial and assembly district and 1,600 scholarships at large throughout the State for the fiscal year 1959-60, and the fiscal year 1960-61; and 10 such scholarships for each senatorial and assembly district and 2,000 scholarships at large throughout the State for the fiscal year 1961-62; and 12 such scholarships for each senatorial and assembly district and 2,400 scholarships at large throughout the State for the fiscal year 1962-63; and 14 such scholarships for each senatorial and assembly district and 2,800 scholarships at large throughout the State for the fiscal year 1963-64; and 16 such scholarships for each senatorial and assembly district and 3,200 scholarships at large throughout the State for the fiscal year 1964-65, and for each fiscal year thereafter.

No award shall be canceled because of change of residence of an award winner within the State.

SEC. 2. Section 31214 of said code is amended to read:

Duration and
amount of
scholarships.
Reports;
renewal and
continuance

31214. Each competitive scholarship is for the period of one academic year and the award shall be for three hundred dollars (\$300), four hundred dollars (\$400), five hundred dollars (\$500), six hundred dollars (\$600), seven hundred dollars (\$700), eight hundred dollars (\$800), or nine hundred dollars (\$900), as required by applicant's financial need, as determined by the State Scholarship Commission, but in no

event in excess of an amount equal to the tuition or necessary fees, or both tuition and fees, for the academic year, excluding summer sessions, of the institution at which the scholarship is used. The State Scholarship Commission may provide by appropriate rules and regulations for such reports, accounting, and statements from the award winner and college or university of attendance pertaining to the use or application of the award as it may deem proper. A competitive scholarship may be renewed annually without an additional competitive examination until the award winner has received four annual awards or until he has been graduated from such an institution in an undergraduate course, whichever is the earlier, provided that at or prior to such renewal the State Scholarship Commission shall reassess the financial needs of such award winner and establish the amount of the award within the limits prescribed by this section. The scholarship shall remain in effect only during the period that the award winner achieves satisfactory academic progress and is regularly enrolled as a full-time student in an institution of collegiate grade, as described in Section 31206.

SEC. 2.5. Section 31214.3 is added to said code, to read:

31214.3. An individual who is awarded a competitive scholarship and enrolls in a junior college may elect to have the scholarship held in trust for him for a period not to exceed two years and three months, or until the student has obtained 64 transferable units, if these units are obtained within three years. The State Scholarship Commission shall, in such case, hold the scholarship in trust, to be granted to the award winner upon receipt of his request therefor within such period, provided that at the time of making the request he meets all of the requirements of this chapter (commencing at Section 31201). Upon receipt of the request the State Scholarship Commission shall assess or reassess the financial needs of the award winner. The State Scholarship Commission may prescribe the forms and procedures to be utilized for the purposes of this section. The State Scholarship Commission may award to another eligible individual any scholarship being so held in trust, subject to the provisions of this section and any other conditions and restrictions that may be imposed by the commission, to the end that all authorized scholarships are being continually utilized. Following the first year for which any such scholarship is awarded, awards thereof shall be included in the number of the continuing scholarships available for any year and not the authorized new scholarships for the year.

Scholarships held in trust - Maximum period, reassessment of need

SEC. 3. Section 31219 of said code is repealed.

Repeal

SEC. 4. The sum of ten thousand dollars (\$10,000) is appropriated from the General Fund to the State Scholarship Commission for carrying out its administrative duties during the 1960-61 fiscal year.

Appropriation

SEC. 5. This act shall become operative on July 1, 1960.

Operative date

CHAPTER 75

An act to add Chapter 14.5 (commencing with Section 19870) to Division 14 of, and to add Section 19578 to, 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.

In effect
July 7, 1960

[Approved by Governor May 4, 1960. Filed with
Secretary of State May 4 1960.]

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

SECTION 1. Chapter 14.5 is added to Division 14 of the Education Code, to read :

CHAPTER 14.5. STATE SCHOOL BUILDING
AID BOND LAW OF 1960

Title	19870. This act may be cited as the State School Building Aid Bond Law of 1960.
State General Obligation Bond Law made applicable to issuance, sale, etc.	19871. 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.
Definitions	19872. 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 19510. (b) "Board" means State Allocation Board. (c) "Fund" means State School Building Aid Fund.
Authorization to create debt	19873. 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 twenty million dollars (\$20,000,000) to repay any money appropriated and transferred from the General Fund for state school building aid pursuant to any law enacted for such purposes at the 1960 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 three hundred million dollars (\$300,000,000) in the manner provided herein, but not otherwise nor in excess thereof.

19874. 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.

Bond issue
made general
obligation
of state

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.

19875. All money deposited in the fund under Section 19611 of this code and pursuant to the provision of Part 2, commencing with Section 16300 of Division 4, Title 2, of the Government Code, shall be available only for transfer to the General Fund, as provided in Section 19874. 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.

Reimburse-
ment of the
General
Fund

19876. 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

Revolving
fund

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.

Authoriza-
tion and sale
of bonds
Apportion-
ment of
proceeds

19877. Upon request of the board, supported by a statement of the apportionments made and to be made under Sections 19551 to 19689, inclusive, 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 there shall be immediately available for apportionment the sum of: twenty million dollars (\$20,000,000) less any amount transferred from the General Fund pursuant to any law providing for the appropriation and transfer of moneys from the General Fund for state school building aid enacted at the 1960 First Extraordinary Session; on November 5, 1960, or as soon thereafter as such bonds can be issued and sold, the sum of two million dollars (\$2,000,000); on December 5, 1960, the sum of two million dollars (\$2,000,000); on January 5, 1961, the sum of nine million dollars (\$9,000,000); and on the fifth day of each month thereafter the sum of ten million dollars (\$10,000,000) or, if the Legislature so provides by concurrent resolution adopted after January 1, 1961, the sum of twelve million dollars (\$12,000,000) for each month after the adoption of such resolution until a total of three hundred million dollars (\$300,000,000) has become available for apportionment. Successive issues 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.

Interex-
change of
bonds

19878. 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.

Computing
net interest
cost

19879. 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.

19880. 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.

Authoriza-
tion for
State
Treasurer to
sell bonds

19881. 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 19874 to pay principal and interest on bonds.

Disposition
of proceeds

19882. With respect to the proceeds of bonds authorized by Section 20, Article XVI of the California Constitution, all the provisions of Sections 19551 to 19689, inclusive, shall apply except:

State school
building and
law of 1952
made
applicable

(a) Any reference in Sections 19551 to 19689, inclusive, to "Section 16.5, Article XVI of the Constitution of this State" shall be deemed a reference to "Section 20 Article XVI of the Constitution of this State."

(b) Any reference in Sections 19551 to 19689, inclusive, to "Section 19704" shall be deemed a reference to "Section 19874."

SEC. 2. Section 19578 is added to said code, to read:

19578. In any month in which the priority point procedures prescribed by Section 19556 are utilized, the board may apportion to school districts, under Section 19577, not more than the sum of four hundred thousand dollars (\$400,000).

Priority
point
procedures
Apportion-
ment

CHAPTER 76

An act to amend Section 31231 of, to repeal Sections 31232, 31233, 31234, 31236, and 31237 of, and to add Sections 31232 and 31233 to, the Education Code, relating to state scholarships for higher education in the science of agriculture.

[Approved by Governor May 4, 1960. Filed with Secretary of State May 4, 1960.]

In effect July 7, 1960

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

SECTION 1. Section 31231 of the Education Code is amended to read:

31231. Scholarships shall be awarded to graduates of California high schools. There shall be 100 awards for the fiscal

Conditions
of eligibility

year 1960-61, 100 additional awards for the fiscal year 1961-62, 100 additional awards for the fiscal year 1962-63, and 100 additional awards for the fiscal year 1963-64. For each fiscal year thereafter the state agricultural scholarship program shall consist of 400 awards. The administration of scholarships for the study of the science of agriculture shall be under the jurisdiction of the State Scholarship Commission. No person shall be awarded a scholarship unless:

(a) He is a resident of California.

(b) He has not attained his 24th birthday. This age limitation does not apply in the case of renewed scholarship awards.

(c) His course of study in high school must have been directed toward preparation for work at the college level in the science of agriculture.

(d) He has demonstrated his financial need for such scholarship. The financial status of his parents shall be taken into consideration in determining his financial need.

(e) He has demonstrated high moral character, good citizenship, and dedication to American ideals.

(f) He has applied for a state agricultural scholarship and has, by competitive examination, been determined to be eligible for such scholarship.

(g) He has complied with all of the rules and regulations adopted by the State Scholarship Commission for the award, regulation, and administration of state competitive scholarships adopted pursuant to this chapter (commencing at Section 31230).

(h) He is a citizen of the United States or, if he is under 21 years of age and is not a citizen of the United States, either he or his parent or parents were admitted to the United States on a permanent resident visa.

(i) He must have indicated in his application his intention to enroll at an accredited California college to pursue a course of instruction with the major study devoted to the science of agriculture.

Repeal

SEC. 2. Section 31232 of said code is repealed.

Duration and
value
Reports;
renewal

SEC. 3. Section 31232 is added to said code, to read:

31232. Each competitive scholarship is for the period of one academic year. The award shall be for six hundred dollars (\$600) or an amount equal to the tuition or necessary fees, or both tuition and fees for the academic year, excluding summer sessions, at the institution at which the scholarship is used, whichever is the smaller amount. The State Scholarship Commission may provide by appropriate rules and regulations for such reports, accountings and statements from the award winner and college or university of attendance pertaining to the use or application of the award as it may deem proper. The state scholarships for the study of the science of agriculture may be renewed annually without additional competitive examination until the award winner has received four annual awards or until he has been graduated from such an institution

in a four-year undergraduate course, whichever is earlier. The scholarship shall remain in effect only during the period that the award winner achieves satisfactory academic progress and is regularly enrolled as a full-time student in an institution of collegiate grade located in California and accredited by the Western College Association.

SEC. 4. Section 31233 of said code is repealed.

Repeal

SEC. 5. Section 31233 is added to said code, to read:

31233. An individual who is awarded a competitive scholarship and enrolls in a junior college, may elect to have the scholarship held in trust for him for a period not to exceed two years. The State Scholarship Commission shall, in such case, hold the scholarship in trust, to be granted to the award winner upon receipt of his request therefor within such period, provided that at the time of making the request he meets all of the requirements of this chapter (commencing at Section 31230). The State Scholarship Commission may prescribe the forms and procedures to be utilized for the purposes of this section.

Election to have scholarship held in trust

SEC. 6. Section 31234 of said code is repealed.

Repeal

SEC. 7. Section 31236 of said code is repealed.

Repeal

SEC. 8. Section 31237 of said code is repealed.

Repeal

CHAPTER 77

An act to amend Sections 3081.01, 3081.02 and 3081.05 of, and to add Section 3081.81 to, the Civil Code, relating to real estate licensees, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 4, 1960 Filed with
Secretary of State May 4 1960]

In effect
immediately

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

SECTION 1. Section 3081.01 of the Civil Code is amended to read:

3081.01. It is unlawful for any person to act as a real property loan broker within this State without first having obtained a real estate broker's license and having registered as a real property loan broker with the Division of Real Estate.

Registration

Any violation of this section shall be grounds for disciplinary action by the Real Estate Commissioner pursuant to Section 10176 of the Business and Professions Code

When used in this chapter, "person" includes an individual, corporation, copartnership, association, joint stock company, trust or any unincorporated association.

"Person"

SEC. 2. Section 3081.02 of said code is amended to read:

3081.02 A real property loan broker within the meaning of this article is any person, other than those expressly

"Real property loan broker"

exempted by Section 3081.7, who for compensation payable by a borrower or lender, either directly or indirectly, or from the proceeds of a loan, negotiates or solicits a prospective borrower or lender, for the purpose of negotiating a loan to be secured by real property; or who in this State as principal or agent engages in the business of buying, selling or exchanging promissory notes, secured by mortgages or deeds of trust on real property, or makes collateral agreements for buying and selling or for the performance of services in connection with said mortgages and deeds of trust, and who engages in such activities as a main or principal business or vocation or maintains a regular place of business where the public may sell, purchase or exchange such promissory notes.

Bond **SEC 3** Section 3081.05 of said code is amended to read:
 3081.05. The applicant shall if a corporation file and maintain with the commissioner a fidelity bond issued by an admitted corporate surety insurer, in a minimum amount of twenty-five thousand dollars (\$25,000) and at all times in a principal amount that is equal to or in excess of the total aggregate amount of all moneys held by or under the control of the mortgage broker at any one time for the account of others. Said fidelity bond shall be in favor of the applicant and shall provide for the recovery by him for any loss of such funds held by him or his agent or employees arising out of a defalcation, misappropriation or theft of such funds by such agent or employees. If the applicant is an individual or a copartnership, the individual or copartner shall file with the application in lieu of said fidelity bond, a bond in the sum of five thousand dollars (\$5,000) issued by an admitted corporate surety insurer, approved by the commissioner, in which the applicant is the obligor. Any debtor or lender claiming to be injured by the fraud, deceit, or willful negligence of any individual or copartnership real property loan broker may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit, or willful negligence, or the failure to comply with the provisions of this chapter. The provisions of this section shall not be applicable to the negotiation of a loan or loans by a licensed real estate broker in which he does not actually or constructively in any way keep, have charge of, or otherwise handle any of the funds involved in the loan.

It shall be the responsibility of the broker and not of the surety to maintain the bond in the form and in the amount prescribed by this section. In no event shall the aggregate liability of the surety for all breaches of the conditions of the bond exceed the principal amount set forth in the bond.

Exemption **SEC. 35.** Section 3081.81 is added to said code, to read:
 3081.81. Any person who sells or exchanges promissory notes secured by mortgages or deeds of trust on real property pursuant to authority granted by the Commissioner of Corporations is not required, insofar as such transactions are concerned, to comply with the provisions of this chapter. Such

person is not exempt from the provisions of this chapter relating to the negotiating of loans to be secured by real property.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

By the enactment of the real property loan brokers law (Statutes 1959, Chapter 1942), the Legislature intended to require all persons engaged in the activities defined therein, to be licensed as real estate brokers. By inadvertence of language, doubt has been cast upon whether the legislative language accomplished this purpose. It is the purpose of this statute to make clear that by the said 1959 law and now, persons so engaged as real property loan brokers are to be licensed as real estate brokers and registered as real property loan brokers by the Real Estate Commissioner.

Millions of dollars of the investing public money, usually the savings of people of modest means, are being invested in real estate securities. It is of great importance that persons engaged in the business of acting as real property loan brokers immediately be supervised to insure the adequacy of the real estate securities involved and the safeguarding of the funds of this part of the investing public who are largely unable to insure such results by individual action.

CHAPTER 78

An act to add Sections 3081.095, 3081.096 and 3081.923 to, and to amend Sections 3081.09 and 3081.7 of, the Civil Code, relating to real property loan brokers, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 4, 1960. Filed with
Secretary of State May 4 1960.]

In effect
immediately

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

SECTION 1. Section 3081.095 is added to the Civil Code, to read:

3081.095. Prior to the time a purchaser binds himself to purchase, from or through a real property loan broker who specializes in the sale of discounted trust deed or mortgage notes, a note secured by a deed of trust or mortgage, the broker must furnish to the purchaser a statement in writing, on a form prescribed by the Real Estate Commissioner, setting forth the legal description of the property subject to the deed of trust or mortgage, details of all the then existing encumbrances against the title of said property to which the deed of trust or mortgage would be subordinated, and such further information relating to the transaction as may be required by

Statement
required of
broker to
purchaser

the Real Estate Commissioner. The commissioner may adopt rules and regulations to establish criteria for determining what is a real property loan broker specializing in the sale of discounted trust deed or mortgage notes.

SEC. 2. Section 3081.096 is added to said code, to read:

Recording
within
maximum
time

3081.096. Every real property loan broker must record in the name of the purchaser or lender or his nominee, who shall not be the broker or the broker's nominee, every deed of trust or mortgage he has sold, or which secures a loan he has negotiated, within a reasonable time after the transaction is consummated. The Real Estate Commissioner shall by rule prescribe the maximum time allowed for such recording.

SEC. 3. Section 3081.09 of the Civil Code is amended to read:

Funds for
purchase
deposited
with
broker
Trust
account

3081.09. (a) Except as provided in subdivision (b), all funds accepted by a real property loan broker for the purchase of a promissory note secured by a lien on real property or for the negotiation of a loan evidenced by a promissory note secured by a lien on real property, either as principal or as agent, shall be maintained in a trust account in a legal depository until such time as the buyer or lender approves or disapproves of the purchase or loan.

Deposit
in escrow:
Release

(b) If the broker accepts such funds from the purchaser or lender prior to the time the broker has furnished to the purchaser or lender the statement required by Section 3081.095, the broker shall deposit the funds in an independent licensed escrow and the funds shall remain therein until the purchaser or lender approves or disapproves of the purchase or loan in the manner hereafter described in this subdivision. The person holding the funds shall release the funds for application to the purchase or loan upon receipt from the purchaser or lender of a copy of the statement furnished to him pursuant to Section 3081.095, on which he has acknowledged, in a form prescribed by the Real Estate Commissioner, that he approves the purchase or loan. On receipt of written instructions from the purchaser or lender that he disapproves the purchase or loan, the funds shall be released to the purchaser or lender.

"Independent
licensed
escrow"

As used in subdivision (b), "independent licensed escrow" means an escrow business conducted by a person licensed under Division 6 (commencing with Section 17000) of the Financial Code or by any person described by subdivision (a) or subdivision (c) of Section 17006 of said code.

No purchaser or lender shall be charged any fee for the placing or maintaining of funds in escrow or the release of the funds therefrom, pursuant to subdivision (b).

SEC. 4. Section 3081.7 of said code is amended to read:

Exemptions

3081.7. This chapter does not apply to the following:

(a) Any person doing business under any law of this State, any other state, or of the United States relating to banks, trust companies, savings and loan associations, industrial loan companies, pension trusts, credit unions, or insurance companies authorized to do business in this State; or to any person

whose business is that of acting as an authorized representative, agent or loan correspondent of such institutions or is that of negotiating for and making loans for sale to such institutions insofar as such business is concerned.

(b) Any loan guaranteed or insured by an agency of the federal government or for which a commitment to so guarantee or insure has been made by such agency.

(c) Any nonprofit co-operative association organized under Chapter 4 of Division 6 of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein.

(d) Any corporation, association, syndicate, joint stock company, or partnership engaged exclusively in the business of marketing argicultural, horticultural, viticultural, dairy, livestock, poultry, or bee products on a co-operative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business.

(e) Any corporation securing money or credit from any federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled the "Agricultural Credits Act of 1923," in loaning or advancing money or credit so secured.

(f) The services of a person licensed to practice law in this State, not actively and principally engaged in the business of negotiating loans secured by real property, when such person renders services in the course of his practice as an attorney at law, and the disbursements of such person, whether paid by the borrower or other person, are not charges or costs and expenses regulated by or subject to the limitations of this chapter; provided, such fees and disbursements shall not be shared, directly or indirectly, with the person negotiating the loan or the lender.

(g) Any person licensed as a personal property broker when acting under the authority of such license.

(h) Any cemetery authority as defined by Section 7018 of the Health and Safety Code.

SEC. 5.5. Section 3081.923 is added to said code, to read:

3081 923. No real property loan broker shall give or offer to give to a prospective purchaser or lender, either in whole or in part, any premium, gift, or any other material object of value as an inducement to obtain information about the real property loan broker or his plans, or as an inducement to initiate an account or for making a loan or purchase of a loan

Prohibition
on gifts

SEC. 5 This act shall become operative on May 15, 1960.

Operative
date

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

Urgency

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

That the unregulated dealing in and marketing of deeds of trust securing promissory notes can cause serious and irreparable damage to property owners, building contractors and investors by reason of the very substantial amounts of money involved in transactions of this character.

CHAPTER 79

An act to add Article 3 (commencing at Section 11200) to Chapter 1 of Part 2 of Division 4 of the Business and Professions Code, relating to regulation of transactions by the Division of Real Estate, declaring the urgency thereof, to take effect immediately.

In effect
immediately

[Approved by Governor May 4, 1960. Filed with
Secretary of State May 4, 1960.]

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

SECTION 1. Article 3 (commencing at Section 11200) is added to Chapter 1 of Part 2 of Division 4 of the Business and Professions Code, to read:

Article 3. Sales Contracts

Sales
contracts

11200. Every sales contract relating to the purchase of real property in a subdivision as defined in this chapter shall clearly set forth the legal description of the property, of the encumbrances outstanding at the date of the sales contract, and the terms of the contract.

Excessive
encumbranc-
ing:
Misdemeanor

11201. Any person, or the assignee of such person, who sells a parcel of land within a subdivision under a sales contract which is not recorded and who thereafter causes, permits, or suffers an encumbrance or encumbrances upon such property in an amount which, together with existing encumbrances thereon exceeds the amount due under the contract, or under which the aggregate amount of any periodic payments exceeds the periodic payments due on the contract, excluding any pro rata amount for insurance and taxes, without the consent of all parties to the contract first being obtained in writing shall be guilty of a misdemeanor.

Improper
receipt and
appropriation
of
installment
payment.
Misdemeanor

11202. Every seller of a single-family dwelling, within a subdivision, under a real property sales contract, or his assignee, who knowingly receives an installment payment from the buyer under a real property sales contract at a time when there is due any payment by the seller, or his assignee, on an obligation secured by an encumbrance on the property subject to the real property sales contract, and who appropriates such payment received from the buyer to a use other

than payment of the amount due on the seller's, or assignee's, obligation, except to the extent the payment received from the buyer exceeds the amount due from the seller or assignee, is guilty of a misdemeanor.

SEC. 2. This act shall become operative on May 15, 1960. Operative
date

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:

That the unregulated dealing in and marketing of real property sales contracts can cause serious and irreparable damage to purchasers, by reason of the very substantial amounts of money involved in transactions of this character.

CHAPTER 80

An act to add Article 5h (commencing at Section 996.75) 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 the Veterans' Finance Committee of 1943 and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; 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 1960.

[Approved by Governor May 10, 1960 Filed with
Secretary of State May 10, 1960]

In effect
July 7, 1960

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

SECTION 1. Article 5h is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5h. Veterans Bond Act of 1960

996.75. This article may be cited as the Veterans Bond Act of 1960. TITLE

State
General
Obligation
Law
applicable

996.76. The State General Obligation Bond Law, except as otherwise provided herein, 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 article, and the provisions of that law are included in this article as though set out in full in this article. All references in this article to "herein" shall be deemed to refer both to this article and such law.

Definitions

996.77. As used in this article and for the purposes of this article as used in the State General Obligation Bond Law, Title 2, Division 4, Part 3, Chapter 4 (commencing at Section 16720) of the Government Code, the following words shall have the following meanings:

(a) "Bond" means veterans bond, a state general obligation bond issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(b) "Committee" means the Veterans' Finance Committee of 1943, created by Section 991 of the Military and Veterans Code.

(c) "Board" means the Department of Veterans Affairs.

(d) "Fund" means the Veterans Farm and Home Building Fund of 1943 created by Section 988 of the Military and Veterans Code

(e) "Bond act" means this article authorizing the issuance of State General Obligation Bonds and adopting Title 2, Division 4, Part 3, Chapter 4 of the Government Code by reference.

Purpose and
authorization
to create a
debt of the
State

996.78. 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 aggregate amount of four hundred million dollars (\$400,000,000), in the manner provided herein, but not otherwise, nor in excess thereof.

Bond
issue made
general
obligation
of State

996.79. 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 on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal and interest on the bonds 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 remittance dates is less than 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 semi-annually.

996.80. 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. Authoriza-
tion and sale
of bonds

996.81. 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. Annual
survey

996.82. 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 Authoriza-
tion to
sell bonds

of Sections 16750, 16754 and subdivision (j) of Section 16731 of the Government Code respecting the direction of the Governor shall not be applicable to such sale.

Rate of interest

996.83. The annual rate or rates of interest on the bonds may be in multiples of one-eighth or one-twentieth of 1 percent. The definitive rates of interest which the bonds hereby authorized shall bear 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.

Revolving fund created for bond issue expense

996.84. The sum of five thousand dollars (\$5,000) 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 article have been sold, the amount of the appropriation made by this section shall revert to the unappropriated surplus in the General Fund.

Effect

SEC. 2. Section 1 of this act shall take effect upon the adoption by the people of the Veterans Bond Act of 1960, 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 1960 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

Submission to electors

SEC. 3. The Veterans Bond Act of 1960, 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, 1960, and all ballots at said election shall have printed thereon and in a square thereof, the words: "For the Veterans Bond Act of 1960," and the same square under said words the following in eight-point type: "This act provides for a bond issue of four hundred million dollars (\$400,000,000) 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 1960," and in the same square immediately below said words, in eight-point type shall be printed "This act provides for a bond issue of four hundred million dollars (\$400,000,000) 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 1960,"

and "Against the Veterans Bond Act of 1960," 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 1960," and those voting against the said act shall do so by placing a cross opposite the words "Against the Veterans Bond Act of 1960." Provided, that where the voting of said general election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said general election.

SEC. 4. The votes cast for or against the Veterans Bond Act of 1960 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 irrevocable 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.

Results of
election

SEC. 5. Section 1 of this act shall not be submitted to the people if the Veterans' Bond Act of 1960 is submitted and approved by the people at the direct primary election held in the month of June, 1960.

Effect of
approval at
primary
election

CHAPTER 81

An act to create the Embarcadero Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

[Approved by Governor May 11, 1960 Filed with
Secretary of State May 11, 1960]

In effect
July 7, 1960

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

Article 1. General Provisions

SECTION 1. The Embarcadero Municipal Improvement District is hereby created to consist of the territory in the County of Santa Barbara, particularly described as follows:

Creation of
Embarcadero
Municipal
Improvement
District
Boundaries

Being those portions of the Rancho Los Dos Pueblos and of Sections 33 and 34, Township 5 North, Range 29 West, San

Bernardino Base and Meridian, County of Santa Barbara, State of California, described as follows:

Beginning at the point of intersection of the Easterly Boundary Line of that certain portion of Rancho Los Dos Pueblos, with the Northerly Boundary Line of the California State Highway 101, as shown upon that certain map entitled, "Record of Survey of a portion of Rancho Los Dos Pueblos and portions of Sections 33 and 34 T. 5 N. R. 29 W., S.B.B. and M., County of Santa Barbara, State of California, prepared by Pafford and Associates, Licensed Land Surveyors", recorded in Book 49, page 65 Record of Surveys, in the Office of the Santa Barbara County Recorder, said point of beginning being coordinates North 345,520.67 East 1,423,366.20, of the California Coordinate System Zone 5, thence along the following bearings and distances:

1. N. 65° 16' 56" W., 570.28 feet;
2. S. 24° 43' 04" W., 120.00 feet;
3. N. 60° 35' 01" W., 732.46 feet;
4. N. 84° 43' 20" W., 180.28 feet;
5. N. 65° 28' 26" W., 1237.52 feet;
6. N. 1° 26' 35" E., 2227.51 feet;
7. N. 1° 05' 27" E., 1006.43 feet;
8. N. 1° 30' 28" E., 1224.84 feet;
9. N. 4° 09' 25" W., 880.01 feet;
10. N. 12° 18' 56" W., 1689.36 feet;
11. N. 6° 04' 16" W., 330.00 feet;
12. N. 7° 31' 13" E., 993.88 feet;
13. N. 19° 34' 39" E., 270.71 feet;
14. N. 5° 36' 52" E., 1334.10 feet;
15. N. 20° 35' 10" E., 308.09 feet;
16. N. 9° 30' 31" E., 1352.39 feet;
17. S. 88° 53' 07" E., 1015.36 feet;
18. N. 1° 03' 58" E., 1292.05 feet;
19. N. 1° 05' 08" E., 1317.02 feet;
20. N. 88° 37' 50" E., 1316.70 feet;
21. N. 1° 36' 39" E., 1366.20 feet;
22. S. 88° 23' 21" E., 1331.55 feet;
23. S. 1° 36' 39" W., 1344.65 feet;
24. S. 9° 56' 48" W., 4076.74 feet;
25. S. 1° 03' 23" W., 162.86 feet;
26. S. 0° 38' 34" W., 1394.80 feet;
27. S. 0° 57' 41" W., 1413.73 feet;
28. S. 1° 06' 20" W., 1251.47 feet;
29. S. 0° 46' 56" W., 1762.46 feet;
30. S. 1° 40' 04" W., 1753.89 feet;
31. S. 1° 26' 31" W., 941.09 feet;
32. N. 89° 36' 38" W., 628.17 feet; and
33. S. 0° 53' 01" W., 2438.54 feet to the point of beginning.

The above bearings and distances on the description conform to the California Co-ordinate System Zone 5. To convert the above bearings to geodetic or true bearings rotate counterclockwise $1^{\circ}05'24.5/10''$.

PARCEL TWO (2)

Beginning at a point on the southerly right-of-way line, described in the deed to the State of California, recorded in Official Records of the County of Santa Barbara, Book 1530, Page 532, from which a 2" iron pipe with a tag marked L.S. 2333, set to mark the southeasterly corner of that tract of land shown in Book 49, pages 65, 66, and 67, Records of Survey, County of Santa Barbara, bears N. 0° 53' 01" E., a distance of 863.23 feet, thence along the following bearings and distances:

1. N. 72° 40' 22" W., 159.49 feet;
2. N. 46° 47' 44" W., 224.63 feet;
3. N. 60° 35' 57" W., 460.56 feet;
4. N. 66° 41' 37" W., 145.00 feet;
5. S. 76° 26' 15" W., 75.00 feet;
6. N. 66° 41' 37" W., 205.00 feet;
7. N. 21° 41' 27" W., 84.84 feet;
8. N. 64° 21' 54" W., 146.97 feet;
9. N. 55° 27' 20" W., 142.58 feet;
10. N. 42° 55' 14" W., 118.34 feet;
11. N. 50° 01' 59" W., 245.80 feet;
12. N. 68° 17' 19" W., 151.22 feet;
13. S. 75° 35' 31" W., 83.22 feet;
14. N. 49° 02' 54" W., 65.00 feet;
15. N. 66° 48' 12" W., 235.85 feet;
16. N. 77° 28' 41" W., 296.52 feet;
17. S. 70° 27' 22" W., 81.31 feet;

18. South 945 feet, more or less to the ordinary high tide line of the Pacific Ocean;

19. Southeasterly along the above mentioned high tide line, a distance of 2,970 feet, more or less, to the intersection of the easterly boundary line of the above described property and the above mentioned ordinary high tide line; and

20. North along the easterly boundary line, a distance of 1,320 feet more or less to the point of beginning.

The above bearings and distances on the description conform to the California Co-ordinate System Zone 5. To convert the above bearings to geodetic or true bearings rotate counterclockwise $1^{\circ}05'24.5/10''$.

SEC. 2. This act shall be known and may be cited as Em- ^{title}barcadero Municipal Improvement District Act.

Article 2. Definitions

SEC. 10. The terms defined in this article have the mean- ^{Definitions}ing set forth unless the context requires a different meaning.

SEC. 11. "District" means the Embarcadero Municipal Improvement District.

SEC. 12. "Board" means the board of directors of the district.

SEC. 13. "President" and "secretary" mean the president and secretary, respectively, of the district.

SEC. 14. "County" means the County of Santa Barbara.

SEC. 15. "Board of supervisors" means the board of supervisors of the county.

SEC. 16. "Charges" includes fees, tolls, rates and rentals.

SEC. 17. "Land" means land in the district and does not include improvements or personal or utility property.

SEC. 18. "Legal representative" means an officer or other person or persons appointed to serve as such by the board of directors of a corporation owner.

SEC. 19. "Owner" means the owner of land as shown on the last equalized county assessment roll.

SEC. 20. "Voter" means an owner, or the officer appointed therefor by the board of directors of a corporation owner, or the legal representative of the owner.

SEC. 21. "Officers of election" consist of an inspector and two judges. They shall be persons appointed by the board of directors and need not be voters.

SEC. 22. In the application to the district of laws, the procedure of which is made applicable to proceedings of the district, terms used in those laws shall have the following meanings:

(a) "City Council," "council" and "legislative body" mean board.

(b) "City," "municipality" and "local agency" mean district.

(c) "Clerk" and "city clerk" mean the secretary of the district.

(d) "Superintendent of streets," "street superintendent" and "city engineer" mean the engineer of the district or other person appointed to perform such duties, to be called district engineer.

(e) "Tax collector" means the tax collector of the district.

(f) "Treasurer" and "city treasurer" mean the county treasurer and/or district finance officer.

(g) "Auditor" and "city auditor" mean the county controller and/or district finance officer.

(h) "Budget law" means Chapter 1 (commencing at Section 29000) of Division 3 of Title 3 of the Government Code.

SEC. 23. In the application of any law to this district, said law shall be as then amended.

Article 3. General Administrative Provisions

Board:
Members

SEC. 26. The board is the governing body of the district and shall consist of three (3) members, one of whom shall be president. The officers of the district are the three members of the board and a secretary. The district may have a finance officer, and other officers as the board may from time to time create. An owner may nominate an officer or a legal representative for each office to be filled by election or appointment.

- SEC. 27. The first district board shall be elected at an election conducted by the board of supervisors immediately following the formation of the district. The first district board shall classify itself by lot so that one director will hold office for two years and two directors will hold office for four years following the district formation or until their successors have been elected or appointed and qualified. Election of members
Terms
- SEC. 28. The directors shall be owners, or officers or legal representatives of owners. Qualifications
- SEC. 29. The term of each director, after the first board, shall be four years, or until the election or appointment, and qualification of his successor. Term of office
- SEC. 30. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors. Vacancies
- SEC. 31. An appointment to fill a vacancy in the office of director shall be for the unexpired term of the office in which the vacancy exists, and until the election or appointment of his successor. Successor
- SEC. 32. Once each year, the board shall elect one of its members to serve as president, shall appoint a secretary and shall fill any other offices as it may from time to time create. President, etc
- SEC. 33. The president shall be a member of the board and the secretary and other officers and employees may be members of the board.
- SEC. 34. The board shall act only by ordinance, resolution, motion or contract. No question of interest shall affect the legality of any contract or the right of any officer to act. Board to act by ordinance, etc
- SEC. 35. A majority of the board shall constitute a quorum for the transaction of business. Majority necessary for quorum
- SEC. 36. No ordinance, resolution, motion or contract shall be passed or become effective without the affirmative vote of at least the majority of the members of the board. Affirmative vote of majority necessary
- SEC. 37. Except where action is taken by the unanimous vote of all members present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions, motions or contracts and entered upon the minutes of the board. Recording ayes and noes
- SEC. 38. The enacting clause of all ordinances passed by the board shall be "Be it ordained by the Board of Directors of the Embarcadero Municipal Improvement District, as follows:". Enacting clause
- SEC. 39. All ordinances shall be signed by the president and attested by the secretary. Ordinances to be signed
- SEC. 40. All sessions of the board shall be public. Public sessions
- SEC. 41. The board by ordinance, shall provide for the time and place of holding its regular meetings, the manner of calling special meetings, and shall establish rules for its proceedings. Time, place of meetings
- SEC. 42. Each officer shall receive such compensation as the board shall, by ordinance, establish. Compensation
- SEC. 43. All contracts, deeds, warrants, releases, receipts and documents shall be signed in the name of the district by the president and countersigned by the secretary. Signing of contracts

Expenses of member SEC. 44. If allowed by the board a director may receive traveling and other expenses incurred by him when acting for the board, and compensation for any other services rendered by him for the district.

Finance officer SEC. 45. The finance officer shall serve at the pleasure of the board. He and the secretary shall receive such compensation as the board shall determine.

Ex officio officers SEC. 46. The county treasurer, county controller, and county tax collector shall be ex officio officers of the district.

Duties imposed SEC. 47. All county officers shall be liable under their several official bonds for the faithful discharge of the duties imposed upon them by this act.

Other duties SEC. 48. In addition to the duties prescribed herein the officers of the district shall have such duties as are prescribed by the board.

Article 4. Elections

General district election SEC. 55. A general district election shall be held on the fourth Tuesday in March in every other year commencing with the second year following the formation of the district.

Special election SEC. 56. A special election may be called by the board to be held at any time.

Hours SEC. 57. The hours during which the polls shall be opened at any general or special district election shall be as established by the board.

Notice SEC. 58. Notices of elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal election.

Nominations for directors SEC. 59. Nominations for the position of director shall be in writing, shall be signed by voters representing at least 10 percent of the assessed valuation of land in the district as shown by the last equalized assessment roll, shall be filed, for the first election following the formation of the district, with the county clerk, and, for all subsequent elections, with the secretary of the district, not more than 45 nor less than 25 days before the elections.

Signing nominations - Limitations SEC. 60. No voter shall sign any more nominations than there are offices to be filled.

Sole nomination, etc SEC. 61. If on the 24th day prior to a general district election only one person has been nominated for each of the positions to be filled at that election, or no person has been nominated for any such office, or offices, an election shall not be held.

Same Appointment in lieu of nomination SEC. 62. In such case the notice of election shall, instead of calling an election, state that no election is to be held but that the board of supervisors shall appoint those nominated for the positions of directors, or, if no person has been nominated, the board of supervisors shall appoint any qualified person to the position.

Appointment of directors SEC. 63. If, pursuant to Section 62, a general district election is not held, the board of supervisors of the County of

Santa Barbara, at a meeting held prior to the day fixed for the election, shall appoint to the positions of directors those persons nominated, or, if no persons are nominated, any qualified persons, who shall qualify and serve as if elected at a general district election.

SEC. 64. Each voter shall have one vote for each one dollar (\$1) in assessed valuation of land owned by him as shown by the last equalized assessment roll. Proportional voting

SEC. 65. A majority of the votes cast shall be required to elect a director or approve a proposition. Majority required

SEC. 66. Following the close of the polls the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president. Canvass

SEC. 67. The board shall meet and canvass the returns and enter the returns on its minutes. The entry shall be conclusive evidence of the fact and regularity of all prior proceedings and of the facts stated in the entry. Entry on minutes

SEC. 68. Except as provided in this act the election shall be conducted as nearly as practicable in accordance with the general laws for cities. Law applicable

Article 5. Powers

SEC. 75. The district may use a seal, alterable at the pleasure of the board. Seal

SEC. 76. The district may sue and be sued by its name. Suits

SEC. 77. The district may acquire, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain and operate, street and highway lighting facilities; facilities for the collection, treatment and disposal of sewage, industrial wastes, storm waters, garbage and refuse; the production, storage, treatment and distribution of water for public and private purposes; parks, playgrounds and works to provide for the drainage of roads, streets and public places, including, but not limited to curbs, gutters, sidewalks and grading and pavement; and the reclamation of submerged or other land by watering or dewatering. Facilities

SEC. 78. The district may acquire or construct the reclamation of land for private small craft harbor purposes, by grading, excavation and fill, and acquire or construct therein or in connection therewith breakwaters, levees, jetties, bulkheads, walls of rock or other materials, wharves, piers, docks, slips, quays, moles, launching facilities, and roadways, walkways, parking places, drainage facilities, sewer, water, lighting, garbage and refuse disposal, and all works or utilities incidental to or necessary or useful in the operation of such harbor. Harbors

SEC. 79. The district may acquire, construct, maintain and operate a police department, to protect and safeguard life and property. Police department

Other property	SEC. 80. The district may take, acquire, hold, use, lease and dispose of property of every kind within or without the district necessary, expedient or advantageous to the full exercise and economic enjoyment of its purposes and powers.
Eminent domain	SEC. 81. The district may exercise the right of eminent domain for the condemnation of private property for public use within but not without the district. The board has the same rights and powers with respect to the taking of property for the public uses of the district as are now or may hereafter be conferred by general law on the legislative body of a city. The provisions of Title 7 (commencing at Section 1237) of Part 3 of the Code of Civil Procedure shall apply.
Property outside district	SEC. 82. Notwithstanding the provisions of Sections 80 and 81 of this act, the district shall not acquire property located outside the district boundaries without first obtaining the consent of the board of supervisors of the county in which the property to be acquired is located.
Contracts, etc	SEC. 83. The district may make and accept contracts, deeds, releases and documents that, in the judgment of the board, are necessary or proper in the exercise of any of the powers of the district.
Co-operation with federal government	SEC. 84. The district may co-operate and contract with the federal government of the United States and with the State of California, or with any county, municipal corporation, district, or other public corporation, or with any person, firm or corporation, for the joint acquisition, construction, or use or aid in the construction of any facilities which the district has the power to acquire or construct under this act or for the providing of any service within the powers of the district.
Borrow money	SEC. 85. The district may borrow money and provide for its repayment in the manner provided in Article 7 (commencing at Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.
Guarantee performance	SEC. 86. The district may guarantee the performance of any of its transactions.
Bonded indebtedness	SEC. 87. The district may incur bonded indebtedness and issue bonds in the manner herein provided.
Same Form	SEC. 88. Bonds issued by the district shall be of the form and executed in the manner provided by the board.
Same Signatures	SEC. 89. If any officer whose signature or countersignature appears on bonds or coupons ceases to be such officer before delivery of the bonds, his signature shall be as effective as if he had remained in office.
Force of bond Tax exemption	SEC. 90. Any bonds issued by the district organized under the provisions of this act are given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State.
Retirement of bonds	SEC. 91. The district may refund or retire any public indebtedness or lien that may exist or be created against the district or any property therein which shall have arisen out of the transaction of the affairs of the district.

SEC. 92. The district may issue warrants on any moneys with the county treasurer in payment of district obligations. The warrants shall be registerable as provided for county warrants when not paid for want of funds. Demands allowed by the board shall be prepared, presented, and audited in the same manner as demands upon the funds of the county. Warrants

SEC. 93. The district may cause special assessments to be levied and collected and issue bonds to represent unpaid assessments on the basis of benefit to the properties assessed for the purpose of financing the acquisition and construction of public improvements. Special assessments

SEC. 94. The district may appoint, employ and fix the compensation of engineers, attorneys, assistants and other employees as it deems proper. Employees

SEC. 95. The district may sell any effluent or other product resulting from the operation of any treatment or disposal plant or facility constructed or acquired by or for the district. Sale of effluents, etc

SEC. 96. The district may take out insurance in the form and in the amounts as the board may deem necessary for the adequate protection of the district's property, officers, employees and interests. Insurance

SEC. 97. The district may make and enforce all necessary and proper regulations, not in conflict with the laws of this State, for the removal of garbage and refuse and the supplying of sewage, light, water, storm water and police protection service. A violation of a regulation of the district is a misdemeanor punishable as such. A regulation of the board shall be adopted by ordinance and shall be posted for one week in three public places in the district and shall take effect upon expiration of the week of such posting. A subsequent finding of the board, entered in its minutes, that posting has been made is conclusive evidence that the posting has been properly made. Regulations

SEC. 98. The district may compel all residents and property owners in the district to connect their houses, habitations and structures requiring sewage or drainage disposal service with the sewer and storm drains of the district, and to use district garbage and refuse removal service and facilities. Requiring use of facilities

SEC. 99. The district may prescribe, revise and collect charges for services and facilities furnished by it, for the regulation thereof and for revenue. Charges may be collected either singly or collectively, and the board may establish rules governing their levy and collection. Charges

Article 6. General Obligation Bonds

SEC. 105. The district may issue bonds as provided in this article for any of the purposes stated in Sections 77, 78, 79 and 80. Bonds

SEC. 106. By resolution, when in its judgment it is advisable, the board may call an election and submit to the voters of the district the question of whether bonds shall be issued. Election

- Resolution calling election** **SEC. 107.** The resolution calling the election may submit as one proposal the question of issuing bonds to make all the outlays or so many of them as may be selected, or the resolution may submit at the election as separate questions the issuance of bonds for any of the outlays singly or in combination.
- Notice of election** **SEC. 108.** Notices of bond elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal elections.
- Ballot** **SEC. 109.** The vote shall be by ballot, without reference to the general law in regard to the form of ballot.
The ballot shall contain the words "Bonds—Yes" and "Bonds—No," and the person voting at the election shall put a cross (+) upon his ballot after the "Yes" or "No" to indicate whether he has voted for or against the bonds.
- Canvass** **SEC. 110.** Following the close of the polls the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president. The board shall meet and canvass the returns and enter the returns in its minutes.
The entry is conclusive evidence of the fact and regularity of all prior proceedings, and of the facts stated in the entry. No informality shall affect the validity of said bonds.
- Law applicable** **SEC. 111.** Except as herein provided, the election shall be conducted as nearly as practicable in accordance with the general laws for cities.
- Two-thirds vote required** **SEC. 112.** If, at the election, two-thirds of the votes cast are in favor of the issuance of bonds, the board may issue and dispose of the bonds.
- Denomination of bonds** **SEC. 113.** Bonds issued by the district under the provisions of this article shall be of such denomination as the board determines except that no bonds shall be of a denomination less than one hundred dollars (\$100) or greater than one thousand dollars (\$1,000).
- Bonds Interest** **SEC. 114.** The bonds shall be payable in lawful money of the United States at the office of the treasurer or at such other place, depository, paying agent or fiscal agent within or without the State of California as may be designated by the board, and bear interest at a rate not exceeding six percent (6%) per annum, payable semiannually in like lawful money, except the first year which may be for more or less than one year.
- No installment bonds** **SEC. 115.** No bonds shall be payable in installments, but each shall be payable in full on the date specified therein by the board. The board may provide that all bonds issued by the district may be subject to retirement at any time prior to maturity, in which event they shall so state on their face.
- Signatures** **SEC. 116.** Each bond shall be signed by the president and countersigned by the secretary. The signature of the president on the bonds and of the secretary on the coupons may be printed, lithographed or engraved and such shall constitute due execution.

SEC. 117. The bonds shall be numbered consecutively, beginning with number one, and shall have coupons attached referring to the number of the bond. Numbering

SEC. 118. Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body 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 legislative body determines that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale. Notice of
sale Bid.

SEC. 119. The term of bonds issued shall not exceed forty (40) years. Term
of bonds

SEC. 120. Forthwith upon the sale of any bonds the secretary of the district shall give the county auditor a certified copy for the receipt for the bonds. Receipt
for bonds

SEC. 121. The board may, in its discretion, before or after issuance, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceedings in relation to irrigation bonds, provided for by the Irrigation District Law, Division 11 (commencing at Section 20500) of the Water Code, and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable. The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that law. The board may use the same procedure to validate the creation of the district and any annexations thereto. Action to
determine
validity
of bonds

SEC. 122. An issue of bonds is the aggregate principal amount of all bonds authorized to be issued in accordance with a proposal submitted to and approved by the voters of the district, but no indebtedness will be deemed to have been contracted until bonds shall have been sold and delivered and then only to the extent of the principal amount of bonds sold and delivered. Extent of
indebtedness

SEC. 123. The board may, in its discretion, divide the aggregate principal amount of an issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at the time or times as may be fixed by the board separate and distinct from the time or times of payment of bonds of any other division or series of the same issue. Series of
bonds

Article 7. Improvement District Bonds

SEC. 130. Bonds of a portion of the district may be authorized and proceedings therefor shall be had in the manner now or hereafter provided for the issuance of bonds for a portion of a county water district. Bonds of a
portion of
district

Article 8. Revenue Bonds

Revenue bond indebtedness SEC. 135. The district may create revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

Law applicable SEC. 136. Proceedings for the authorization, issuance, sale, security, and payment of revenue bonds shall be had, the board shall have the powers and duties, and the bondholders shall have the rights and remedies, all in substantial accordance with and with like legal effect as provided in the Revenue Bond Law of 1941, Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code; provided, however, that qualified voters at the election therein provided shall be voters as defined in this act, and the method of voting shall be as herein provided. As used therein the word "resolution" shall mean ordinance, the words "local agency" shall mean district, and the words "legislative body" shall mean board.

Article 9. Assessment Bonds

Same SEC. 150. The Municipal Improvement Act of 1913, Division 12 (commencing at Section 10000) of the Streets and Highways Code, the Improvement Act of 1911, Division 7 (commencing at Section 5000) of the Streets and Highways Code, the Street Opening Act of 1903, Part 1 (commencing at Section 4000) of Division 6 of the Streets and Highways Code, and the Improvement Bond Act of 1915, Division 10 (commencing at Section 8500) of the Streets and Highways Code, as now or hereafter provided, are applicable to the district.

Consent of county not required SEC. 151. The provisions of any act to the contrary, it shall not be necessary to obtain the consent of the county to conduct assessment proceedings. No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment and the diagram attached thereto shall be recorded in the office of the district engineer and in the office of the county engineer of the county.

Article 10. Taxation—County Roll

Tax lien SEC. 160. The lien for taxes for the first fiscal year after the district is formed shall attach on the first Monday in March or on the date the district is created, whichever is later. It shall not be necessary to make or file a notice of the creation of this district.

Tax levy SEC. 161. Annually, at least fifteen (15) days before the first day of the month in which the board of supervisors is required by law to levy the amount of taxes required by law for county purposes, the board shall furnish to the board of supervisors a written statement of the following:

Statement:
Contents

1. The amount necessary to pay the interest on bonds for that year, and the portion of the principal that is to become due before the time for making the next general tax levy.

2. The amount necessary to maintain, operate, extend, or repair any work or improvements of the district, and to defray all other expenses incidental to the exercise of any of the district powers or to pay any existing obligations of the district.

SEC. 162. The board of supervisors shall at the time and in the manner of levying other county taxes, levy and cause to be collected a tax upon the taxable real and personal property in the district, based upon the last equalized assessment roll of the county, sufficient to pay the amounts set forth in the statement of the board. The aggregate taxes levied for any one fiscal year, other than those levied to pay the principal and interest on bonds, shall not exceed two dollars (\$2) on each one hundred dollars (\$100) of the assessed valuation of taxable real and personal property in the district. Tax levy

SEC. 163. If the board fails to furnish the written statement, the board of supervisors shall ascertain the amount necessary to pay the interest on the bonds for that year and the portion of the principal that is to become due before the proceeds of the next general tax levy shall become available, and shall levy and cause to be collected the amount. Tax levy
by board of
supervisors

SEC. 164. The tax shall be collected at the same time and in the same manner as the general tax levy for county purposes, and when collected, shall be paid into the county treasury to the credit of the proper district fund, as provided in Article 12. The board shall control and order its expenditure. Collection

SEC. 165. The principal and interest on district bonds shall be paid by the treasurer, if payable at his office, in the manner now or hereafter provided by law for the payment of principal and interest on the bonds of the county, unless said bonds shall be made payable elsewhere. Payment of
principal
and interest

SEC. 166. Compensation to the county for the performance of services described in this article shall be fixed by the parties Compensa-
tion to the
county

Article 11. Alternative Tax Procedure

SEC. 170. The alternative procedure of the County Water District Law, Division 12 (commencing at Section 30000), of the Water Code, for the levy and collection of district taxes shall apply. Alternative
law
applicable

Article 12. Funds

SEC. 175. In a fund called the "Embarcadero Municipal Improvement District General Fund," the treasurer shall place and keep the money levied by the board for that fund. "Em-
barcadero
Municipal
Improvement
District
General
Fund"

SEC. 176. The proceeds of the sale of revenue bonds or general obligation bonds or proceeds of special assessments levied by the board shall be deposited with the treasurer and shall be placed in a fund to be called the "Embarcadero Fund for
special
revenues

Municipal Improvement District Construction Fund No. _____” (inserting number).

Purpose of construction funds

SEC. 177. The money in any construction fund shall be used for the purpose indicated in the resolution calling the election upon the question of the issuance of bonds, or for the purpose described in the resolution of intention in the assessment proceedings, or for repayment of money borrowed for the purpose of financing the improvement for which bonds were subsequently issued or the assessment levied.

Use of bond moneys

SEC. 178. The bond moneys may also be used for interest and working capital for the period of construction and for twelve (12) months thereafter, and also to pay the costs of their authorization and issuance including fees for legal, engineering, fiscal, economic or other service.

Transfer to other fund

SEC. 179. Any money in the construction fund determined by resolution of the board to be in excess of the amounts required for completion of the improvement authorized may, by the resolution so determining, be transferred to any other fund of the district and be used for any lawful purpose.

Bond fund

SEC. 180. In a fund called the “Embarcadero Municipal Improvement District Bond Fund _____” (inserting series number), the treasurer shall keep money levied or collected for that fund.

Transfer from bond fund

SEC. 181. No part of the money belonging in the bond fund may be transferred to any other fund or be used for any purpose other than the payment of principal and interest of the bonds of the district, or for repayment of money borrowed for the purpose of paying the principal and interest of the bonds of the district, until said bonds are fully paid, at which time it may be transferred to any other fund.

Applicable law

SEC. 182. The budget law shall not apply to the district.

Article 13. Alternative Depository of District Money

Supplemental provisions

SEC. 190. The provisions of this article are alternative or supplemental to those providing for the use of the county treasury.

Bank as depository

SEC. 191. The board may by resolution designate a bank as depository of any or all of its funds. No question of interest shall affect such appointment. If the depository is not designated for all of its funds, it shall designate what funds are to be deposited with the depository. The county treasurer shall be the depository for all funds not so designated.

Charges

SEC. 192. The charges of any depository selected shall be a proper expense of the district.

Finance officer

SEC. 193. If the board appoints a depository, it shall appoint a person who shall be known as finance officer, who shall serve at its pleasure. It shall fix the amount of his compensation. It shall fix the amount of and approve his bond. He may, but need not be a member of the board, or his office may be consolidated with that of the secretary.

SEC. 194. Bond principal and interest and salaries shall be paid when due. All other claims and demands shall be approved in writing or in open meeting by a majority of the members of the board. Claims

SEC. 195. Warrants shall be drawn by the finance officer and signed by the president and secretary, or one of them and one member of the board. Warrants

SEC. 196. The finance officer shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district. Auditing and accounting system

SEC. 197. The finance officer shall make annual or earlier written reports to the board, as it shall determine, as to the receipts and disbursements and balances in the several accounts under his control. The report shall be signed by him and filed with the secretary. Reports

Article 14. Changes in Organization

SEC. 205. Territory may be included in the district in the manner now or hereafter provided for the inclusion of territory in a county water district. Land and improvements shall mean land. Inclusion in district

SEC. 206. Territory may be excluded from the district in the manner now or hereafter provided for the exclusion of territory from a county water district. Land and improvements shall mean land. Exclusion from district

SEC. 207. Whenever any portion of the district is included within a city by annexation to the city such portion may be withdrawn from the district. The legislative body of the city may provide, by resolution, that such territory shall be withdrawn from the district. Such withdrawal shall be effective on the date fixed by the legislative body of the city. Where the withdrawal is effective on or before February 1st of the fiscal year the district shall furnish district services to the territory until the first day of July next succeeding. Where the withdrawal is effective subsequent to February 1st of the fiscal year and where the territory is subject to district taxation and assessment the district shall furnish district services to the territory until the 30th day of June of the fiscal year next succeeding. Withdrawal upon annexation

SEC. 208. Whenever any portion of the district is included within a city by reason of incorporation of the city, such portion may be withdrawn from the district. Such withdrawal shall be effective upon the filing with the State Board of Equalization, the governing body of the district, the county clerk or registrar of voters, and the county assessor, of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn. Withdrawal upon incorporation

SEC. 209. Upon the withdrawal of any territory of the district pursuant to Section 207 or 208: Procedure upon withdrawal

(a) If the assessed value of the real property within the area withdrawn represents one-half of 1 percent, or less, of

the total assessed value of the real property within the district prior to the withdrawal, as determined from the last equalized assessment roll of the property within the district, all of the property and assets of the district shall be retained by the district.

(b) If the assessed value of the real property in the area withdrawn exceeds the amount prescribed by subdivision (a), the city and the district shall have six months from the effective date of the withdrawal in which, after giving consideration to all factors involved, including population, assessed valuation, the effect of the annexation or change of boundaries on the remaining portion of the district, the length of time the portion being withdrawn has paid taxes and the total amount of such taxes paid, and such other matters as should be considered in arriving at an equitable distribution, they may establish a mutually agreeable basis for the distribution of the property and assets of the district between the city and the remaining district. If, within such period a mutually agreeable basis is reached, the property and assets of the district shall be distributed between the city and the remaining district upon such basis.

(c) If, under the provisions of subdivision (b), no mutually agreeable basis for the distribution of the property and assets of the district is reached within the six-month period, on the date the district ceases to furnish district services to the area withdrawn or upon the end of the six-month period, whichever is the last to occur, all of the property and unencumbered funds of the district shall be divided between the city and the remaining district in proportion to the average assessed value of the real property within the area withdrawn to the average assessed value of the real property within the entire district during the five-year period prior to the effective date of the withdrawal, as determined from the equalized assessment rolls for such period.

All funds and property received by the city shall be used exclusively and directly for the types of services furnished by the district; provided, that nothing herein shall prevent the sale of property not needed for such purposes for its fair market value if the funds derived from such sale are used solely for such purposes.

For the purpose of this section, the unencumbered funds are the sum of money, uncollected taxes, and other uncollected amounts in excess of an amount sufficient to pay all claims and accounts against the district, but shall not include funds necessary for the maintenance and operation of the district for any period for which the district has the duty to provide district services within the area withdrawn.

Continued
tax
liability

SEC. 210. Property in territory withdrawn or detached from the district shall continue to be subject to tax, levied as provided in Section 162, to pay the principal of and interest on bonds issued for the account of the district and outstanding at the time of such withdrawal or detachment.

SEC. 211. (a) When land, upon which there are structural improvements owned, being acquired or leased by the district, is withdrawn from the district and included in a city by incorporation, annexation or otherwise, the city shall, if it succeeds to the rights of the district in such structural improvements, as a part of the division of property provided for in Section 209, assume the outstanding liability of the district in connection with the acquisition or leasing of such improvements. Assumption
of liabilities

(b) In every case where land, upon which there is a structural improvement owned, being acquired or leased by the district, is proposed to be annexed to a city, the clerk of such city shall cause written notice of such proposed annexation to be mailed to the governing body of the district. Such notice shall be sent not less than 10 days before the first public hearing upon such proposed annexation.

SEC. 212. The district may be dissolved in the manner now or hereafter provided for the dissolution of county water districts, excepting Sections 32851.5 and 32858 of the Water Code and excepting that title to any property and moneys shall vest in the landowners of the district in the proportion that the assessed valuation of the land of each bears to the total assessed valuation of all land in the district that is on the county assessment roll at the time of such dissolution. Land and improvements shall mean land. Electors shall mean voters herein. Dissolution
of district

Article 15. Portion of District Included in a County Water District

SEC. 215. Nothing in this act shall be construed to authorize or permit the district to operate any facilities for furnishing any water services in any portion of the district which is included within a county water district. Area outside
the district

SEC. 216. The county water district may elect to install the facilities for furnishing water services within any area that is included within both districts. In such event, the district shall provide the funds that are required therefor that the county water district would not otherwise provide. Installation
of facilities

SEC. 217. The county water district may elect to have the facilities installed by the district for providing water services within any area that is included within both districts. In such event, the facilities shall be installed by the district in conformity with plans and specifications previously approved by the county water district, and under such inspection and approval as it shall direct. Same

SEC. 218. Nothing in this act shall be construed to repeal or limit any power possessed by a county water district within which there is any part of this district. Construction

Article 16. Need for Special Act

SEC. 220. The purpose of this act is to form the Embarcadero Municipal Improvement District in order that the Purpose
of act

area benefited may be provided with harbor and other improvements. Special facts and circumstances applicable to the general area within which the district lies and not generally, make the accomplishment of this purpose impossible under existing general laws and therefore special legislation is necessary. The special facts are as follows:

(a) It is proposed that a complete small craft harbor be developed providing 800 berths and all incidental facilities. There are no small craft harbor facilities nearer than the City of Santa Barbara, 16 miles away, and these facilities are inadequate to provide the services required for its surrounding area.

(b) There is need for small craft harbor facilities in the area and the public interest, economy and general welfare will be served by privately owned facilities of such nature being expedited, and such action will conserve moneys made available by the State for public small craft harbors.

(c) The area is without an adequate water supply, storage and distribution system for public and private purposes.

(d) The area has no facilities for the treatment and disposal of sewage and, in its development, will consequently contaminate the waters of the State.

(e) There is urgent need for the improvements which the district is empowered to construct under this act, but other municipal powers which could be exercised by a city are not required, and would result in more government than the area needs or wants.

(f) There are no existing general laws under which the area could be provided with the facilities it needs short of incorporation as a city. Therefore, the only way in which the particular needs of the area can be provided is by special act.

(g) The land in the district is not owned by residents. The owners are the ones primarily concerned with the district and the ones who will be supporting the district. The owners should therefore hold the voting power. Since no general law district with the necessary powers provides for voting by owners, special legislation is necessary.

CHAPTER 82

An act to create the Estero Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

[Approved by Governor May 11, 1960 Filed with
Secretary of State May 11, 1960]

In effect
July 7, 1960

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

Article 1. General Provisions

SECTION 1. The Estero Municipal Improvement District is hereby created to consist of the territory described as follows:

Estero
Municipal
Improvement
District
Created

All that certain real property situate in the County of San Mateo, State of California, being a portion of the lands of the Schilling Estate Company, and being more particularly described as follows:

Beginning at a point on the northerly boundary line of lands described in Parcel One of the Deed from Arden Investment Company, a corporation, to Schilling Estate Company, a corporation, dated February 7, 1939, and recorded February 21, 1939 in Book 821 of Official Records of San Mateo County at page 446 (53131-D), from which point the Guano Island Triangulation Station of the United States Coast and Geodetic Survey, marked by a brass tablet, bears N 34° 33'30" W 154.78 feet; thence from said point of beginning along said northerly boundary line of Parcel One N 41°09'30" E 355.40 feet; thence continuing along the northeasterly boundary of said Parcel One S 52°19'30" E 1037.90 feet, and S 54°59'30" E 450 feet to a point thereon; thence leaving said boundary of Parcel One of said Deed, S 35° 30'00" W 5584.80 feet; thence at right angles N 54°30'00" W 3794.93 feet to an angle point in the easterly line of lands described in Deed from Schilling Estate Company, a corporation, to Thomas Therkeldsen, also known as Thomas Therkildsen, dated January 26, 1955 and recorded May 24, 1955 in Book 2803 of Official Records of San Mateo County at page 366, said point being described as being "500 feet North of and 200 feet West of the section corner common to Sections 22, 23, 26, and 27" in said Deed; thence leaving the boundary of lands described in said last mentioned Deed, N 0°09'30" W 2086.18 feet to a point on said northerly boundary of Parcel One of the Deed first above described, distant on said boundary S 83°08'00" E 124.10 feet from the westerly terminus of the course described therein as "S 83°08' E 1662.10 feet"; thence along said northerly boundary of Parcel One the following courses: S 83°08'00" E 1538.00 feet, thence tangent to the preceding course on the arc of a curve to the left having a radius of 1582.70 feet

and a central angle of $27^{\circ}08'30''$ an arc distance of 749.75 feet, thence tangent to the preceding curve N $69^{\circ}43'30''$ E 2824.80 feet to the point of beginning, and containing 418 55 acres of land, more or less.

Excepting therefrom that certain parcel described as Exception One to parcel One of the above described Deed from Arden Investment Company to Schilling Estate Company, and containing 18.42 acres of land, more or less.

Title

SEC. 2. This act shall be known and may be cited as Estero Municipal Improvement District Act.

Article 2. Definitions

Definitions

SEC. 10. The terms defined in this article have the meaning set forth unless the context requires a different meaning.

SEC. 11. "District" means the Estero Municipal Improvement District.

SEC. 12. "Board" means the board of directors of the district.

SEC. 13. "President" and "secretary" mean the president and secretary, respectively, of the district.

SEC. 14. "County" means the County of San Mateo.

SEC. 15. "Board of supervisors" means the board of supervisors of the county.

SEC. 16. "Charges" includes fees, tolls, rates and rentals.

SEC. 17. "Land" means land in the district and does not include improvements or personal or utility property.

SEC. 18. "Legal representative" means an officer or other person or persons appointed to serve as such by the board of directors of a corporation owner.

SEC. 19. "Owner" means the owner of land as shown on the last equalized county assessment roll.

SEC. 20. "Voter" means an owner, or the officer appointed therefor by the board of directors of a corporation owner, or the legal representative of the owner.

SEC. 21. "Officers of election" consist of an inspector and two judges. They shall be persons appointed by the board of directors and need not be voters.

Definitions:
Terms in
applicable
laws

SEC. 22. In the application to the district of laws, the procedure of which is made applicable to proceedings of the district, terms used in those laws shall have the following meanings:

(a) "City council," "council" and "legislative body" mean board.

(b) "City," "municipality" and "local agency" mean district.

(c) "Clerk" and "city clerk" mean the secretary of the district.

(d) "Superintendent of streets," "street superintendent" and "city engineer" mean the engineer of the district or other person appointed to perform such duties, to be called district engineer.

(e) "Tax collector" means the tax collector of the district.
 (f) "Treasurer" and "city treasurer" mean the county treasurer or district finance officer.

(g) "Auditor" means the county controller or district finance officer.

(h) "Budget Law" means Chapter 1 (commencing at Section 29000) of Division 3 of Title 3 of the Government Code.

SEC. 23. In the application of any law to this district, said law shall be as then amended.

Article 3. General Administrative Provisions

SEC. 26. The board is the governing body of the district and shall consist of three (3) members, one of whom shall be president. The officers of the district are the three members of the board and a secretary. The district may have a finance officer, and other officers as the board may from time to time create. An owner may nominate an officer or a legal representative for each office to be filled by election or appointment.

SEC. 27. The first district board shall be elected at an election conducted by the board of supervisors immediately following the formation of the district. The first district board shall classify itself by lot so that one director will hold office for two years and two directors will hold office for four years following the district formation or until their successors have been elected or appointed and qualified.

SEC. 28. The directors shall be owners, or officers or legal representatives of owners.

SEC. 29. The term of each director, after the first board, shall be four years, or until the election or appointment, and qualification of his successor.

SEC. 30. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors.

SEC. 31. An appointment to fill a vacancy in the office of director shall be for the unexpired term of the office in which the vacancy exists, and until the election or appointment of his successor.

SEC. 32. Once each year, the board shall elect one of its members to serve as president, shall appoint a secretary and shall fill any other offices as it may from time to time create.

SEC. 33. The president shall be a member of the board and the secretary and other officers and employees may be members of the board.

SEC. 34. The board shall act only by ordinance, resolution, motion or contract. No question of interest shall affect the legality of any contract or the right of any officer to act.

SEC. 35. A majority of the board shall constitute a quorum for the transaction of business.

SEC. 36. No ordinance, resolution, motion or contract shall be passed or become effective without the affirmative vote of at least the majority of the members of the board.

SEC. 37. Except where action is taken by the unanimous vote of all members present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions, motions or contracts and entered upon the minutes of the board.

Enacting
clause of
ordinances

SEC. 38. The enacting clause of all ordinances passed by the board shall be "Be it ordained by the Board of Directors of the Estero Municipal Improvement District, as follows:".

SEC. 39. All ordinances shall be signed by the president and attested by the secretary.

Public
legislative
sessions
Regular
meetings
Calling,
holding, etc

SEC. 40. All legislative sessions of the board shall be public.

SEC. 41. The board, by ordinance, shall provide for the time and place of holding its regular meetings, the manner of calling special meetings, and shall establish rules for its proceedings.

Compensation
of directors

SEC. 42. Each officer shall receive such compensation as the board shall, by ordinance, establish; provided, however, that compensation of each director for attendance at meetings shall not exceed twenty-five dollars (\$25) for each meeting of the board attended by him, not exceeding three (3) meetings in any calendar month.

District
instruments
Signing

SEC. 43. All contracts, deeds, warrants, releases, receipts and documents shall be signed in the name of the district by the president and countersigned by the secretary.

Director's
expenses

SEC. 44. If allowed by the board a director may receive traveling and other expenses incurred by him when acting for the board, and compensation for any other services rendered by him for the district.

Finance
officer

SEC. 45. The finance officer shall serve at the pleasure of the board. He and the secretary shall receive such compensation as the board shall determine.

Ex officio
officers

SEC. 46. The county treasurer, county controller, and county tax collector shall be ex officio officers of the district.

SEC. 47. All county officers shall be liable under their several official bonds for the faithful discharge of the duties imposed upon them by this act.

Duties
of officers

SEC. 48. In addition to the duties prescribed herein the officers of the district shall have such duties as are prescribed by the board.

Article 4. Elections

General
district
election

SEC. 55. A general district election shall be held on the fourth Tuesday in March in every other year commencing with the second year following the formation of the district.

Special
election

SEC. 56. A special election may be called by the board to be held at any time.

Polling hours

SEC. 57. The hours during which the polls shall be opened at any general or special district election shall be as established by the board.

Notice of
election

SEC. 58. Notices of elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal elections.

SEC. 59. Nominations for the position of director shall be in writing, shall be signed by voters representing at least 10 percent of the assessed valuation of land in the district as shown by the last equalized assessment roll, shall be filed, for the first election following the formation of the district, with the county clerk, and, for all subsequent elections, with the secretary of the district, not more than 45 nor less than 25 days before the election.

Nominations
for director

SEC. 60. No voter shall sign any more nominations than there are offices to be filled.

SEC. 61. If on the 24th day prior to a general district election only one person has been nominated for each of the positions to be filled at that election, or no person has been nominated for any such office, or offices, an election shall not be held.

No election
where one or
no person
nominated

SEC. 62. In such case the notice of election shall, instead of calling an election, state that no election is to be held but that the board of supervisors shall appoint those nominated for positions of directors, or, if no person has been nominated, the board of supervisors shall appoint any qualified person to the position.

SEC. 63. If, pursuant to Section 62, a general district election is not held, the board of supervisors of the County of San Mateo, at a meeting held prior to the day fixed for the election, shall appoint to the positions of directors those persons nominated, or, if no persons are nominated, any qualified persons, who shall qualify and serve as if elected at a general district election.

SEC. 64. Each voter shall have one vote for each one dollar (\$1) in assessed valuation of land owned by him as shown by the last equalized assessment roll.

Voter
qualification

SEC. 65. A majority of the votes cast shall be required to elect a director or approve a proposition.

Majority
vote

SEC. 66. Following the close of the polls the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president.

SEC. 67. The board shall meet and canvass the returns and enter the returns on its minutes. The entry shall be conclusive evidence of the fact and regularity of all prior proceedings and of the facts stated in the entry.

Canvass of
returns, etc

SEC. 68. Except as provided in this act the election shall be conducted as nearly as practicable in accordance with the general laws for cities.

Article 5. Powers

SEC. 75. The district may use a seal, alterable at the pleasure of the board.

District seal

SEC. 76. The district may sue and be sued by its name.

Sue and be
sued in

SEC. 77. The district may acquire, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain and operate, street and highway lighting facilities; facilities for the collection,

district
name
District
facilities

treatment and disposal of sewage, industrial wastes, storm waters, garbage and refuse; the production, storage, treatment and distribution of water for public and private purposes; parks, playgrounds and works to provide for the drainage of roads, streets and public places, including, but not limited to curbs, gutters, sidewalks and grading and pavement; and the reclamation of submerged or other land by watering or de-watering.

Same SEC. 78. The district may acquire or construct the reclamation of land for private small craft harbor purposes, by grading, excavation and fill, and acquire or construct therein or in connection therewith breakwaters, levees, jetties, bulkheads, walls of rock or other materials, wharves, piers, docks, slips, quays, moles, launching facilities, and roadways, walkways, parking places, drainage facilities, sewer, water, lighting, garbage and refuse disposal, and all works or utilities incidental to or necessary or useful in the operation of such harbor; and finance the costs thereof through an improvement district of the area of said facilities.

Same SEC. 79. The district may acquire, construct, maintain and operate facilities for providing fire protection to the district and its occupants or inhabitants, including buildings, engines, hose, hose carts, or carriages, and other appliances and supplies for the full equipment of fire companies or departments and a police department, to protect and safeguard life and property.

Transactions in properties SEC. 80. The district may take, acquire, hold, use, lease and dispose of property of every kind within or without the district, necessary, expedient or advantageous to the full exercise and economic enjoyment of its purposes and powers.

Power of eminent domain SEC. 81. The district may exercise the right of eminent domain for the condemnation of private property for public use within but not without the district. The board has the same rights and powers with respect to the taking of property for the public uses of the district as are now or may hereafter be conferred by general law on the legislative body of a city. The provisions of Title 7 (commencing at Section 1237) of Part 3 of the Code of Civil Procedure shall apply.

Property outside of district SEC. 82. Notwithstanding the provisions of Sections 80 and 81 of this act, the district shall not acquire property located outside the district boundaries without first obtaining the consent of the board of supervisors of the county in which the property to be acquired is located.

District legal instruments SEC. 83. The district may make and accept contracts, deeds, releases and documents that, in the judgment of the board, are necessary or proper in the exercise of any of the powers of the district.

Co-operation with other governmental agencies SEC. 84. The district may co-operate and contract with the federal government of the United States and with the State of California, or with any county, municipal corporation, district, or other public corporation, or with any person, firm or corporation, for the joint acquisition, construction, or

use or aid in the construction of any facilities which the district has the power to acquire or construct under this act or for the providing of any service within the powers of the district.

SEC. 85. The district may borrow money and provide for its repayment in the manner provided in Article 7 (commencing at Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

Borrowing
and
repayment
of money

SEC. 86. The district may guarantee the performance of any of its transactions.

SEC. 87. The district may incur bonded indebtedness and issue bonds in the manner herein provided.

Incurrence of
bonded debt

SEC. 88. Bonds issued by the district shall be of the form and executed in the manner provided by the board.

SEC. 89. If any officer whose signature or countersignature appears on bonds or coupons ceases to be such officer before delivery of the bonds, his signature shall be as effective as if he had remained in office.

SEC. 90. Any bonds issued by the district organized under the provisions of this act are given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State.

SEC. 91. The district may refund or retire any public indebtedness or lien that may exist or be created against the district or any property therein which shall have arisen out of the transaction of the affairs of the district.

Refund or
retirement of
indebtedness

SEC. 92. The district may issue warrants on any moneys with the county treasurer in payment of district obligations. The warrants shall be registerable as provided for county warrants when not paid for want of funds. Demands allowed by the board shall be prepared, presented, and audited in the same manner as demands upon the funds of the county, but free of the limitation of any budget law.

District
warrants

SEC. 93. The district may cause special assessments to be levied and collected and issue bonds to represent unpaid assessments on the basis of benefit to the properties assessed for the purpose of financing the acquisition and construction of public improvements.

Special
assessments,
etc

SEC. 94. The district may appoint, employ and fix the compensation of engineers, attorneys, assistants and other employees as it deems proper.

District
employees

SEC. 95. The district may sell any effluent or other product resulting from the operation of any treatment or disposal plant or facility constructed or acquired by or for the district

Sale of
products

SEC. 96. The district may take out insurance in the form and in the amounts as the board may deem necessary for the adequate protection of the district's property, officers, employees and interests.

Insurance

SEC. 97. The district may make and enforce all necessary and proper regulations, not in conflict with the laws of this State, for the removal of garbage and refuse and the supplying

Regulations.
Adoption,
effect, etc

of sewage, light, water, storm water and fire and police protection service. A violation of a regulation of the district is a misdemeanor punishable as such. A regulation of the board shall be adopted by ordinance and shall be posted for one week in three public places in the district and shall take effect upon expiration of the week of such posting. A subsequent finding of the board, entered in its minutes, that posting has been made is conclusive evidence that the posting has been properly made.

Compulsory
use of
facilities

SEC. 98. The district may compel all residents and property owners in the district to connect their houses, habitations and structures requiring sewage or drainage disposal service with the sewer and storm drains of the district, and to use district garbage and refuse removal service and facilities.

District
charges

SEC. 99. The district may prescribe, revise and collect charges for services and facilities furnished by it, for the regulation thereof and for revenue. Charges may be collected either singly or collectively, and the board may establish rules governing their levy and collection.

Article 6. General Obligation Bonds

Issuance
of bonds

SEC. 105. The district may issue bonds as provided in this article for any of the purposes stated in Sections 77, 78, 79 and 80.

Election

SEC. 106. By resolution, when in its judgment it is advisable, the board may call an election and submit to the voters of the district the question of whether bonds shall be issued.

Same
Resolution
calling

SEC. 107. The resolution calling the election may submit as one proposal the question of issuing bonds to make all the outlays or so many of them as may be selected, or the resolution may submit at the election as separate questions the issuance of bonds for any of the outlays singly or in combination.

Notice of
bond election

SEC. 108. Notices of bond elections shall be given as nearly as practicable in accordance with the general laws regarding notices of municipal elections.

Form of
ballot

SEC. 109. The vote shall be by ballot, without reference to the general law in regard to the form of ballot.

The ballot shall contain the words "Bonds—Yes" and "Bonds—No," and the person voting at the election shall put a cross (+) upon his ballot after the "Yes" or "No" to indicate whether he has voted for or against the bonds.

Canvass
of ballots

SEC. 110. Following the close of the polls the officers of election shall canvass the ballots. The ballots and returns shall be sealed and delivered to the secretary or president. The board shall meet and canvass the returns and enter the returns in its minutes.

The entry is conclusive evidence of the fact and regularity of all prior proceedings, and of the facts stated in the entry. No informality shall affect the validity of said bonds.

SEC. 111. Except as herein provided, the election shall be conducted as nearly as practicable in accordance with the general laws for cities.

SEC. 112. If, at the election, two-thirds of the votes cast are in favor of the issuance of bonds, the board may issue and dispose of the bonds.

Two-thirds
vote required

SEC. 113. Bonds issued by the district under the provisions of this article shall be of such denomination as the board determines except that no bonds shall be of a denomination less than one hundred dollars (\$100) or greater than one thousand dollars (\$1,000)

Denomina-
tion of
bonds

SEC. 114. The bonds shall be payable in lawful money of the United States at the office of the treasurer or at such other place, depository, paying agent or fiscal agent within or without the State of California as may be designated by the board, and bear interest at a rate not exceeding six percent (6%) per annum, payable semiannually in like lawful money, except the first year which may be for more or less than one year.

Payment,
interest,
etc

SEC. 115. No bonds shall be payable in installments, but each shall be payable in full on the date specified therein by the board. The board may provide that all bonds issued by the district may be subject to retirement at any time prior to maturity, in which event they shall so state on their face.

Installment
payment
prohibited

SEC. 116. Each bond shall be signed by the president and countersigned by the secretary. The signature of the president on the bonds and of the secretary on the coupons may be printed, lithographed or engraved and such shall constitute due execution.

Signing of
bonds

SEC. 117. The bonds shall be numbered consecutively, beginning with number one, and shall have coupons attached referring to the number of the bond.

Numbering
of bonds

SEC. 118. Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body 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 legislative body determines that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

Bidding
procedures

SEC. 119. The term of bonds issued shall not exceed forty (40) years.

Term of
bonds

SEC. 120. The resolution providing for the issuance of the bonds, by its adoption, shall be conclusive evidence of the regularity of said bond proceedings.

SEC. 121. The board may, in its discretion, before or after issuance, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceedings in relation to irrigation bonds, provided for by the Irrigation District Law,

Validation
proceedings

Division 11 (commencing at Section 20500) of the Water Code, and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable. The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that law. The board may use the same procedure to validate the creation of the district and any annexations thereto.

An issue
of bonds

SEC. 122. An issue of bonds is the aggregate principal amount of all bonds authorized to be issued in accordance with a proposal submitted to and approved by the voters of the district, but no indebtedness will be deemed to have been contracted until bonds shall have been sold and delivered and then only to the extent of the principal amount of bonds sold and delivered.

Divisions
and series

SEC. 123. The board may, in its discretion, divide the aggregate principal amount of an issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at the time or times as may be fixed by the board separate and distinct from the time or times of payment of bonds of any other division or series of the same issue.

Article 7. Improvement District Bonds

Bonds of
portion of
district

SEC. 130. Bonds of a portion of the district may be authorized and proceedings therefor shall be had in the manner now or hereafter provided for the issuance of bonds for a portion of a county water district.

Article 8. Revenue Bonds

Revenue
bond
indebtedness

SEC. 135. The district may create revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

Proceedings
for author-
ization, etc.

SEC. 136. Proceedings for the authorization, issuance, sale, security, and payment of revenue bonds shall be had, the board shall have the powers and duties, and the bondholders shall have the rights and remedies, all in substantial accordance with and with like legal effect as provided in the Revenue Bond Law of 1941, Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code; provided, however, that qualified voters at the election therein provided shall be voters as defined in this act, and the method of voting shall be as herein provided. As used therein the word "resolution" shall mean ordinance, the words "local agency" shall mean district, and the words "legislative body" shall mean board.

Article 9. Assessment Bonds

SEC. 150. The Municipal Improvement Act of 1913, Division 12 (commencing at Section 10000) of the Streets and Highways Code, the Improvement Act of 1911, Division 7 (commencing at Section 5000) of the Streets and Highways Code, the Street Opening Act of 1903, Part 1 (commencing at Section 4000) of Division 6 of the Streets and Highways Code, and the Improvement Bond Act of 1915, Division 10 (commencing at Section 8500) of the Streets and Highways Code, as now or hereafter provided, are applicable to the district.

Applicability of other laws

SEC. 151. The provisions of any act to the contrary, it shall not be necessary to obtain the consent of the county to conduct assessment proceedings. No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment and the diagram attached thereto shall be recorded in the office of the district engineer and in the office of the county engineer of the county.

Assessments and bonds Status and effect

Article 10. Taxation—County Roll

SEC. 160. The lien for taxes for the first fiscal year after the district is formed shall attach on the first Monday in March or on the date the district is created, whichever is later. It shall not be necessary to make or file a notice of the creation of this district

Tax lien date

SEC. 161. Annually, at least fifteen (15) days before the first day of the month in which the board of supervisors is required by law to levy the amount of taxes required by law for county purposes, the board shall furnish to the board of supervisors a written statement of the following:

Statement to board of supervisors

1. The amount necessary to pay the interest on bonds for that year, and the portion of the principal that is to become due before the time for making the next general tax levy.

2. The amount necessary to maintain, operate, extend, or repair any work or improvements of the district, and to defray all other expenses incidental to the exercise of any of the district powers or to pay any existing obligations of the district.

SEC. 162. The board of supervisors shall at the time and in the manner of levying other county taxes, levy and cause to be collected a tax upon the taxable real and personal property in the district, based upon the last equalized assessment roll of the county, sufficient to pay the amounts set forth in the statement of the board. The aggregate taxes levied for any one fiscal year, other than those levied to pay the principal and interest on bonds, shall not exceed five dollars (\$5) on each one hundred dollars (\$100) of the assessed valuation of taxable real and personal property in the district.

Levy and collection of tax

SEC. 163. If the board fails to furnish the written statement, the board of supervisors shall ascertain the amount necessary to pay the interest on the bonds for that year and the

Same: Upon failure to furnish statement

portion of the principal that is to become due before the proceeds of the next general tax levy shall become available, and shall levy and cause to be collected the amount.

Collection and disposition of tax

SEC. 164. The tax shall be collected at the same time and in the same manner as the general tax levy for county purposes, and when collected, shall be paid into the county treasury to the credit of the proper district fund, as provided in Article 12. The board shall control and order its expenditure.

Bond principal and interest payment

SEC. 165. The principal and interest on district bonds shall be paid by the treasurer, if payable at his office, in the manner now or hereafter provided by law for the payment of principal and interest on the bonds of the county, unless said bonds shall be made payable elsewhere.

Compensation to county

SEC. 166. Compensation to the county for the performance of services described in this article shall be fixed by the parties.

Article 11. Alternative Tax Procedure

Applicability of County Water District Law

SEC. 170. The alternative procedure of the County Water District Law for the levy and collection of district taxes shall apply.

Article 12. Funds

General fund

SEC 175. In a fund called the "Estero Municipal Improvement District General Fund," the treasurer shall place and keep the money levied by the board for that fund.

Bond proceeds deposit Construction fund

SEC. 176. The proceeds of the sale of revenue bonds or general obligation bonds or proceeds of special assessments levied by the board shall be deposited with the treasurer and shall be placed in a fund to be called the "Estero Municipal Improvement District Construction Fund No. _____" (inserting number).

Use of bond moneys

SEC. 177. The money in any construction fund shall be used for the purpose indicated in the resolution calling the election upon the question of the issuance of bonds, or for the purpose described in the resolution of intention in the assessment proceedings, or for repayment of money borrowed for the purpose of financing the improvement for which bonds were subsequently issued or the assessment levied.

Transfers from construction fund

SEC. 178. The bond moneys may also be used for interest and working capital for the period of construction and for twelve (12) months thereafter, and also to pay the costs of their authorization and issuance including fees for legal, engineering, fiscal, economic or other service.

SEC. 179. Any money in the construction fund determined by resolution of the board to be in excess of the amounts required for completion of the improvement authorized may, by the resolution so determining, be transferred to any other fund of the district and be used for any lawful purpose.

SEC. 180. In a fund called the "Estero Municipal Improvement District Bond Fund, _____" (inserting series number), the treasurer shall keep money levied or collected for that fund. Bond fund

SEC. 181. No part of the money belonging in the bond fund may be transferred to any other fund or be used for any purpose other than the payment of principal and interest of the bonds of the district, or for repayment of money borrowed for the purpose of paying the principal and interest of the bonds of the district, until said bonds are fully paid, at which time it may be transferred to any other fund. Same Use of moneys

SEC. 182. The budget law shall not apply to the district. Budget law inapplicable

Article 13. Alternative Depository of District Money

SEC. 190. The provisions of this article are alternative or supplemental to those providing for the use of the county treasury. Alternative to use of county treasury

SEC. 191. The board may by resolution designate a bank as depository of any or all of its funds. No question of interest shall affect such appointment. If the depository is not designated for all of its funds, it shall designate what funds are to be deposited with the depository. The county treasurer shall be the depository for all funds not so designated. Bank as depository

SEC. 192. The charges of any depository selected shall be a proper expense of the district.

SEC. 193. If the board appoints a depository, it shall appoint a person who shall be known as finance officer, who shall serve at its pleasure. It shall fix the amount of his compensation. It shall fix the amount of and approve his bond. He may, but need not be a member of the board, or his office may be consolidated with that of the secretary. Finance officer

SEC. 194. Bond principal and interest and salaries shall be paid when due. All other claims and demands shall be approved in writing or in open meeting by a majority of the members of the board. Payment of amounts due

SEC. 195. Warrants shall be drawn by the finance officer and signed by the president and secretary, or one of them and one member of the board. Warrants

SEC. 196. The finance officer shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district. Auditing and accounting

SEC. 197. The finance officer shall make annual or earlier written reports to the board, as it shall determine, as to the receipts and disbursements and balances in the several accounts under his control. The report shall be signed by him and filed with the secretary. Written reports by finance officer

Article 14. Changes in Organization

SEC. 205. Territory may be included in the district in the manner now or hereafter provided for the inclusion of territory. Inclusion of territory

tory in a county water district. Land and improvements shall mean land.

Exclusion of
territory

SEC. 206. Territory may be excluded from the district in the manner now or hereafter provided for the exclusion of territory from a county water district. Land and improvements shall mean land.

Withdrawal
of city
annexations
from district

SEC. 207. Whenever any portion of the district is included within a city by annexation to the city such portion may be withdrawn from the district. The legislative body of the city may provide, by resolution, that such territory shall be withdrawn from the district. Such withdrawal shall be effective on the date fixed by the legislative body of the city. Where the withdrawal is effective on or before February 1st of the fiscal year the district shall furnish district services to the territory until the first day of July next succeeding. Where the withdrawal is effective subsequent to February 1st of the fiscal year and where the territory is subject to district taxation and assessment the district shall furnish district services to the territory until the thirtieth day of June of the fiscal year next succeeding.

Withdrawal
of city
incorpora-
tions from
district

SEC. 208. Whenever any portion of the district is included within a city by reason of incorporation of the city, such portion may be withdrawn from the district. Such withdrawal shall be effective upon the filing with the State Board of Equalization, the governing body of the district, the county clerk or registrar of voters, and the county assessor, of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn.

Withdrawals
Disposition
of district
assets

SEC. 209. Upon the withdrawal of any territory of the district pursuant to Section 207 or 208:

(a) If the assessed value of the real property within the area withdrawn represents one-half of 1 percent, or less, of the total assessed value of the real property within the district prior to the withdrawal, as determined from the last equalized assessment roll of the property within the district, all of the property and assets of the district shall be retained by the district.

(b) If the assessed value of the real property in the area withdrawn exceeds the amount prescribed by subdivision (a), the city and the district shall have six months from the effective date of the withdrawal in which, after giving consideration to all factors involved, including population, assessed valuation, the effect of the annexation or change of boundaries on the remaining portion of the district, the length of time the portion being withdrawn has paid taxes and the total amount of such taxes paid, and such other matters as should be considered in arriving at an equitable distribution, they may establish a mutually agreeable basis for the distribution of the property and assets of the district between the city and the remaining district. If, within such period a mutually agreeable basis is reached, the property and assets of the district shall be

distributed between the city and the remaining district upon such basis.

(c) If, under the provisions of subdivision (b), no mutually agreeable basis for the distribution of the property and assets of the district is reached within the six-month period, on the date the district ceases to furnish district services to the area withdrawn or upon the end of the six-month period, whichever is the last to occur, all of the property and unencumbered funds of the district shall be divided between the city and the remaining district in proportion to the average assessed value of the real property within the area withdrawn to the average assessed value of the real property within the entire district during the five-year period prior to the effective date of the withdrawal, as determined from the equalized assessment rolls for such period.

All funds and property received by the city shall be used exclusively and directly for the types of services furnished by the district; provided, that nothing herein shall prevent the sale of property not needed for such purposes for its fair market value if the funds derived from such sale are used solely for such purposes.

For the purpose of this section, the unencumbered funds are the sum of money, uncollected taxes, and other uncollected amounts in excess of an amount sufficient to pay all claims and accounts against the district, but shall not include funds necessary for the maintenance and operation of the district for any period for which the district has the duty to provide district services within the area withdrawn.

SEC. 210. Property in territory withdrawn or detached from the district shall continue to be subject to tax, levied as provided in Section 162, to pay the principal of and interest on bonds issued for the account of the district and outstanding at the time of such withdrawal or detachment.

Continued
liability of
property on
bonded debt

SEC. 211. (a) When land, upon which there are structural improvements owned, being acquired or leased by the district, is withdrawn from the district and included in a city by incorporation, annexation or otherwise, the city shall, if it succeeds to the rights of the district in such structural improvements, as a part of the division of property provided for in Section 209, assume the outstanding liability of the district in connection with the acquisition or leasing of such improvements.

(b) In every case where land, upon which there is a structural improvement owned, being acquired or leased by the district, is proposed to be annexed to a city, the clerk of such city shall cause written notice of such proposed annexation to be mailed to the governing body of the district. Such notice shall be sent not less than 10 days before the first public hearing upon such proposed annexation.

SEC. 212. The district may be dissolved in the manner now or hereafter provided for the dissolution of county water districts, excepting Sections 32851.5 and 32858 of the Water Code

Dissolution
of district

and excepting that title to any property and moneys shall vest in the land owners of the district in the proportion that the assessed valuation of the land of each bears to the total assessed valuation of all land in the district that is on the county assessment roll at the time of such dissolution. Land and improvements shall mean land. Electors shall mean voters herein.

Article 15. Need for Special Act

Purposes

SEC. 215. The purpose of this act is to form the Estero Municipal Improvement District in order that the area benefited may be provided with various municipal improvements. Special facts and circumstances, applicable to the general area within which the district lies and not generally, make the accomplishment of this purpose impossible under existing general laws and therefore special legislation is necessary. The special facts are as follows:

(a) The area has no facilities for the treatment and disposal of sewage and, in its development, will consequently contaminate the waters of the State.

(b) The area is without an adequate water supply, storage and distribution system for public and private purposes.

(c) There is need for small craft harbor facilities in the area and the public interest, economy and general welfare will be served by privately owned facilities of such nature being expedited, and such action will conserve moneys made available by the State for public small craft harbors.

(d) There is urgent need for the improvements which the district is empowered to construct under this act, but other municipal powers which could be exercised by a city are not required, and would result in more government than the area needs or wants.

(e) There are no existing general laws under which the area could be provided with the facilities it needs short of incorporation as a city. Therefore, the only way in which the particular needs of the area can be provided is by special act.

(f) The land in the district is not owned by residents. The owners are the ones primarily concerned with the district and the ones who will be supporting the district. The owners should therefore hold the voting power. Since no general law district with the necessary powers provides for voting by owners, special legislation is necessary.

(g) The area is of strategic importance during times of war or threatened war. It is strategically located adjacent to the Bayshore industrial complex. Influx of military men and their families during times of war or threatened war greatly increases the necessity of providing municipal facilities.

CONCURRENT AND JOINT
RESOLUTIONS
AND
CONSTITUTIONAL AMENDMENTS
FIRST EXTRAORDINARY SESSION
1960

CONCURRENT AND JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

ADOPTED AT THE 1960 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

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

[Filed with Secretary of State February 4, 1960]

*Resolved by the Senate of the State of California, the As-
sembly thereof concurring, That the Joint Rules of the Senate
and Assembly for the 1960 Regular Session be and the same
are hereby adopted as the Joint Rules of the Senate and
Assembly for this 1960 First Extraordinary Session.*

CHAPTER 2

*Senate Concurrent Resolution No. 2—Relative to adjournment
of the 1960 First Extraordinary Session of the Legislature
and to reassembling of the Legislature after said adjourn-
ment, fixing the date for said adjournment and said reas-
sembling.*

[Filed with Secretary of State February 8, 1960.]

*Resolved by the Senate of the State of California, the As-
sembly thereof concurring, That the 1960 First Extraordinary
Session of the Legislature of the State of California shall
adjourn at 6 o'clock p.m. on the third day of February, 1960,
and shall reassemble at 3 o'clock p.m. on February 29, 1960.*

CHAPTER 3

*Senate Concurrent Resolution No. 3—Relating to designating
October 15th of each year as "Poetry Day."*

[Filed with Secretary of State March 22, 1960]

WHEREAS, In the rush of modern civilization, we frequently
give too little attention to the cultural values and ideas which
should be an important part of our daily lives; and

WHEREAS, People of all ages have universally turned to poetic expression as a means for expressing the thoughts and hopes of their generations; and

WHEREAS, Much of this poetry has come to us in the 20th century as a cultural heritage of inestimable value, passed down from the folklore, patriotism, and religion of the past, giving tone and character to the culture of today; and

WHEREAS, The poetry and culture of this generation will give similar impetus and strength to the lives of coming generations; and

WHEREAS, Most of the states of the Union already have adopted and set aside October 15th of every year as "Poetry Day"; and

WHEREAS, In recognition of the place of poetry in the cultural life of this State and of the nation, it is only fitting that the Legislature should set apart a day specially in honor of those poets of the past and present who have done and are doing so much to enrich the lives of all persons; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the day of October 15th in each year is designated and set aside as "Poetry Day" in the State of California in recognition of the cultural and human values of poetry and poetic expression; and be it further

Resolved, That the Legislature of the State of California urges all religious, educational, patriotic, and cultural agencies and organizations to make proper and suitable observance of this day each year.

CHAPTER 4

Senate Concurrent Resolution No. 5—Relative to the compiling, publishing, and distribution of the official state roster.

[Filed with Secretary of State April 1, 1960]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Secretary of State compile and publish 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 therefor, the cost thereof, not to exceed five thousand dollars (\$5,000), payable from the Legislative Printing Fund.

CHAPTER 5

Senate Concurrent Resolution No. 7—Relating to the inclusion of Fort Bidwell in the state park system.

[Filed with Secretary of State April 1, 1960]

WHEREAS, For a period of nearly 30 years Fort Bidwell in Surprise Valley, Modoc County, played a prominent role in the early development of California; and

WHEREAS, It may be feasible and desirable to acquire, develop and restore Fort Bidwell as a part of the state park system; and

WHEREAS, Under Section 5017 of the Public Resources Code, the Division of Beaches and Parks is required to cause such investigations, studies, and surveys to be made, when directed to do so by the Legislature; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Division of Beaches and Parks is directed to investigate, study, and survey the feasibility of the acquiring and developing of the site of Fort Bidwell as a part of the state park system, and to report thereon to the Legislature not later than the 10th calendar day of the 1961 Regular Session of the Legislature; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Division of Beaches and Parks.

CHAPTER 6

Assembly Concurrent Resolution No. 11—Relative to a study of landslide conditions along Highway 101.

[Filed with Secretary of State April 1, 1960]

WHEREAS, Chapter 2009 of the Statutes of 1957 appropriated \$300,000 from the State Beach Fund to the Department of Public Works for an extensive study relative to the control and correction of landslides along Highway 101 in and north of the City of Santa Monica; and

WHEREAS, The results of the study are now before the Legislature for consideration in the form of a report of the consulting engineers, containing "recommended remedial measures" estimated to cost approximately \$7,000,000, and a report of the Department of Public Works concurring therein with various reservations as to right-of-way acquisition and overall estimates of cost; and

WHEREAS, These reports indicate that grave danger to life, limb and property, and the threat of a major disaster with consequent heavy loss of life, will continue to lurk along High-

way 101 until remedial measures are effected; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Public Works be directed to continue co-operating with and assisting the appropriate local governing bodies in the preparation of plans for and effecting the necessary landslide danger remedial measures as recommended pursuant to Chapter 2009 of the Statutes of 1957; and be it further

Resolved, That the Department of Public Works jointly with the Department of Finance and in co-operation with aforesaid agencies prepare a financial analysis of alternative methods of accomplishing such remedial measures and report a recommended procedure to the Legislature not later than February 1, 1961; 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 the Department of Public Works and to the Director of the Department of Finance.

CHAPTER 7

Assembly Joint Resolution No. 2—Relative to participation by the State of California in federal water projects.

[Filed with Secretary of State April 1, 1960.]

WHEREAS, The State of California has by law authorized the State Department of Water Resources to participate and co-operate with the United States in connection with federal water projects; and

WHEREAS, Pursuant to this authorization the Department of Water Resources has entered into certain contracts with the Bureau of Reclamation of the Department of the Interior under which the State agrees to guarantee the repayment of the portion of the costs of certain federal water projects allocated for repayment by agricultural water users, with the obligation of the State contingent upon appropriations made by the Legislature for such purposes; and

WHEREAS, The Legislature has appropriated certain funds for expenditure by the Department of Water Resources for the above-mentioned purpose, and it is and has been the intent of the Legislature that appropriations will be made from time to time to fulfill the obligation of the State under such contracts when and as necessary; and

WHEREAS, The Secretary of the Interior has established the policy that the State of California must impound all of the money appropriated for this purpose and use such money for no other purposes; and

WHEREAS, Such policy will result in needlessly tying up large amounts of state funds which could be put to good use for other necessary state purposes; and

WHEREAS, Such policy differentiates between the State and other local entities which contract to purchase water from the Bureau of Reclamation, inasmuch as no requirement is made of local entities that they impound the entire amount of their repayment obligation to the United States; and

WHEREAS, Such policy indicates a lack of recognition of and confidence in the financial integrity of this State; 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 take such action as may be necessary to establish a policy in connection with participation by the State of California in federal water projects under which repayment assurances made by the State of California will be accepted upon the same basis as repayment assurances of other local entities and under which the State will not be required to impound money to meet such repayment assurances; 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 each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Interior.

CHAPTER 8

Senate Concurrent Resolution No. 4—Relating to the preservation and interpretation of historic sites.

[Filed with Secretary of State April 4, 1960.]

WHEREAS, The need for the preservation of historic and fossil sites in California has long been recognized; and

WHEREAS, The interpretation of these sites, including prehistoric Indian villages and historic remains of the pioneers, is conducive to a better understanding and appreciation of California's history; and

WHEREAS, California's increasing population which it is estimated will be some 30 million people by 1980, has resulted in the destruction of many of these sites through construction, vandalism, and other related activities; and

WHEREAS, This destruction is a growing concern to all people interested in the history of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature reaffirms that

it is a statewide policy that the outstanding historical, archeological, and paleontological sites of California be preserved for the use, understanding, and enjoyment of this and future generations; and be it further

Resolved, That the Division of Beaches and Parks of the Department of Natural Resources is directed to make a continuing study which will lead to recommendations upon which the Legislature may act to preserve these sites; and be it further

Resolved, That all state agencies are directed to co-operate in helping to formulate a program for the preservation and interpretation of these sites; and be it further

Resolved, That future Legislatures are requested to enact into law adequate protection for the preservation and interpretation of these sites; and be it further

Resolved, That all citizens of the State of California are urged to recognize the urgency of preserving and interpreting these sites, whether they be on public or private lands; and be it further

Resolved, That the Secretary of the Senate is hereby directed to prepare and transmit suitable copies of this resolution to the Director of Natural Resources and the Chief of the Division of Beaches and Parks of the Department of Natural Resources.

CHAPTER 9

Senate Concurrent Resolution No. 6—Relative to the reports of veterans organizations.

[Filed with Secretary of State April 4, 1960.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That there shall be published 500 copies of the sessions or reports of the annual conventions of the Disabled American Veterans during the years 1959, 1960, and 1961, respectively. The reports shall include only the official actions of the conventions made by motions or resolutions and shall not include an appendix. There shall be 150 copies of each for the use of the Senate and 350 copies of each for the use of the Assembly, the cost of the same to be payable from the legislative printing appropriation.

CHAPTER 10

Senate Concurrent Resolution No. 9—Relative to sandwiches.

[Filed with Secretary of State April 4, 1960]

WHEREAS, In 1959, by Chapter 1574 of the Statutes of 1959, the Legislature of the State of California amended Section 26516.7 of the Health and Safety Code, to read as follows:

“26516.7. It shall be unlawful to keep or display any perishable canned meats, canned meat products, and packaged processed fresh foods which will support the growth of pathogenic micro-organisms at a temperature exceeding 50 degrees Fahrenheit. All such packaged foods shall be conspicuously labeled, ‘Perishable keep refrigerated.’”

and,

WHEREAS, It was not the intent of the Legislature, in enacting such legislation, that Section 26516.7 of the Health and Safety Code should be applicable to any prepared sandwiches which are wrapped in paper or cellophane and kept or displayed for sale; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That it is the intent of the Legislature that Section 26516.7 of the Health and Safety Code shall not be construed as being applicable to prepared sandwiches which are wrapped in paper or cellophane and kept or displayed for sale; and be it further

Resolved, That the subject matter of Section 26516.7 of the Health and Safety Code shall be referred for study to such appropriate interim committee as the Committee on Rules of the Senate or the Committee on Rules of the Assembly shall determine.

CHAPTER 11

Senate Joint Resolution No. 3—Relative to a White House Conference on Narcotics.

[Filed with Secretary of State April 6, 1960]

WHEREAS, The illegal traffic in narcotics is both national and international in its scope; and

WHEREAS, California continues to suffer from the failure of agencies of the federal government to reduce or prevent the smuggling of narcotics into this State; and

WHEREAS, The Members of the Senate who officially represented the Senate at the Symposium on the History on Drug Addictions (sponsored by the United States Department of Health, Education, and Welfare, and held at Bethesda, Maryland on March 27-28, 1958) have observed an apparent lack of co-operation by responsible federal agencies, in that the Commissioner of Narcotics and his staff were conspicuously absent from the symposium, and, unaccountably, the proceedings of the symposium have never been published; and

WHEREAS, The inability of the federal government to control the illegal traffic in narcotics through several agencies with overlapping, divided enforcement responsibilities, including the Treasury Department's Bureau of Narcotics and Bureau of Customs and the Justice Department's Immigration and Naturalization Service, utilizing a multiplicity of laws with

varied penalties, urgently warrants re-evaluation by the President of the United States, of the present approach to the problem; and

WHEREAS, There have been introduced at the current session of Congress, by a Senator and a Representative from California, S. Res. 284 and H. Res. 431, calling upon the President for stated reasons to convene a White House Conference on Narcotics to submit recommendations with respect to the problems relating to the traffic, and addiction to, narcotics; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urges the adoption of S. Res. 284 and H. Res. 431 by the respective houses of Congress and urges the early convening of a White House Conference on Narcotics; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Chairman of the Committee on Judiciary of the United States Senate, the Chairman of the Committee on Judiciary of the United States House of Representatives, and to each Senator and Representative from California in the United States Congress.

CHAPTER 12

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XVI thereof a new section to be numbered 21, relating to the issuance of bonds to provide farm and home purchase aid for veterans.

[Filed with Secretary of State April 7, 1960.]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1960 First Extraordinary Session, commencing on the first day of February, 1960, two-thirds of all members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended to add Section 21 to Article XVI thereof, to read as follows:

SEC. 21. The issuance and sale of bonds of the State of California, not exceeding in the aggregate the sum of four hundred million dollars (\$400,000,000), and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Veterans Bond Act of 1960 (Article 5h of Chapter 6 of Division 4 of the Military and Veterans Code) authorizing the issuance and sale of state bonds in the sum of

four hundred million dollars (\$400,000,000) for the purpose of providing a fund to be used and disbursed to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943, and all acts amendatory and supplemental thereto are hereby authorized and directed and said Veterans Bond Act of 1960 is hereby approved, adopted, legalized, ratified, validated, and made fully and completely effective upon the effective date of this amendment to the Constitution. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

CHAPTER 13

Assembly Concurrent Resolution No. 23—Memorializing the death of Assemblywoman Dorothy Donahoe.

[Filed with Secretary of State April 7, 1960.]

WHEREAS, The Members of the Legislature were shocked and deeply grieved to learn of the untimely death on April 4, 1960, of their esteemed colleague, Assemblywoman Dorothy Donahoe; and

WHEREAS, Miss Donahoe first became interested in governmental problems and the need for legislation in particular fields while employed at the Bakersfield High School as secretary and later as registrar; and

WHEREAS, During those years she became increasingly active in civic and community service in Kern County, where she often spoke before women's groups, championing the cause of equality for women and encouraging them to seek more prominence in government; and

WHEREAS, At the urging of her many friends and with the support of the California Federation of Business and Professional Women's Clubs, of which she was a past president, she was persuaded to become a candidate for a seat in the Legislature, and was elected in 1952 as representative for the 38th Assembly District; and

TO DOROTHY

Her paths lay not in pleasantness;
 Her ways were far from peace.
 The nagging, cruel, insidious pain
 Of torment would not cease.
 Yet who has heard her cry aloud
 Or utter least complaint?
 Who saw the anguish which she felt
 Or sensed her great restraint?

When pleasure called she turned aside
 With weakness she was firm.
 She signed the contract of her faith
 And honored every term.
 Resolute with social grace
 She served her fellow men
 And never wavered from the task
 Her conscience would begin.
 The memory of her noble strife
 From law shall never fade.
 She lived a dedicated life
 And died as Duty's Maid.
 So rest in peace, dear colleague
 Your laurels are well-won
 God whispers from our reverent hearts
 "Thy task has been well done."

WHEREAS, As a result of her capable and effective work for the Bakersfield area and eastern Kern County, she was re-elected without opposition in 1954 and 1958, and won both party nominations in the primary election in 1956; and

WHEREAS, In her four consecutive terms, she achieved a widespread reputation as a well-informed and hard-working legislator, sincerely interested in the progress and welfare of the entire State as well as her own district, particularly in the fields of education and governmental finance; and

WHEREAS, At the time of her death, Miss Donahoe had been strenuously working for the adoption of the "master plan for state colleges," which was to be the culmination of her life-long efforts for better educational facilities for the youth of California; and

WHEREAS, Despite physical disabilities and illnesses which would have daunted a lesser woman, Dorothy Donahoe lived an exceptionally full and productive life, finding time in her busy schedule for her many friends and social activities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature express their regret and deep feeling of loss at the passing of Assemblywoman Dorothy Donahoe, and extend their sincere condolences to her bereaved family and friends; 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 Donahoe's mother, Mrs. Gertrude Donahoe.

CHAPTER 14

Assembly Concurrent Resolution No. 4—Relative to expenses of the Joint Legislative Committee for the Revision of the Education Code.

[Filed with Secretary of State April 7, 1960.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Legislative Committee for the Revision of the Education Code is hereby directed to continue its revision of the Education Code and to submit a report and recommendations to the Legislature on or before the fifth calendar day of its 1961 Regular Session. The committee, in connection with its duties, shall confine itself to the completion of the studies now in progress in order that the staff can complete its work by September 1, 1960 and that the committee can complete its report by December 31, 1960. The committee shall give specific attention to school district organization and reorganization, finance and bonding, the powers and elections of governing boards, standardization of terminology, and simplification of complex provisions; and be it further

Resolved, That 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 Legislative Committee for the Revision of the Education Code (created by Chapter 2419 of the Statutes of 1957), and its members and for any charges, expenses or claims it may lawfully incur, to be paid from said contingent funds equally and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and that of such moneys an amount not to exceed ten thousand dollars (\$10,000) shall be made available, pursuant to contract, for the use of the Bureau of Public Administration of the University of California in the performance of services for the Joint Legislative Committee for the Revision of the Education Code, and that an amount not to exceed five thousand dollars (\$5,000) shall be utilized to provide for the expenses of the committee and its members; and be it further

Resolved, That in its recommendations to the Legislature at the 1961 Regular Session, the Joint Legislative Committee for the Revision of the Education Code, recommend the repeal of Chapter 2419 of the Statutes of 1957.

CHAPTER 15

Assembly Concurrent Resolution No. 8—Relative to the designation of the Broadway low-level tunnel as “Caldecott Tunnel.”

[Filed with Secretary of State April 7, 1960.]

WHEREAS, The Broadway low-level tunnel is an integral part of State Highway Route 75 and provides a rapid route between Metropolitan Oakland-Alameda County and Contra Costa County; and

WHEREAS, This facility was constructed under the jurisdiction of Joint Highway District No. 13, consisting of Alameda and Contra Costa Counties, and with financial aid by the State of California Department of Public Works and the United States Bureau of Public Roads; and

WHEREAS, Thomas E. Caldecott, member of the Alameda County Board of Supervisors and President of Joint Highway District No. 13, was instrumental in initiating and guiding it to a successful completion in December of 1937; and

WHEREAS, Thomas E. Caldecott was also instrumental as the founder and first chairman of the Alameda County Highway Advisory Committee; and

WHEREAS, No more fitting name could be bestowed upon this vital highway facility connecting Alameda and Contra Costa Counties than that of Thomas E. Caldecott; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Broadway low-level tunnel on State Highway Route 75 be officially designated and named the “Caldecott Tunnel”; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Mrs. Thomas E. Caldecott, Honorable Thomas W. Caldecott and Chester E. Caldecott, his sons, to the City Councils of the City of Oakland and the City of Berkeley, and to the Boards of Supervisors of Alameda County and Contra Costa County, the California Highway Commission, and the Department of Public Works.

CHAPTER 16

Assembly Concurrent Resolution No. 9—Relative to expenses of the Joint Interim Committee on Law Revision.

[Filed with Secretary of State April 7, 1960.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the sum of one thousand seven hundred dollars (\$1,700) 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 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 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 17

Assembly Concurrent Resolution No. 14—Relative to augmenting the funds of the Joint Committee on Legislative Organization.

[Filed with Secretary of State April 7, 1960]

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 thirty thousand dollars (\$30,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and the Senate, in equal shares, for the expenses of the Joint Committee on Legislative Organization (created by Section 9107 of the Government Code and Joint Rule No. 40) and its members and for any charges, expenses, or claims it may incur under said resolution 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 18

Assembly Joint Resolution No. 1—Relative to urging the Federal Congress to enact legislation relating to retroactive social security coverage for public employees.

[Filed with Secretary of State April 7, 1960]

WHEREAS, On February 16, 1960, legislation was introduced in the current session of the Congress of the United States, in the form of a bill, H.R. 10448, by the Honorable Eugene J. Keogh of New York, which would authorize the integration of publicly operated retirement systems with the old age and survivors' insurance program of the Federal Social Security Act, with a proposed retroactive effect extending to January 1, 1956; and

WHEREAS, The enactment into law of this bill would afford the State of California, as well as other states whose public retirement systems are not yet integrated with federal laws, an opportunity to authorize a program to provide for individuals retired or proposing to retire under a publicly oper-

ated retirement system the additional benefits afforded under the Federal Social Security Act; and

WHEREAS, The benefits afforded by the old age and survivors' insurance provisions of the Federal Social Security Act are a matter of special, and frequently dire, need on the part of persons who have retired, or will in the near future retire, under the State Employees' Retirement System of the State of California, under the provisions of which survivors' benefits are provided on the basis of reduction in present retirement allowances to enable the funding of benefit allowances for survivors; and

WHEREAS, In this era of inflationary trends the fixed allowances for retirement provided for persons who have devoted a major portion of their lives to the public service are strained to the utmost and can ill bear the reductions necessary to provide for the survivors of the annuitants the benefits which, at best, are not comparable with those which would be afforded under federal law upon the enactment of legislation of the type proposed by H.R. 10448; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States of America is respectfully memorialized to enact into law the provisions of H R. 10448 of the 86th Congress (Second Session); and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to each California Senator and Representative in the Congress of the United States, and to the President and Vice President of the United States.

CHAPTER 19

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 amending Section 16 of Article XX thereof, relating to publicly supported higher education.

[Filed with Secretary of State April 7, 1960.]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1960 First Extraordinary Session, commencing on the first day of February, 1960, two-thirds of all members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

That Section 16 of Article XX be amended to read:

SEC. 16. When the term of any officer or commissioner is not provided for in this Constitution, the term of such officer or commissioner may be declared by law; and, if not so declared, such officer or commissioner shall hold his position as

such officer or commissioner during the pleasure of the authority making the appointment; but in no case shall such term exceed four years; provided, however, that in the case of any officer or employee of any municipality governed under a legally adopted charter, the provisions of such charter with reference to the tenure of office or the dismissal from office of any such officer or employee shall control; and provided further, that the term of office of any person heretofore or hereafter appointed to hold office or employment during good behavior under civil service laws of the State or of any political division thereof shall not be limited by this section.

The Legislature may provide terms of office for not to exceed eight years for the members of any state agency created by it in the field of public higher education which is charged with the management, administration, and control of the State College System of California.

CHAPTER 20

Senate Concurrent Resolution No. 8—Relating to snow-tread tires.

[Filed with Secretary of State April 7, 1960.]

WHEREAS, Section 27459 was added to the California Vehicle Code by Chapter 1572, Statutes of 1959, and provides that "In any case where a passenger vehicle may be required by the Department of Public Works to be equipped with tire chains the department may provide, in the alternative, that the vehicle may be equipped with four snow-tread tires. The snow-tread tires shall be of a type and design manufactured for use on ice and snow as a replacement for tire chains which is approved by the Department of the California Highway Patrol and shall be in good condition"; and

WHEREAS, The Department of California Highway Patrol has adopted administrative regulations in Section 830 of Title 13 of the California Administrative Code which provide that "Snow-tread tires of a type and design manufactured for use on ice and snow as a replacement for tire chains shall be approved by the department as an alternative for tire chains upon determination that such tires, when tested, provide traction ability, stopping ability, and cornering ability equal to tire chains"; and

WHEREAS, At the present time there are no snow-tread tires being produced by any manufacturer which will meet the requirements set forth in this regulation; and

WHEREAS, It was the intent of the Legislature that some of the better performing snow-tread tires should be approved by the Department of California Highway Patrol as a replacement for tire chains under some less hazardous conditions

even though it is recognized that snow-tread tires are not as effective as tire chains; and

WHEREAS, It was the further intent of the Legislature that the Department of Public Works should post signs stating when snow-tread tires or tire chains are required; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Commissioner of the California Highway Patrol is requested to approve suitably marked snow-tread tires upon submission by the original tire manufacturer of a certified report of comparative tests showing that the tires when used on four wheels provide the following performance:

On glare ice at 20-25 degrees Fahrenheit:

1. Stopping ability not less than 60 percent of that with regular tire chains on rear wheels;
2. Tractive ability not less than 40 percent of that with regular tire chains on rear wheels;
3. Cornering ability not less than 100 percent of that with regular tire chains on rear wheels.

On packed snow:

1. Stopping ability not less than 70 percent of that with regular tire chains on rear wheels;
2. Tractive ability not less than 35 percent of that with regular tire chains on rear wheels;
3. Cornering ability not less than 100 percent of that with regular tire chains on rear wheels; and be it further

Resolved, That the minimum tread depth of new snow-tread tires shall be one-half inch; and be it further

Resolved, That in determining whether such tires are in good condition, no portion of the tread depth shall be less than one-quarter inch, and consideration shall be given to the rounding of the leading edges or cleats of the tires; and be it further

Resolved, That the Department of Public Works is requested to post suitable signs along the highways to indicate whether snow-tread tires or tire chains are required; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Commissioner of the California Highway Patrol and the Director of Public Works.

CHAPTER 21

Senate Concurrent Resolution No. 10—Relative to expenses of the Joint Interim Committee on Uniform Laws.

[Filed with Secretary of State April 7, 1960.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the sum of one thousand six hundred fifty dollars (\$1,650) 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 Uniform Laws (created by Section 10401 of the Government Code), and its members and for any charges, expenses or claims it may lawfully incur, to be paid from said contingent funds equally and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 22

Senate Concurrent Resolution No. 13—Relative to the inclusion of Colton Hall in the state park system.

[Filed with Secretary of State April 7, 1960.]

WHEREAS, Colton Hall in Monterey is recognized as one of the most historic buildings of California; and

WHEREAS, It was constructed in 1847-49 by the Reverend Walter Colton as the Town Hall of the City of Monterey; and

WHEREAS, It was the scene of the California Constitutional Convention of September 1-October 15, 1849, which resulted in the admission of California into the Union on September 9, 1850; and

WHEREAS, It has been continuously used as a public building to the present date; and

WHEREAS, The City of Monterey is desirous that this historic structure be included in the California state park system, because of its outstanding historical associations; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Division of Beaches and Parks is hereby requested to investigate, study, and survey the feasibility of acquiring and developing Colton Hall as a part of the state park system, and to report thereon to the Legislature not later than the 10th calendar day of the 1961 Regular Session of the Legislature; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Division of Beaches and Parks and Department of Natural Resources.

CHAPTER 23

Senate Concurrent Resolution No. 14—Relative to the battle flags in the State Capitol.

[Filed with Secretary of State April 7, 1960.]

WHEREAS, There are assembled in the rotunda of the State Capitol Building, displayed impressively in glass cases around the perimeter of the hall, a number of battle flags under which

California troops have fought in wars dating back to the Civil War; and

WHEREAS, It would be desirable to have the history of these flags assembled in one pamphlet to which quick reference could be made when necessary; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Committee on Legislative Organization is directed to have photographs made of the battle flags in the rotunda of the State Capitol and a brief history prepared of the use of the flags by the California troops, such photographs and history to be compiled into a booklet for the use of the Senate and Assembly; and be it further

Resolved, That in addition to any money heretofore made available, the sum of five hundred dollars (\$500), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Senate and Assembly for the expenses of the Joint Committee on Legislative Organization 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 24

Senate Concurrent Resolution No. 16—Relative to public higher education in the State.

[Filed with Secretary of State April 7, 1960]

WHEREAS, By the enactment of Senate Bills No. 33 and 35 at the First Extraordinary Session the Legislature has established and implemented a co-ordinated master plan for the growth and development of public higher education in the State, of which the state college system is an integral part; and

WHEREAS, State colleges will be administered by the Trustees of the State College System of California, which trustees succeed to certain powers, duties and functions with respect to the management, administration and control of state colleges; and

WHEREAS, It is appropriate, in order to ensure orderly and consistent planning and development to the end that such a master plan will be successfully fulfilled, that the Legislature express and affirm certain general principles with regard to fiscal and budgetary policies which shall operate in the consideration of matters relating to the subject of public higher education, particularly as it concerns state colleges; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature does hereby

express and affirm the following general principles of fiscal and budgetary policy regarding the co-ordinated master plan for public higher education in the State and the administration of the state college system :

1. While many matters relating to public higher education in the state colleges may properly fall within the province of the Trustees of the State College System, certain essential elements of fiscal responsibility and budgetary control are constitutional duties and obligations of the Legislature and the Governor.

2. To the extent possible within well defined expenditure limits and purposes, based in turn upon an improved system of budgetary reporting, the Trustees of the State College System shall be given a large degree of flexibility in determining the most effective use of funds available for higher education in the state colleges.

3. In reliance upon continued demonstrated fiscal responsibility, and consistent with the concern of the Legislature for increased administrative freedom from external control for the state colleges, under the trustees, it is the desire and intention of the Legislature that budget bills hereafter enacted shall provide for the state college system certain exemptions from fiscal and budgetary controls similar to those exemptions presently granted to the University of California, except that items for capital outlay shall continue to be subject to review and approval by the Legislature and appropriate state fiscal officers; and be it further

Resolved, That the Legislature intends that the above expressed principles shall guide the Legislature, those in the field of public higher education, and the people of the State in developing and effecting a successful master plan for the development of public higher education in the State.

CHAPTER 25

Senate Joint Resolution No. 1—Relative to Old Age, Survivors and Disability Insurance.

[Filed with Secretary of State April 7, 1960]

WHEREAS, Employees of the largest public agencies in this State, including the State of California, the University of California, the several California state colleges, the City and County of Los Angeles, and other jurisdictions, constituting an estimated 300,000 employees, are not yet covered under the Old Age, Survivors, and Disability Insurance program of Social Security; and

WHEREAS, The employees of these public agencies may, within the next two years, be given the opportunity to come under the Old Age, Survivors, and Disability Insurance program by action of this body at its regular session in 1961, and

by action of the governing bodies and electorate of certain local jurisdictions; and

WHEREAS, Unlike public employees who were enabled to come under the program prior to 1960, the employees who come into the Old Age, Survivors, and Disability Insurance system after 1959 will be at a disadvantage with respect to benefits available to themselves and their beneficiaries, unless the provisions of the Social Security Act relating to retroactive coverage are amended by Congress; and

WHEREAS, These employees should not be penalized because of the special conditions and problems involved in extending Old Age, Survivors, and Disability Insurance to public employees, and in the interests of fulfilling the social objectives of social security and of encouraging universal coverage, Congress should be urged to adopt technical amendments to the Social Security Act required to permit these employees to obtain retroactive coverage to January 1, 1956; 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 enact legislation which will enable public employees who come under Old Age, Survivors, and Disability Insurance of Social Security prior to 1962 to have retroactive coverage to January 1, 1956; 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 the Chairman of the House Ways and Means Committee, and to each Senator and Representative from California in the Congress of the United States; and be it further

Resolved, That this resolution does not constitute an expression of legislative policy with respect to the question of Social Security for state employees.

CHAPTER 26

Senate Joint Resolution No. 2—Relative to the transfer of certain military lands for establishment of the Golden Gate Memorial State Park.

[Filed with Secretary of State April 7, 1960]

WHEREAS, The major western entrance to Continental United States has world renown as the "Golden Gate"; and

WHEREAS, The Golden Gate has many rich historical associations, including legendary Chinese voyages, the sea expeditions of Cabrillo in 1542, Drake in 1579, Cermeno in 1595, Viscaino in 1602-03, the Portola discovery expedition of 1769, the entrance of Ayala's San Carlos in 1775, the founding of the Mission Dolores and the San Francisco Presidio in

1776, and the voyages of Vancouver in 1792-4 and Rezanov in 1806, among others; and

WHEREAS, This scenic area so rich in historic beauty has a special aura of romance in the opening and development of California and the West, particularly in connection with thousands of Gold Rush Argonauts, who entered California by ship through the portals of the Golden Gate; and

WHEREAS, Both shores of the Golden Gate in California have been held by the United States as historic military forts for more than 100 years; and

WHEREAS, Great numbers of America's armed forces departed and returned through the Golden Gate during the Mexican, Civil, and Spanish-American Wars, and during World War I, World War II, and the Korean War; and

WHEREAS, Modern military methods have revised defense tactics to the extent that portions of these romantic and historic military reservations have been declared surplus; and

WHEREAS, More lands are expected to become surplus in the future; and

WHEREAS, Undeveloped lands within the San Francisco Bay area will be increasingly important for recreation, offered in this historic setting of outstanding natural land and seascape to millions of people, now and in the future; 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 consider the transfer to the Division of Beaches and Parks of the State of California, of these military lands, if and when they are no longer required for national defense, to be dedicated as the Golden Gate Memorial State Park, a memorial to the history and romance of the West, both military and pioneer, for the enjoyment and use of the people of the State of California and the people of the United States for all time; 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, and to the Secretary of the Interior.

CHAPTER 27

Senate Joint Resolution No. 4—Relative to the excise tax on the transportation of persons.

[Filed with Secretary of State April 7, 1960.]

WHEREAS, In 1941, as a wartime expediency, the Congress of the United States enacted as an excise tax a levy on the transportation of persons; and

WHEREAS, The principal purpose in levying such a tax was to discourage unnecessary wartime travel; however, today, 15 years after the cessation of hostilities, there continues a 10 percent levy on the transportation of persons; and

WHEREAS, The present transportation tax imposes an unfair burden on the long-distance traveler; and

WHEREAS, This is of vital concern to the people of California and the other western states who are located some distance from other areas of great population; 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 State of California is particularly interested in protecting and developing its vacation and tourist travel on an equal basis with other vacation travel areas, but is being seriously handicapped in this endeavor by the unfair burden imposed by this tax on the long-distance traveler; and

WHEREAS, The transportation of persons plays such a vital role in the economic life of this country that the costs of transportation should always be kept at the lowest possible level; and

WHEREAS, There is sound reason for distinguishing between the transportation tax and other excise taxes that are imposed upon luxury items, for transportation is no longer a luxury for a few, but is a vital necessity for a great many; and

WHEREAS, It is the opinion of the Legislature of the State of California that the best interests of the country, and particularly those of the western states who are discriminated against by the present transportation tax, would be served by a repeal of that tax; and

WHEREAS, There is presently pending before the Congress of the United States legislation 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 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 repeal the tax on transportation of persons; 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 28

Senate Joint Resolution No. 5—Relative to religious persecution in Communist China.

[Filed with Secretary of State April 7, 1960]

WHEREAS, Communist China has recently sentenced American clergymen to long prison terms on unsupported charges of spying for capitalist nations; and

WHEREAS, This is merely the latest incident in Red China's continuing campaign of religious persecution which has been relentlessly carried on ever since the Communists gained control of the Chinese mainland; and

WHEREAS, The United Nations is the organization best able to exert pressure on the Chinese Communists to cease their religious persecutions and to recognize the rights of foreign citizens in their country; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of this State respectfully requests the President of the United States and the Secretary of State to attempt to secure a United Nations investigation into religious persecution in Communist China, and to make every effort to obtain the release of American citizens being held unjustly in Chinese prisons; and be it further

Resolved, That the Secretary of the Senate is requested to transmit copies of this resolution to the President and Secretary of State of the United States.

CHAPTER 29

Senate Joint Resolution No. 6—Relative to facilities for the treatment of narcotics addicts.

[Filed with Secretary of State April 7, 1960]

WHEREAS, The Congress of the United States and the Legislature of the State of California are vitally concerned with the increase in the number of narcotics addicts in the State of California; and

WHEREAS, The United States, at present, has but two hospitals of the United States Public Health Service providing treatment for certain narcotic drug addicts, namely, at Lexington, Kentucky, and Fort Worth, Texas; and

WHEREAS, The United States Public Health Service has a hospital located in San Francisco, California; and

WHEREAS, Both Houses of the Legislature of the State of California are anxious that the State employ all means possible, alone and in co-ordination with the federal government, to diminish the number of narcotics addicts in California; 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 the President and the Congress of the United States to appropriate sufficient funds to build an addition to the United States Public Health Service Hospital located in San Francisco, California, in which narcotics addicts can be selected for treatment and treated by the Public Health Service; and be it further

Resolved, That pending such action, not less than 10 beds with supportive professional treatment staff services be made available for co-operative research in the control of formerly addicted federal probationers or parolees resident in the State of California; and be it further

Resolved, That the Secretary of the Senate be hereby directed to prepare and transmit suitable 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, and to the Secretary of Health, Education, and Welfare and the Director of the Administrative Office of the United States Courts.

CHAPTER 30

Assembly Concurrent Resolution No. 13—Relative to final adjournment of the 1960 First Extraordinary Session of the Legislature.

[Filed with Secretary of State April 8, 1960]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the 1960 First Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 12 o'clock m. on the seventh day of April, 1960.

CHAPTER 31

Assembly Joint Resolution No. 4—Relative to the calling of a White House conference on narcotics.

[Filed with Secretary of State April 8, 1960.]

WHEREAS, Illicit traffic in narcotics continues as an important problem in California and throughout the United States; and

WHEREAS, Narcotics unlawfully sold or otherwise dispensed in this State and nation originate outside of the United States; and if the flow of such narcotics into this nation could be stemmed, the narcotics problem would largely vanish; and

WHEREAS, It is beyond the powers of the local state government effectively to control international traffic in narcotics, but the federal government has powers in this area; and

WHEREAS, The narcotics threat is a local, state, and national problem, which knows no state boundaries, and which can best be resolved by a combined and co-ordinated assault at all governmental levels; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President of the United States is urged to call a White House conference on narcotics, to include local, state, and federal officials and experts, and to formulate plans for a massive and co-ordinated assault upon the evil of narcotics; 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.

CHAPTER 32

Assembly Joint Resolution No. 5—Relating to pollution of San Francisco Bay waters by federal installations.

[Filed with Secretary of State April 8, 1960]

WHEREAS, Two military bases in the San Francisco Bay area, the Benicia Arsenal and Treasure and Yerba Buena Islands, are still dumping raw untreated sewage and waste directly into Bay waters, which is causing pollution of these waters; and

WHEREAS, The Regional Water Pollution Control Board for the San Francisco Bay Region and other agencies have attempted to bring about correction of this problem since 1951; and

WHEREAS, The Benicia Arsenal problem could be solved by the arsenal connecting with the sewage treatment plant built by the City of Benicia, which was built far in excess of the needs of that city and designed to provide treatment capacity for sewage from the Benicia Arsenal; and

WHEREAS, This treatment facility was financed by general obligation bonds of the City of Benicia in the amount of \$877,000, which was accepted by the citizens of that city as their obligation in the protection of the Bay waters; and

WHEREAS, Under Public Law 660, 84th Congress, Second Session, \$250,000 was granted to the City of Benicia by the United States government to aid in the construction of this sewage treatment plant, yet the necessary funds to connect the Benicia Arsenal have not been made available; and

WHEREAS, Approximately \$320,000 is the estimated cost of connecting the Benicia Arsenal to the city system, which is the most economical method of combating this pollution problem; and

WHEREAS, The other installation causing pollution in San Francisco Bay is the naval installation on Treasure and Yerba Buena Islands, which is discharging 850,000 gallons of raw sewage into the Bay every 24 hours; and

WHEREAS, This problem has also been under consideration by the Regional Water Pollution Control Board since 1951 and was declared a condition of pollution and nuisance October 21, 1954 in the regional board's Resolution No. 161; and

WHEREAS, Approximately \$700,000 is necessary for the construction of a sewage treatment plant for this installation; and

WHEREAS, The construction of these facilities would be in accordance with and in furtherance of Executive Order 10014, dated November 3, 1948, which directed all federal agencies to co-operate with state and local authorities in preventing pollution of surface and underground waters; 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 the necessary funds to correct the condition of pollution being created by the Benicia Arsenal and the Treasure and Yerba Buena Islands installation, with such appropriation specifically designated for such purpose; 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 33

Assembly Joint Resolution No. 7—Relative to memorializing Congress concerning the establishment in California of a national center for research on principles of irrigation.

[Filed with Secretary of State April 8, 1960.]

WHEREAS, A report to Congress by a committee appointed by the Secretary of Agriculture has recommended the establishment of a national center for research on principles of irrigation and has designated California as a possible location thereof; and

WHEREAS, California has the largest irrigated acreage of any state in the Union and has been a leader in the development of new methods of irrigation; and

WHEREAS, Great interest exists in California in problems relating to irrigation which problems are of considerable complexity and great urgency and, because of the wide variation

of crops and climatic conditions, are typical of irrigation problems encountered throughout the nation; and

WHEREAS, Davis, California, which is also the site of the Davis Campus of the University of California, one of the leading educational institutions in the United States in the field of agriculture, is an excellent and logical location for such a research center; 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 to provide for establishment of a national center for research on principles of irrigation to be located at Davis, California; and be it further

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

CHAPTER 34

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 adding Section 20 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 11, 1960.]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its 1960 First Extraordinary Session commencing on the first day of February, 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 20 to Article XVI thereof, to read:

SEC. 20. Bonds of the State of California shall be prepared, issued, and sold in the amount of three hundred million dollars (\$300,000,000), 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 8 and 9 of Division 6 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 General Fund at the 1960 First Extraordinary Session for stateschool 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. 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 concerning this section or any other section of the Constitution or legislative act authorizing the allocation of funds to school districts for purposes the same or substantially the same as those enumerated in this section.

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 35

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XVI thereof, relating to the submission of bond issues at direct primary elections and to bond issues for school building purposes.

[Filed with Secretary of State April 11, 1960.]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1960 First Extraordinary Session commencing on the first day of February, 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 as follows:

That Section 1 of Article XVI be amended to read:

SECTION 1. The Legislature shall not, in any manner create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of three hundred thousand dollars (\$300,000), except in case of war to repel invasion or suppress insurrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within 50 years of the time of the contracting thereof, and shall be irrepealable until the principal and interest thereon shall be paid and discharged, and such law may make provision for a sinking fund to pay the principal of such debt or liability to commence at a time after the incurring of such debt or liability of not more than a period of one-fourth of the time of maturity of such debt or liability; but no such law shall take effect until, at a general election or at a direct primary, it shall have been submitted to the people and shall have received a majority of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated

or to the payment of the debt thereby created. Full publicity as to matters to be voted upon by the people is afforded by the setting out of the complete text of the proposed laws, together with the arguments for and against them, in the ballot pamphlet mailed to each elector preceding the election at which they are submitted, and the only requirement for publication of such law shall be that it be set out at length in ballot pamphlets which the Secretary of State shall cause to be printed. The Legislature may, at any time after the approval of such law by the people, reduce the amount of the indebtedness authorized by the law to an amount not less than the amount contracted at the time of the reduction, or it may repeal the law if no debt shall have been contracted in pursuance thereof.

No law subject to this section shall be submitted to the people at a direct primary election unless two-thirds of all the members elected to each of the two houses of the Legislature vote in favor thereof.

Notwithstanding any other provision of this Constitution, Members of the Legislature who are required to meet with the State Allocation Board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending or coming before such board for the allocation and apportionment of funds to school districts for school construction purposes or purposes related thereto.

CHAPTER 36

Assembly Concurrent Resolution No. 5—Relative to toll bridges under the jurisdiction of the California Toll Bridge Authority.

[Filed with Secretary of State April 11, 1960.]

WHEREAS, The Golden Gate Bridge and Highway District is currently studying a proposal to establish one-way tolls upon the Golden Gate Bridge, under which proposal traffic traveling in one direction on the bridge would pay tolls while traffic traveling in the opposite direction would pay no tolls; and

WHEREAS, Such a proposal, if applied to the toll bridges under the jurisdiction of the California Toll Bridge Authority, would result in tremendous savings in operation costs by the elimination of the toll-taking function on the traffic lanes carrying the toll-free traffic, with the estimated savings in the case of the San Francisco-Oakland Bay Bridge being approximately \$400,000 per year; and

WHEREAS, Such a proposal would also eliminate traffic congestion on said traffic lanes; and

WHEREAS, It would appear that tolls could be fixed under such a proposal at such rates so as to provide substantially the same revenues as provided by existing tolls; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Public Works be requested to investigate and study the feasibility and desirability of establishing one-way tolls with respect to toll bridges under the jurisdiction of the California Toll Bridge Authority and to report thereon to the Legislature at the 1961 Regular Session; 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 Public Works.

CHAPTER 37

Assembly Concurrent Resolution No. 15—Relating to the issuance of pamphlets by the Department of Motor Vehicles.

[Filed with Secretary of State April 11, 1960.]

WHEREAS, The number of motorists using the highways of this State is persistently increasing; and

WHEREAS, By Chapter 3 of the Statutes of 1959, the Vehicle Code was recodified and sundry other changes were effected during the 1959 Regular Session and may be enacted during the 1960 First Extraordinary Session of the Legislature; and

WHEREAS, Operators of motor vehicles may not always be aware of recent changes in the rules of the road; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature request the Department of Motor Vehicles to compile and make available for free public distribution, within 30 days after the final adjournment of the 1960 First Extraordinary Session, a pamphlet showing the changes made in 1959 and in 1960 in the "rules of the road" provisions in the Vehicle Code, and to publish a press release when they are ready for distribution to the effect that they may be obtained from any office of the department; and be it further

Resolved, That the department in the future distribute these pamphlets to motorists in conjunction with the delivery of license plates; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Mr. Robert McCarthy, Director of the Department of Motor Vehicles.

CHAPTER 38

Assembly Concurrent Resolution No. 20—Relative to the Economic Development Agency.

[Filed with Secretary of State April 11, 1960.]

WHEREAS, Unemployment is a grave national problem requiring comprehensive remedial action before an exploding population makes it worse; and

WHEREAS, Joblessness in some areas now affects up to 25 percent of the laboring force, or one out of every four workers; and

WHEREAS, An expected 13.5 million jump in the labor force in the next decade, including the large crop of war babies born after World War II, puts a premium on economic development to provide more jobs; and

WHEREAS, Unless remedial and preventative action is taken now unemployment is likely to continue at high levels; and

WHEREAS, The Economic Development Agency in the Department of Finance is required by subdivision (h) of Section 13498 of the Government Code to prepare and submit to the Governor and the Legislature recommendations for such executive or legislative action as may be necessary to improve the business climate of the State; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California requests the Economic Development Agency to submit a report of its recommendations for executive or legislative action necessary to improve the business climate of the State to the Legislature not later than the fifth legislative day of the 1961 Regular Session and to include in the report its recommendations for executive or legislative action necessary to create new job opportunities for the people of this State; 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 Finance and to the Commissioner of the Economic Development Agency.

CHAPTER 39

Assembly Concurrent Resolution No. 21—Relative to the San Francisco approach to the Golden Gate Bridge.

[Filed with Secretary of State April 11, 1960.]

WHEREAS, The Golden Gate Bridge and Highway District has embarked on a long-range program of improvements designed to increase the traffic-carrying capacity of the Golden Gate Bridge; and

WHEREAS, Traffic on the bridge is progressively increasing month by month, resulting in congestion and delay on the San Francisco approach to the bridge in peak-traffic periods because of the lack of adequate lane capacity and use of the approach by nonbridge traffic; and

WHEREAS, Public safety, convenience and necessity demands that the Division of Highways, Department of Public Works, initiate construction as soon as possible and expedite the contemplated widening of that section of the San Francisco approach that is part of State Highway Route 2, which has been long delayed; and

WHEREAS, It is urgent that improvements affecting traffic to and from the Golden Gate Bridge be carried out by the Division of Highways at the earliest possible time; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Division of Highways is hereby requested to take appropriate action at the earliest possible time to initiate and expedite reconstruction of that section of State Highway Route 2, which is part of the San Francisco approach to the Golden Gate Bridge, for the development of an eight-lane divided freeway, for which moneys are allocated in the current 1959-60 state highway budget; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Honorable Edmund G. Brown, Governor of the State of California and Robert B. Bradford, Director of Public Works.

STATUTES OF CALIFORNIA
SECOND EXTRAORDINARY SESSION
1960

Began Wednesday, March 2, 1960, and Adjourned
Thursday, March 10, 1960

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, EDMUND G BROWN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the second day of March, 1960, at 2 p.m. of said day for the following purpose and to legislate upon the following subject

To consider and act upon legislation abolishing the death penalty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of March, 1960.

(SEAL)

(SIGNED) EDMUND G BROWN
Governor of California

ATTEST: FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA
PASSED AT THE 1960 SECOND EXTRAORDINARY SESSION
OF THE LEGISLATURE

(None passed.)

CONCURRENT RESOLUTIONS

SECOND EXTRAORDINARY SESSION

1960

CONCURRENT RESOLUTIONS
ADOPTED AT THE 1960 SECOND EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

Senate Concurrent Resolution No. 1—Relative to final adjournment of the 1960 Second Extraordinary Session of the Legislature.

[Filed with Secretary of State March 10, 1960]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1960 Second Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 5 o'clock p.m. on the 10th day of March, 1960.