

19. (TIDE AND SUBMERGED LANDS - W.O. 721) State Senator Arthur H. Breed appeared before the Commission and discussed his proposal of a United States Constitutional amendment establishing definitely in the States' ownership of all tide and submerged lands within their boundaries. It was his idea that such a procedure would eliminate the necessity of overriding a presidential veto such as the quit claim legislation has experienced in the past and might face again.

The Attorney General of California, Honorable Edmund G. Brown, and Assistant Attorney General Everett W. Mattoon entered the discussion. The latter particularly stressed the importance of the time element involved in the proposed program and stated he felt that there was a strong probability of the enactment of quit claim legislation at this session of Congress. Mr. Mattoon endorsed the idea of attempting to amend the Constitution but did not want to have efforts made in that regard adversely affect the good prospects of quit claim legislation.

The Chairman stated that he would like to have a survey made of the situation in Congress, without publicity, which would develop the facts as to the best tactics to pursue with respect to the timing of any definite actions leading to amending the Constitution.

WHILE NO MOTION WAS PUT OR ADOPTED IT WAS THE CONSENSUS OF OPINION OF THOSE PRESENT THAT ARRANGEMENTS SHOULD BE MADE FOR A STATE LEGISLATIVE COMMITTEE, IN COLLABORATION WITH THE ATTORNEY GENERAL'S OFFICE AND THE STATE LANDS COMMISSION, TO VISIT WASHINGTON IN THE NEAR FUTURE WITH THE OBJECT OF DETERMINING THE SENTIMENT OF MEMBERS OF CONGRESS REGARDING SENATOR BREED'S PROPOSAL AS A BASIS FOR REACHING CONCLUSIONS AS TO PROCEDURES TO BE FOLLOWED. UPON ADVICE OF THE CONCLUSIONS REACHED, THE COMMISSION WOULD CONSIDER THEM AND TAKE ANY PERTINENT ACTION REQUIRED.

20. (SANTA BARBARA COUNTY SUPERIOR COURT NO. 36863, PEOPLE VS CITY OF LOS ANGELES - N-5043) Attorney General Edmund G. Brown requested to have the decision of the State Lands Commission as to whether the State should continue to prosecute the appeal filed by the office of the Attorney General in this case.

The following review of the case was considered by the Commission:

The Court in this action awarded the State \$5,094.00 as temporary damages for the flooding of Owens Lake in the spring and summer of 1937. This judgment carries court costs in favor of the State in the sum of \$20,361.04. The Court denied the State any judgment for the floodings in the fall of 1937, and in 1938, and in 1939, presumably upon the basis that there was no negligence on the part of the City and that the State's right to collect was barred by its failure to file claims against the City for that period.

From the judgment of the trial court in the Santa Barbara case, both the People and the defendant, City of Los Angeles, have filed appeals. The transcript on appeal was filed in the District Court of Appeal in Los Angeles on December 11, 1950. Opening briefs on the appeal in behalf of