

**Enforcement of Kosher Food Labeling—Continued**

2. There has been as yet little effort on the part of local law enforcement officials to enforce sections of the Penal Code. Unless there are paramount state interests involving such recognized factors as public health, statewide agricultural or economic well being, or major threat to public safety and morals, the State has relied upon local officials for the enforcement of laws involving misdemeanors.

3. The nature of this problem and its enforcement would not indicate that there is any compelling basis for direct state regulation or enforcement from the standpoint of public health, public morals, public safety, or agricultural well being. However, from the standpoint of standardization of marketing of agricultural products there are state programs which bear some resemblance to this problem. Such agricultural programs are established on a self-supporting basis by the producers and sellers of the affected agricultural products.

The 1957 Legislature enacted Chapter 2409, which provided for the enforcement of Section 383b of the Penal Code by the State Department of Public Health.

It is recommended that the effectiveness of state enforcement resulting from Chapter 2409 be completely reviewed at the 1959 Session of the Legislature for a determination of whether special state enforcement should be provided on a continuing basis; and, if it is determined that it should, that consideration then be given to the enactment of legislation similar to that provided for marketing of agricultural products under the Department of Agriculture Fund which are established on a self-supporting basis by the producers and sellers of the affected agricultural products.

**Department of Public Works  
DEPARTMENTAL ADMINISTRATION**

ITEM 196 of the Budget Bill

Budget page 494

**FOR SUPPORT OF DEPARTMENTAL ADMINISTRATION FROM THE GENERAL FUND**

Amount requested .....	\$28,084
Estimated to be expended in 1957-58 Fiscal Year .....	24,212
Increase (16 percent) .....	\$3,872

**Summary of Increase**

	INCREASE DUE TO			Budget Line page No.
	Total increase	Workload or salary adjustments	New services	
Salaries and wages .....	\$15,115	\$15,115	--	494 65
Operating expense .....	813	813	--	494 76
Less increased reimbursements .....	-12,056	-12,056	--	494 80
Total increase .....	\$3,872	\$3,872	--	

**RECOMMENDED REDUCTIONS** .....

None

**GENERAL SUMMARY**

The Departmental Administration section of the Department of Public Works provides overhead supervision and general direction for the two major functions of the department, namely the Division of

**Departmental Administration—Continued**

Highways and the Division of Architecture. The overhead group consists of the department director, heading a staff of 33 people composed of deputies, assistants, technicians and clerks and an accounting controller. Principally this group provides personnel services, accounting services, internal organization study services and general policy direction. It is estimated for purposes of dividing the costs appropriately that the Division of Highways absorbs 90 percent of the overhead services and the Division of Architecture the other 10 percent.

**ANALYSIS**

The total request of the Department of Public Works for its administrative function during the 1958-59 Fiscal Year amounts to \$280,840 of which 10 percent, or \$28,084, is charged to the General Fund. This represents an increase of \$3,872, or approximately 16 percent over the amount anticipated to be expended during the current fiscal year.

The increase results almost exclusively from merit salary adjustments for the headquarters group of 34 people. Increases in operating expenses are almost negligible. As a whole, the function is anticipated to operate at approximately the same level as is authorized for the current fiscal year. We recommend approval of this item as requested.

**Department of Public Works  
DIVISION OF ARCHITECTURE**

ITEM 197 of the Budget Bill

Budget page 495

**FOR SUPPORT OF DIVISION OF ARCHITECTURE FROM THE GENERAL FUND**

Amount requested .....	\$170,988
Estimated to be expended in 1957-58 Fiscal Year .....	167,423
Increase 2.1 percent .....	\$3,565

**Summary of Increase**

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$915	\$915	--	496 32
Operating expense .....	3,273	3,273	--	496 45
Equipment .....	—623	—623	--	496 47
Total increase .....	\$3,565	\$3,565	--	

**RECOMMENDED REDUCTIONS** .....

None

**GENERAL SUMMARY**

The State Division of Architecture as one of the two divisions of the Department of Public Works operating under authority of Section 14005 of the Government Code. It is constituted as a complete architectural service office and, as such, is probably one of the largest in the United States, public or private, from the standpoint of dollar volume handled. The organization consists of architects, designers, landscape architects, civil, mechanical, electrical, structural, and sanitary engineers, draftsmen and every other type of professional, sub-professional,

**Division of Architecture—Continued**

technical and artisan craft identified with the general practice of architecture and construction.

The division enters a project at its earliest inception by undertaking site surveys, soil analyses and civil engineering analyses to determine the suitability of sites. It then progresses to master plans, individual building designs and finally working drawings, specifications and cost estimates. The division functions somewhat differently from a private organization in that it acts for the State as a client with respect to letting contracts for actual construction which ordinarily a private architect does not do. The division chooses contractors for various projects by the use of the bid process and subsequently it maintains continuous supervision and inspection of the construction until it is completed and accepted for the State. Under certain circumstances the division also undertakes actual construction of projects by what is referred to as "day's labor" in which various building craftsmen are in the direct employ of the division.

The large pool of personnel in the division is handled on a dual basis. On the one hand, there is a permanent cadre of approximately 14 positions consisting of the state architect, a deputy and a group of key staff assistants each assigned to a functional area such as design and planning, administration, construction, etc. In addition, there are the necessary clerical personnel making up the total of 14 positions. The balance of over 900 positions of architects, engineers, draftsmen, etc., are carried on what might be described as a "duration" basis in that their tenure is tied to the volume of work imposed on the division. Their salaries and wages and operating expenses do not appear in the Governor's Budget as such, but they are defrayed by percentage assessments on each authorized construction project. As a practical matter, these percentages obtain only for budgetary purposes. Otherwise costs are assessed against each project as actually incurred on the basis of time and materials for each project. This results in a fairly wide variation of ultimate percentage costs against each project. However, the average probably falls below 6 percent of the cost of construction. This would be for design, working drawings and specification costs only. Ultimately when the project is under construction, the cost of supervision and inspection is further charged against the project and generally averages around 2 percent of the cost of construction.

The potential workload imposed on the Division of Architecture by the 1957 Budget Act was probably one of the largest, if not the largest, single year volume ever authorized by the Legislature. This coupled with the fact that the two years before also were very large in volume and the fact that qualified professional personnel were difficult to obtain made it necessary for the Division of Architecture to undertake to place some of its work with private architects in order to assure a reasonable completion date following the appropriation of the funds. This private architect's program is now underway and to date eight projects with a total of \$10,919,800 in construction value have been assigned under contract to private architects. In addition, there have been assigned three structural engineering and five electrical engi-

**Division of Architecture—Continued**

neering contracts only, as a part of projects having a total construction value of approximately \$14½ million. In many instances, projects which are planned to go to private architects have not yet been authorized so that there will be some delays in some projects. It would appear that there has been far too much delay in getting this program underway, thereby nullifying the intent of the authorization.

**ANALYSIS**

For its cadre operation the Division of Architecture is requesting authorization for approximately the same level of service as was authorized in the current fiscal year. It is estimated that \$170,988 will be required for the operation of the division exclusive of contributions to the State Retirement Fund. This is \$3,565, or approximately 2.1 percent, higher than the \$167,423 anticipated to be expended in the current fiscal year. The increase is primarily the result of increases in operating expenses principally in the materials and method study which is expected to increase from \$30,000 to \$33,000 for the year. Salaries and wages have increased to a minor extent and reflect only ingrade salary adjustments. There is a slight off-setting reduction in equipment. As a whole, the request represents a maintenance of the current level of service. We recommend approval.

**Department of Public Works  
DIVISION OF ARCHITECTURE**

ITEM 198 of the Budget Bill

Budget page 497

**FOR SUPPORT OF DIVISION OF ARCHITECTURE FROM THE DIVISION OF ARCHITECTURE PUBLIC BUILDING FUND**

Amount requested .....	\$1,325,767
Estimated to be expended in 1957-58 Fiscal Year .....	1,150,221
Increase (15.3 percent) .....	\$175,546

**Summary of Increase**

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$161,005	\$30,973	\$130,032	497 43
Operating expense .....	—3,617	—3,617		497 56
Equipment .....	18,158	—	18,158	497 58
Total increase .....	\$175,546	\$27,356	\$148,190	

**RECOMMENDED REDUCTIONS** .....

None

**GENERAL SUMMARY**

In addition to its function as an architectural office for the State of California, the Division of Architecture has a major duty in checking the design, construction and reconstruction of elementary, secondary and junior college buildings to insure that adequate features are incorporated to make them reasonably secure against excessive loads from high winds and earthquakes. This duty was imposed as a result of the Long Beach earthquake in 1933 which led to the passing of the "Field Act" which added certain sections to the Education Code as-

**Division of Architecture—Continued**

signing these responsibilities to the Division of Architecture. In addition, the division also checks these plans for the fire safety features required by the State Fire Marshal. This is done in conjunction with personnel from the State Fire Marshal's Office.

The support for this function comes entirely from the Division of Architecture Public Building Fund which receives revenues in the form of fees assessed against each plan checked on a sliding scale percentage basis. In our analysis of the 1957 Budget we pointed out that for the first time the income of the Division of Architecture Public Building Fund was expected to be less during the 1957-58 Fiscal Year than the requested expenditures. The same situation prevails with respect to the 1958-59 Fiscal Year, but to a greater degree.

**ANALYSIS**

In order to carry on its function of checking schoolhouse plans, the division proposes to expend during the 1958-59 Fiscal Year \$1,325,767 which is \$175,546, or 15.6 percent, more than the expenditures anticipated for the current fiscal year.

The bulk of this increase results from the proposal to confirm 16 new positions which were added administratively during the current fiscal year, consisting of four senior electrical engineers, four senior mechanical engineers, three electrical inspectors grade II, three electrical inspectors grade I, two mechanical inspectors grade II and one mechanical inspector grade I, at a total salaries and wages cost of \$130,032. The basis for this proposed increase in personnel is a recent Supreme Court decision which has been interpreted to mean that local governmental inspection services no longer have jurisdiction over the field inspections of the mechanical and electrical services in the construction of public school buildings. Under the present system the Division of Architecture concerns itself only with the structural stability of the buildings. Under this new interpretation, the division must also concern itself with the mechanical and electrical adequacy of the buildings. In order to do this, these additional specialized people are necessary. In reviewing construction plans of most building types it will generally be found that the mechanical and electrical portions represent between 20 and 25 percent of the volume of work to be done. Consequently, it appears that 16 additional technical positions are reasonably in line with this workload. Therefore, on the assumption that the legal interpretation is valid, we recommend approval of the request as submitted.

We would like to point out, however, that the surplus previously built up in the Division of Architecture Public Building Fund is steadily decreasing. While fees paid into the fund have been increasing at a very slow rate, for example \$1,022,434 in the 1956-57 Fiscal Year to \$1,125,000 estimated in the 1958-59 Fiscal Year, interest earnings from surplus money has been going down as a result of transfers into the General Fund. In the 1956-57 Fiscal Year the interest earnings were \$32,001, in the 1958-59 Fiscal Year it is estimated that they will be \$13,000, making a total income of \$1,138,000. Chargeable against this will be the support request of \$1,325,767 plus \$77,338 for contributions

## Division of Architecture—Continued

to the State Employees' Retirement Fund, making a total expenditure of \$1,403,105. This results in a net operating deficit of \$265,105 and the trend would indicate that in the following fiscal year the net operating deficit will be still greater.

At the beginning of the current fiscal year surplus in the fund was \$876,146, at the close of the current fiscal year it is anticipated that it will be \$598,779. At the close of the 1958-59 Fiscal Year this surplus will have been reduced to \$333,674. At this rate of attrition the surplus will serve for only one or possibly two more years, at which time either additional revenues will have to be found for the fund or costs of operation will have to be reduced commensurately.

## AERONAUTICS COMMISSION

ITEM 199 of the Budget Bill

Budget page 504

FOR SUPPORT OF AERONAUTICS COMMISSION FROM THE  
GENERAL FUND

Amount requested .....	\$83,198
Estimated to be expended in 1957-58 Fiscal Year .....	89,243
Decrease (6.8 percent) .....	\$6,045

## Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$11,441	—	\$6,672	505 41
Operating expense .....	—318	—\$318	—	505 54
Equipment .....	—17,168	—17,168	—	505 56
Total increase .....	—\$6,045	—\$17,486	\$6,672	

## RECOMMENDED REDUCTIONS

Reduction in budgeted increases .....	\$6,672
Improved efficiency and policy reappraisal .....	None
Total reductions .....	\$6,672

## GENERAL SUMMARY

Chapter 1379 of the Statutes of 1947 created the Aeronautics Commission for the purpose of aiding local jurisdictions in solving aviation problems. The functions of the commission as envisioned at that time are described in Section 21241 of the Public Utilities Code which reads as follows: "*Encouragement of aeronautics, airports, and air navigation facilities; co-operation.* The commission shall encourage, foster, and assist in the development of aeronautics in this State and encourage the establishment of airports and air navigation facilities. It shall co-operate with and assist the Federal Government, political subdivisions of this State, and others in the development of aeronautics, and shall seek to co-ordinate their aeronautical activities.

"Political subdivisions may co-operate with the commission in the development of aeronautics and aeronautics facilities in this State."

In addition to the promotional aspects, the major functions that the commission is charged with can be described as follows: (1) issuing

## Aeronautics Commission—Continued

permits for the construction of new airports (Public Utilities Code, Section 21664); (2) inspection of existing airports for compliance with minimum safety standards and the issuing of operating permits to them (Public Utilities Code, Sections 21662 and 21666); (3) investigating proposed school sites within a two-mile radius of an existing airport for the purpose of determining unsafe conditions or noise problems that could ultimately prove to hamper an educational program (Chapter 1451, Statutes of 1955); (4) providing supervision of junior college and college flight programs. The commission is also providing a master insurance policy for these programs (Chapter 1592, Statutes of 1957); (5) approving zones of approach to airports in compliance with TSO-N18 which is a federal regulation (Chapter 1651, Statutes of 1957).

## ANALYSIS

The level of service proposed for the budget year by the Aeronautics Commission is an increase over that of the current year. The budget request is \$83,198, while it is estimated that expenditures will be \$89,243 in the 1957-58 Fiscal Year. It will be recalled that an additional airplane was provided in the current year's budget at a cost of \$17,000, so that the total budget for the 1958-59 Fiscal Year actually appears to be less than that of the current year. The major increases in the budget year are attributable to two factors, the first being brought about by the passage of Chapter 872, Statutes of 1957, which requires that: "Each member of the commission shall receive his actual and necessary expenses and \$25 a day for attending meetings of the commission or while acting under its orders."

Previous to passage of the above chapter, commission members were paid only \$25 per day or their actual expenses. It is estimated that the additional cost resulting from the passage of this legislation will be \$1,250 during the current fiscal year and \$1,500 during the budget year. The second factor of increase is the request for one additional position, which is discussed in detail below.

*1 Airport planning engineer (budget page 505, line 38)----- \$6,672*

In 1955 a major budget cut eliminated all engineering positions that previously existed, leaving the commission with the following staff members: director, field representative, assistant field representative and a senior stenographer-clerk. The 1957-58 Budget included an additional position of one assistant field representative to meet the demands on staff time occasioned by Chapter 1451, Statutes of 1955, which was mentioned in the General Summary above as Function No. 3. The commission has been granted an amount in its current budget for the purpose of hiring engineering consulting services as they were needed. However, the agency states that this has not proved satisfactory since most of the engineering problems confronting the agency are too small to attract major engineering firms, and agency has not been able to spend these funds. Section 21601 of the Public Utilities Code reads as follows: "Engineering and Technical Services. The commission may make available its engineering and other technical services, with or

**Aeronautics Commission—Continued**

without charge, to any political subdivision or person desiring them in connection with planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities, subject to rules promulgated by the commission." It will be noted that the commission is not required to provide free engineering services to local political subdivisions and this service is entirely controllable. This budget request is therefore clearly an increase in service.

Based upon the foregoing we recommend that the position of airport planning engineer be eliminated.

Operating expenses indicate a minor decrease which is due to the elimination of \$1,500 for consulting services as a result of the addition of the position mentioned above, while equipment shows a decrease of \$17,168 which is the result of the purchase of an additional airplane during the current fiscal year.

**Economies and Improvements Requiring Legislation**

In view of the fact that the Aeronautics Commission provides a service to private noncommercial aviation, it would appear that some method should be arrived at whereby the commission could be supported by those receiving the benefit of its services. Even though we have recommended in the past that the commission be abolished as a General Fund function and the Legislature has considered legislation to do this, we feel that this area should be studied again.

One of the methods proposed in the past suggested that support be derived from the unrefunded motor vehicle tax on aviation gasoline. We recognize this as one of the possibilities. However, other avenues might be available, such as aircraft registration fees or pilot registration fees. The increasing use of noncommercial aircraft as a means of transportation points up the desirability of assessing the cost of this program upon the user in the same manner as highway user taxes are devoted to highway purposes.

**COLORADO RIVER BOUNDARY COMMISSION**

ITEM 200 of the Budget Bill

Budget page 506

**FOR SUPPORT OF COLORADO RIVER BOUNDARY COMMISSION  
FROM THE STATE LANDS ACT FUND**

Amount requested .....	\$26,867
Estimated to be expended in 1957-58 Fiscal Year .....	24,285
Increase (10.6 percent) .....	\$2,582

**RECOMMENDED REDUCTIONS**..... None

**GENERAL SUMMARY**

Chapter 1693 of the Statutes of 1953 created the Colorado River Boundary Commission for the purpose of establishing a liaison with a similar organization created in the State of Arizona to attempt to define a common boundary between the two states. Originally this boundary was the center line of the Colorado River, but due to the movement of the river since 1849 a mutually agreeable boundary line has not been



**Colorado River Boundary Commission—Continued**

established. Subsequent to the original creation of the commission, negotiations have been carried on, but were not completed by the time the Legislature met in 1955. Consequently, Chapter 1679 of the Statutes of 1955 appropriated \$50,000 for the commission to continue its work. Since negotiations were not complete by June 30, 1957, the Department of Finance included the commission in the Governor's Budget for the first time in 1957.

It would appear that the activities of the commission will continue for some time since once an agreement is reached it must be adopted by the legislature of both states and following such adoption it must be adopted by the Congress of the United States, at which time monumentation and marking of the line will be conducted.

**ANALYSIS**

The increase in the budget request from the amount estimated to be expended in the 1957-58 Fiscal Year is brought about by the anticipated contract services that might be necessary in the budget year to provide for surveying the boundary line in preparation for monumentation which would be requested in a future request.

We recommend approval of the amount requested.

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

ITEM 201 of the Budget Bill

Budget page 509

**FOR SUPPORT OF THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FROM THE GENERAL FUND**

Amount requested .....	\$3,285,388
Estimated to be expended in 1957-58 Fiscal Year .....	3,175,386
Increase (3.5 percent) .....	\$110,002

**Summary of Increase**

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$102,713	\$102,713	—	510 73
Operating expense .....	25,925	25,925	—	510 75
Equipment .....	—18,636	—20,681	\$2,045	510 77
Total increase .....	\$110,002	\$107,957	\$2,045	

**RECOMMENDED REDUCTIONS**

Reduction in budgeted increases .....	\$2,045
Improved efficiency and policy reappraisal .....	500
Total reductions .....	\$2,545
Summary of reductions .....	

	Amount	Budget	
		Page	Line
Reduce traveling, out-of-state .....	\$500	510	9
Reduce equipment .....	2,045	510	59
Total .....	\$2,545		