

ITEM ANALYSIS OF THE BUDGET BILL

LEGISLATURE

ITEMS 1-11 of the Budget Bill

Budget page 3

FOR SUPPORT OF THE LEGISLATURE FROM THE GENERAL FUND

Amount requested ----- \$1,954,247

ANALYSIS

The budgeted expenditure program for legislative expenses during the 1959-60 Fiscal Year, which includes a budget session rather than a general session, is \$4,351,521. The proposed expenditure program for the budget year represents a decrease of \$2,050,852 or 32 percent from the \$6,402,373 estimated for expenditure during the current general session year and a decrease of \$562,355 or 11.4 percent from the \$4,913,876 actually expended in the 1957-58 Fiscal Year, the last budget session year.

This year the budget proposal departs from the previously established policy of transferring amounts from the General Fund to the respective contingent funds in sufficient amounts to cover proposed expenditures and leave fairly substantial balances at the end of the budget year. The proposed expenditures for 1959-60 Fiscal Year from the contingent funds are \$2,912,500, although the requested amount for transfer from the General Fund to the contingent funds is only \$586,000, because of the availability of large unexpended balances in the contingent funds at the end of this fiscal year.

The proposed budget reduces legislative printing to an amount which is approximately half that which was expended in the comparable budget session year 1957-58 and is almost \$800,000 less than that required for the current fiscal year. The assumptions upon which this proposed reduction has been made should be critically examined to determine whether this amount will be sufficient to meet the cost of bill printing and the printing of legislative reports. Similarly, it would appear that an error has been made in not including in the estimated expenditures for the current fiscal year the actual expenditures from the Senate Contingent Fund between July 1, 1958, and October 1, 1958, thereby understating actual expenditures \$338,000. It should be noted that the budget, in proposing the depletion of carryover balances in the contingent funds, makes a departure from the historic practice of leaving a sufficient balance to insure that the Legislature will be provided funds to carry at least a limited activity through the two-year period between general sessions. Thus, the Legislature historically, in accordance with the theory of separation of powers, has assured itself of a minimum guarantee of independence from restrictive action which might be taken by a governor.

Constitutional Proposition Number 9, approved by voters at the November 4, 1958 General Election, increased the length of the general session; therefore, the 1958-59 estimated expenditures include deficiency appropriations in the amounts of \$33,120 for expenses of Senators and \$64,040 for expenses of Assemblymen. These appropriations will be made in the present general session.

Legislature—Continued

A summary of the main categories of expenses of the two fiscal years which include budget sessions are as follows:

	1957-58	1959-60
Salaries and expenses of members	\$784,112	\$792,300
Legislative offices	40,141	51,221
State Capitol Committee	394	500
Contributions to State Employees' Retirement Fund	66,718	70,000
Revision of Education Code	6,727	-----
Contingent expenses from Contingent Funds..	2,985,206	2,912,500
Joint printing and mailing expense.....	1,030,578	525,000
Totals	\$4,913,876	\$4,351,521

The above-mentioned expenditures do not reflect the expenditures from the Fish and Game Preservation Fund of \$20,549 in 1957-58 and \$79,451 in 1958-59 for expenses regarding the fish and game study. These expenditures are not shown under this General Fund item, since the appropriations were from a special fund.

LEGISLATIVE COUNSEL BUREAU

ITEM 12 of the budget bill

Budget page 7

FOR SUPPORT OF THE LEGISLATIVE COUNSEL BUREAU FROM THE GENERAL FUND

Amount requested	\$472,127
Estimated to be expended in 1958-59 Fiscal Year.....	538,529
Decrease (12.3 percent)	\$66,402

TOTAL RECOMMENDED REDUCTION..... None

GENERAL SUMMARY

The Legislative Counsel derives his authority from the Government Code and is selected by concurrent resolution every two years, commencing at the regular legislative session. To assist him, he may staff the Legislative Counsel Bureau with technical and clerical personnel thereby maintaining a permanent office in Sacramento and a branch office in Los Angeles which is operated to service legislative members and interim committees operating in that general area.

The Legislative Counsel Bureau acts as legal counsel to the Legislature. A large proportion of the bills, resolutions and amendments introduced by both houses are prepared by this office, as well as requests for technical assistance from members of the judiciary and state agencies. Recently, interim committees have requested the bureau to act as counsel in preparing for hearings and writing committee reports. The bureau functions as an editor and indexer for all state legal publications which are published by the State Printer.

ANALYSIS

Although the present request for support of the bureau during a fiscal year, which includes a budget session, represents a 12.3 percent decrease from the estimated expenditure in the 1958-59 Fiscal Year, which included the general session, there is a 12.9 percent increase over

Legislative Counsel Bureau—Continued

the actual expenditures of the 1957-58 Fiscal Year, which contained the shorter budget session. The primary reason for the increase over the last budget session is that seven permanent positions were authorized in the 1958 Budget Act in order to equalize the increasing workload which the bureau has experienced due to the increase in legislative activities. Other factors contributing to the increase are the expanding costs of communications and legal publications.

We recommend approval.

CALIFORNIA LAW REVISION COMMISSION

ITEM 13 of the Budget Bill

Budget page 8

FOR SUPPORT OF THE CALIFORNIA LAW REVISION COMMISSION FROM THE GENERAL FUND

Amount requested -----	\$82,508
Estimated to be expended in 1958-59 Fiscal Year -----	68,356
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Increase (20.7 percent) -----	\$14,152
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL SUMMARY

In 1953, the California Code Commission was terminated and the California Law Revision Commission was created. Pursuant to the Government Code, the commission must submit a list of topics for study to the Legislature for approval through concurrent resolution. Also, individual members may introduce separate resolutions directing the commission to study particular subjects. Thereby, the commission examines existing law and recommends needed reforms, takes under consideration recommendations presented by other sources, recommends necessary changes to remove antiquated and inequitable rules of law, and furnishes to the Legislature reports on selected studies.

The membership of the commission consists of one Member of the Senate, one Member of the Assembly, seven members appointed by the Governor with the advice and consent of the Senate, and the Legislative Counsel, acting as an ex officio nonvoting member.

ANALYSIS

To date, the State has had a satisfactory arrangement with the Stanford University Law School in splitting the salary of the executive secretary. However, at the present, the executive secretary has been spending much more than one-half of a normal workweek in the work of the commission. It is proposed in this budget that the ratio between the cost of this position borne by Stanford and the State be shared one-fourth Stanford, three-fourths State.

In four years of existence, the commission has submitted 57 topics to the Legislature for approval; of these 48 topics were approved by the Legislature for study. In addition, the individual Members of the Legislature have instituted 16 assignments for study. The commission has completed 32 of these assignments, and the remaining 32 are currently being researched.

California Law Revision Commission—Continued

Most of the research work for the commission is done by experts in the fields of law concerned on a contract basis. Thus, the commission has avoided building a large permanent staff and has utilized men who have already acquired the learning, experience and insight in the particular field of law involved. Therefore, a large workload of co-ordination falls upon the commission's executive secretary.

Since experience has shown that the workload cannot be completed on a one-half, one-half basis and there is no indication that the workload will decrease in the coming years, we recommend that the proposed change of salary arrangement with Stanford be approved.

The other principal increase in this item is for printing, and is based on a schedule of estimated cost of printing and binding of studies as submitted by the commission. *As it is necessary for these studies to be printed and bound in order that the commission complete the work requested by the Legislature, we recommend approval.*

This budget item as submitted does not reflect any change in the level of service but does show a readjustment of salaries which has been dictated by experience. The importance of the work of this commission should not be minimized. However, in view of the increasing cost of this service, the Legislature should be highly selective in making assignments which add to the cost of supporting this agency.

We recommend approval as submitted.

CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

ITEM 14 of the Budget Bill

Budget page 9

FOR SUPPORT OF CALIFORNIA COMMISSION ON UNIFORM STATE LAWS FROM THE GENERAL FUND

Amount requested -----	\$5,450
Estimated to be expended in 1958-59 Fiscal Year -----	3,775
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Increase (44.4 percent) -----	\$1,675
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL SUMMARY

In accordance with provisions of the Government Code, the commission was established to promote uniformity of state laws and to present to the Legislature proposals for changes in existing laws which are recommended by the National Conference of Commissions on Uniform State Laws. The membership of the commission consists of one member of the Senate, one member of the Assembly, and four members appointed by the Governor. As an ex officio member, the Legislative Counsel has a nonvoting position. The two legislators act as a joint interim committee which can act on matters pertinent to this subject.

ANALYSIS

The largest item of expense is for travel expense of the commissioners who attend various conferences. In the current fiscal year, the National Conference of Commissioners on Uniform State Laws was held in Los Angeles, thereby reducing the out-of-state travel expense. In the 1957-58

California Commission on Uniform State Laws—Continued

Fiscal Year, there was one vacancy on the California Commission and one of the members filed a claim for out-of-state travel against another appropriation in connection with other business. The vacancy has been filled and the other member's expenses will be reflected hereafter in this budget item. The national conference during the 1959-60 Fiscal Year will be held on the east coast; therefore, this accounts for the \$1,675 increase over the estimated expenditure for the 1958-59 Fiscal Year.

The \$1,900 contribution to the national conference remains constant.

Since the Legislature appropriated the sum of \$5,450 for this item last year, the amount budgeted for the 1959-60 Fiscal Year represents no change in the program. We recommend approval.

CONTRIBUTION TO LEGISLATORS' RETIREMENT FUND

ITEM 15 of the Budget Bill

Budget page 9

FOR SUPPORT OF STATE'S CONTRIBUTION TO LEGISLATORS' RETIREMENT FUND FROM THE GENERAL FUND

Amount requested	\$152,000
Estimated to be expended in 1958-59 Fiscal Year	90,000
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Increase (68.9 percent)	\$62,000
TOTAL RECOMMENDED REDUCTION	None

GENERAL SUMMARY

In accordance with Section 9358 of the Government Code, the State shall contribute annually to the Legislators' Retirement Fund. The amount is estimated by the Board of Administration, State Employees' Retirement Fund, and shall be equal to so much of the benefits to be paid from the fund during that year as are not provided by accumulated contributions of the members.

ANALYSIS

The 68.9 percent increase is due principally to the increased number of retirement benefit and death benefit payments. As of June 30, 1959, there will be a \$16,229 deficit which must be met; therefore, it is included in this appropriation request.

Since this is an estimate based on the amount required by law, we recommend approval.

SUPREME COURT

ITEM 16 of the Budget Bill

Budget page 10

FOR SUPPORT OF THE SUPREME COURT FROM THE GENERAL FUND

Amount requested	\$786,733
Estimated to be expended in 1958-59 Fiscal Year	676,525
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Increase (16.3 percent)	\$110,208
TOTAL RECOMMENDED REDUCTION	\$11,304