

II. ITEM ANALYSIS OF THE BUDGET BILL**LEGISLATURE**

ITEMS 1-9 of the Budget Bill

Budget page 1

FOR SUPPORT OF THE LEGISLATURE FROM THE GENERAL FUND

Amount requested	\$5,020,900
Contribution to State Employees' Retirement System	95,000
Total	\$5,115,900
Estimated to be expended in the 1960-61 fiscal year	6,601,224
Decrease (22.5 percent)	\$1,485,324

TOTAL RECOMMENDED REDUCTION	None
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GENERAL SUMMARY

The expenses of the Legislature are paid from the General Fund, Senate Contingent Fund, Assembly Contingent Fund and Legislative Printing Fund. The moneys for these expenses are obtained by direct appropriations from the General Fund and transfers from the General Fund to the special funds. Salaries, mileage and per diem of Legislators while attending sessions are by direct appropriation from the General Fund. Salary and per diem expense is authorized by the Constitution. Provisions for mileage expense is found in the statutes. Salaries of legislative employees and expenses of legislative committees are paid from the Contingent Fund. The cost of printing bills, documents, reports and mailing is paid from the Legislative Printing Fund.

ANALYSIS

The amount of \$5,020,900 is requested for fiscal year 1961-62. The amount of \$5,115,900 including contributions to the State Employees' Retirement System, plus \$629,074 balance carried forward from fiscal year 1960-61, makes a total of \$5,744,974 available for expenditures in fiscal year 1961-62. This represents an increase of \$555,669 over actual expenditures in fiscal year 1959-60 (Budget Session), and a decrease of \$856,250 from estimated expenditures for the current fiscal year.

We recommend approval of the amount as submitted.

LEGISLATIVE COUNSEL BUREAU

ITEM 10 of the Budget Bill

Budget page 4

FOR SUPPORT OF THE LEGISLATIVE COUNSEL BUREAU FROM THE GENERAL FUND

Amount requested	\$546,600
Contribution to State Employees' Retirement System	39,300
Total	\$585,900
Estimated to be expended in 1960-61 fiscal year	639,245
Decrease (8.3 percent)	\$53,345

TOTAL RECOMMENDED REDUCTION	None
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Legislative Counsel Bureau—Continued

GENERAL SUMMARY

The Legislative Counsel Bureau under a civil executive officer, with the title of Legislative Counsel, is an official body of state government responsible to the Legislature. The permanent office of this agency is in Sacramento.

The Legislative Counsel has numerous duties assigned in connection with the preparation and review of proposed and enacted legislative measures. In these activities he deals with Legislators, electors, county and city officials, state agencies, judges, investigating committees and the Governor.

The Legislative Counsel is the legal counsel for the Legislature and is selected on a qualification basis by concurrent resolution of the Legislature at the beginning of each regular session. He is authorized to employ a staff and maintain temporary offices for the convenience of the members of the Legislature. One such office is maintained in Los Angeles.

ANALYSIS

The amount of \$585,900 requested for support of the Legislative Counsel Bureau in the fiscal year 1961-62, including contributions to the State Employees' Retirement Fund, represents a decrease of \$53,345 or 8.3 percent under the amount estimated for expenditure in the current year. This reduction reflects the decreased workload in this agency during the shorter Budget Session. Estimated expenditures for the current year are related to the longer 120-day General Session. In comparison with the last Budget Session in 1959-60, proposed expenditures represent an increase of \$76,995, or 15.1 percent.

Expenditures for salaries and wages are scheduled to decrease \$36,113. The decrease is directly related to a reduction of 12.4 man-years in temporary help. No new positions have been requested.

Operating expenses are scheduled to decrease \$10,880. The major items of reduction are in-state travel (\$—10,383), office expenses (—\$4,500) and printing (—\$1,867). The principal item of increase is for subscriptions, pocket parts, etc., (+\$6,646).

We recommend approval of this item as budgeted.

CALIFORNIA LAW REVISION COMMISSION

ITEM 11 of the Budget Bill

Budget page 5

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

Amount requested	\$91,802
Contribution to State Employees' Retirement System	3,585
Total	\$95,387
Estimated to be expended in 1960-61 fiscal year	95,387
Increase	None
TOTAL RECOMMENDED REDUCTION	None

Law Revision Commission—Continued

GENERAL SUMMARY

This commission is composed of ten members, one each from the two houses of the Legislature, seven members appointed by the Governor, and the Legislative Counsel sitting as an ex officio nonvoting member. All members are entitled to actual expenses incurred in the discharge of their duties as well as travel expenses. In addition, members appointed by the Governor are entitled to a per diem allowance of \$20 per day for each day's attendance at the commission's meetings.

The commission is an official body of state government acting as an aid to the Legislature and has as its objectives: the examination of the common law and statutes of the State and judicial decisions for the purpose of determining defects therein and recommending reforms; receiving and considering proposed changes in the law as recommended by recognized bodies in the field of law and from individuals in the profession of law and jurisprudence and the public generally; and to recommend changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law; and to bring the laws of the State into harmony with modern conditions.

The commission's workload is determined by the studies assigned by the Legislature, either from the calendar of topics suggested in the annual report to the Legislature, or by concurrent resolutions of the Legislature.

The commission's staff of five is headquartered at Stanford University. By agreement, the State pays all staff expenses except 25 percent of the executive secretary's salary which is paid by the University.

ANALYSIS

The amount requested for the 1961-62 fiscal year proposes to continue the current year level of activity. The budget is based on the estimate that 12 studies will be pursued during the current and budget year.

Increases in salaries and wages of \$2,376 are primarily due to merit increases. The decrease of \$2,825 shown in operating expenses can be attributed to a reduction of \$3,300 in research and contractual services coupled with a gain of \$1,500 in rent (which appears for the first time), and gains in printing and binding of \$1,050 offset by reductions of \$1,500 in in-state travel plus other small reductions amounting to \$600. The increase of \$250 in equipment expenses is to provide the additional equipment for the temporary stenographer-clerk.

We have reviewed the factors for including the rental of space at Stanford University and believe this charge is justifiable and equitable on a basis of 100 percent use.

We recommend approval of this item as budgeted.

CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

ITEM 12 of the Budget Bill

Budget page 6

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

Amount requested	\$5,850
Estimated to be expended in 1960-61 fiscal year	5,850
Increase	None

TOTAL RECOMMENDED REDUCTION	None
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GENERAL SUMMARY

The commission is composed of seven members, four of whom are appointed by the Governor, and one each from the two houses of the Legislature. The Legislative Counsel is an ex officio nonvoting member. Not less than one member is required by law to attend the meetings of the National Conference of Commissioners on Uniform State Laws. The commission is a body formed to aid and assist the Legislature.

The commission has as its statutory objective the promotion of uniformity in state laws in those areas where uniformity is considered desirable and practical; the passage, as far as is practical, of the various uniform laws recommended by the National Conference and the drafting and recommendation of such additional legislation as it may deem necessary to accomplish the objectives set forth above.

ANALYSIS

A review of this budget item indicates continuance of the same level of service and programs as presented in the 1960-61 budget.

The amount of \$2,300 budgeted as the contribution to the National Conference of Commissioners on Uniform State Laws is the principal item of expenditure.

We recommend approval of this item as budgeted.

CONTRIBUTION TO LEGISLATORS' RETIREMENT FUND

ITEM 13 of the Budget Bill

Budget page 6

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

Amount requested	\$140,000
Estimated to be expended in 1960-61 fiscal year	120,000
Increase (16.7 percent)	\$20,000

TOTAL RECOMMENDED REDUCTION	None
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GENERAL SUMMARY

Section 9358 of the Government Code provides that "the State shall contribute annually to the Legislators' Retirement Fund, an amount as estimated by the Board of Administration, 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."

Item 14**Supreme Court****Legislators' Retirement Fund—Continued****ANALYSIS**

The increase of 16.7 percent is a result of an increased number of retirement benefit payments.

We recommended approval of this item as budgeted.

SUPREME COURT

ITEM 14 of the Budget Bill

Budget page 7

**FOR SUPPORT OF THE SUPREME COURT FROM THE
GENERAL FUND**

Amount requested	\$850,359
Contribution to State Employees' Retirement System	35,746
Total	\$886,105
Estimated to be expended in 1960-61 fiscal year	891,651
Decrease (0.6 percent)	\$5,546

TOTAL RECOMMENDED REDUCTION..... None

GENERAL SUMMARY

The Supreme Court of California is the highest state court and consists of the Chief Justice and six associate justices, assisted by a staff of 56 which includes 26 attorneys, eight of which are research assistants. The members of the court are initially appointed by the Governor for a 12-year term, at the expiration of which they may stand on their record for election to succeed themselves. The courts' headquarters are in San Francisco. It is organized into two departments and sits in San Francisco, Sacramento and Los Angeles.

The jurisdiction of the court is set forth in Section 4 of Article VI of the State Constitution.

ANALYSIS

The total expenditure of \$886,105, which includes the contribution to the State Employees' Retirement Fund, represents a reduction of \$5,546 or 0.6 percent below the estimated total expenditures for the current year. The State's contribution to the Judges Retirement Fund amounts to \$4,830 for this court and is not included in the above expenditure figure.

One new position is requested, a legal secretary. This position was approved on a temporary basis for the fiscal year 1960-61 only, and is now proposed as permanent on a workload basis. We recommend approval.

The decrease of 0.6 percent is the primary result of a reduction of \$22,517 in equipment requirements offset by increases in salaries and wages due to merit increases and the new position, and in operating expenses for out-of-state travel and library costs.

We recommend approval of this item as budgeted.

JUDICIAL COUNCIL

ITEM 15 of the Budget Bill

Budget page 8

FOR SUPPORT OF THE JUDICIAL COUNCIL FROM THE
GENERAL FUND

Amount requested	\$231,376
Contribution to State Employees' Retirement System	13,483
Total	\$244,859
Estimated to be expended in 1960-61 fiscal year	238,237
Increase (2.8 percent)	\$6,622
TOTAL RECOMMENDED REDUCTION	None

GENERAL SUMMARY

This constitutional body of the Judicial Department of state government is composed of 11 judges from the following courts: two from the Supreme Court, one of whom is the Chief Justice who acts as chairman; three from the district appellate courts; four from the superior courts; one from the municipal courts; and one from the justice courts. All are appointed to the council by the Chief Justice for two year terms. Concurrence of not less than six members is required to validate any act of the council.

The principal function of the council is to survey the business of the several courts with a view to simplifying and improving the administration of justice. The council shall report to the Governor and Legislature at each regular session and make recommendations. It may also adopt or amend rules of practice and procedure for the several courts and submit recommendations to the Legislature in respect to changes of existing laws relating to practice and procedures.

The chairman of the council is required to endeavor to expedite judicial business and equalize the work of the judges by assignment of judges from other courts.

Within the authority granted in the statutes the council has employed a legal and technical staff of 19.

ANALYSIS

The 2.8 percent increase can be attributed to increases of \$11,602 in salaries and wages due to merit increases, an increase in the contribution to the State Employees Retirement System, and a reduction of estimated salary savings, offset by a reduction of \$4,631 in operating expenses due primarily to a reduction in printing requirements and a reduction of \$349 in equipment.

In a special report requested by the Ways and Means Committee, we surveyed the procedures followed by the Judicial Council in carrying out its supervisory functions and recommended the use of more exact workload measurements and stronger exercise of responsibility concerning use of master calendars and other procedures which will promote efficiency of the courts. We also recommended the Judicial Council give consideration to adoption of a district system of superior courts to reduce the unnecessarily high cost of assignments of judges to other courts.

We recommend approval of this item as budgeted.