An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.

[Approved by the Governor April 5, 1927. In effect July 29, 1927]

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

SECTION 1. There is hereby granted to the city of Newport Beach, a municipal corporation of the State of California, and to its successors, all of the right, title, and interest of the State of California held by said state by virtue of its sovereignty, in and to all of the tidelands and submerged lands bordering upon, in, and under Newport Bay, situated below the line of mean high tide of the Pacific Ocean not heretofore granted to said city or to the county of Orange, to be forever held by the city of Newport Beach and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and for the protection of the lands within said city. And said city 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 purpose whatever; provided, that said city or its successors may grant franchises thereon for a period not exceeding twenty-five years for wharves, and other public uses and purposes, and may lease said lands or any part thereof for limited periods, in any event not to exceed twenty-five years for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California or with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said city without expense to the state and shall always remain a public harbor 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 improvement constructed on said lands or any part thereof for any vessel or other water craft 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, or appliances 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 city, or by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

CHAPTER 71.

An act to amend section twelve of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, relating to the revocation of licenses.

[Approved by the Governor April 5, 1927. In effect July 29, 1927.]

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

Section 1. Section 12 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, is hereby amended to read as follows:

Sec. 12. The director of agriculture shall have the power, after a hearing as provided in section 353 of the Political Code, to cancel the registration of or to refuse to register any manufacturer, agent of or dealer in any commercial fertilizer who sells, offers for sale or proposes to sell or offer for sale any commercial fertilizer or material to be used for manurial purposes which is generally detrimental or seriously injurious to plants when applied as directed or which is known to be of little or no value for the purposes for which it is intended, or for which fraudulent, untrue or misleading claims are made or implied. Said director shall have the power to cancel the registration or refuse to register any manufacturer, agent of or dealer in any commercial fertilizer or material to be used for manurial purposes who repeatedly violates the provisions of this act.