11510. (a) Before the hearing has commenced the agency, or the assigned hearing officer, shall issue subpoenas and subpoenas duces tecum at the request of any party for attendance or production of documents at the hearing. Compliance with the provisions of Section 1985 of the Code of Civil Procedure shall be a condition precedent to the issuance of a subpoena duces tecum. After the hearing has commenced the agency itself hearing a case or a hearing officer sitting alone may issue subpoenas and subpoenas duces tecum.

(b) The process issued pursuant to subdivision (a) shall be extended to all parts of the state and shall be served in accordance with the provisions of Sections 1987 and 1988 of the Code of Civil Procedure. No witness shall be obliged to attend at a place out of the county in which he resides unless the distance be less than 150 miles from his place of residence except that the agency, upon affidavit of any party showing that the testimony of such witness is material and necessary, may endorse on the subpoena an order requiring the attendance of such witness.

(c) All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the state or any political subdivision thereof, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed by law for witnesses in civil actions in a superior court. Witnesses appearing pursuant to subpoena, except the parties, who attend hearings at points so far removed from their residences as to prohibit return thereto from day to day shall be entitled in addition to fees and mileage to a per diem compensation of three dollars ($3) for expenses of subsistence for each day of actual attendance and for each day necessarily occupied in traveling to and from the hearing. Fees, mileage and expenses of subsistence shall be paid by the party at whose request the witness is subpoenaed.

CHAPTER 809

An act to amend Section 12.4 of Chapter 138, Statutes of 1964, First Extraordinary Session, relating to the disposition of oil and dry gas revenues derived from public lands payable to the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 31, 1968. Filed with Secretary of State July 31, 1968.]

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

SECTION 1. Section 12.4 of Chapter 138, Statutes of 1964, First Extraordinary Session, is amended to read:

Sec. 12.4. During the fiscal years 1967–1968 and 1968–1969, an aggregate amount of one million eight hundred thou-
sand dollars ($1,800,000) of the oil revenue and dry gas revenue payable to the State of California under this act those years, after the amount provided for in Section 12 is deposited in the California Water Fund, the amount provided for in Section 12.1 is deposited in the Central Valley Water Project Construction Fund, the amount provided for in Section 12.2 is deposited in the State Water Quality Control Fund, and the amount provided for in Section 12.3 is paid to the Southern California Rapid Transit District, shall be deposited in the State Water Quality Control Fund, and shall be available for expenditure, when appropriated by the Legislature, in connection with the financing of the extension of facilities for the transportation of treated effluent of the South Lake Tahoe Basin from the summit of Luther Pass to Diamond Valley in Alpine County.

Sec. 2. Notwithstanding the provisions of Chapter 138, Statutes of 1964, First Extraordinary Session, during the fiscal year 1968-1969 only, the first two million dollars ($2,000,000) of the oil revenue and dry gas revenue payable to the State of California under said act that year shall be deposited in the State Water Quality Control Fund, which deposit shall be in lieu of the deposit required by Section 12.2 of said act for the fiscal year 1968-1969.

Sec. 3. The sum deposited in the State Water Quality Control Fund during the 1967-1968 and 1968-1969 fiscal years pursuant to Section 12.4 of Chapter 138, Statutes of 1964, First Extraordinary Session, is hereby appropriated and shall be paid by the State Controller to the State Water Resources Control Board for expenditure in making the loan to the South Tahoe Public Utility District pursuant to the provisions of Chapter 47, Statutes of 1966, First Extraordinary Session, in lieu of the expenditure of the money appropriated from the General Fund by Chapter 47, or to reimburse the General Fund for expenditures made therefrom in making such loan, or both. The State Water Resources Control Board succeeds to all powers and duties of the State Allocation Board under Chapter 47, Statutes of 1966, First Extraordinary Session, in relation to such loan.

In no event shall more than one million eight hundred thousand dollars ($1,800,000) be available for loan to the South Tahoe Public Utility District for the purpose authorized by Chapter 47, Statutes of 1966, First Extraordinary Session, and all money received by the state in repayment of the loan by the district shall be deposited in the State Water Quality Control Fund rather than in the General Fund.

Sec. 4. This act is an urgency statute 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:

Increasing population and urbanization in the Lake Tahoe Basin has created a serious sewage disposal problem which re-
quires immediate action. The provisions of this act are necessary to solve this problem and to assure the maintenance of the quality of other waters of the state. It is therefore essential that this act go into immediate effect.

CHAPTER 810

An act to amend Sections 70 and 210 of, and to add Section 51.5 to, the Streets and Highways Code, relating to state highways.

[Approved by Governor July 31, 1968. Filed with Secretary of State July 31, 1968.]

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

SECTION 1. Section 51.5 is added to the Streets and Highways Code, to read:

51.5. The State Highway Engineer shall be directly responsible to the director for all Division of Highways activities.

SEC. 2. Section 70 of the Streets and Highways Code is amended to read:

70. There is in the department the California Highway Commission, consisting of seven members. The chairman of the commission shall be selected by a majority vote of the members thereof and shall serve for one year on a calendar year basis; provided, that the first chairman selected after the effective date of the 1967 amendments to this section shall serve until January 1, 1968; and provided, further, that no member shall serve as chairman for more than two successive years. The Governor shall nominate and, with the advice and consent of the Senate, shall appoint the members of the commission. Except as provided in Section 70.1, the members shall hold office for terms of four years and until their successors are appointed and qualify. The members shall receive their actual and necessary traveling expenses incurred in the discharge of their duties. Each member of the commission shall take the oath of office prescribed for other state officers. The Director of Public Works shall not be a member of the commission but shall serve as administrative officer thereof and may act for the chairman of the commission in administrative matters. He shall prepare or cause to be prepared the agenda for all meetings of the commission and may, as necessary, call meetings of the commission. The divisions shall transmit their recommendations affecting the activities of the commission directly to the director. He shall have final authority and responsibility to make such recommendations, but he shall transmit the recommendations of the divisions to the commission along with his own. The director shall comment on all recommendations made to the commission by the divisions when he