

STATUTES OF CALIFORNIA

1938

CONSTITUTION OF 1879 AS AMENDED
GENERAL LAWS, AMENDMENTS TO
CODES, RESOLUTIONS AND
CONSTITUTIONAL
AMENDMENTS

PASSED AT THE

EXTRA SESSION OF THE FIFTY-SECOND
LEGISLATURE, 1938



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yards would not only facilitate the speed with which such construction could be undertaken but would also relieve the economic conditions in the State of California, which is already carrying a heavy burden of transient population from other States; and

WHEREAS, It is essential to good defense policy that a portion of the fleet be kept at all times in the Pacific waters with good and efficient yards to repair and construct said ships; and

WHEREAS, A steady employment load which is created by a regular construction program enables the shipyards to retain their skilled mechanics and function more efficiently than an irregular load; and

WHEREAS, The awarding of contracts for the construction of naval forces to the Pacific Coast shipyards will be not only a benefit to the Federal Government but also to the citizens of the State of California;

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States take all action necessary or convenient to assure the construction of battleships, cruisers and other naval equipment on the Pacific Coast and that they make all necessary provision for such construction at their own Government yard at Mare Island, if any, which may be necessary so that construction may be begun at all Pacific Coast yards at the earliest possible date.

Resolved, That the chief clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and member of the House of Representatives from California in the Congress of the United States and to the Secretary of the Navy at Washington, D. C., and that they be urged to support an extensive naval construction program for the Pacific Coast shipyards.

CHAPTER 11.

Assembly Joint Resolution No. 2—Relative to accepting a permit from the Government of the United States for the construction of a State highway, known as the Funston Avenue Approach, over certain rights of way and relating to the retrocession by the Congress of the United States of jurisdiction over the said rights of way.

[Filed with Secretary of State March 16, 1938.]

WHEREAS, The Department of Public Works of the State of California has made application on behalf of the State of California to the Secretary of War of the United States for the grant of a permit for a right of way for the construction of a portion of State highway route 56 through the Presidio

Funston
Avenue
Approach
Rights of
way.

of San Francisco, a military reservation of the Government of the United States, which State highway is commonly known as the Funston Avenue approach to the Golden Gate Bridge, and which application is now pending in the office of the Secretary of War of the United States; and

WHEREAS, It is anticipated that the said permit will require as a condition precedent to the taking effect thereof that the State of California accept the same and agree to certain conditions relative to jurisdiction over said right of way; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the State of California does hereby make application to Congress for a retrocession of jurisdiction over the rights of way described in said application now on file if the permit therefor be granted by the Secretary of War and will, in case such retrocession of jurisdiction is granted by Congress, accept the same and will assume the responsibility for managing, controlling, policing and regulating traffic thereon, all subject to the following limitations and to such other limitations as Congress may prescribe:

(1) That whenever in the judgment of the Secretary of War or his authorized representative an emergency exists which justifies it, he may assume exclusive control and management of such road, and may then in his discretion prohibit, limit, or regulate traffic thereon, and, for the passage of troops across the road, the Commanding General, 9th Corps Area, may suspend traffic on said road while the troops are crossing.

(2) The United States shall not be responsible for damages to property or injuries to persons upon said roads, or for damages to persons or property which may arise incident to the construction, maintenance or operation of said road, and the grantee shall save the United States harmless from any claims for such damages.

(3) That the rights hereby granted shall be subject to such rules and regulations as may from time to time be prescribed by the Secretary of War or his authorized representative, and subject also to any conditions which Congress may prescribe; and be it further

Resolved, That the State of California does hereby agree to make the said highway in said permit described a part of the system of public highways of the State; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, Secretary of War, to each house of Congress and to the Senators and Representatives in Congress of the State of California.