CHAPTER 799

An act to add Section 54910 to the Government Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 12, 1961. Filed with Secretary of State June 12, 1961.]

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

SECTION 1. Section 54910 is added to the Government Code, to read:

54910. Notwithstanding the provisions of Sections 54902, 54903, and 54903.1, any change of boundaries of a school district pursuant to Article 10 (commencing with Section 2401) of Chapter 6 of Division 5 of the Education Code which was completed prior to the effective date of this section shall be effective for assessment and taxation purposes if the statement and map as required by Sections 54900 and 54903.1 are filed by the district on or before May 1, 1961.

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:

A question has arisen as to the validity of any tax that may be levied for the 1961-62 fiscal year in a school district that has been transferred from one high school district to another. Those directly concerned have been reasonably unaware that as a result of such transfer a change of boundaries may have resulted, requiring the filing of a statement and map or plat with the county assessor and State Board of Equalization as a condition to levying taxes for school purposes for the fiscal year 1961-62.

Unless such failure to file the statement and map or plat is corrected in accordance with this act, the annexing district will be without power to levy taxes or assessments in the area affected and services in said area will be jeopardized or seriously curtailed.

CHAPTER 799

An act to amend Section 1 of Chapter 1064 of the Statutes of 1959, relating to tide and submerged lands in the County of Sonoma.

[Approved by Governor June 12, 1961. Filed with Secretary of State June 15, 1961.]

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

SECTION 1. Section 1 of Chapter 1064 of the Statutes of 1959 is amended to read:
Section 1. There is hereby granted to the County of Sonoma, 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 tide and submerged lands bounded and described as follows:

That part of Bodega Harbor, in Sonoma County, California, situated inside and landward of a straight line beginning at the southwesterly end of the South Jetty at the entrance to said Bodega Harbor at its intersection with Bodega Head, running thence north to a point in the North Jetty on the sand spit locally known as "Doran Park"; said tide and submerged lands lie bayward of the ordinary high water mark as meandered and shown on the United States General Land Office Plat for Bodega Ranch, and specifically described on said plat between stations; and by courses numbered 79 to 131, both inclusive, as surveyed by the U. S. Surveyor General for California and dated November 21, 1857.

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:

(a) That said lands shall be used by said county, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or 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 by air as well as by water, 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.

Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise granted by said county under the Broughton Act, and any such franchise shall be effective with respect to said lands when title thereto passes to said county hereunder.

(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: provided, that any lease of said land proposed to be made by said county may, with respect to the reservation of mineral rights by the State set forth in this subdivision (e), be submitted by said county to the State Lands Commission. Acting by and through the State Lands Commission, indicated by appropriate endorsement on the proposed lease, the State may agree that, for the term of said lease, the State, its successors or assigns, shall not have the right to enter upon the surface of the lands proposed to be leased for the purpose of extracting or removing said minerals, but shall have the right to extract and remove said minerals by means of slant-drilled wells located on adjacent or nearby land or by any other means that shall not require entry upon the surface of the premises proposed to be leased, and which will not impair the lateral or subjacent support of the demised premises and of any fill or improvements then on the demised premises or which may thereafter be placed thereon. As a condition precedent to such action, the State Lands Commission shall first ascertain that the State has immediate and unimpaired access to lands adjacent or contiguous, or both, to the premises described in the proposed lease for the purpose of carrying out such mineral extractions, without cost to the State, and that such access by the State shall remain unimpaired for the term of the proposed lease. Any interruption of such unimpaired access by the State, during the term of the lease, shall operate to terminate any limitation upon its rights which may have been accepted by the State, pursuant to this subdivision (e), prior to the effective date of the lease.

(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 per-
An act to add Sections 1651 and 14218 to the Elections Code as enacted by the Legislature at its 1961 Regular Session, relating to procedures at the polls.

In effect September 15, 1961

[Approved by Governor June 12, 1961. Filed with Secretary of State June 12, 1961]

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

Note: The sections of the Elections Code affected by this chapter appear in their proper places in that code, Chapter 23 of the Statutes of 1961, as required by Section 9762 of the Government Code.