

ASSEMBLY INTERIM COMMITTEE REPORTS
1957-1959

VOLUME 13

NUMBER 26

FOURTH REPORT

REPORT OF THE SUBCOMMITTEE ON
IMPACT OF ENEMY ATTACK ON ECONOMY AND
CONSTITUTIONAL GOVERNMENT OF THE
STATE OF CALIFORNIA

A SUBCOMMITTEE OF THE
ASSEMBLY INTERIM COMMITTEE ON CONSERVATION,
PLANNING, AND PUBLIC WORKS

House Resolution No. 53, 1956

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March, 1959



Published by the
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OF THE STATE OF CALIFORNIA

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REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal; and 1,000 copies of the report be ordered printed as a separate document out of committee funds.

COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON
CONSERVATION, PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 5, 1959

HON. RALPH M. BROWN
Speaker of the Assembly
Members of the Assembly
Assembly Chamber, Sacramento

The work of the subcommittee on the Impact of Enemy Attack under the capable chairmanship of Assemblyman Vernon Kilpatrick has commanded national attention. Many of the accomplishments and recommendations in the subcommittee's three previous reports have resulted in a material strengthening of the civil defense and survival program for the State and Nation.

I strongly recommend a continuation of the activities of this subcommittee in the 1959-60 interim, confident that the people of the State of California will benefit greatly.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 5, 1959

*To the Committee on Conservation,
Planning, and Public Works
California State Assembly, Sacramento*

GENTLEMEN · More than four years of extensive study have been expended by your subcommittee on the problems of succession to public office and preservation of records in view of a possible devastating enemy nuclear attack.

It is gratifying to be able to report real progress through the co-operation of the Legislature, men like Chairman J. Warren Beebe and his colleagues in the Los Angeles and State Bar Associations, capable staff assistance by Mr. James Williams, Mr. John Caswell of the office of Legislative Analyst, Professor Charles Fairman, Professor of Law in Harvard Law School, Mr. John E. McCormick, the host of witnesses who have given valuable help, and all others who have an interest in the problems and necessity of adequate civil defense.

The subcommittee has concluded after careful consideration that the scope of its activities should be expanded. There are many aspects of the civil defense problem in which a legislative committee can assist.

We would particularly stress the importance of an exhaustive review of all necessary factors involved in the site selection and construction of an alternate seat of government and State Disaster Control center.

We are deeply appreciative of the interest and co-operation of the Legislature in its consideration of our program.

Respectfully submitted,

VERNON KILPATRICK, Chairman
JACK A. BEAVER
ALLEN MILLER
BRUCE SUMNER

Subcommittee on Impact of Enemy Attack on
the Economy and Constitutional Government
of the State of California

FINDINGS AND RECOMMENDATIONS

The subcommittee's continued studies have been an enlargement of the work previously reported and an appraisal of work to be considered.

The problems of succession to elective office were largely cared for in the 1958 First Extraordinary Session.¹ Assembly Bills Nos. 1713, 1714 and 1867² would provide for standby replacement for constitutional officers and members of the Legislature in event of their death or incapacity resulting from an enemy attack.

The matter of preservation of records at the state level was provided for in the 1958 First Extraordinary Session.³ Additional Administrative Orders 58-9—58-16 have been issued by the California Disaster Office.⁴ The Department of Finance through the Organization and Cost Control Division have proceeded diligently in assisting the operating departments of the State with an appraisal and analysis of the essential records of each agency assigned an administrative order by the California Disaster Office.⁵

The matter of preservation of local court records has not been resolved. Passage of Assembly Bill No. 580⁶ is recommended by this subcommittee.

To qualify for existing and possible federal matching funds in the operation of the California Disaster Office, all local disaster offices and related defense building programs, the subcommittee recommends the passage of Assembly Bill No. 1265 and Assembly Joint Resolution No. 14.⁷

The matter of judicial succession or assignment in the event of a chaotic change in our way of life due to a major disaster has not been resolved. To obtain the recommendations of those most qualified to know, the subcommittee recommends passage of Assembly Concurrent Resolution 66.⁸

In this period of our history, hourly press coverage reveals a rapidly deteriorating state of international relationship. The destructive potential of modern weapons is already supreme—by some authorities sufficient to obliterate all living things on earth. True it is that sane people and sane governments will not unleash these forces, for to destroy others is to invite their own destruction. But sanity is not a universal attribute and accidents can happen.

It would appear to the subcommittee that there is a preparedness urgency existent for the provision of an insurance policy for the people of the State and Nation to the greatest extent.

Each passing moment very possibly is bringing the hour of necessity closer.

The subcommittee subscribes fully to the fact that the function of Civil Defense is primarily a federal responsibility since no state or locality will be affected by itself and the very nature of any future war will be all consuming. The subcommittee feels, however, that urgency and equity demand a close liaison of effort and ideas from all levels of government and industry in the rapid shaping of a concise, all-en-

¹ Third Report—pages 45-57.

² Appendices 1, 2, 3.

³ Third Report—pages 55, 58-72.

⁴ Appendices 4, 5, 6, 7, 8, 9, 10, 11.

⁵ Appendix 12.

⁶ Appendix 13.

⁷ Appendices 14, 15.

⁸ Appendix 16.

compassing effort of civil preparedness. It is recognized that the job is uniquely difficult because human nature will accommodate only so much tension and strain before developing an immunity manifest by indifference. The problem then is to establish a series of procedures and methods at the ready, simple enough in concept and operation that a people thrust into a state of extreme shock and chaos, may survive in as great a number as possible and be able to recoup their forces for retaliation and reconstruction.

It is the finding of the subcommittee that, at the present time, such machinery does *not* exist although real effort is being made in that direction. It has been observed by the subcommittee staff that the layman, when giving rare thought to the problem, feels that he has provided for him the means of protection. The sad fact is that they do not at this time which, in the opinion of the subcommittee, is even a more grave indictment of the efforts so far.

The subcommittee recommends strongly increased study by a continuation of the subcommittee's activity with particular emphasis on the following :

1. **Compliance.** Determination that there will be active policing of the assigned duties of state operating departments and divisions. It is felt that statute and administrative directives have provided adequate authority and machinery for an effective preparedness program in the Civil Defense problem. It is believed, however, that continual review and revision of manuals and modus operandi is imperative. It is recommended that continued top level supervision be applied in all instances.

2. **Liaison—Local.** Effort be made to provide a stronger chain of command from the State Disaster Office to the county and city disaster offices. Staff determination has been that the local levels of government desire to be integrated as much as possible into a uniformly functioning machine. Bearing in mind the basic premise that the function of civil defense will be invoked only in a time of hysteria, shock and chaos, the procedures must be such that operations will be simple of execution and receptive to outside interim authority without question of procedural differences.

3. **Liaison—Federal.** Closer liaison and working relationship between the California Disaster Office and the OCDM. While there has been marked improvement in the past months, much is yet to be done. The federal responsibility is paramount. However, it will remain for the State and local agencies to bear the first shock and be able to recover.

4. **Hospitals.** Insofar as possible the adequacy of the emergency hospital supply and operation be determined and made public knowledge. The subcommittee has been informed that there are over 200 200-bed hospitals in storage in California. To be determined and properly publicized is their location and their erection and staffing procedures. It is probable that local training programs will be necessary taking full advantage of local professional, semiprofessional and lay talent for emergency operation.

5. **Secrecy.** That all aspects of restriction or secrecy be removed from information dealing with matters of civil defense. It is the conclusion of the subcommittee that a fully informed public will be more receptive to an operable civil defense plan.

6. Stockpiling. It is recommended that a complete re-evaluation of stockpiles of medicines, food, clothing, etc. be made.

Industry must be consulted and encouraged to co-operate with civil defense authorities in this important aspect. The subcommittee believes, after some consultation with representatives of industry, that they, industry, are waiting anxiously to do their part. This is not totally unselfish as their survival depends on a well conceived and executed civil defense plan.

7. Evacuation Routes. That evacuation routes and assembly centers be signed adequately and knowledge of these routes and areas be given broad publicity.

The subcommittee does not subscribe to the evacuation policy per se, since it is convinced that a surprise attack by guided missiles would make this impossible. However, it is conceivable that warning time might be available in certain circumstances and preparedness for orderly evacuation should be provided.

8. Shelters. That encouragement be given to the erection of family and community shelters. Extensive tests by the AEC and private research firms has indicated a real value as protection from fallout in certain reasonably priced shelters.

It is possible some method of tax relief for those desiring to build such shelters would be worth considering.

9. Blood Banks. That the supply and storage facilities of reserve blood be studied. Recognition of the problems is made, but the importance of this item leads the subcommittee to recommend that the Department of Public Health and other interested agencies adopt a sound plan of preparation for a possible extreme demand.

10. Co-ordination With Industry. The subcommittee recommends that all possible effort be made to co-ordinate state and local defense efforts with those of industry. It has been observed that industry, particularly, transportation, petroleum products, banking and finance, food, utilities, and defense plants have done a great deal to provide for their own survival. In many instances, elaborate and costly decentralization has been established. Many of the members of industry have inter-related plans and manuals covering their emergency plans. It appears imperative that all governmental defense plans take into account those of industry in the gross meaning of the word.

ALTERNATE SEAT OF GOVERNMENT

At the present time, the campus of Chico State College in Chico, Butte County, is designated as the alternate seat of State Government and the emergency control center for disaster relief.

The subcommittee does not believe this to be adequate with respect to either location or facility. Fallout predictions by the OCDM reveal that Chico is not one of the most safe locations. It is noted also that all facilities are above ground thus rendering them subject to destruction or extensive damage by any wayward missile.

While it is true that no spot is completely safe from destruction, damage or contamination, it is felt that effort should be made to provide facilities underground. The subcommittee chairman personally has inspected underground facilities in Portland, Oregon, and Phoenix, Arizona, which were built specifically for the purpose of emergency governmental operation and disaster control direction.

The Seventh Regional Office of OCDM conducted a survey of various mines and quarries in California for possible use by their office. Of special interest to the subcommittee was their report on a limestone quarry owned by the United States Lime Products Co., one mile south of the City of Sonora, Tuolumne County.⁹ The OCDM has found the quarry suitable in most respects but from their point of view has three disadvantages:

- "1. Distance and accessibility from Santa Rosa and San Francisco.
- "2. Some expense, possibly \$25,000, to prepare for occupancy.
- "3. Sonora is not a major communications center."

The subcommittee chairman, accompanied by Mr. Williams of the staff, Mr. David Keller of the Legislative Analyst's Office and General Plank, engineering officer of the California Disaster Office, subsequently visited the site of the quarry. Inspection of the quarry site was done in the company of the general manager, Mr. Ellsworth, Quarry Manager, Mr. McCandlish, and employees Grindell, Stephen, and Moyle. The company has indicated a willingness to co-operate with the State.

It is noted that the approximate 100-mile distance from Sacramento was driven in under two hours. There is a good airport at Columbia, three miles north of the quarry. Communications could be extended to the quarry site. Power and water are available as well as nearby rail service. A 50-minute drive will put the traveler in Modesto.

It is recommended that the State Disaster Office enlist the aid of the Department of Public Works and Department of Finance for a detailed engineering and economic feasibility report on the suitability of this site for a control center, record storage center and alternate operating seat of government.

⁹ Appendix 17.

It is recommended further that consideration be given to the possible use of any such facility by branches of State Government which could so do without impairing their function. This application of use should aid in the justification of such a facility.

Federal matching funds are available on a 50-50 basis for such facilities.

Closely related to the establishment of a control center is the provision of shelter areas in any contemplated state building. Legislation pending in Congress would provide financial assistance to the State for the inclusion of approved shelter areas. It is recommended that the Department of Public Works and the Department of Finance investigate this possible adjunct to its capital outlay plans.

Finally, the subcommittee recommends that all county and local governments investigate the possibility of establishing their own dispersed sites of government and control centers.¹⁰

¹⁰ Third Report—pages 20 and 22.

CONTINUITY OF CIVIL GOVERNMENT

The action taken by the California Legislature through statute and constitutional amendment has put California into the forefront of state and local governments.¹¹

The Office of Civil and Defense Mobilization and the American Bar Association have recognized the vital necessity for proper consideration of establishing continuity of civilian government—judicial, legislative, and executive—and the continuation of civil law and order in the event of atomic attack, as an important measure in preparing for survival and revival and avoiding martial law in case of atomic attack, and as a deterrent to attack.¹²

¹¹ Third Report of Subcommittee on Impact of Enemy Attack, June, 1958

¹² Appendix 18.

APPENDICES

APPENDIX 1

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY BILL

No. 1713

Introduced by Mr. Kilpatrick
(By request)

February 27, 1959

REFERRED TO COMMITTEE ON NATURAL RESOURCES, PLANNING,
AND PUBLIC WORKS

An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in the event of war or enemy-caused disaster.

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

1 SECTION 1. Chapter 7 (commencing at Section 12700) is
2 added to Part 2 of Division 3 of Title 2 of the Government
3 Code, to read:

4
5 CHAPTER 7. SUCCESSION TO CONSTITUTIONAL OFFICES IN THE
6 EVENT OF WAR OR ENEMY-CAUSED DISASTER

7
8 12700. As used in this section "disaster" means a war or
9 enemy-caused calamity, such as an attack by nuclear weapons,
10 which renders unavailable the Lieutenant Governor, or the
11 Attorney General, or the Secretary of State, or the Treasurer,
12 or the Controller. "Unavailable" means that any such officer
13 is either killed, missing or so seriously injured as to be unable
14 to perform his duties.

15 12701. As soon as practicable after the effective date of this
16 chapter, and thereafter as soon as practicable after his election

LEGISLATIVE COUNSEL'S DIGEST

A. B. 1713 as introduced, Kilpatrick (N. R., P., & P. W.). Succession to the offices of the constitutional officers.

Adds Ch. 7 (commencing at Sec. 12700), Pt. 2, Div. 3, Title 2, Gov. C.

Specifies that each of the constitutional officers, other than the Governor, shall appoint at least three and not more than seven persons as successors to the office in the event that such officer is unavailable as a result of a disaster.

Provides that in the event of a war or enemy-caused disaster in which a vacancy occurs in any of these offices, one of the persons so named, in the order specified in their appointment, shall fill that office, with all of the powers and duties of that office.

1 and qualification to office, each of the constitutional officers
2 named in Section 12700 shall appoint and designate by filing
3 with the Secretary of State the names of at least three and
4 not more than seven citizens qualified to become candidates to
5 the office as their respective successors in the event that such
6 officer is unavailable as a result of disaster. Any such appointee
7 may be replaced by the appointing officer at any time and for
8 any reason. The appointees of the Attorney General may in-
9 clude persons holding the Office of Assistant Attorney General.
10 The appointees of the Controller, Secretary of State, and
11 Treasurer may include persons holding office as their deputies
12 or assistants.

13 In making appointments each constitutional officer shall give
14 consideration to the places of residence and employment of his
15 appointees and shall appoint from different parts of the State
16 so that for each office for which appointments are made there
17 shall be the greatest probability of survival in the event of a
18 disaster of some or all of the appointees.

19 Each person appointed as provided in this section shall take
20 the oath of office and shall deliver to the Secretary of State
21 within 30 days after his appointment a written declaration
22 under oath that he accepts the appointment and that he will
23 faithfully perform the obligations imposed upon him thereby.

24 12702. If any constitutional officer who has appointed suc-
25 cessors as provided in this chapter becomes unavailable be-
26 cause of a disaster, the powers and duties of his office shall
27 devolve upon one of his appointees in the order which he
28 specified in making the appointments and such person shall
29 declare that he is undertaking the duties of the office and take
30 and subscribe the oath therefor; provided, however, that any
31 appointee so designated may declare that he is undertaking
32 the office and take the prescribed oath if no person prior in
33 such order of succession enters upon the office within seven
34 days after the incumbent thereof becomes unavailable.

35 12703. The Attorney General, Secretary of State, Treasurer
36 and Controller shall, in addition to the appointments required
37 to be made by 12701, designate the order in which persons
38 holding office as their deputies or assistants, and not appointed
39 under 12701, shall serve as their respective successors in the
40 event that such officer and the successors appointed by him
41 under 12701 are unavailable as a result of disaster. If any such
42 officer and the successors appointed by him under 12701 are
43 unavailable as a result of disaster, the powers and duties of his
44 office shall devolve upon one of such deputies or assistants in
45 the order designated and such person shall declare that he is
46 undertaking the duties of the office and take and subscribe the
47 oath therefor; provided, however, that any such deputy or
48 assistant may declare that he is undertaking the office and take
49 the prescribed oath if none prior in order of succession enters
50 upon the office within seven days after the incumbent thereof
51 becomes unavailable.

1 12704. Any such person shall, while holding the office, be
2 known as Acting Lieutenant Governor, Acting Attorney Gen-
3 eral, Acting Secretary of State, Acting Treasurer, and Acting
4 Controller, as the case may be, and shall perform the duties of
5 the office and receive the salary and perquisites thereof while
6 so serving, but shall not be deemed to hold that office within
7 the meaning of Section 16 of Article V of the Constitution
8 relating to succession to the governorship. Each such acting
9 constitutional officer shall continue to serve as such until the
10 disabled officer resumes his office, or a person prior in the order
11 of succession declares that he is undertaking the office and
12 takes the oath therefor, or until the office is filled at the next
13 election that is held for that office and a person is elected and
14 qualifies for the particular constitutional office.

APPENDIX 2

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY BILL

No. 1714

Introduced by Mr. Kilpatrick
(By request)

February 27, 1959

REFERRED TO COMMITTEE ON NATURAL RESOURCES, PLANNING,
AND PUBLIC WORKS

An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

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

1 SECTION 1. Article 5 (commencing with Section 12050) is
2 added to Chapter 1 of Part 2 of Division 3 of Title 2 of the
3 Government Code, to read:

4
5 Article 5. Succession to the Office of Governor in the Event
6 of War or Enemy-caused Disaster
7

8 12050. As used in this section "disaster" means a war or
9 enemy-caused calamity occurring in the State of California,
10 such as an attack by nuclear weapons, as a result of which the
11 incumbent Governor is either killed, missing or so seriously
12 injured as to be unable to perform his duties.

13 12051. As soon as practicable after the effective date of
14 this article, and thereafter as soon as practicable after his elec-
15 tion and qualification to office, the Governor shall appoint and
16 designate by filing with the Secretary of State the names of

LEGISLATIVE COUNSEL'S DIGEST

A. B. 1714 as introduced, Kilpatrick (N. R., P., & P. W.). Succession to the Office of Governor.

Adds Art. 5 (commencing at Sec. 12050), Ch. 1, Pt. 2, Div. 3, Title 2, Gov. C.

Specifies that the Governor shall appoint at least four and not more than seven persons as Disaster Acting Governors.

Provides that in the event of a war or enemy-caused disaster in which a vacancy in the Office of Governor is not filled within 24 hours in the manner provided for in Sec. 16 of Art. V of the Constitution, one of the acting governors, in the order specified in their appointment, shall fill the office, with all the powers, duties, perquisites, and salary of that office.

1 at least four and not more than seven citizens qualified to be-
2 come candidates for the office to succeed, in the order specified,
3 to the Office of Governor in the event of disaster. Any such
4 appointee may be replaced by the Governor at any time and
5 for any reason.

6 In making appointments the Governor shall give consider-
7 ation to places of residence and employment of the appointees
8 and shall appoint from different parts of the State so that
9 there shall be the greatest probability of survival in a disaster.

10 Each person appointed as provided in this section shall take
11 the oath of office and shall deliver to the Secretary of State
12 within 30 days after his appointment a written declaration
13 under oath that he accepts the appointment and that he will
14 faithfully perform the obligations imposed upon him thereby
15 and shall thereupon be designated Disaster Acting Governor.

16 12052. In the event that the Office of Governor is not filled
17 within 24 hours after disaster as provided in Section 16 of
18 Article V of the Constitution, one of the Disaster Acting Gov-
19 ernors, in the order specified, shall fill said office and shall de-
20 clare that he is undertaking the duties thereof and take and
21 subscribe the oath therefor and continue to serve therein until
22 the incumbent Governor is able to perform his duties or until
23 his successor is chosen and qualifies or until a person prior in
24 the order of succession declares that he is undertaking the of-
25 fice and takes the oath therefor. Any Disaster Acting Governor
26 may declare that he is undertaking the Office of Governor and
27 take the prescribed oath if no person prior in the order of
28 succession fills said office within 24 hours after disaster.

29 12053. Each Disaster Acting Governor shall, while filling
30 the Office of Governor, have the powers, perform all the duties,
31 and receive the salary and perquisites of said office.

APPENDIX 3

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY BILL

No. 1867

Introduced by Mr. Kilpatrick
(By request)

March 6, 1959

REFERRED TO COMMITTEE ON NATURAL RESOURCES, PLANNING,
AND PUBLIC WORKS

An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

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

1 SECTION 1. Article 8 is added to Chapter 1 of Part 1 of
2 Division 2 of Title 2 of the Government Code, to read:

3
4 Article 8. Succession to Offices of the Legislature in the
5 Event of War or Enemy-caused Disaster

6
7 9144. As used in this article "disaster" means a war or
8 enemy-caused calamity occurring in the State of California,
9 such as an attack by nuclear weapons, which renders unavail-
10 able at least one-fifth of the incumbent members of either
11 house of the Legislature. "Unavailable" means that any such

LEGISLATIVE COUNSEL'S DIGEST

A. B. 1867 as introduced, Kilpatrick (N. R., P., & P. W.). Succession to Legislature.

Adds Art. 8 (commencing at Sec. 9144), Ch. 1, Pt. 1, Div. 2, Title 2, Gov. C.

Provides for alternative methods of temporarily filling vacancies in Legislature resulting from war or enemy-caused disaster.

Authorizes each member to appoint not more than three alternate successors to serve if he is unavailable, and prescribes procedure and manner of qualifying. If a member does not appoint a successor of the latter does not appear to serve, the vacancy may be filled temporarily by the remaining members of the house. If the house does not fill the vacancy then, within specified times and circumstances, an acting member may be appointed alternately by (a) the chairman of certain local boards of supervisors, (b) the mayor of certain cities within 150 miles of the member's residence, or (c) the Governor.

The acting member shall perform the duties and receive the salary and prerequisites of the office, and shall serve until the incumbent becomes able to perform his duties or until his successor is chosen and qualifies.

1 member is either killed, missing or so seriously injured as to
2 be unable to perform his duties.

3 9145. Each Member of the Legislature may appoint and
4 designate by filing with the Secretary of State the names of
5 not more than three citizens as their respective successors in
6 the event that such member is unavailable as a result of dis-
7 aster. The names of the persons so appointed shall be printed
8 in the Journal of the appropriate house. Any such appointee
9 may be replaced by the appointing officer at any time and for
10 any reason. Each appointee shall be of the same political party
11 as the member and shall be qualified to become a candidate for
12 the office, except that an appointee need not be a resident of
13 the district represented by the member if he is a former resi-
14 dent thereof.

15 Each appointee shall take the oath of office and shall deliver
16 to the Secretary of State within 30 days after his appointment
17 a written declaration under oath that he accepts the appoint-
18 ment and that he will faithfully perform the obligations im-
19 posed upon him thereby.

20 9146. If any Member of the Legislature who has appointed
21 successors as provided in this article becomes unavailable be-
22 cause of a disaster, the powers and duties of his office shall
23 devolve upon one of his appointees in the order which he
24 specified in making the appointments and such person shall
25 declare that he is undertaking the duties of the office and take
26 and subscribe the oath therefor; provided, however, that any
27 appointee so designated may declare that he is undertaking
28 the office and take the prescribed oath if no appointee prior
29 in such order of succession enters upon the office within seven
30 days after the incumbent thereof becomes unavailable.

31 9147. If, when the Legislature is convened in extraordi-
32 nary or general session pursuant to Article 2.5 of this chapter,
33 no appointee enters upon the office within a reasonable time
34 after the incumbent thereof becomes unavailable the vacancy
35 may be temporarily filled as provided in Section 9004.

36 9148. If any Member of the Legislature who has not ap-
37 pointed successors as provided in this article becomes unavail-
38 able because of disaster and the vacancy in his office has not
39 been temporarily filled as provided in Section 9004 within two
40 months following such disaster, the powers and duties of his
41 office shall devolve upon a person chosen as follows:

42 First: By the chairman of the board of supervisors of the
43 county within which the district represented by the member is
44 located. If the district represented by the member includes
45 more than one county and there is more than one chairman
46 of a board of supervisors who can make the appointment, the
47 chairman whose last name starts with the lowest letter in the
48 alphabet shall make the appointment. If such chairman does
49 not choose such person within 75 days following a disaster;
50 then,

51 Second: By the chairman of the board of supervisors of
52 any other county within 150 miles of the member's residence

1 beginning with the county whose county seat is nearest the
2 member's residence and going to the county whose county seat
3 is farthest from the member's residence. If such chairman does
4 not choose such person within 80 days following a disaster;
5 then,

6 Third: By the mayor of any city within 150 miles of the
7 member's residence beginning with the city whose city hall is
8 nearest the member's residence and going to the city whose
9 city hall is farthest from the member's residence. If such
10 mayor does not choose such person within 90 days following
11 a disaster; then

12 Fourth: By the Governor.

13 Persons shall be chosen, under the authority of this section,
14 so that each assembly or senatorial district shall be repre-
15 sented, if possible, by an acting member who is a resident of
16 that district and a registered elector of the same political party
17 as of the date of the disaster as the last duly elected member
18 from such district.

19 9149. Any such person upon whom have devolved the
20 powers and duties of a Member of the Legislature shall be
21 known as Acting Assemblyman or Acting Senator, as the case
22 may be, and shall perform the duties of the office and receive
23 the salary and perquisites thereof while so serving and shall
24 continue to serve until the incumbent becomes able to perform
25 his duties or until his successor is chosen and qualifies for that
26 office.

APPENDIX 4

ADMINISTRATIVE ORDER NO. 58-9

Executive Order No. 58-CD-1, issued April 2, 1958 provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the Department of Corrections is assigned responsibility for rendering assistance in the mass care program of the California Disaster Office and, in addition, will advise on technical matters which fall within the province of the Department. Such responsibilities are hereby defined as follows:

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

- a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.
- b. Such mass care assistance shall include, but not be limited to, the following:
 - (1) The provision of lodging and shelter for disaster victims and the preparation and serving of food, where practical, in available areas and facilities under the control of the Department.
 - (2) The readying of such mass care facilities to assure proper sanitation and other necessities required in connection with the provision of lodging and food.

2. During a state of extreme emergency, the director of the Department shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, competent personnel of the Department to serve at the State, regional, and sector levels of the California Disaster Office, as may be required.

3. During a state of disaster, as proclaimed by the Governor, the Department shall, upon request of the Director, California Disaster Office, to the extent its available personnel and resources permit, assign such competent personnel as may be required to advise and give technical assistance to the Director of the California Disaster Office and to its regional and sector co-ordinators, on matters within the cognizance of the Department, and to maintain liaison and channel intelligence between the Department and the California Disaster Office.

4. The Department shall provide the necessary training for personnel so assigned, under the supervision of the Department's Director or of such officers or employees of the Department as the Director may

designate to supervise said training, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and co-ordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 5

ADMINISTRATIVE ORDER NO. 58-10

Executive Order No. 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the Department of Natural Resources is assigned responsibility for assistance in the mass care, firefighting and rescue programs of the California Disaster Office and, in addition, will advise on technical matters which fall within the province of the Department. Such responsibilities are hereby defined as follows:

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.

b. Such mass care assistance shall include, but not be limited to, the following:

(1) The provision of lodging and shelter for disaster victims and the preparation and serving of food, where practical, in available areas and facilities under the control of the Department.

(2) The readying of such mass care facilities to assure proper sanitation and other necessities required in conjunction with the provision of lodging and food.

c. Such fire-fighting and rescue functions shall include, but not be limited to, the organization and integration of the Department's capabilities in these fields into the statewide civil defense program during a state of disaster or a state of extreme emergency.

2. During a state of extreme emergency, the Director of the Department shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, competent personnel of the Department to serve at the State, regional and sector levels of the California Disaster Office, as may be required.

3. During a state of disaster, as proclaimed by the Governor, the Department shall assign, to the extent its available personnel and resources permit, such competent personnel as may be required to advise and give technical assistance to the Director, California Disaster Office, and to its regional and sector co-ordinators, on matters within the cognizance of the Department.

4. The Department shall provide the necessary training for personnel so assigned, under the supervision of the Department's Director or of such officers or employees of the Department as the Director may designate to supervise said training, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and co-ordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 6

ADMINISTRATIVE ORDER NO. 58-11

Executive Order No 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the Department of Mental Hygiene is assigned responsibility for assistance in the mass care program of the California Disaster Office and, in addition, will advise on technical matters which fall within the province of the Department. Such responsibilities are hereby defined as follows:

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.

b. Such mass care assistance shall include, but not be limited to, the following:

- (1) The provision of lodging and shelter for disaster victims and the preparation and serving of food, where practical, in available areas and facilities under the control of the Department.
- (2) The readying of such mass care facilities to assure proper sanitation and other necessities required in conjunction with the provision of lodging and food.

2. During a state of extreme emergency, the Director of the Department shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, competent personnel of the Department to serve at the State, regional and sector levels of the California Disaster Office, as may be required.

3. During a state of disaster, as proclaimed by the Governor, the Department shall assign, upon request of the Director, California Disaster Office, to the extent its available personnel and resources permit, such competent personnel as may be required to advise and give technical assistance to the Director, California Disaster Office, and to its regional and sector co-ordinators, on matters within the cognizance of the Department, and to maintain liaison and channel intelligence between the Department and the California Disaster Office.

4. The Department shall provide the necessary training for personnel so assigned, under the supervision of the Department's Director or of such officers or employees of the Department as the Director may designate to supervise said training, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and co-ordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 7

ADMINISTRATIVE ORDER NO. 58-12

Executive Order No 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the Department of Water Resources is assigned responsibility for assisting the Engineer Division of the California Disaster Office in flood control and flood-fighting activities under conditions of a state of disaster or a state of extreme emergency. Such responsibility is hereby defined as follows:

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

- a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.
- b. Flood control and flood-fighting shall include but shall not be limited to, the operation and maintenance of the physical works of flood control, such as levees, weirs, control structures, channels, by-passes, or temporary works for the prevention of overflow.

2. To the extent its available personnel and resources permit, and as provided in Section C of Executive Order 58-CD-1, the Department shall assign competent personnel of the Department to serve at State, regional and sector offices of the California Disaster Office, to advise and give technical assistance to the Director of the California Disaster Office and to its regional and sector coordinators on flood control and flood-fighting operations, and to maintain liaison and channel intelligence between the Department and the California Disaster Office.

3. The Department shall provide the necessary training for personnel so assigned, and shall make such personnel available for test exercises.

4. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards relating to said responsibilities and shall review and coordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 8

ADMINISTRATIVE ORDER NO. 58-13

Executive Order No. 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the California Aeronautics Commission is assigned responsibility for the activities of the Air Section of the Transportation Division of the California Disaster Office. Such responsibility is hereby defined as follows:

1. The Commission shall prepare to use, and use, the available resources of the Commission, as defined in this Order, and such other

resources as may be made available for such purpose, to perform air transportation functions, as needed, during a state of disaster or a state of extreme emergency.

a. Available resources of the Commission are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Commission, as provided in Section A-2 of Executive Order No. 58-CD-1.

b. Such air transportation activities shall include but not be limited to planning for and directing all matters affecting air transportation within the state insofar as they pertain to disaster or civil defense activities during a state of disaster or a state of extreme emergency.

2. During a state of extreme emergency the Director of the Aeronautics Commission shall be the Chief of the Air Section, Transportation Division, California Disaster Office.

a. To the extent his available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, the Director of Aeronautics shall assign competent personnel to serve on the staff of the California Disaster Office.

b. The Director of Aeronautics shall provide the necessary training for personnel so assigned, and shall make such personnel available for test exercises.

3. During a state of disaster, as proclaimed by the Governor, performance of air transportation activities shall be coordinated by the California Disaster Office. The Director of Aeronautics shall assign, to the extent his available resources permit, such competent personnel as may be required to advise and give technical assistance to the Director of the California Disaster Office and to its regional and sector coordinators on air transportation activities, and to maintain liaison and channel intelligence between the Commission and the California Disaster Office.

4. The Director of Aeronautics shall advise and give technical assistance to the staff of the California Disaster Office in the development of statewide, regional and local plans related to emergency air transportation activities.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards relating to said responsibilities and shall review and coordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 9

ADMINISTRATIVE ORDER NO. 58-14

Executive Order No. 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said Executive Order, the Department of Youth Authority is assigned responsibility for rendering assistance in the mass care and medical care programs of the California Disaster Office and in the fields of transportation and communications.

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during the a state of disaster or a state of extreme emergency.

- a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.
- b. Such mass care assistance shall include, but shall not be limited to, the following:
 - (1) the provision of lodging and shelter for disaster victims and the preparation and serving of food, where practical, in available areas and facilities under the control of the Department.
 - (2) the readying of mass care facilities to assure proper sanitation and other necessities required in connection with the provision of lodging and food.
- c. Such medical care assistance shall include, but shall not be limited to, the following:
 - (1) the provision of first-aid or emergency hospital facilities under the control of the Department.
 - (2) the readying of such facilities to assure proper sanitation and other necessities in connection with the provision of medical care.
- d. Such emergency transportation and communications assistance will include the utilization of available existing departmental facilities as required by local civil defense authorities.

2. During a state of extreme emergency, the Director of the Department shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, competent personnel of the Department to serve at the State, regional, and sector levels of the California Disaster Office, as may be required.

3. During a state of disaster, as proclaimed by the Governor, the Department shall, upon request of the Director, California Disaster Office, to the extent its available personnel and resources permit, assign such competent personnel as may be required to advise and give technical assistance to the director of the California Disaster Office and

to its regional and sector coordinators, on matters within the cognizance of the Department, and to maintain liaison and channel intelligence between the Department and the California Disaster Office.

4. The Department shall provide the necessary training for personnel so assigned, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and coordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 10, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 11, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 10

ADMINISTRATIVE ORDER NO. 58-15

Executive Order No. 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a State agency, with the approval of the Governor.

In accordance with said executive order, the Department of Social Welfare is assigned responsibility for assistance in the Emergency Welfare Services program of the California Disaster Office and, in addition, will advise on technical matters which fall within the province of the Department. Such responsibilities are hereby defined as follows:

1. The Department shall prepare to use, and use, the available resources of the Department, as defined in this Order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

a. Available resources of the Department are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the Department, as provided in Section A-2 of Executive Order No. 58-CD-1.

b. Emergency Welfare Services shall include, but shall not be limited to, the designation of qualified Department employees to:

- (1) co-ordinate and supervise emergency aid and services provided through local government;
- (2) act for the State in the receipt, disbursement, and accountability of Federal funds made available for emergency welfare services; and
- (3) assist, as required, local government in the administration of emergency aid and services.

2. During a state of extreme emergency, the Director of the Department shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1,

competent personnel of the Department to serve at the State, regional and sector levels of the California Disaster Office, as may be required.

3. During a state of disaster, as proclaimed by the Governor, the Department shall assign, upon request of the Director, California Disaster Office, to the extent its available personnel and resources permit, such competent personnel as may be required to advise and give technical assistance to the Director, California Disaster Office, and to its regional and sector coordinators, on matters within the cognizance of the Department, and to maintain liaison and channel intelligence between the Department and the California Disaster Office.

4. The Department shall provide the necessary training for personnel so assigned, under the supervision of the Department's Director or of such officers or employees of the Department as the Director may designate to supervise said training, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and coordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 16, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 18, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 11

ADMINISTRATIVE ORDER NO. 58-16

Executive Order No 58-CD-1, issued April 2, 1958, provides in part that the Director of the California Disaster Office may assign specific civil defense and/or disaster responsibilities to a state agency, with the approval of the Governor.

In accordance with said Executive Order, the Division of Industrial Safety, Department of Industrial Relations, is assigned responsibility for assistance in the radiological safety and facility protection programs of the California Disaster Office and, in addition, will advise on technical matters which fall within the province of the division. Such responsibilities are hereby defined as follows:

1. The division shall prepare to use, and use, the available resources of the division, as defined in this order, and such other resources as may be made available for such purposes, to perform assigned functions, as needed, during a state of disaster or a state of extreme emergency.

a. Available resources of the division are hereby defined as those resources, including the personnel, equipment, supplies, and facilities, not required for the performance of essential normal functions of the division, as provided in Section A-2 of Executive Order No. 58-CD-1.

- b. Radiological safety assistance shall include, but shall not be limited to, the training and utilization of qualified division employees as radiological monitors.
- c. Facility protection responsibilities shall include, but shall not be limited to, the supplying of information and advice to industrial plant managers as to steps which should be taken to provide a program for self-help in the event of a disaster.

2. During a state of extreme emergency, the chief of the division shall assign, to the extent the available personnel and resources permit, and as provided in Section C of Executive Order No. 58-CD-1, competent personnel of the division to serve at the state, regional and sector levels of the California Disaster Office as may be required.

3. During a state of disaster, as proclaimed by the Governor, the division shall assign, upon request of the Director, California Disaster Office, to the extent its available personnel and resources permit, such competent personnel as may be required to advise and give technical assistance to the Director, California Disaster Office, and to its regional and sector co-ordinators, on matters within the cognizance of the division, and to maintain liaison and channel intelligence between the division and the California Disaster Office.

4. The division shall provide the necessary training for personnel so assigned, under the supervision of the chief of the division or of such officers or employees of the division as the chief may designate to supervise said training, and shall make such personnel available for test exercises.

5. The Director of the California Disaster Office shall provide basic assumptions, criteria, and standards related to said responsibilities and shall review and co-ordinate the carrying out of such responsibilities.

The provisions hereof shall become effective upon the date of approval by the Governor.

Date: July 16, 1958

/s/ STANLEY PIERSON
Director
California Disaster Office

APPROVED: July 18, 1958

/s/ GOODWIN J. KNIGHT
Governor of California

APPENDIX 12

DEPARTMENT OF FINANCE REPORT

STATE OF CALIFORNIA
DEPARTMENT OF FINANCE
SACRAMENTO 14, February 2, 1959

ASSEMBLYMAN VERNON KILPATRICK
State Capitol, Sacramento 14, California

DEAR MR. KILPATRICK: In view of the interest you have taken in the preservation of essential state records I would like to tell you of the progress that has been made and review our plan for further action in this field.

We have defined "essential records" and developed a procedure which helps us identify them. This procedure has been applied in our

review of essential records in all of the agencies designated by the California Disaster Office as having a state-of-emergency mission. Our activity in this field has, in several agencies, encouraged their attention not only to essential records, but to their larger responsibility for adequate planning for emergency operations.

The enclosed report relates the progress made and the plan for subsequent work in this field. It is our belief that as work progresses and as agency plans for emergency operations develop, a better procedure may be devised for the evaluation of essential records. The essential records law of 1958 was timely and has helped stimulate action.

We look forward to the implementation of records preservation programs in phase one through issuance of the attached report and through co-operation with the California Disaster Office in review of agency defense plans. As described in the report our plan is to review next the fiscal, personnel and retirement records.

The report also contains suggestions as to how your essential records law of 1958 might be strengthened and improved, in the light of the first year's experience. Please feel free to use these comments, or any other portions of the attached report, in any manner you deem appropriate.

Sincerely,

BERT W. LEVIT
Director of Finance

Survey 1029

PROGRESS REPORT ESSENTIAL RECORDS SURVEY

The Organization and Cost Control Division, Department of Finance, has been directed to develop a plan for the preservation of essential state records which should survive an enemy attack or other major disaster (see Attachment I). On April 2, 1958, the Governor issued an executive order (No. 58-CD-1) on the subject of state operations during a period of disaster or extreme emergency. This order listed the general responsibilities which he was imposing on all state agencies to prepare themselves for the carrying out of essential functions and, among other things, directed them to make plans for the protection and maintenance of vital public records and documents (Attachment II). Later, administrative orders were issued to 16 state agencies assigning specific civil defense responsibilities (Attachment III).

At about the same time the Legislature passed, and the Governor signed AB 73 (Statutes 1958, Chapter 63, First Extraordinary Session; codified as Section 12265, Government Code—Attachment IV). This law provides that each state agency, with the concurrent of the Department of Finance, shall identify its essential records and provide for reproduction of such records in a manner determined by the Department of Finance, and that such reproductions shall be stored by the Secretary of State.

In summary, we find that each state agency is now required by law or executive order to make plans for the protection of:

1. Vital public records (Executive Order, Section A.1.c.)

2. Any records needed for the carrying on of a normal service which is necessary on an emergency basis in event of attack or disaster (Executive Order, Section A.2.)
3. Any records needed to perform the specific civil defense and disaster responsibilities described in an administrative order (Executive Order, Section C.)
4. Any state records that are essential to the functioning of the State Government in the event of a major disaster that would result in the destruction of the records, including any records that are highly important and that would be costly to reproduce or reconstruct (these records, with the concurrence of the Department of Finance, shall be reproduced and stored by the Secretary of State, Government Code, Section 12265).

It would appear from the above that all essential records must be either:

1. Moved out of target areas, or
2. Copied, and the copies placed outside of target areas, or
3. Reproduced, and the reproduction stored by the Secretary of State.

This conclusion is reached through application of the combined requirements of the Executive Order and Government Code Section 12265. However, as discussed below, it would be desirable to amend the Government Code so as to provide a single comprehensive requirement in respect to mode of preservation or protection of records deemed essential.

What Records Are Essential

In developing a plan for this survey it was found necessary first to define the term "essential records." It was considered inadvisable to use a narrow definition of the term "records," because doing so might inadvertently cause oversight of some significant material. The definition used is from the State Administrative Manual, Section 1601.1.

"Records include: papers, books, maps, exhibits, correspondence, photographic films and prints, and other documents which are produced, received, owned, used or to be used by an agency in performing its functions, and which are filed or to be filed in the agency."

A definition of "essential records" was then developed to embrace two categories of such records: records essential to emergency government, and records not essential to emergency government but essential to the resumption of normal government.

In the first category records are either essential or nonessential only with respect to the program in which they are used. It is therefore necessary to identify essential state government programs. For the purposes of this survey the most essential programs or agencies were regarded as those identified in the administrative order written by the California Disaster Office. As those programs are basic to the control of an emergency situation resulting from enemy attack they received first attention. Later, the survey will search for other essential func-

tions not related directly to civil defense, then determine what records, if any, are required for the performance of such functions under emergency conditions.

It appeared that some classes of records should be studied on a government-wide basis, rather than in each agency using such records; for example, fiscal records and personnel records. It is also important that consideration be given to records which have no essential role during an emergency but which would be valuable during a period of reconstruction and resumption of government services.

Attention should be given at this point to the *records* focus of this survey, and to the dependency of records decisions on program decisions. It is necessary to rely heavily on agency program directors, at the bureau, division and department level, to determine what programs are essential, how they are to be carried out, and what records are needed for the emergency performance of such programs. This is not to imply that every agency proposal for records preservation would be unquestioningly accepted. The records focus is stressed because this was the special interest limit within which this survey was made. Our concern was with records requirements of disaster preparation.

It was decided that the survey should be restricted to the executive branch of State Government, exclusive of the Governor's Office.

Phases of the Essential Records Survey

As the problem became better defined, the essential records survey was organized into four phases:

1. Identification of records essential for state-of-emergency control functions (the 16 administrative orders).
2. Identification of essential state fiscal records and essential personnel and retirement records.
3. Identification of records essential only to the performance of normal services which are so important that they must be carried on during an emergency.
4. Identification of records not otherwise included, which would be valuable for reconstruction and resumption of State Government.

General Conclusions—First Phase

The first phase has been completed; all of the 16 agencies have been contacted and a review made of the agencies' plans for carrying out the responsibilities imposed by the administrative orders. Some general conclusions may be drawn from the experience to date:

- 1 *Very few records are deemed essential in an emergency.* Without exception the primary needs to carry out emergency assignments are personnel and equipment. In only one case did we find a need for filed paper records. In another agency a study was made of four significant record groups to verify agency belief that the records would not be useful in a period of emergency. (This belief was confirmed.)
2. State-of-emergency manuals developed by certain agencies materially help to clarify the plan of agency operations in a disaster, including the requirements of preserving records needed for emer-

gency functions. The more comprehensive of these manuals have the following features:

- a. Authority. They express the policy of the agency head.
 - b. Mission defined. The agency's disaster program objective is stated completely, clearly and concisely.
 - c. Method. The plan under which the agency expects to carry out its assigned mission is spelled out in some detail.
 - d. Communication. There is general knowledge and understanding among the staff of the state-of-emergency plan.
 - e. Distribution. Multiple copies of the manual are produced and widely distributed within agency. At low cost this provides a large measure of dispersal to places outside of assumed target areas.
 - f. Revision plan. Incorporated in the manual plan are provisions for amendment to keep the manual current.
3. There is some indication that reference data could be of more value in a period of emergency than some of the basic record systems. Reference data is not always considered record material in a using agency. Yet the reference material may be as important to the agency program as is its equipment. Where this is true, it might be well to develop a plan to assure the availability of the reference material in time of emergency need.

Summarized reports of the essential records for the emergency program assignments in the first 16 administrative orders are shown in Attachment V.

Approaches to Preservation

As stated above, the combined requirements of the executive order and the Government Code are that all essential records must be either moved out of target areas; or copied and the copies placed outside of target areas; or reproduced and the reproductions stored by the Secretary of State. The Government Code (Section 12265) specifically mentions microfilming, authentic reproduction, reproduction by electronic process, and punch cards.

Few essential record groups could be summarily moved out of target areas without seriously disrupting the use pattern of the records and increasing costs of use and possibly of storage. Except for some rare cases, this is not a good method of preservation.

Many record groups could be copied and the copy stored outside of a target area, leaving the original at the normal point of use. This is frequently the only available method of preservation. Two significant questions then arise: how shall the records be copied and where shall the copy be stored? The first question can be answered only with respect to a particular record group. Microfilming may be advanced as a suitable copying method for static records but may not be adaptable for relatively dynamic records, because a microfilm transcript, once made, must be continually amended or it soon ceases to be an accurate copy of the record. This is particularly true of records which are continually being revised. It is slightly less true where there are continual additions to be interfiled in the original record groups. Still, there are some cases where microfilm appears to present a feasible method of copying and storing.

In some record groups the production of current original records in duplicate may eventually provide the most economical method of duplicating the record group.

As most of the essential records are now located within assumed target areas, the problem of storage of records (or microfilm or reproductions) outside of target areas is yet to be solved. The Government Code states that "such material shall then be stored by the Secretary of State in such places within the State as he determines to be appropriate." The present program provides for storing such material in rented space in a commercial vault near Felton, in the Santa Cruz Mountains. This may be the best available storage facility, but it is suggested that some thought be given to the wisdom of storing all the essential records at one site, which may not be readily accessible to the auxiliary seat of State Government, or to the auxiliary headquarters of a state agency, if that is a different place.

As may be seen from the reports in Attachment V, the most significant of the essential records so far encountered are the agency defense plans. In many cases these have been duplicated and dispersed to branch offices in various parts of the State. Dispersal, in itself, has provided a special kind of protection. Though not available as a method of preservation for all kinds of essential records, it merits serious consideration wherever applicable. Some records, currently accumulating, are prepared in multiple, with copies filed in branch offices as well as in the state headquarters. With such dispersal a localized disaster, even at the state headquarters, will not destroy all records. Dispersal frequently fits in with the normal use pattern of records and has this important advantage over a preservation method superimposed on the normal pattern. A record system which is not invoked until a disaster occurs would appear less reliable than a plan which uses regular manuals and field offices of the agency.

When the emergency arrives and the agency wants to use its essential records, some problems may arise: how are the stored records to be transported several hundred miles to the point of use? How are microfilmed records to be used—by viewing on microfilm readers or by the reproduction of paper prints from the microfilm images? Obviously, such problems do not exist where the only essential record is a widely dispersed defense manual. Where other records are involved, vault storage of microfilm may imply the procurement and maintenance on a standby basis of specialized equipment.

Finally, it should be pointed out that any preservation system which requires elaborate machinery or rare skills to use or reproduce the preserved records should be avoided. To some degree this objection applies to microfilm viewing and printing devices. It would be costly to maintain standby equipment outside of the target areas in such a place that would be reachable and inhabitable. An extreme example is the electronic data-processing system in the State Department of Employment which is constructed around an IBM Type 705 located in the center of Sacramento, a target area. The material cost of the system, the skills required in its operation and the great volume of transactions handled by the equipment combine to make consideration of a standby facility unrealistic.

In general, the most suitable method of preserving a given record group may be determined only after a study of the records and their normal use and a study of the way in which the records are to be used during a state of emergency.

Comments About the Essential Records Law

The enactment of Section 12265, Government Code, was timely, and is producing appropriate action. However, we suggest that thought be given to amending this law to correct three weaknesses:

1. "Essential" records may be defined as above (WHAT RECORDS ARE ESSENTIAL).
2. The specific term "microfilming" and the terms "authentic reproduction" and "reproduction by electronic process" be replaced by the word "preservation," allowing wider discretion as to means.
3. It should not be mandatory that the Secretary of State store all essential records, but it would be desirable that the Secretary of State provide appropriate storage facilities for essential records of agencies in need of such services.

Amendment of the law along these lines would, we believe, strengthen the statutory basis for preservation of records against major disaster by state agencies. The experience to date in the implementation of the law suggests that dispersal, a low cost and highly effective approach to preservation, should be fully supported by the wording of the law.

Approach to Essential Fiscal, Personnel and Retirement Records

The second phase of this survey—identification of essential state fiscal, personnel and retirement records—will be separated into two parts: fiscal records and personnel and retirement records.

The study of fiscal records will be done with the cooperation of the staffs of the State Controller and the State Treasurer. As stated before, it is thought desirable to study these records on a government-wide basis, rather than in each using agency. This will not exclude consideration of individual agency processing of financial records which affect the State's assets. However, it will most probably be necessary to limit this study to those records and activities involving the largest dollar amounts, and virtually ignore smaller transactions.

The study of personnel and retirement records will be done with the cooperation of the staffs of the State Personnel Board and the State Employees' Retirement System. Again, these are records which are more easily studied on a government-wide basis. Both this study and the one of fiscal records may develop records series which are best preserved by the using agencies, but a common pattern may more easily be found through the proposed approach.

Plans for Further Work

The third phase of the survey will be the identification of records essential to normal programs which are so important that they must be carried on during an emergency. Here, the search will be directed toward essential "normal" programs. When such a program is found, we will then identify the records (if any) which are vital to the performance of the program.

During the fourth phase of the survey we will be looking for records not essential during an emergency, but which would be highly valuable during a period of post-emergency resumption of state government services.

The third and fourth phases of the survey will include all state government agencies. In addition, work will continue with the agencies which now have administrative orders because as planning for emergency operations develops within those agencies, the records preservation planning will require re-evaluation. Four more administrative orders will be issued soon, and the records needs of the affected agencies will be reviewed as the orders are signed.

JAMES S. FULLER
Administrative Analyst

MARVIN L. BLANCHARD
Organization and Cost
Control Division

APPENDIX 13

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY BILL

No. 580

Introduced by Messrs. Kilpatrick, Miller, Schrade, Nisbet, Beaver,
and Hegland

January 21, 1959

REFERRED TO COMMITTEE ON NATURAL RESOURCES, PLANNING,
AND PUBLIC WORKS

*An act to add Sections 26803.5, 71271, 71272 to the Govern-
ment Code, relating to preservation of superior, municipal,
and justice court records.*

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

- 1 SECTION 1. Section 26803.5 is added to the Government
2 Code, to read :
3 26803.5. The county clerk shall, promptly after he receives
4 for filing a judgment of the superior court or minutes of a
5 superior court, make a copy of same and forward it to the
6 Secretary of State for preservation in a safe place, so that
7 copies of such papers will be preserved in the event of destruc-
8 tion of the originals in a disaster.
9 SEC. 2. Section 71271 is added to said code, to read :
10 71271. The clerk of every municipal court shall make a
11 copy of the minutes of the court, promptly after preparation
12 of the original, and forward same to the Secretary of State
13 for preservation in a safe place, so that copies of such papers
14 will be preserved in the event of destruction of the originals in
15 a disaster.

LEGISLATIVE COUNSEL'S DIGEST

A. B. 580 as introduced, Kilpatrick (N. R., P., & P. W.). Court records.

Adds Secs. 26803.5, 71271, and 71272, Gov. C.

Requires county clerk to forward copies of superior court judgments and minutes, received by him for filing, to Secretary of State for preservation in safe place in case originals are destroyed in disaster. Requires municipal court clerk to make a copy of court minutes and forward same to the Secretary of State for such purpose. Requires clerk of justice court to make copies of dockets and forward same to Secretary of State for such purpose.

1 SEC. 3. Section 71272 is added to said code, to read:
2 71272. The clerk of a justice court shall, promptly after
3 a docket of the court is prepared, make a copy of same and
4 forward it to the Secretary of State for preservation in a
5 safe place, so that copies of such papers will be preserved
6 in the event of destruction of the originals in a disaster.

APPENDIX 14

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY BILL

No. 1265

Introduced by Messrs. Kilpatrick, Masterson, Miller, Beaver,
Nisbet, Schrade, and Sumner
(At the request of Department of Finance)

February 9, 1959

REFERRED TO COMMITTEE ON NATURAL RESOURCES, PLANNING,
AND PUBLIC WORKS

*An act to repeal Sections 1518 and 1518.1 of, and to amend
Section 1518.2 of the Military and Veterans Code, and to
add Sections 1517, 1518, and 1518.1 thereto, relating to pre-
paredness for and mitigation of disasters, including the
establishment of the California Disaster Office as a separate
state agency, declaring the urgency thereof and providing
that this act shall take effect immediately.*

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

- 1 SECTION 1. Sections 1518 and 1518.1 of the Military and
2 Veterans Code are repealed.
3 SEC. 2. Section 1517 is added to said code, to read:
4 1517. There is in the State Government the California
5 Disaster Office, which office is the State Civil Defense Agency.
6 The Director of the Disaster Office, who shall also be the State
7 Director of Civil Defense, shall be in charge of the Disaster
8 Office and shall have all of the rights and powers of a head
9 of a department as provided by the Government Code.
10 The Director of the Disaster Office shall be appointed by the
11 Governor with the consent of the Senate, and shall serve at
12 the pleasure of the Governor. The Director of the Disaster

LEGISLATIVE COUNSEL'S DIGEST

A. B. 1265 as introduced (departmental) (N. R., P., & P. W.). California Disaster Office.

Amends, adds, and repeals various sections, M. & V. C.

Establishes California Disaster Office as a separate state agency, instead of being part of the staff of the Governor, and provides that its employees, including existing employees, other than the director, shall be included in the state civil service system in order to enable the State to be eligible for allocations of federal funds for administrative purposes.

To take effect immediately, urgency measure.

1 Office or the effective date of this section shall continue to
2 serve until his successor is appointed and qualifies.

3 The Director of the Disaster Office shall receive an annual
4 salary as provided for by Chapter 6 (commencing with Sec-
5 tion 11550) of Part 1 of Division 3 of Title 2 of the Govern-
6 ment Code.

7 SEC. 3. Section 1518 is added to said code, to read:

8 1518. The Governor shall assign all or part of his powers
9 and duties to the California Disaster Office, which shall con-
10 sist of the director and a sufficient number of full-time assist-
11 ants, regional co-ordinators, assistant co-ordinators and other
12 personnel to adequately carry out the purposes of this chapter
13 throughout this State, and who shall be appointed by the
14 director subject to the State Civil Service Act and other pro-
15 visions of law.

16 All full-time assistants, regional co-ordinators, assistant co-
17 ordinators and other personnel employed in the Disaster Office
18 on the effective date of this section shall continue to serve as
19 appointees of the Director of the Disaster Office, and the pro-
20 visions of Article XXIV of the Constitution and the term
21 "state civil service" shall apply to and include such persons,
22 who shall be subject to the State Civil Service Law.

23 SEC. 4. Section 1518.1 is added to said code, to read:

24 1518.1. The Director of the Disaster Office shall administer
25 and supervise the execution of the State of California Civil
26 Defense and Disaster Plan and the program for the mitigation
27 of disaster in this State; and such plan and program shall be
28 in effect in all political subdivisions of this State, as provided
29 in Section 1507.5.

30 The director shall co-ordinate the plan and program for the
31 mitigation of disaster in this State, such plan and program
32 to be integrated into and co-ordinated with the civil defense
33 plans of the Federal Government and of other states to the
34 fullest possible extent; and he shall co-ordinate the prepara-
35 tion of plans and programs for the mitigation of disaster by
36 the political subdivisions of this State in conformity with the
37 State of California Civil Defense and Disaster Plan, such
38 plans to be integrated into and co-ordinated with the state
39 plan to the fullest possible extent.

40 SEC. 5. Section 1518.2 of said code is amended to read:

41 1518.2. The Governor, with the approval of the Senate,
42 shall designate one person in the California Disaster Office to
43 act as the Director of the Disaster Office. The Director of the
44 Disaster Office is the State Director of Civil Defense. The
45 Director of the Disaster Office shall receive an annual salary
46 as provided for by Chapter 6 (commencing at Section 11550)
47 of Part 1 of Division 3 of Title 2 of the Government Code and
48 he shall have all of the rights and powers of a head of a de-
49 partment ~~except those conferred by Section 11154 of the Gov-~~
50 ~~ernment Code.~~ When the Governor proclaims a state of disas-
51 ter within any region or regions of the State, the director shall

1 act as the co-ordinator of all state disaster activities in con-
2 nection with such emergency, and every state agency and offi-
3 cer shall co-operate with the director in rendering all possible
4 assistance in carrying out the provisions of this chapter. In
5 addition to the powers herein designated, the Governor may
6 delegate any of the powers vested in him under the chapter
7 to the Director of the Disaster Office and to the regional or
8 area co-ordinators ~~appointed by the Governor except the power~~
9 ~~to make appointments; the power to fix salaries; the power to~~
10 make, amend, and rescind orders, rules, and regulations; and
11 the power to proclaim a state of extreme emergency or a state
12 of disaster.

13 SEC. 6. This act is an urgency measure necessary for the
14 immediate preservation of the public peace, health or safety
15 within the meaning of Article IV of the Constitution and shall
16 go into immediate effect. The facts constituting such necessity
17 are:

18 The Congress of the United States has made provision for
19 federal contributions toward the cost of administration of
20 state civil defense agencies provided the civil defense func-
21 tions are administered by a single state agency and the per-
22 sonnel thereof are employed under a merit system. It is essen-
23 tial that this act take effect immediately in order that this
24 State may be qualified to receive federal funds for civil de-
25 fense administration.

APPENDIX 15

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

Assembly Joint Resolution

No. 14

Introduced by Messrs. Kilpatrick, Miller, Beaver, Schrade,
and Nisbet

(At request of Los Angeles Office of Civil Defense)

February 9, 1959

REFERRED TO COMMITTEE ON RULES

Assembly Joint Resolution No. 14—Relative to civil defense.

1 WHEREAS, The concept of civil defense has changed radi-
2 cally in recent years with the extraordinary developments in
3 the missile field and the even more recent spectacular advance-
4 ments of the space age programs and general technological
5 progress which have moved the United States from a com-
6 paratively isolated country protected by two great oceans and
7 two friendly countries into a most vulnerable and inviting
8 target; and

9 WHEREAS, There stalk about us, enemies of freedom and
10 independence who would like nothing better than to destroy
11 our people and lay waste our land, having no respect for geo-
12 graphical areas, landmarks, mores and traditions; and

13 WHEREAS, This potential destruction transcends the capa-
14 bilities and capacities of individual states and their political
15 subdivisions to cope with successfully; and

16 WHEREAS, The preservation and protection of our fair land,
17 its institutions and liberties is the responsibility of the entire
18 Nation; and

19 WHEREAS, The Eighty-fifth Congress, recognizing this
20 broadened concept, adopted Public Law 606, which provides
21 for civil defense responsibilities to be assumed jointly by the
22 Federal Government and the states and their political subdi-
23 visions; and

24 WHEREAS, Public Law 606 declares as a matter of policy
25 that matching funds will be provided by the Federal Govern-

LEGISLATIVE COUNSEL'S DIGEST

A. J. R. 14 as introduced, Kilpatrick (Rls.).

Memorializes Congress to enact legislation concerning appropriations for civil de-
fense.

1 ment up to 50 percent to states and local subdivisions for
2 personnel and administrative expenses; and

3 WHEREAS, A supplemental appropriations bill to implement
4 the provisions of Public Law 606 was introduced in the
5 Eighty-fifth Congress but did not pass, due primarily to the
6 limitations of time; and

7 WHEREAS, An appropriations bill for the Office of Civil
8 and Defense Mobilization will be introduced during the
9 Eighty-sixth Congress, which, if enacted, will provide funds
10 to carry out the provisions of Public Law 606; and

11 WHEREAS, This bill will have the full support of the gover-
12 nors, mayors, government officials on all levels, and civil
13 defense citizens' advisory committees concerned with the pro-
14 tection of life and property in this Country during times of
15 national emergency or disaster; now, therefore, be it

16 *Resolved by the Assembly and Senate of the State of Cali-*
17 *fornia, jointly,* That the Members of this Legislature respect-
18 fully memorialize the Congress of the United States to adopt
19 such an appropriations measure for the benefits it will pro-
20 vide to the entire Nation; and be it further

21 *Resolved,* That the Chief Clerk of the Assembly is directed
22 to transmit copies of this resolution to the President and Vice
23 President of the United States, to the Speaker of the House
24 of Representatives, to Congressman Clarence Cannon of Mis-
25 souri, Chairman of the House Appropriations Committee, to
26 Senator Carl Hayden of Arizona, Chairman of the Senate
27 Appropriations Committee, and to each Senator and Repre-
28 sentative from California in the Congress of the United States.

APPENDIX 16

AMENDED IN ASSEMBLY MARCH 4, 1959

AMENDED IN ASSEMBLY FEBRUARY 19, 1959

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

Assembly Concurrent Resolution

No. 66

Introduced by Mr. Kilpatrick

February 12, 1959

REFERRED TO COMMITTEE ON RULES

Assembly Concurrent Resolution No. 66—Relative to criminal procedure in time of disaster.

1 WHEREAS, California's long coastline exposes it to attack by
2 missiles launched from submarines, and a few well-placed
3 hydrogen bombs carried by intercontinental ballistic missiles
4 could create havoc and utter confusion; and

5 WHEREAS, Split-second disaster could arise in California due
6 to these ever-increasing destructive forces created by man; and

7 WHEREAS, To provide a system of criminal procedure in the
8 courts during periods of disaster is an immediate need that
9 should be provided for and resolved by the Legislature of the
10 State of California; now, therefore, be it

11 *Resolved by the Assembly of the State of California, the*
12 *Senate thereof concurring, That the Judicial Council is re-*
13 *quested to survey the area of legislation which is necessary*
14 *to provide for a system of criminal procedure in the courts*
15 *of California during periods of disaster such as would follow*
16 *an enemy attack; that the Judicial Council is requested to seek*
17 *the co-operation and recommendations of the state and local*
18 *bar associations; and that the Judicial Council's report and*
19 *recommendations as to basic legislation necessary in this field*
20 *be submitted to the Legislature not later than December 15,*
21 *1959, February 1, 1960 so that legislative action may be taken*
22 *at this session as early as possible thereafter; and be it further*

23 *Resolved, That the Chief Clerk of the Assembly is directed*
24 *to transmit a suitably prepared copy of this resolution to the*
25 *Chief Justice of the California Supreme Court.*

APPENDIX 17

OFFICE MEMORANDUM—UNITED STATES GOVERNMENT

Date: August 20, 1958

To: Director, operations
OCDM, Region 7

From: Operations Planning Officer (S&L)
OCDM, Region 7

Subject: TRIP REPORT—Possible Relocation Site at Sonora
(Aug. 13-15, 1958)

Sonora

a. Agencies or persons contacted:

Mr. Ellsworth, General Manager of the United States Lime Products Company, was contacted initially to obtain admission to the Sonora limestone quarries. Mr. Ellsworth alerted Mr. McCandlish, Quarry Manager, and Mr. Wenn, Assistant Quarry Manager. Mr. McCandlish and Mr. Wenn were contacted in person the morning of August 14 at the Sonora mine headquarters.

b. Purpose of Contact:

The purpose of this contact was to make a thorough ground reconnaissance of underground limestone quarries owned by the U. S. Lime Products Company to determine the feasibility of converting them to a suitable, emergency relocation site for Region 7, OCDM.

c. Concise restatement of the subject handled:

U. S. Lime products quarries are located almost exactly one mile south of downtown Sonora. This places the quarries within easy walking distance of most any part of the town. A paved county road passes within approximately 300 yards of the quarry headquarters.

The two portions of the quarry most suitable for our purpose are readily accessible by vehicle and rail. Company roads from the paved county road to the portals of these individual abandoned mines are unimproved. However, they have easy grades and crushed limestone surfaces, suitable to all-weather driving and capable of supporting any wheeled vehicle. A railroad terminates on company property.

The No 2 South Quarry (underground) has a number of advantages from protective, local accessibility, and space points of view. This quarry has been blasted from solid limestone. It has an average overhead thickness of some 70 feet of solid limestone. Internally, the roof is supported by four large pillars left during the mining process. Mine engineers claim these pillars were left for psychological reasons only. They stated that the stability of the entire formation is such that internal support is superfluous.

Local access to the No. 2 South Quarry is gained over a 250-yard company road from the county road. The company road descends on a gentle grade for its entire length and, for our purposes, ends in a horse-shoe-shaped open quarry approximately 50 feet deep. The mine entrance, presently blocked to foil trespassers, is level with the bottom of the open quarry, thus, vehicles may be driven into the mine as though it were an extension of the access road. Mine engineers claim the debris over the entrance could be cleared in two days with a power shovel (see figures 1, 2 and 3). A parallel entrance, approximately 50 feet from the present entrance could be quickly opened through approximately 20 feet of thickness. The open horseshoe-shaped quarry forms a natural parking area of approximately 6,000 square feet.

SUBCOMMITTEE NOTE: Company officials are opening the portal and expect completion by April 10, 1959.

Usable floor space, which they claim is smooth and level, amounts to 27,500 square feet. This is the equivalent of an open room 165.8 feet square—enough to accommodate 690 people, assuming 40 square feet is allowed for each person. The roof of this quarry drips slightly during the rainy season. There is no moisture present at other times. Company engineers claim this dripping could be corrected at small expense. This is not likely to introduce fallout into the mine should it be present on the surface. The reason for this is the high filtering qualities of the limestone overhead.

The other underground quarry which might be converted for our purpose is known as the North Quarry. It is approximately the same size and has almost the same characteristics as the No. 2 South Quarry. Accessibility is its drawback. Originally it had a level, horizontal entrance just as the other one has now. The entrance, though level, was gained through a rock defile some 60 to 75 feet long. The company filled the defile to a depth of about 30 feet for its entire length and breached a 10-foot hole from the top at the dead end of the defile.

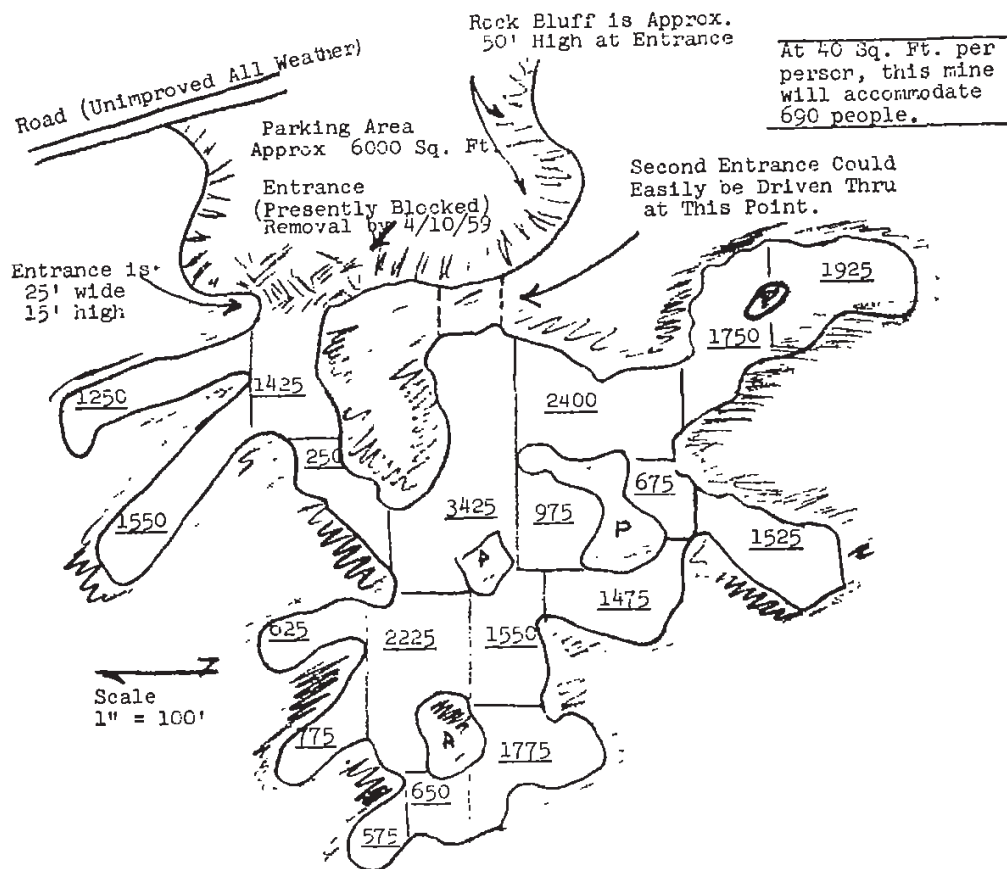
Summary of Conclusions and Results Achieved

The underground quarry is suitable in many respects. It has three disadvantages, namely:

1. Distance and accessibility from Santa Rosa and San Francisco.
2. Some expense, possibly \$25,000 necessary to prepare for occupancy.
3. Sonora is not a major communications center.

SUBCOMMITTEE NOTE: These disadvantages not necessarily valid for State function.

POSSIBLE STATE EMERGENCY HEADQUARTERS Sonora, California



Total Available Floor Space is 27,500 Square Feet

27,500 square feet of floor space is equivalent to one room 165' 8" square.

United States Lime Products Corporation No. 2 South Quarry (Underground)

Company contact: Mr. Ellsworth (General Manager) Los Angeles Headquarters.

Contact at Quarry: Mr. McCandlish (Manager) or Mr. Wenn (Assistant Manager)
Sonora, California.

- NOTES. 1 Average overhead thickness is approximately 70 feet of rock
2 "P" indicates pillar
3 Underlined figures indicate available floor space in square feet
4 Road, parking area and floor level of mine are same elevation.
5 Roof of mine drips slightly during rainy season. No moisture at other times Dripping could be corrected at small expense
6 Lowest clearance is approximately 8 feet; highest is approximately 30 feet
7. Temperature 60 to 65 degrees year around

FACTS IN BRIEF ON TUOLUMNE COUNTY

130 Miles Due East of San Francisco Bay Area in Heart of the Mother Lode

Population

Total county:
1950 ----- 12,584
1958 ----- 15,000

Districts:
Sonora ----- Approx. 4,500
Jamestown ----- Approx. 2,000
Tuolumne ----- Approx. 3,000
Groveland ----- Approx. 1,000
Columbia ----- Approx. 1,750
Twain Harte ----- Approx. 2,750

Climate

Average:
Winter ----- 32 to 56 degrees
Spring ----- 59 to 63 degrees
Summer ----- 55 to 90 degrees
Fall ----- 42 to 76 degrees
Rainfall—Normal: 30 inches
Snow—Few snow storms below 2,000 feet elevation

Elevation

350 feet at west boundary of county to over 13,000 feet in primitive area
Sonora ----- 1,825 feet
Jamestown ----- 1,406 feet
Columbia ----- 2,143 feet
Tuolumne ----- 2,577 feet
Groveland ----- 2,846 feet
Twain Harte ----- 3,650 feet
Pinecrest ----- 5,300 feet
Sonora Pass ----- 9,624 feet

Area

1,401,600 acres or 2,190 square miles.
435,000 acres in Yosemite National Park, 555,000 acres in Stanislaus National Forest, 411,600 acres privately owned.

Assessed Valuation

County: 1957-58
Base: \$32,000,000
Rate: Approximately \$5 00
Sonora: 1957-58
Base: \$4,000,000
Rate: \$1 00

Schools

District elementary schools in all communities. 1958 enrollment 2250
Two secondary schools: Enrollment 796: Sonora Union High School at Sonora. Summerville Union High School at Tuolumne.
Bus service provided by county to all schools.

Churches

All denominations represented:
Catholic, Episcopal, Methodist,

Presbyterian, Christian Science, Church of God, Seven Day Adventists, Lutheran, Baptist, Latter Day Saints.

Lodges and Organizations

132: Service — fraternal — veteran groups, Grange and Farm Bureau.

Transportation

County served by Greyhound, both passenger and fast freight. Sierra Railway — freight only — connects with main lines at Oakdale. Trucking freight lines: Valley Motor Express; California Motor Express.

County airport—two miles north of Sonora near Columbia State Park. 3,200 feet surfaced runway—lights—hangars—service. Charter flights for freight and passengers.

Industries

Lumbering: 10 mills in county—employing 2,000 skilled men in season. Mining industry — employs about 100 men year-around.
Commercial establishments, government transportation, utilities and service employ over 1,850.

Agriculture

420 farms—income: \$3,577,500. Principal crops—cattle, turkeys, fruit (apples and pears), hay crops.
Soil: loam, limestone, slate, granite, lava ash and clay. Suited to irrigated pastures, hay crops and dry grazing. Ideal orchard land located above 2,000 feet.

Publications

Two daily newspapers
Union Democrat—Sonora
Sonora Daily—Sonora
One weekly paper
Tuolumne Prospector—Tuolumne

Banks

Bank of America NTSA—Sonora
Mother Lode Bank—Sonora

Utilities

Water and electricity furnished by Pacific Gas and Electric Co. Telephone service supplied by Pacific Telephone & Telegraph Co. Western Union office in Sonora. Heating fuels: electricity, oil and L.P. gas—furnished by local dealers.

FACTS IN BRIEF ON TUOLUMNE COUNTY—Continued**Fire Protection**

All communities have volunteer fire departments. Sonora—men on duty 24 hours a day. Rural areas served by California State Fire Patrol and Stanislaus Forest Fire Suppression Crews. Fire trucks and men stationed at strategic locations throughout county.

Housing

Majority of population own homes—rentals, houses and apts. available. Property values firm. Construction costs on par with other areas. Land values steady.

Employment Possibilities

Little labor turnover. Employment trend steady. Local labor supply sufficient to handle average needs. Wage scale—Union scale for all organized industries.

Medical Services

Two private hospitals—40 beds each—fully accredited. Ten physicians and surgeons in county. Eight dentists and oral surgeons in county. County hospital. County home

Two rest homes. Three chiropractors in Sonora. One chiropodist. Two optometrists.

Recreation

Summer sports: Fishing, hiking, boating. Excellent free camp sites in Stanislaus National Forest. Over 700 miles of fishable streams and rivers and several hundred lakes in Primitive Area. Ten reservoirs providing year-round fishing, boating, water skiing. Three public swimming pools—Sonora, Tuolumne and Columbia State Park. Two golf courses.

Fall sports: Hunting—deer, dove, quail, bear, some ducks.

Winter sports: Ideal snow sports area—skiing (rope tows, T-bar tows, double chair lift, Pomo-lift), tobogganing. Roads kept open all winter to Pinecrest, Dodge Ridge.

Moccasin Creek Fish Hatchery, one of largest in State, provides weekly plantings of catchable sized trout in all accessible streams and lakes of Tuolumne, Alpine, Calaveras, and Mariposa Counties.

APPENDIX 18

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
WASHINGTON 25, D. C., March 2, 1959

HONORABLE VERNON KILPATRICK
Member of the Legislature
Lynwood, California

DEAR MR. KILPATRICK: On February 23, 1959, the American Bar Association adopted an important resolution (enclosed) recommending that State Legislatures carefully consider the suggested legislation for continuity of civilian government developed by the Council of State Governments.

I thought that you would be particularly interested in this resolution since legislation of this type recommended by the Council is now being considered in your State.

In my opinion, it is essential that we strengthen our State and local laws by providing for continuity of government. The adoption of the suggested legislation will assure the survival of our constitutional form of government and reduce the necessity of martial law in the event of an enemy attack.

Sincerely,

LEO A. HOEGH

American Bar Association

REPORT OF THE SPECIAL COMMITTEE ON ATOMIC ATTACK

Recommendations

Resolved, That the association recommends to the State Legislatures, meeting in 1959, the careful consideration and adoption of legislation to assure the continuity of civilian government—judicial, legislative and executive—and the continuation of civil law and order in the event of atomic attack, as an important measure in preparing for survival and revival and in avoiding martial law in case of atomic attack, and as a deterrent to attack.

Resolved further, That the association urges the state and local bar associations represented in the House of Delegates to assist their legislatures in the preparation and consideration of such legislation.

o