

Minutes of
CALIFORNIA LAW REVISION COMMISSION

Organizational Meeting

February 23, 1954
10:00 a.m.
Senate Lounge
State Capitol
Sacramento, California

Pursuant to the call of Senator Jess R. Dorsey, the California Law Revision Commission met at 10:00 A.M., February 23, 1954 in the Senate Lounge, State Capitol, Sacramento, California.

Present:

- Honorable Jess R. Dorsey, Senate
- Honorable Stanford C. Shaw, Assembly
- Mr. John D. Babbage
- Mr. Richard C. Fildew
- Mr. Bert W. Levit
- Mr. Thomas E. Stanton, Jr.
- Mr. John Harold Swan
- Professor Samuel D. Thurman
- Mr. Ralph N. Kleps, Legislative Counsel,
Member ex officio
- Messrs. Chas. W. Johnson, Chief Deputy
Legislative Counsel, and Joseph L. Knowles,
Deputy Legislative Counsel, were also
present during parts of the meeting

The following officers were elected for terms expiring on October 1, 1955: Chairman, Thomas E. Stanton, Jr.; Vice-Chairman, John D. Babbage. Ralph N. Kleps was elected temporary secretary of the commission, pending selection of a permanent executive secretary. The temporary office of the commission was established at 3021 State Capitol, Sacramento.

After considerable discussion and the withdrawal of several prior motions, Mr. Swan moved that a three-member



committee be appointed to investigate and report at the next meeting concerning the possibility of locating the commission's office at one of the several law schools in the State and of securing the part-time services of a faculty member as executive secretary of the commission. The motion was seconded by Senator Dorsey and carried. The chairman appointed the following members to the committee: Swan, chairman; Babbage, and Levit. Discussion was had concerning the type of person needed for the position of executive secretary. Mr. Fildew made a motion, seconded by Senator Dorsey, and carried, which specified that the executive secretary should be the commission's confidential employee and should be exempt from civil service requirements under Article XXIV of the Constitution.

Mr. Kleps reviewed the financial provision made by the 1953 session of the Legislature for the commission. He noted the transfer of the \$30,000 Code Commission appropriation by Chapter 1445 of the Statutes of 1953 and the appropriation of \$12,000 for revision of the Education Code by Chapter 1682 of the Statutes of 1953. He reported that, as of the present, no provision had been made by the Department of Finance for inclusion of the commission in Governor Knight's proposed budget for the 1954-1955 fiscal year, but said that the matter had been mentioned to the appropriate subcommittees of the Senate Finance Committee and the Assembly Ways and Means Committee. A recess was taken at 12:15 for lunch.

The commission reconvened at 1:45 P.M. and discussed in detail the proposed budget to be submitted to the Director of Finance on behalf of the commission. After a full discussion the following items were agreed upon:

Salaries and Wages

Executive Secretary (part-time)	\$ 8,000
Stenographer	3,600
Commission Per Diem (8)	1,120

Operating

Office	500
Telephone and Telegraph	300
Printing	1,000
Postage and Cartage	250
Travel (commission and secretary)	4,700
Research contracts	8,000

Equipment

1,500

28,970

The chairman was authorized to present this suggested budget to the Director of Finance and to present the commission's plans for the remainder of the present fiscal year. Motions were made, seconded, and carried, that the following members be authorized to sign documents on behalf of the commission, insofar as the Department of Finance, the State Personnel Board and the State Controller are concerned: Stanton, Babbage and Kleps.

The commission then considered its assignment to revise the Education Code. Mr. Kleps summarized several discussions had by members of his staff with a committee of the California Association of School Administrators, which was the group sponsoring Chapter 1682. Senator Dorsey noted that the Education Code revision must be completed by January 1, 1955. Assemblyman Shaw made a motion, which was seconded by Senator Dorsey, and carried, that the chairman and temporary secretary should invite such sponsors of Chapter 1682 as they believed would be helpful to appear at the commission's next meeting to discuss the revision of the Education Code. This meeting was set for 10:00 A.M. on Saturday, March 20, in the State Capitol at Sacramento.

It was moved (Shaw), seconded (Swan), and carried, that the commission make no report to the 1954 session of the Legislature because of the shortness of time. The temporary secretary was instructed to prepare a news release covering the commission's organizational meeting, and to send out minutes of the meeting to the commission members. Tentative dates were set for either March 6 or March 13 as a time for the subcommittee on law school selection to meet in the chairman's office in San Francisco.

There being no further business the meeting was adjourned at 4:30 P.M.

Respectfully submitted,

Ralph N. Kleps
Temporary Secretary

Sacramento, California
February 23, 1954

To: Members of California
Law Revision Commission

From: Ralph N. Kleps

Subjects for Consideration
at Organizational Meeting

1. Organization of Commission
 - a. Election of permanent officers
 - b. Organization of joint interim committee of Legislature by the legislative members (Ch. 234 of Res., Stats. 1953).
 - c. Selection of temporary secretary, office address, clerical help, etc.
 - d. Committee to secure permanent executive secretary, office and clerical help (?).
 - e. Commission's action required for temporary fiscal operations: Dept. of Finance, Controller, and Personnel Board.

Signature Required:

1. Letter to Finance
 2. Letter to Personnel Board
 3. Controller's Claim Card
 4. Income Tax - W. 2.
 5. Dept. of Finance - Form 607
2. Budget problems for current fiscal year and for 1954-55 Fiscal Year.

- a. Summary of present status:
\$7500 allotted for remainder of fiscal year, plus \$12,000 special appropriation for Education Code revision (Stats. 1953, Ch. 1682); and remainder of \$30,000 Code Commission appropriation will revert to General Fund.
 - b. Plans for expenditure from February 22 to June 30, 1954.
 - c. Plans for expenditure for 1954-55 Fiscal Year. Budget must be presented to Department of Finance and added to Governor's budget early in March, and must be heard by Assembly Ways and Means Committee and the Senate Finance Committee. Governor's Budget now provides no funds for commission.
3. Special statute directing revision of the Education Code (Stats. 1953, Ch. 1682)
 4. General problems for consideration.
 - a. Senate confirmation of Governor's appointees.
 - b. Report to 1954 Legislature as provided by Gov. C. Sec. 10335.
 - c. Interest of the Judicial Council in revision of the criminal law.
 - d. Interest of the Commission on Uniform State Laws in study of the Uniform Commercial Code.
 - e. Items for statutory revision originating in the work of the Legislative Counsel.
 - f. Schedule of future meetings.