

ANALYSIS OF THE BUDGET BILL

Approximately one-third of the budget is included in the Budget Bill. Authorization for the remaining two-thirds of the budget is provided by existing laws and by the Constitution. The Budget Bill contains, in addition to the items of appropriation for most of the state agencies included in the classification *State Operations*, the institutional construction or capital outlay items, as well as a number of local assistance apportionments and a group of budget control sections.

LEGISLATURE

ITEMS 1-11 of the Budget Bill

Budget page 3

FOR SUPPORT OF THE LEGISLATURE FROM THE GENERAL FUND

Amount requested	\$5,276,144
Estimated to be expended in 1957-58 Fiscal Year.....	5,308,522
Decrease (0.6 percent)	\$32,378

RECOMMENDED REDUCTIONS	None
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ANALYSIS

The amount of \$5,276,144 is requested for support of the Legislature during the next fiscal year which includes the 1959 General Session. In comparison with the \$3,964,269 actual expenditures for the last general session year, this represents an increase of \$1,311,875 or 33.1 percent.

The estimated expenditures of \$5,308,522 in the current fiscal year includes the \$1,000,000 anticipated deficiency appropriation for Assembly contingent expenses and the \$352,000 anticipated deficiency appropriation for legislative printing. This accounts largely for the 0.6 percent decrease from the estimated expenditures in 1957-58.

The following is a summary of the main categories of expenses for two fiscal years which include general sessions:

	1956-57	1958-59
Salaries and expenses of members.....	\$929,100	\$988,900
Contingent expenses	2,340,000	2,980,000
Legislative offices	34,669	48,494
Joint printing and mailing expenses.....	659,000	1,258,000
State Capitol committee.....	1,500	750
Totals.....	\$3,964,269	\$5,276,144

The two categories that show the most significant increases are the contingent expenses and the joint printing and mailing expenses. There has been an expansion of interim activities to resolve the ever-increasing problems which confront this State due to increasing population and attendant complexities involving the responsibilities of state and local governments. This is reflected by the increase of interim committees from 72 in 1955 to 96 presently operating. Many of these interim studies will be presented to the 1959 General Session in order to accomplish any needed reforms.

We recommend approval.

LEGISLATIVE COUNSEL BUREAU

ITEM 12 of the Budget Bill

Budget page 7

FOR SUPPORT OF LEGISLATIVE COUNSEL BUREAU FROM THE
GENERAL FUND

Amount requested	\$538,529
Estimated to be expended in 1957-58 Fiscal Year	422,971
Increase (27.3 percent)	\$115,558

Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages	\$90,845	\$90,845	--	7 54
Operating expense	7,322	7,322	--	7 63
Equipment	1,891	1,891	--	7 66
Plus decreased reimbursements	15,500	15,500	--	7 69
Total increase	\$115,558	\$115,588	--	

RECOMMENDED REDUCTIONS----- None

GENERAL SUMMARY

The Legislative Counsel Bureau is created by Title 2, Division 2, Part 2, Chapter 1, of the Government Code. The Legislative Counsel is selected by concurrent resolution at the beginning of each regular session of the Legislature. He may staff the bureau with professional assistants and clerical personnel as is deemed necessary, in accordance with law. The permanent office of the bureau is located in Sacramento, and an office is maintained in Los Angeles.

The Legislative Counsel Bureau furnishes technical assistance to the Legislature in legal matters and must prepare and assist in the preparation, amendment, and consideration of legislative measures when requested by any member of the Legislature, member of the judiciary or state agencies. In the past, a large number of the bills, resolutions, and amendments considered by the Legislature have been prepared by this bureau. Also, upon request, the bureau acts as counsel for interim committees. Another function of the bureau is to provide editorial and indexing services to the State Printer on all state legal publications.

ANALYSIS

The 1958-59 Fiscal Year includes the General Session; therefore, the amount requested by the Legislative Counsel Bureau represents a 27.3 percent increase over the current fiscal period which includes the shorter budget session. By comparison, this increase is 17.6 percent over the actual expenditures of the 1956-57 Fiscal Year which included a General Session. This increase reflects not only normal adjustments in salaries, operating expenses, and equipment, but also includes seven proposed new positions and attendant expenses.

The following table shows the two most significant statistics in relation to the three proposed junior counsel positions:

Item 13

Law Revision Commission

Legislative Counsel Bureau—Continued

	1951	1953	1955	1957	<i>Estimated</i> 1959
Total requests	6,698	8,507	9,393	11,601	11,601
Avg. No. of deputies employed	22	24	23	25	28
No. of requests per deputy	304	354	408	464	414.3
Total overtime	7,061	6,682	7,055	8,807	8,900
Avg. overtime per deputy	320.9	278.4	306.7	352.2	317.9

These statistics are based on the assumption that there will be no increase in workload over the 1957 Regular Session. However, all factors indicate an increased volume of bills in the 1959 Regular Session. Also, the number of interim committees has increased from 71 in 1951 to 96 during 1957, thereby increasing the workload between sessions. Therefore, these positions are justified in order to meet the increasing number of requests made upon the bureau.

The request for two intermediate stenographer-clerk positions is directly related to the addition of the three junior counsel positions. The bureau plans to assign one of the additional counsels and one stenographer-clerk to the Los Angeles office. This will increase the staff of that office to three attorneys and two secretaries. These assignments are necessary in order to properly service the increased number of interim committees meeting in that city and the members of the Legislature having offices in that general area.

The increase of bills introduced, laws enacted, and opinions prepared by this office has created a heavier workload for the indexing section, since all of these must be properly indexed. Therefore, one law indexer as requested is justified.

The junior clerk position, to handle the additional workload in connection with furnishing messenger service as required, is justified by the overall workload increase.

The \$15,500 decrease in reimbursements is due to the indexing and editing of legal publications for the State Printer being done principally in the fiscal year following the General Session.

The \$115,558 increase of expenditures by the Legislative Counsel does not constitute any change in the present level of service.

We recommend approval of this budget.

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	\$68,416
Estimated to be expended in 1957-58 Fiscal Year	75,111
Decrease (8.9 percent)	\$6,695

Law Revision Commission—Continued

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Workload or salary adjustments	New services		
Salaries and wages-----	\$4,539	\$4,539	--	8	62
Operating expense-----	—11,708	—11,708	--	8	73
Equipment-----	474	474	--	8	75
Total increase-----	—\$6,695	—\$6,695	--		

RECOMMENDED REDUCTIONS----- None

GENERAL SUMMARY

The legal basis for the Law Revision Commission is found in Title 2, Division 2, Part 2, Chapter 2 of the Government Code.

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 who is an ex officio nonvoting member. This commission undertakes the examination of 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 reports on selected studies to the Legislature.

The commission presently has 40 topics for study on its agenda. Reports on 15 of these topics are to be published in the 1957-58 Fiscal Year, and it is planned that reports on the other 25 topics will be published in the 1958-59 Fiscal Year.

ANALYSIS

The request for an additional intermediate stenographer-clerk position is necessary due to the new junior counsel position authorized during the last General Session and the increased workload from the commission's agenda. Since there is a variance from year to year in the number of studies undertaken, we recommend this position be granted for one year and reviewed at that time. This new position and normal salary adjustments account for the increase in salaries and wages.

The printing expenses have increased from \$8,000 to \$13,000 due to the greater number of reports to be published in the 1958-59 Fiscal Year. Research services have decreased from \$22,770 to \$5,000, because the research of topics to be published will have been mainly concluded by the end of the 1957-58 Fiscal Year. Therefore, the operating expenses have decreased by \$11,708 and largely determines the 8.2 per-cent decrease in total expenditures.

We recommend approval of the amount budgeted.

CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

ITEM 14 of the Budget Bill

Budget page 9

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

Amount requested-----	\$5,450
Estimated to be expended in 1957-58 Fiscal Year-----	5,450
Increase-----	None

Item 15**Legislators' Retirement Fund**

Commission on Uniform State Laws—Continued

RECOMMENDED REDUCTIONS----- None**GENERAL SUMMARY**

The authority for the Commission on Uniform State Laws is found in Title 2, Division 2, Part 2, Chapter 3 of the Government Code. Prior to 1957 the commission consisted of three members appointed by the Governor.

Chapter 378, Statutes of 1957, amended the act to provide that the commission shall consist of one member of the Senate, one member of the Assembly, and four additional members appointed by the Governor. The Legislative Counsel is an ex officio nonvoting member. The two legislative members constitute a joint interim investigating committee on the subject and as such shall operate under the powers and duties imposed by the Joint Rules of the Senate and the Assembly.

The function of this commission is to promote uniformity of state laws and to present to the Legislature for enactment such drafts that are recommended by the national conference.

ANALYSIS

The \$1,900 contribution to the National Conference of Commissions on Uniform State Laws and the \$2,675 for the out-of-state travel are the principal items of expense.

The amount budgeted for the 1958-59 Fiscal Year represents no change of program from the 1957-58 Fiscal Year. Approval of this amount is recommended.

CONTRIBUTION TO LEGISLATORS' RETIREMENT FUND

ITEM 15 of the Budget Bill

Budget page 9

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

Amount requested -----	\$90,000
Estimated to be expended in 1957-58 Fiscal Year -----	58,000
Increase (55.2 percent) -----	\$32,000

RECOMMENDED REDUCTIONS----- None**GENERAL SUMMARY**

The Legislators' Retirement System was established by statute in 1947. The retirement fund consists of contributions made by members of the system and by the State. There is no fixed mathematical ratio between the two types of contribution. The contribution by the State is "an amount * * * equal to so much of the benefits to be paid from the fund during that year as is not provided by the accumulated contributions of the members receiving such benefits." (Government Code, Sec. 9358.)

Legislators' Retirement Fund—Continued

Membership in the System

	As of June 30th each year			
	Estimated			
	1956	1957	1958	1959
Number of members-----	171	178	178	178
Retired members and beneficiaries-----	15	21	22	27 ¹
Active member deaths during year-----	1	1	1	3 ²

¹ Includes one nonlegislative constitutional officer.

² Experience over 10 years shows an average death rate of two active members per year.

ANALYSIS

The sum requested by the Board of Administration from the General Fund for 1958-59 is \$90,000, a 55.2 percent increase over 1957-58. This includes increased retirement benefit payments and death benefit payments. The remainder of the increase is explained by the fact that a balance of \$15,225 was on hand on June 30, 1957, to pay 1957-58 charges, while it is estimated that the fund will face a deficit of \$2,461 on June 30, 1958.

Estimates have been carefully reviewed. We find that they adhere closely to the experience of the system. It should be pointed out that a few more retirements than usual may produce a large percentage change in fund requirements a year hence.

Approval of the amount budgeted is recommended.

SUPREME COURT

ITEM 16 of the Budget Bill

Budget page 10

FOR SUPPORT OF SUPREME COURT FROM THE GENERAL FUND

Amount requested-----	\$676,525
Estimated to be expended in 1957-58 Fiscal Year-----	661,105
Increase (2.3 percent)-----	\$15,420

Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages-----	\$17,035	\$17,035	--	10 40
Operating expense-----	7,538	7,538	--	10 51
Equipment-----	5,923	5,923	--	10 53
Total increase-----	\$15,420	\$15,420	--	

RECOMMENDED REDUCTIONS----- None

GENERAL SUMMARY

The Supreme Court consists of one Chief Justice and six Associate Justices. This court mainly hears and determines appeals from lower courts, though in special instances cases may be initiated in the Supreme Court. Sessions are held in San Francisco, Los Angeles and Sacramento as scheduled.

ANALYSIS

The \$17,035 increase of salaries and wages is due to normal salary adjustments and the proposed new positions for 1.5 bailiffs. The current budget provides for a 0.5 bailiff position and the equivalent money in