

# STATUTES OF CALIFORNIA 1943

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CONSTITUTION OF 1879 AS AMENDED

MEASURES SUBMITTED TO VOTE  
OF ELECTORS, 1942

GENERAL LAWS, AMENDMENTS TO  
CODES, RESOLUTIONS AND  
CONSTITUTIONAL AMENDMENTS

PASSED AT THE

FIRST AND SECOND EXTRA SESSIONS OF THE  
FIFTY-FOURTH LEGISLATURE, 1941-1942

THE

REGULAR SESSION OF THE FIFTY-FIFTH  
LEGISLATURE, 1943

AND THE

FIRST AND SECOND EXTRA SESSIONS OF THE  
FIFTY-FIFTH LEGISLATURE, 1943



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## CHAPTER 608

*An act to amend Section 30 of the State Employees' Retirement Act, relating to the membership of the retirement system established thereunder.*

Stats. 1931,  
p 1442,  
amended

[Approved by Governor May 19, 1943. Filed with Secretary of State  
May 19, 1943.]

In effect  
August 4,  
1943

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

SECTION 1. Section 30 of the State Employees' Retirement Act is amended to read:

Stats 1941,  
p 2553

Sec. 30. Elective officers, other than elective officers who file with the Board of Administration an election in writing to become members; provided, that any person so excluded from membership, who later becomes a member hereof, shall have the option of making contributions to the retirement system in the amount which he would have contributed had he not been so excluded, and he shall then receive credit for prior service in the same manner as if he had not been so excluded. If he shall affirmatively exercise the option, the contributions of the State, or of the contracting city because of his membership, shall be the same as they would have been had he not been so excluded.

Elective  
officers

## CHAPTER 609

*An act to add Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, to Division 6 of the Public Resources Code, and to add Sections 10014, 10015, and 10016 to Division 10 thereof, thereby revising and consolidating the law relating to the natural resources of the State, including the sale and exchange of land, and granting and taking rights and interests therein, and regulating the use thereof, by the State and its political subdivisions.*

Stats 1939,  
p 1067,  
amended

[Approved by Governor May 19, 1943. Filed with Secretary of State  
May 19, 1943.]

In effect  
August 4,  
1943

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

SECTION 1. Parts 3 and 4, comprising Sections 7301 to 8557, inclusive, are added to Division 6 of the Public Resources Code, to read:

New parts

## PART 3. SALE OF PUBLIC LANDS

## CHAPTER 1. SALE OF SCHOOL LANDS

Article 1. Lands Not Suitable for Cultivation, and  
Reserved Lands

7301. The unsold and unreserved portions of the sixteenth and thirty-sixth sections of school lands, the unsold portions of the 500,000 acres granted to the State for school purposes, and the unsold portions of the listed lands selected of the

Sale of land  
not suitable  
for culti-  
vation  
See also  
Stats 1943,  
Ch. 759

State, the land agent of the university, as the agent of the State, shall make an order, referring the contest to the superior court of the county in which the land involved is situated, and shall enter the order in the proper record book of his office. The party making such demand shall prosecute his contest to judgment within six months from the date of the demand, unless for cause satisfactory to the court. Either party may bring an action in the superior court of the county in which the land in question is situated, to determine the conflict. The proffer of a certified copy of the entry, made by the agent, shall give the superior court full and complete jurisdiction to hear and determine the conflict. Upon the filing, with the agent, of a copy of the final judgment of the court, he shall issue the certificate of purchase, or other evidence of title, in accordance with the final judgment.

## PART 4. FEDERAL LANDS

### CHAPTER 1. SITES FOR AIDS TO NAVIGATION

8301. The Governor, on application therefor by a duly authorized agent, may convey to the United States any tract of land not exceeding 10 acres, belonging to the State and covered by navigable waters, for the site of a lighthouse, beacon, or other aid to navigation. After conveyance, the United States shall have jurisdiction over the tract, subject to the right of the State to have concurrent jurisdiction so far that all process, civil or criminal, issued under authority of the State may be executed by the proper officers thereof within the tract, upon any person amenable thereto, in like manner and with like effect as if the conveyance had not been made.

### CHAPTER 2. RIGHTS OF WAY OVER STATE LANDS

8351. A right of way is hereby granted over the proprietary lands of this State, and over any land which may hereafter be held or owned by this State in its proprietary capacity, to the United States, for all telegraph, telephone, power or light lines, roads, railroads, tramways, dikes, levees, dams, mounds, embankments, tunnels, ditches or canals, or other works, structures or excavations requiring rights of way built, erected, excavated or constructed under the provisions of the act of Congress, approved June 17, 1902, relating to irrigation and reclamation; but no such right of way shall be so exercised nor shall anything be so built, erected, excavated, or constructed in connection therewith or in relation thereto, as to interfere with or affect, in any way, the natural conditions of any interstate lake or the banks or bed thereof or the flow of waters therein or into the same or the outflow of waters therefrom.

8352. All patents or conveyances of such lands which are hereafter located or filed on shall be issued subject to the rights of way provided for in this chapter.