

both appellants, the People and the City of Los Angeles, are due March 11, 1951, both appellants having obtained a sixty (60) day extension to that date.

As the Commission staff views it, it would be practically a useless procedure to contest the appeal of the City with its required work and expense without at the same time carrying on the State's appeal which would entail but little more work and expense. On the other hand, if the State does not do any further work or incur any further expense and allow the City's appeal to go by default the State stands to lose, of course, its judgment for \$5,000.00 damages, as well as for the \$20,000.00 costs, and at the same time would be forced to pay the City's costs in approximately a similar amount. Exclusive of the court costs mentioned, this litigation has already cost the State Lands Commission approximately \$150,000.00.

Two cases arising out of the flooding of Owens Lake by the City of Los Angeles have already gone to the Supreme Court of this State. In one (23 Cal. 2d 183), the Natural Soda Products Company, one of the State's lessees on the lake, obtained damages against the City of Los Angeles of nearly \$200,000.00. In the other (34 Cal. 2d 695), the State procured an injunction against the flooding of Owens Lake by the City of Los Angeles. It is, of course, quite possible that future flooding of Owens Lake by the City of Los Angeles may again occur.

The State Lands Commission budget for 1950-51 provides money for continuation of protecting the State's interest in the Owens Lake litigation. A contract in the amount of \$5,000.00 has been submitted to the Attorney General for defrayment of his costs in the continuing of the litigation.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO REQUEST THE ATTORNEY GENERAL TO TAKE IMMEDIATE STEPS TO PROSECUTE THE APPEAL HERETOFORE FILED BY HIS OFFICE IN SANTA BARBARA COUNTY SUPERIOR COURT CASE NO. 36863, PEOPLE VS CITY OF LOS ANGELES.

21. (SUMMARY OF 1950 LEGISLATION - W.O. 540) The Commission was informed of bills pending in the legislature that affect the business of the Commission. Summary of the bills is attached.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE STAFF TO TAKE THE ACTION INDICATED FOR EACH BILL IN THE SUMMARY AND DIRECTING THAT LETTERS SUPPORTING OR IN OPPOSITION TO THE RESPECTIVE BILLS BE ADDRESSED TO THE PROPER COMMITTEES.

Summary of Legislation 1950 (W.O. 540)

<u>Bill No.</u>	<u>Abstract</u>	<u>COMMISSION BILLS - CLASS "A"</u> <u>Suggested Action</u>	<u>First</u> <u>Commission Action</u>	<u>Subsequent</u> <u>Commission Action</u>	<u>Progress of</u> <u>Bill</u>
S.204	Amend Sec. 6813 PRC relating to adverse claimants of oil and gas	Support, as bill gives Commission authority to deal with U. S. re Tidelands	Support		Nat. Res. Com.
S.205	Amend Sec. 6827 PRC to provide oil and gas leases have term of 20 years and as long as oil and gas is produced and permitting 20 year term be so modified at any time and also to eliminate application of rental to royalty.	Support. Present statute ambiguous and auditors for accounting simplification want to eliminate rental application to royalty.	Support		" " "
S.206	Add Sec. 6446 to PRC requiring County Recorders to furnish State Certificates of status for Sections 16 and 36 necessary in making conveyance to U. S. for lieu of exchange lands.	Support. This was the law but thru inadvertance Chap. 43 of 1913 was repealed in 1943 and not added to the PRC	Support		" " "
S.207	Amend Sec. 6895, 6897 PRC to eliminate application of rental as a credit to royalty.	Support. State auditors have suggested change to simplify accounting.	Support		" " "
S.208	Add Sec. 6501.1 and amend Sec. 6502 PRC to authorize leasing of State land.	Support. At present no direct authority although implied for Comm. to lease State land Enabling provision left out of codification.	Support but have amended to limit leasing of land to that under jurisdiction of S.L.C.		" " "

<u>Bill No.</u>	<u>Abstract</u>	<u>Commission Bills - Class "A"</u> <u>Suggested Action</u>	<u>First</u> <u>Commission Action</u>	<u>Subsequent</u> <u>Commission Action</u>	<u>Progress of</u> <u>Bill</u>
S.209	Amend Sec. 6357 PRC so that SLC may set the ordinary low water mark.	Support. Will give SLC authority to survey O.L.W.M. if necessary in tideland problem.	Support		Nat. Res. Comm.
S.210	Amend Sec. 6301 PRC to give SLC jurisdiction of ungranted tideland submerged land within or beyond boundaries of State which may be acquired from U.S. or by other means.	Support. This bill devised to give SLC authority over tide and submerged lands which may be acquired under a quit claim bill of congress.	Support		" " "
S.211	Add Sec. 127 to Gov. Code to provide SLC keep records on lands for which U.S. has acquired jurisdiction pursuant to Sec. 126 Gov. Code or earlier Statute.	Support. No dept. of the State has kept a record and SLC now has jurisdiction. As time goes on such a record very important.	Support		" " "
S.212	Amend Sec. 6504 PRC to increase time for applicants to sign a lease from 15 to 30 days.	Support. Public bodies cannot act in 15 days.	Support		" " "
S.213	Add Sec. 6358 to PRC to provide SLC may upon request survey a tide-land grant at expense of grantee of State.	Support. Grants heretofore made by Legislature have not been surveyed, as a result, many quiet title actions have and will occur.	Support		" " "
S.1695	Amend Sec. 6444 and repeal 6443 PRC re. exchange of land with U.S.	Support. There is now a duplication Sec. 6443 and 8552. However, now feel 8552 should be repealed and 6443 retained.	Support but amend as recommended		" " "
S.1720	Add Sec. 7901.2 and 7901.3 to Public Utility Code to require Telephone and Telegraph companies to file with SLC for use of State land.	Support. Telephone and Telegraph Companies will not recognize SLC jurisdiction.	Support.		Publ. U. Comm.

Summary of Legislation 1950 (W.O. 540)

<u>Bill No.</u>	<u>Abstract</u>	<u>Class "B" Bills - Proprietary Land Index &amp; Acquisition</u> <u>Suggested Action</u>	<u>First</u> <u>Commission Action</u>	<u>Subsequent</u> <u>Commission Action</u>	<u>Progress of</u> <u>Bill</u>
AB 2836	Amend Sec. 6219 and add Sec. 6219.1 to PRC which will require SLC to keep an inventory of State proprietary lands including description and appraised value.	Support, but add an appropriation of \$15,000. Present law only requires SLC keep an index of deeds in Secretary of State's files	Support but amend as recommended		G.E. and E. Comm.
S.57	Repeal of authority for Sixth Agricultural Dist. to acquire land.	Support but amend. Require agency to file copy of conveyance with SLC	Amend as recommended		G.E. Comm.
S.67	Authorize Dir. of Finance to sell land up to value of \$25,000.	"	"		" "
S.70	Authorize Dir. of Finance to sell lands in Sacramento, San Bernardino, Humboldt, Siskiyou, Los Angeles Counties.	"	"		" "
S.181	Authorize purchase new site for Calif. Inst. of Women.	"	"		" "
S.214	Park Comm. authorized to exchange lands Pfeiffer Big Sur Park, Monterey County.	"	"		Nat. Res. Comm.
S.275	Acquisition of La Casa del Rancho Aguaje de la Centinela at Inglewood.	"	"		G. & E. Comm.
S.353	Park Comm. authorized to exchange lands in Del Norte Co.	"	"		Nat. Res. Comm.

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Commission Action</u>	<u>Progress of Bill</u>
S. 356	Dir. of Finance to grant lands to City of Berkeley.	Support but amend. Require agency to file copy of conveyance with SLC.	Amend as recommended		Sen. Comm on Commerce and Transportation.
S. 385	Dir. of Finance to dispose of property in Napa County.	"	"		G. E. Comm.
S. 464	Use of present property of Inst. for Women.	"	"		" "
S. 491	Acquisition of Sacramento River Recreational State Park.	"	"		Finance Comm.
S. 492	Acquisition of Sacramento River Recreational State Park.	"	"		" "
S. 498	Sierra Trail in vicinity of American River, El Dorado County.	"	"		Nat. Res. Comm.
S. 499	Sierra Trail from El Dorado County to Humboldt County.	"	"		" " "
S. 599	Natural Bridges Beach State Park.	"	"		" " "
S. 663	Sale of Mendocino State Hospital Property.	"	"		G. E. Comm.
S. 1100	State School for Deaf - Riverside	"	"		Finance Comm.
S. 1426	Sale of land in Santa Clara County to University of California	"	"		G. E. Comm.
S. 1428	Establishment of School of Aviation at Univ. of Calif. - Davis.	"	"		Education Comm.



<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent</u>	<u>Progress of Bill</u>
S.1442	Establishment of schools for those handicapped by cerebral palsy	Support but amend. Require agency to file copy of conveyance with SEC.	Amend as Recommended		G. E. Comm.
S.1551	Restoration of Benecia State Capital.	"	"		Finance Comm.
S.1774	Site for Highway Patrol at Red Bluff	"	"		" "
S.1775	Site for Armory at Red Bluff	"	"		" "
S.1800	Sale of State land by City of Martinez	"	"		G. E. Comm.
AB 4	Establish State College in Stanislaus Co.	"	"		Educ. Comm.
AB 64	Establish National Guard Armory, Marin Co.	"	"		Mil. Aff. Comm.
AB 937	New site of California Inst. of Women	"	"		G.E. & E. Comm.
AB 938	Exchange by Park Comm. with U.S. Pfeiffer Big Sur, Monterey County	"	"		" " "
AB 1115	Sites for California academies for homeless children, etc.	"	"		Educ. Comm.
AB 1665	Div. Beaches and Parks acquisition of Buena Vista Lagoon, San Diego Co.	"	"		F. & G. Comm.
AB 2183	New State Park (Skeleton)	"	"		G.E. & E. Comm.
AB 2184	New State Park (Skeleton)	"	"		" " " "
AB 2449	Exchange of redwood lands State Parks, Del Norte Co.	"	"		" " " "

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Commission Action</u>	<u>Progress of Bill</u>
AB 2481	State Parks acquisition historical sites, Los Angeles Co.	Support but amend. Require agency to file copy of conveyance with SLC.	Amend as Recommended		Cons. & Pub. Wks. Comm.
AB 2625	Fish & Game Exchange of wild life reserves	"	"		F. & G. Comm.
AB 2864	Site for State Office Bldg., San Francisco	"	"		Ways & Means Comm.
AB 2946	Additional area San Diego State College	"	"		G.E. & E. Comm.
AB 3096	Acquisition Olvera Street Los Angeles Plaza, Pico Gardner block	"	"		" " " "
AB 3140	Acquisition State Park, Butte Co.	"	"		" " " "
AB 3141	Acquisition State Park, Yuba Co.	"	"		" " " "
AB 3142	Acquisition State Park, Sutter Co.	"	"		" " " "
AB 3143	Acquisition State Park, (Skelton)	"	"		" " " "
AB 3147	Acquisition site for Chico State College	"	"		" " " "
AB 3182	Director of Finance to convey certain property to University of California	"	"		" " " "
AB 3207	National Guard Armory, Alhambra	"	"		Mil. Aff. Comm.
AB 3352	Acquire Ft. Humboldt, Modoc Co.	"	"		G.E. & E. Comm.
AB 3254	Museum of Natural History, Hickey Grove	"	"		" " " "

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Commission Action</u>	<u>Progress of Bill</u>
<u>QUIET TITLE - "B" BILLS</u>					
S. 626	Authorize suit against State for Tideland Comm. lots within one year service on SLC.	Support but obtain for all quiet title bills an adequate additional appropriation after estimation of cost.	Support but	add adequate appropriation.	G. E. Comm.
S. 704	Authorize suit against State for Napa Co. land. Service on SLC and suit within one year.	"	"	"	Jud. Comm.
S. 705	"	"	"	"	" "
S. 706	"	"	"	"	" "
S. 707	"	"	"	"	" "
S. 708	"	"	"	"	" "
S. 1431	Authorizing suit against State for recession lands Modoc Co. Service on SLC and suit within one year.	"	"	"	" "
<u>SAN FRANCISCO HARBOR - "B" BILLS</u>					
S. 610	Creating the Interim S.F. Bay Development Commission	Watch & report	Watch & report to Comm.		G. & E. Comm.
S. 611	S. F. Bay Port authority	" "	"		" "
S. 612	S. F. Bay Port authority	" "	"		" "
S. 933	S. F. Harbor Finance Board	" "	"		" "



<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent</u>	<u>Progress of Bill</u>
S.934	Increasing and redesccribing area of jurisdiction of S.F. Harbor Comm.	Discuss with Gen. Wylie. The proposed area does not take all land under jurisdiction of SLC and furthermore there are many title questions that SLC will be involved in regardless of jurisdiction.	Reach agreement with Gen. Wylie & report		Trans. Comm.
S.935	Removal of navigational trust to certain filled in tidelands in S.F. Harbor and permitting sale thereof.	Support but amend to require filing of copy of conveyance with SLC for indexing.	Support but amend		G. E. Comm.
S.1523	S.F. Bay Port Development Comm.	Watch and report	Watch and Report		" " "
AB 2137	Authorize S.F. Harbor Comm. to sell or exchange reclaimed land	Support but amend to require filing of copy of conveyance with SLC for indexing.	Support but Amend		Mun. & Govt. Comm.
AB 2139 (See S.934)	Increasing and redesccribing area of jurisdiction of S.F. Harbor Comm.	Discuss with Gen. Wylie. The proposed area does not take all land under jurisdiction of SLC and furthermore there are many title questions that SLC will be involved in regardless of jurisdiction.	Reach agreement with Gen. Wylie & report		G.E. & E. Comm.
AB 2140 (See S.933)	S.F. Harbor Finance Board	Watch and report	Watch & report		" " " "
AB 3277 (See S.611)	S.F. Bay Authority	" " "	" " "		" " " "

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Action</u>	<u>Progress of Bill</u>
<u>MISCELLANEOUS "B" BILLS</u>					
S.232	Amend Gov. Code Sec. 11041 to eliminate attorney of SLC and substitute Dept. of Finance.	Support on condition said attorney could be used by SLC.	Support		G. & E. Comm.
S.251	Add Sec. 534.1 to F.&G. Code prohibiting opening up bar bound streams entering Pacific Ocean.	Amend to exempt tide and submerged land under jurisdiction of SLC	Amend as recommended		F. & G. Comm.
S.252	Add Sec. 534.1 to F.&G. Code prohibiting changes in channels of streams of northern coast counties	"	"	"	"
S.400	Budget Bill	Support	Support		Fin. Comm.
S.645	Add Chap. 4.5 of Div. 4 to Water Code requiring County Board of Supervisors consent to alter course of a stream	Oppose unless navigable streams are excluded	Oppose unless amended as recommended		Water Res. Comm.
S.658	Amend Sec. 50124 of Water Code requiring SLC to credit in full payments for State land purchased and advise reclamation district and county treasurer.	Oppose bill. Discuss with author and Legislative Council. Looks like a skeleton bill.	Oppose but report		" " "
S.870	Add Sec. 580.1 to F.&G. Code prohibiting use of electricity in State waters.	Amend to allow for cathodic protection for pipe lines or other commercial installations	Amend as recommended		F. & G. Comm.
S.894	Add Sec. 88.2 to Agriculture Code permitting of mineral leases on their land and requiring revenue to Gen. Fund	Support but amend to require leases be entered into by SLC.	Support but amend as recommended.		Agri. Comm.

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent</u>	<u>Progress of Bill</u>
S.917	Add Sec. 6855 to PRC providing that proceeds from mineral leases on lands owned by State other than public lands and tide and submerged lands go to Gen. Fund	Support but amend to define what is meant by public lands	Support but amend as recommended		Nat. Res. Comm.
S.963	Add Sec. 11011 to Gov. Code providing for employment of appraisers in sale of State land.	Amend to exclude lands under jurisdiction of SLC	Support but amend as recommended		G. E. Comm.
S.964	Add Sec. 9215 to Gov. Code providing for appointment of notary public in State offices with net costs to be paid out of agency support	Support. SLC offices have need for Notary Public.	Support		" " "
S.1087	An Act to add Sec. 6210.6 to PRC providing for right-of-way over State school lands and other acquired lands.	Amend to require R/W be obtained by companies or individuals upon terms set by SLC.	Amend as recommended		Nat. Res. Comm.
S.1133	Amend Sec. 50128 of Water Code re credit of \$1.00 on assessments for reclamation of S and O land.	Looks like a skeleton bill. Watch	Watch & Report		Water Res. Comm.
S.1731	Add Sec. 23180 to Gov. Code to provide SLC shall survey boundary between Alpine and Tuolumne County at State expense.	Support but amend that cost be borne by the counties or alternatively add \$5,000 appropriation.	Support but amend as recommended		Gov. E. Comm.
AB 301	Provide for survey of granted tide and submerged lands in Newport Bay.	Discuss with author and kill by getting support of S.213.	Discuss with author and report.		G.E. & E. Comm.
AB 490	Amend Sec. 23151 re boundary of Sutter County.	Discuss with author as this is skeleton bill	Watch & report		Mun. & Govt. Comm.
AB 500	Budget	Support	Support		W & W Comm.

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Action</u>	<u>Progress of Bill</u>
AB 611	Provide for appropriation and use by SLC of School Land Fund.	Discuss with Controller.	Watch & report.		Ed. Comm.
AB 749	Provide for Notary Public in State Office.	Support.	Support		Jud. Comm.
AB 834	Act to authorize exchange of granted lands in Newport Bay thru SLC.	Discuss with author and report back.	Watch & report		G.E. & E. Comm.
AB 925	Add Sec. 482.5 to E & G Code prohibiting artificial barriers in north coastal county streams.	Amend to exclude structures allowed by SLC in navigable streams.	Amend as recommended		F & G Comm.
AB 969	Add Sec. 8215 to Gov. Code re Notary Public in State offices.	Support. Net cost to be charged to agency support.	Support		Jud. Comm.
AB 1031	Permit impounded tideland funds be invested in U. S. Securities.	Support	Support		M O & M I Comm.
AB 2376	An act to require restoration of surface in mining operations.	Oppose. Amend to limit extent of restoration on State land mining operations.	Oppose as amended		G.E. & E. Comm.
AB 2581	An act to amend Chap. 59 of 1906 (McInerney Act) permitting quiet title in case of destruction of public records.	The McInerney Act does not permit quiet title against the State. This may be a skeleton bill. Watch and report.	Watch & report.		Jud. Comm.
AB 2707	Add Sec. 11011 to Gov. Code relative to agreement between State & U. S.		Watch & report.		Pub. Health Comm.
AB 2935	Add Sec. 13115 to Gov. Code requiring agency of State to hold hearings on land acquisition.	Discuss with authors and exempt land acquired by State from U.S.	Amend as recommended		G.E. & E. Comm.

<u>Bill No.</u>	<u>Abstract</u>	<u>Suggested Action</u>	<u>First Commission Action</u>	<u>Subsequent Action</u>	<u>Progress of Bill</u>
AB 2988	Amend Sec. 465 of CC re. use of land by R.R.	Amend to continue requirement that SLC approve use of State land and require map.	Amend as recommended.		Pub. Util. Comm.
AB 3062	Add Sec. 482.5 to F. & G. Code prohibiting artificial barriers in streams.	Discuss with author and amend to exclude operations authorized by SLC in navigable streams.	Amend as recommended.		F. & G. Comm.
AB 3069	Amend Sec. 5461 H & S2 re. pollution of water.	Watch and report.	Watch & report.		Pub. Health Comm.
AB 3040	Amend Sec. 1240 C of CP re. taking of property	Watch and discuss with author. Looks like a skeleton bill	Watch & report.		Jud. Comm.
AB 3043	Amend Sec. 1245.4 C of CP re. taking of a "square".	Watch and discuss with author. Looks like a skeleton bill	Watch & report.		" "
AB 3113	Amend Sec. 6855 PRC giving owner of surface time to meet the highest bid.	This bill has merit but should be amended to require surface owner to bid in first instance after being given due notice.	Amend as recommended.		M O & M Comm.
AB 3174	Add Sec. 3011.1 and 3301.1 PRC giving Oil and Gas Supervisor to determine a pool and curtail oil and gas production from State lands.	Watch - Discuss with Mr. Bush and amend to retain in SLC authority over production rate from State land.	Amend as recommended.		" "



There being no further business to come before the Commission, the meeting was adjourned.

STANDARD B & P "NOISEAR"

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