

Fourth Appellate District—Continued

this level. The addition of these research attorneys will lend itself to a more adequate research of the cases and give the justices more time to review and write their decisions. We recommend approval of the two proposed positions.

The largest item of increase in operating expenses is for in-state traveling. This court holds sessions on a rotating basis of every four months at Fresno, San Bernardino and San Diego. With the addition of two new positions and the filling of one position currently unfilled, the cost of travel allowance has increased proportionately.

The increase in equipment items is primarily due to the addition of the new positions.

The 13.4 percent increase in this budget raises the Fourth Appellate District Court to the level of service of the other appellate courts. We recommend approval of this item as submitted.

GOVERNOR**ITEM 23 of the Budget Bill**

Budget page 16

FOR SUPPORT OF GOVERNOR FROM THE GENERAL FUND

Amount requested	\$556,133
Estimated to be expended in 1958-59 Fiscal Year	506,199
Increase (9.7 percent)	\$49,934

TOTAL RECOMMENDED REDUCTION..... None

ANALYSIS

The Constitution empowers the Governor to carry out the chief executive functions of the State of California. To assist him in his duties, he has a staff of 10 secretaries and 46 technicians and clerks.

The increase of \$49,934 is explained as follows:

	<i>Amount</i>
Proposed new positions:	
1 Co-ordinator of radiological activities	\$11,250
1 Secretary-stenographer	3,384
Salary adjustments	20,679
Operating expenses	5,686
Equipment	8,935
Total increase	\$49,934

We recommend approval of the budget as submitted.

Governor**GOVERNOR'S RESIDENCE****ITEM 24 of the Budget Bill**

Budget page 16

FOR SUPPORT OF THE GOVERNOR'S RESIDENCE FROM THE GENERAL FUND

Amount requested	\$17,400
Estimated to be expended in 1958-59 Fiscal Year	17,400
Increase	None

TOTAL RECOMMENDED REDUCTION..... None

Governor's Residence—Continued
ANALYSIS

The amount requested above is to pay for the interior operations of the mansion.

We recommend approval of the amount requested.

Governor
SPECIAL CONTINGENT EXPENSES

ITEM 25 of the Budget Bill

Budget page 16

FOR SPECIAL CONTINGENT EXPENSES OF THE GOVERNOR'S
OFFICE FROM THE GENERAL FUND

Amount requested	\$7,500
Estimated to be expended in 1958-59 Fiscal Year	7,500
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Increase	None

TOTAL RECOMMENDED REDUCTION..... None

ANALYSIS

The amount requested is not subject to audit; therefore, we do not have a breakdown of the expenditures and can make no comment.

We recommend approval as budgeted.

Governor's Office
OFFICE OF CONSUMER COUNSEL

ITEM 26.5 of the Budget Bill

Budget page 17

FOR SUPPORT OF OFFICE OF CONSUMER COUNSEL
FROM THE GENERAL FUND

Amount requested	\$45,000
Estimated to be expended in 1958-59 Fiscal Year	None
<hr/>	
Increase	\$45,000

TOTAL RECOMMENDED REDUCTION..... \$45,000

ANALYSIS

This item is an unallocated amount of \$45,000 for the purpose of creating an Office of Consumer Counsel in the Office of the Governor. It is intended that legislation will be introduced which will amend the Government Code to authorize the creation of this office. It is proposed that the office be provided with a position of Consumer Counsel at a salary of \$15,000 per year and that other staff and advisory committees be authorized within the limits of the appropriation for 1959-60.

The Consumer Counsel is to advise the Governor "as to all matters affecting the interests of the people as consumers and as to methods to increase the competence of the people as purchasers." The counsel shall also recommend to the Governor "the enactment of such legislation as he deems necessary to protect and promote the interests of the people as consumers."

In the absence of more specific plans as to the objectives and probable results of this office, it is difficult to analyze the item or to recommend its approval.

Office of Consumer Counsel—Continued

The proposal appears to be based on the concept that the consumer interest is not being promoted and protected by the existing executive and legislative process and should be recognized as a special executive responsibility, attached to a separate agency to promote this interest and to propose legislation. Although it is the right and the duty of the executive to propose legislation, and through his immediate staff and that of his departments he has extensive facilities for this purpose, it would not appear that this responsibility is any greater or any less in the case of consumers than in the case of any other segment of complex economic forces in the State of California. All persons are consumers, and in the same sense, almost all persons are producers of either goods or services. The interests of consumers are difficult to separate from interests otherwise classified. For example, one of the principal matters generally referred to as being of consumer interest is that of prices. In turn this generally is meant to concern itself with "overpricing." Yet the stabilization of prices is a fundamental policy of State Government and occurs in the form of labor prices, agricultural prices, alcoholic beverage prices, fair trade prices, professional and vocational standards, public utility prices, etc. These price stabilization matters are of concern to the citizen as "consumer" or "producer," whether large or small. That these interests vary from time to time and are concerned in different matters in different ways is clear. But this is a normal function of government and full authority already exists in both the executive and legislative branches of government for the establishment, execution and evaluation of policies in these areas and in the "public interest." This involves the concept of what laws both do and do not do. It is difficult to comprehend the State's interest in each of these areas as a matter distinct from the already established legislative and executive functions and processes.

In the absence of any proposal which offers a tangible definition of consumer interest which is not under existing legislative and executive processes duly accounted for and properly administered (or for which correction there is not already executive and legislative recourse) we have no basis upon which we could recommend this expenditure.

Failure to act on this item would, in our opinion, in no way affect the ability of the Legislature or of the executive to consider the interests of the people as consumers.

We recommend disapproval of the item.

**Governor's Office
STATE DISASTER OFFICE**

ITEM 27 of the Budget Bill

Budget page 17

FOR SUPPORT OF DISASTER OFFICE FROM THE GENERAL FUND

Amount requested	\$1,063,842
Estimated to be expended in 1958-59 Fiscal Year	1,057,864
Increase (0.5 percent)	\$5,978
TOTAL RECOMMENDED REDUCTION	\$45,000

State Disaster Office—Continued

GENERAL SUMMARY

The State Disaster Office is an outgrowth of the Office of Civil Defense which was established by the "Civil Defense Act of 1950," Third Extraordinary Session. This act directed the Governor to delegate to the new office certain powers which he possessed with respect to war-caused disasters. Subsequently the Legislature expanded these powers to include natural disasters. Thus, there has been in active service for at least eight years, an agency which was charged with the responsibility for developing a practical plan of civil action in the event of war-caused damage and destruction to the State's economy, physical plant, civil governments and private property. Furthermore, it was to establish and encourage the maintenance of volunteer "task forces in being" at the local levels since it was recognized that actual physical help would have to come from "grassroots" manpower trained to undertake the myriad tasks which would result from any major disaster.

It would be appropriate to examine the accomplishments in this program to date. The first essential of an effective organization as set forth in Section 2 of the "Civil Defense Act of 1950" has never been established—the clear delineation of responsibilities and duties at all levels of government and private enterprise from the Federal Government down through the various units of local government to the individual industries and plants. At this late date there are few large industries and plants which have a clear and understood survival plan in the event of a major military disaster. The survival and reactivation of our essential industrial activities are probably equally as important as the survival and succor of the people since the latter would depend very heavily on the goods, materials and services flowing from such industries. Essentially the same may be said for such jurisdictional levels as schools and school districts. While they have supposedly received instructional pamphlets from the State Department of Education concerning their duties in the event of a disaster, very few have established practical plans for action or appropriate liaison with local civil defense organizations. In part, this failure might be due to the fact that in so many cases school districts overlap more than one local civil defense jurisdiction which complicates any action and apparently leads to disinterest.

Secondly, what are the appropriate and necessary functions to be performed in order to assure the survival and re-establishment of both the social and economic order and how have they been implemented? It would appear, in accordance with Section 1505.5 of the Military and Veterans Code that the first duty of a civil defense program is to provide, if possible, warning of impending danger. Such warnings come initially from the Federal Government and can be disseminated through state and local channels to the individual people.

There are in existence warning channels from the military authorities to the State Disaster Office, warning channels from the State Disaster Office to its regional establishments and, both through these establishments and direct warning channels, to many forms of local juris-

State Disaster Office—Continued

dictions. These channels are the so-called "bell and lights" system, radio, telephone, teletype, etc. Up to this point the warning system appears to be adequate and effective but beyond this point grave questions exist as to the ability of the warning signal to reach even the majority of the people in the State. The warning is disseminated locally almost entirely by sirens. However, these sirens where they do exist, do so largely only in incorporated areas. Many heavily populated unincorporated areas have no such warning systems. Also, many of the incorporated areas have either no systems at all or systems having varying degrees of inadequacy.

In addition to the complex of channels leading to the sirens, there is the Conelrad System. This is designed to be a system of direct warning to the individual people, if they happen to be listening to the radio. Even in such an event previous exercises have indicated time lags of twenty minutes or longer for transmission of warnings by Conelrad as compared with the one or two minutes that is possible from military to state to local units to sirens. Since it has been said by many authorities that any warning, if a warning is possible at all, would be of short duration, it appears that the Conelrad System cannot be counted on for direct and immediate warning purposes. However, it can serve a very useful function as a means of disseminating information to the people after the warning has been thoroughly established. It appears, then, from the foregoing that in respect to the first essential service to be rendered to the people we have a system that is substantially less than adequate.

The second responsibility of a civil defense program, in accordance with Section 1535.2 of the M & V Code, would appear to be the establishment of a plan of statewide action, in the event of a major disaster, and its thorough integration by and with all levels of local government, commerce and private industry, and the citizenry at large. At this very moment there still exists a dangerous cleavage of opinion with respect to the major characteristic of the steps to be taken immediately following a military disaster. Are the people to be evacuated, are they to be sheltered in the immediate vicinity of their communities or are they to stay in their homes and in some cases at their jobs? It seems to us that until this major problem is resolved there will continue to be a great deal of confusion and disinterest in the entire civil defense problem. It would appear that it is incumbent upon the Federal Government to take a strong guiding hand in determining an overall plan of action, implementing it and assigning to the various lesser levels of government appropriate roles in the plans. Informal talks with civil defense people at local levels have indicated that they believe that one of the major roadblocks to the establishment and implementation of a workable plan at the working level and to the enthusiastic co-operation of volunteers and others concerned at the working level is what they regard as the apparent lack of interest and guidance at each successively higher governmental echelon.

The third important duty of a civil defense program, in accordance with Section 1535.3 of the M & V Code would appear to be the establish-

State Disaster Office—Continued

ment of properly maintained sources and stockpiles of equipment, materials and supplies necessary to help minimize the damage and destruction following a major military strike. In this same category, while not clearly set forth in the code, should be included the establishment of some form of facilities for the reception of refugees or evacuees as the case might be. While there appear to be strong differences of opinion concerning evacuation immediately following an alarm, it appears to us that evacuation after a major military strike will probably be a necessity in view of the nature of the weapons that will be employed. Radioactive fallout from nuclear blasts will probably make necessary the movement of people away from the paths of major concentrations of such fallout. To what facilities will such evacuees be moved and how will they be cared for? More important, who will be responsible for the establishment and maintenance of even the most rudimentary reception centers? To the best of our knowledge, at least where California is concerned, there are no such facilities either in existence or in planning. It seems obvious that such facilities would have to be placed in the more remote parts of the State and they would constitute such a burden as to make it impossible for any one county to establish and maintain even a single large reception center. It would appear then that it is a state and federal responsibility to establish such reception centers even at a minimum level, possibly by the use of existing state and national parks, as an example.

With respect to stockpiles of supplies, medicines, equipment, etc., there appears to be some disturbing information to the effect that these are less than dependable. For instance, we understand that paper blankets when recently opened cracked in several pieces and were useless, folding cots and stretchers were so badly warped and cracked that they either could not be put together or could not stay together and sustain the weight of a body. Where drugs, antibiotics and other such materials are concerned, there are serious questions as to their usability. Last year it was stated by the State Disaster Office that the expiration dates of many types of drugs and antibiotics had been extended and in some cases dosages were increased on the assumption that beyond the original expiration date the material would not be as potent. However, what was done to acquaint doctors, nurses and medical technicians all over the State with these facts so that if an emergency arose they could effectively make use of these supplies? To the best of our knowledge, no markings have been changed on the packages so that a doctor using one and being ignorant of the fact that its expiration date had been extended and its dosage increased might well refuse to employ the material. It would appear to us that to have stockpiles of supplies in which full confidence could not be placed is substantially worse than having no stockpiles at all. Without stockpiles it is conceivable that plans might be made to draw supplies as needed from active commercial sources but in view of the existence of the stockpiles no such plans have apparently been prepared.

The current organization of the State Disaster Office is composed of 80.5 positions at the headquarters and general statewide level, 13 posi-

State Disaster Office—Continued

tions in region one, 10 positions in region two and 8.5 positions in region three, making a total of 112 regular positions. This organization appears large enough to solve day-to-day problems and to maintain appropriate liaison with local civil defense agencies. However, as a practical matter, there appear to be numerous points of dissatisfaction in the minds of local administrators which could be resolved or clarified by more adequate liaison. For instance, a great deal of the equipment in the hands of local agencies was purchased on the basis of cost sharing among the federal government, local agency and the State with the State retaining title to the equipment. The latter fact has resulted in a great deal of red tape in the matter of the maintenance of such equipment. Local civil defense agencies are now able to receive surplus federal property for use in civil defense programs but requests for such property must be cleared through the State Disaster Office. The cost of the additional workload in the State Disaster Office is defrayed by means of a small surcharge generally equivalent to 10 percent of the surcharge made by the state educational agency for handling, warehousing, etc. There does not appear to be any great dissatisfaction with the second surcharge as such, but there is considerable dissatisfaction with the fact that two separate billings are made which causes difficulty in the bookkeeping and accounting systems of most of the local agencies. Such things should be resolved by proper liaison between the State Disaster Office and the various local agencies.

ANALYSIS

		Summary of Reductions		Budget	
		Amount	Page	Line	
3	Fire and rescue specialist.....	\$26,000	18	14	
2	Law enforcement specialist.....	19,000	18	17	
	Operating expenses	computed	18	--	

The proposed expenditures of the State Disaster Office are almost the same as anticipated for the current year. The increase is less than 1 percent, from \$1,057,864 estimated to be expended in the current fiscal year to \$1,063,842 in the budget year. However, this increase arises from an increase of over \$21,000 in salaries and wages due to merit salary adjustments which is offset by an increase in reimbursements.

We do not believe that any very substantial reductions can be made in the present expenditures for civil defense at the state level if we carry out the program under existing concepts of state responsibility and are to have a service which has even a modest effectiveness and dependability. However, we believe that some savings and a more effective use can be made of the present level of appropriations by reductions and redeployment of some of the funds as follows:

At the headquarters level there is a Fire and Rescue Division consisting of a division chief and three field representatives and a Law Enforcement and Warden division consisting of a chief and two field representatives. We suggest that both these services are old established services in so far as local levels are concerned. For many years before the need for a civil defense arose there were well established avenues of communication and co-operation among local fire departments on a

State Disaster Office—Continued

statewide basis and local law enforcement agencies on a statewide basis. In the course of each year many widely attended meetings occur both among fire agencies and law enforcement agencies. We suggest, therefore, that the maintenance of liaison between the State Disaster Office and the various local fire fighting agencies can be accomplished by a single individual whose major task would be that of attending all of the conferences that occur in various parts of the State and by this method disseminating whatever information is required. We suggest that this single position need be no more than a field representative and that the chief of the fire and rescue division could be the State Fire Marshal ex officio, since as a practical matter he would probably take over the task of statewide fire agency co-ordination in the event of a major military disaster. This could probably reduce the salaries and wages expenditure in this section by \$26,000 plus a substantial reduction in operating expenses, particularly traveling costs.

The same change could be made with respect to the law enforcement division by reducing it to a single individual in the category of field representative with the chief of the division being ex officio, the Highway Patrol Commissioner or possibly the chief of the Bureau of Criminal Identification and Investigation of the Department of Justice. The single field representative could adequately maintain liaison between the State Disaster Office and the various law enforcement agencies at local levels by attending the numerous annual conferences that take place. This change could reduce the salaries and wages cost of this division by approximately \$19,000 along with substantial reductions in operating expenses, particularly in the category of traveling.

We recommend that the budget be reduced by a total of \$45,000 in salaries and wages plus the operating expenses involved in the positions.

In the matter of regional office staffing, we suggest that a more effective use could be made of the funds involved and more enthusiasm and interest could be generated at the local levels by reducing each regional office to one co-ordinator and one secretary which would reduce salaries and wages for regional offices by approximately \$178,000 together with commensurate operating expenses, which in turn could be expended by contracting with local civil defense agencies to provide the services now being provided by assistant co-ordinators and to more effectively maintain liaison between local civil defense agencies and the more than 70,000 state employees, all of whom should receive some kind of training for civil defense purposes.

There is now available to the State of California an important avenue for making a substantial reduction in its own outlays for the State Disaster Office without reducing the level of service in that office. Public Law 606 of the 85th Congress set up matching funds for expenditures made by state and local governments for civil defense. However, this law contains certain criteria which must be met in order to receive these matching funds. The State Disaster Office qualifies in all respects, apparently, with the exception that there is some question as to whether its employees obtain and retain their positions under a so-called merit system. It is our understanding that a merit system does not necessarily

State Disaster Office—Continued

entail the establishment of a civil service system such as covers most of the employees of the State of California. The intent of the federal legislation is apparently to insure that civil defense personnel will be employed on the basis of ability, background and training and not purely on the basis of political expediency. It is our understanding that the State Department of Finance is recommending that the necessary legislation be enacted to take the personnel of the State Disaster Office under the State's civil service system.

The radiological laboratory in the headquarters building, Sacramento, does not appear to serve, primarily, the civil defense mission of this agency. Apparently its major work load is the servicing of the Department of Water Resources and the Water Pollution Control Board. Its minor function is the training of field personnel for the Radef program, who could just as easily be trained in the laboratory if it were attached to a more logical using agency. *We recommend that the laboratory, equipment and at least the one position assigned to it be transferred to the State Department of Health, there to become part of a centralized, peace time radiological service unit, which could be available for military or natural disaster use as required.*

LIEUTENANT GOVERNOR

ITEM 28 of the Budget Bill

Budget page 19

FOR SUPPORT OF LIEUTENANT GOVERNOR FROM THE
GENERAL FUND

Amount requested	\$65,631
Estimated to be expended in 1958-59 Fiscal Year	64,710
Increase (1.4 percent)	\$921

TOTAL RECOMMENDED REDUCTION..... None

GENERAL SUMMARY

The Lieutenant Governor is elected to hold office for the same term as the Governor. He serves as an ex officio member of a number of boards and commissions, which include the Board of Regents of the University of California, State Lands Commission, State Disaster Council, Reciprocity Commission, Interstate Co-operation Commission, and the California Toll Bridge Authority. He acts in place of the Governor during periods when the Governor may temporarily be out of the State. Should the Governor's office be permanently vacated, the Lieutenant Governor succeeds to the governorship. He also is the presiding officer of the Senate, voting only in case of a tie.

ANALYSIS

Salary adjustments due to the increase in the Lieutenant Governor's salary from \$14,000 to \$20,000, which appears for the first full budget year at this time, accounts for the major portion of this increase. The other area of increase appears mainly in "in-state travel." Both of these increases were offset by a sharp drop in equipment requirements

Lieutenant Governor—Continued

which reflected the purchase of a new vehicle for the use of the Lieutenant Governor during the present budget year.

In addition to his offices in the State Capitol, office space in the State Building in Los Angeles is provided for the Lieutenant Governor. The 1,118 square foot area consists of a public waiting room, a receptionist's office and a private office for his use.

We recommend approval of the amount budgeted.

STATE EMPLOYEES' RETIREMENT SYSTEM

ITEM 29 of the Budget Bill

Budget page 20

FOR SUPPORT OF THE STATE EMPLOYEES' RETIREMENT SYSTEM FROM THE GENERAL FUND

Amount requested	\$341,790
Estimated to be expended in 1958-59 Fiscal Year	446,152
Decrease (23.4 percent)	\$104,362

TOTAL RECOMMENDED REDUCTION..... \$4,520

GENERAL SUMMARY

The State Employees' Retirement System provides a method of funding and paying retirement and disability allowances to state employees and the employees of such counties, cities, and other local agencies as have contracted with the system for this service.

The system is controlled by a Board of Administration, consisting of a president, vice president and six members. The executive officer and the actuary report directly to the board. The assistant executive officer, actuary and administrative adviser act as staff to the executive officer. Further staff service is provided by the Administrative Services Section, with a staff of 24.

There are three main operating divisions. The Membership Division reviews the qualifications of applicants for membership, assists contracting local governments in applying the Retirement Law and the rules of the system, and performs related functions. The Accounting Division performs all accounting work and develops uniform procedures for accounting reporting. The Actuarial and Claims Division makes actuarial studies that form the basis of policy and of rate determination; it computes individual claims and benefits; it also makes cost estimates on pending retirement legislation.

One additional unit, Old Age and Survivors Insurance, is concerned with the administration of the federal program which has been elected as a portion of the retirement scheme of certain local governments. Costs of this unit are totally reimbursable to the State.

ANALYSIS

Summary of Reductions

	Amount	Budget	
		Page	Line
Reduce travel, in-state	\$1,200	21	65
Reduce equipment	3,320	21	75
Total reduction	\$4,520		