

48. (Proposed Legislation- W.O. 344) The Commission was informed that there are several items with respect to legislation. The following items have been divided into two categories, those of a technical nature, listed under A; and those of a policy nature, listed under B:

A:

1. Renumber Section 6210.3 (2nd) to 6210.4, renumber 6210.4 to 6210.5, and renumber 6210.5 to 6210.6.
2. Amend Section 6321-6326 to permit structures for safety and recreational use to be built by public bodies on artificially accreted tidelands which use is inferentially prohibited. The State Park Commission has recently encountered a situation at Santa Monica that such an amendment would be helpful in solving, by permitting structures to be built that are definitely in the public's interest, such as lifeguard stations, etc.
3. Amend Section 6401 of the Public Resources Code as amended in 1947 by inserting in line (1) after the word "gas", a comma.
4. Amend Section 6897 by striking out after the word "applicants" in line 8 the following: "in areas not exceeding 80 acres and in tracts which shall not exceed in length 2 1/2 times the width,"
5. Amend Section 7406 in line 10 after the word "Section 7303" by adding "Section 7405.1."
6. Amend Section 7410 by striking out after the word "law" in line 3, the comma and inserting a period and strike out the words "and no person may purchase such a certificate representing more than 640 acres of land,"
7. Amend Section 7704 by inserting in line (1) after the word "applications" the following: "for land suitable for cultivation without artificial irrigation." In line 2 strike out the word "six" and insert in lieu thereof the word "twelve".
8. Amend Section 7705 of the Public Resources Code by adding after the word "purposes" in sub-section(b) the following: "except as otherwise specifically permitted by Chapter I of this Part".
9. Amend Section 7706 by striking out in line 3 of this section the word "received,"
10. Amend Section 7729 of the Public Resources Code by adding at the end of the section the following: "provided, however, that the United States shall not be required to make payment for State land until the patent is delivered".

B:

1. Enact legislation to authorize and validate by a general statute sales of State land made during the calendar year 1948 in order to overcome the question raised by the Attorney General as to authority of the State Lands Commission to sell Morrison and Tinsley Islands. These lands were acquired by the State in connection with the Stockton Deep Water Channel and are no longer needed by the State except as provided in the deed of sale wherein a reservation is made to permit such use of the land as is required for maintenance of levees and for the deposit of dredger spoils.

2. Repeal Chapter 271 of the 1923 Statutes withdrawing from sale or lease certain school lands for use and benefit of Indians. This act affected 1480 acres of vacant school land in Modoc, Lassen, and Plumas Counties. Inspection indicates that the Indians are not now and never have used these lands. These lands could be sold at the present time quite advantageously.

3. (Regents Lots, Vermont Avenue) In the conveyance as required by Chapter 182 of 1943 whereby certain lots in the Melrose-Vermont area of Los Angeles were transferred from the Regents of the University of California to the State, there was apparently an error in the deed description with respect to a portion of the lands fronting on Vermont Avenue. The deed does not convey the reversionary interest on a 10 foot strip of the lots fronting on Vermont under which the City of Los Angeles had taken a condemnation for an easement for street widening purposes. The Braille Institute, purchaser of six of these lots, and two lots remaining in the State are affected by this lack of conveyance. Legislation should be enacted to convey from the Regents to the State all of the interest including the reversion in the 10 foot strip that the Regents of the University of California had in these lots.

4. Under Section 6401 of the Public Resources Code, all minerals in State lands under the jurisdiction of the Commission are reserved to the State and may be extracted only upon a rental and royalty basis. Under certain circumstances the Army Engineers find it less costly to the Federal Government in maintaining navigable streams to permit a dredging contractor to take all sand and gravel removed from the navigable streams in the course of the dredging operation. It is, therefore, in the public's interest to permit contractors with the Federal Government for improvement of navigable streams to remove and utilize dredger spoils obtained under such contract without the encumbrance of a royalty payment to the State. It is suggested that Section 6303 be amended to provide that where the Federal Government enters into a contract or specifically permits the dredging of navigable streams for the improvement of navigation, the State Lands Commission may not be required to collect a royalty from the contractor or permittee for the sand and gravel or other spoils dredged from the sovereign lands of the State.

5. Since the building of the dam below Clear Lake in Lake County, the water level of the lake has receded to such an extent that a portion of the bed of the lake which is sovereign land has been permanently uncovered and a small island containing about three acres has been formed. Application has been made to the Commission to purchase the Island. There is no authority of law providing for the sale of such islands. It is suggested that legislation be secured to enable the Commission to sell the island in the same manner as provided in Chapter 142, Statutes of 1923.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing proposed legislative items listed under A above, and under B above, as follows:

1. Approved
2. Approved
3. Approved, subject to approval by the University of California.
4. Approved, subject to its being applied to all public agencies, rather than only the Federal Government.
5. Approved