

1/2/69

Second Supplement to Memorandum 69-17

Subject: Agenda Topics (Budget for 1969 Legislature)

Attached for your information is a copy of the budget of the Law Revision Commission, prepared by the Department of Finance, as it will appear in the Governor's Budget. The budget is substantially as approved by the Commission. Only a few technical revisions were made by the Department of Finance. The Department of Finance has directed that this information be considered confidential until the budget is published.

The portions of the budget that are significant in connection with agenda topics relate to the output of and need for the Law Revision Commission. The statement of the need for the Commission indicates the view that the Legislature and the Executive Branch have of the function and purpose of the Commission. It is also significant to note the measures of output that are used in the Governor's Budget. However measured, output for 1968-69 will be low as compared to prior years.

Respectfully submitted,

John H. DeMouly
Executive Secretary

LEGISLATIVE

LAW REVISION COMMISSION

Office at Stanford University

Program Objective

The primary objective of the California Law Revision Commission is to study the statutory and decisional law of this state to discover defects and anachronisms and to recommend legislation to effect needed reforms. The subjects of commission study are designated by concurrent resolution of the Legislature.

The commission consists of a Member of the Senate appointed by the Committee on Rules, a Member of

the Assembly appointed by the Speaker, and 7 additional members appointed by the Governor with the advice and consent of the Senate. The Legislative Counsel is an ex officio nonvoting member of the commission.

SUMMARY OF PROGRAM REQUIREMENTS

Table with 2 columns: Requirement, Amount. Rows: Law revision * (General Fund), Personnel man-years.

Table with 3 columns: ACTUAL, ESTIMATED, PROPOSED. Rows: 1967-68, 1968-69, 1969-70. Values: \$126,230, \$150,069, \$163,922.

I. LAW REVISION

Output

The basic measure of the commission's output is the number of statute sections recommended to be added, amended, or repealed at a given session. This is not an accurate measure of output, however, since one statute section dealing with a complex, controversial problem may require substantially more resources than 50 sections dealing with a relatively simple, noncontroversial problem.

Table with 4 columns: Description, Actual 1967-68, Estimated 1968-69, Proposed 1969-70. Rows: Sections enacted, Sections recommended, Sections tentatively recommended.

Another measure of the commission's output is the number of printed pages contained in material published in a given fiscal year. To some extent, this reflects the commission's actual output since the complexity of the legal problem involved is generally reflected in the number of pages required to discuss the problem. However, the commission strives for conciseness in its publications in order to minimize printing costs and to reduce the volume of material that must be considered by the Legislature and other interested persons. Consequently, the more editorial resources that are devoted to a particular publication, the more likely that it can and will be shortened.

Table with 4 columns: Description, Actual 1967-68, Estimated 1968-69, Proposed 1969-70. Rows: Commission reports (printed pages), Background studies published in law reviews (printed pages).

- * An additional activity of the commission, required by Government Code Section 10331, is recommending the express repeal of all statutes repealed by implication or held unconstitutional.
1 The number of sections enacted exceeds the number recommended because several sections were added to the recommended legislation after it had been introduced in the Legislature.
2 These sections are included in a tentative recommendation relating to one aspect of condemnation law and procedure. One of the sections is a constitutional amendment.
3 These sections will be included in tentative recommendations relating to various aspects of condemnation law and procedure and inverse condemnation. However, the commission does not plan to submit comprehensive legislation on these subjects to the Legislature until 1972.

Need

The commission assists the Legislature in keeping the law up to date by intensively studying complex and controversial subjects, identifying major policy questions for legislative attention, gathering the views of interested persons and organizations, and drafting recommended legislation for legislative consideration. The commission also identifies deficiencies in the law that might not otherwise come to legislative attention and recommends corrective legislation.

The efforts of the commission permit the Legislature to devote its time to determining significant policy questions rather than having to be concerned with the technical problems involved in preparing background studies, working out intricate legal problems, and drafting needed legislation. The output of the commission thus permits the Legislature to accomplish needed reforms that the Legislature might otherwise not be able to effect because of the heavy demands on legislative time. In some cases, the commission's study results in a determination that no legislation on a particular topic is needed, thus relieving the Legislature of the burden of devoting its time to the study of such topic.

Table with 4 columns: Input, Actual 1967-68, Estimated 1968-69, Proposed 1969-70. Rows: Expenditures, Personnel man-years.

Workload Information

The workload of this commission is determined primarily by the number of topics assigned to it by the Legislature. The commission now has an agenda of 25

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LAW REVISION COMMISSION—Continued

I. LAW REVISION—Continued

topics referred to it by the Legislature for study. During the next four or five years, the Commission will devote most of its efforts to preparing recommendations relating to condemnation law and procedure and to inverse condemnation—two topics which legislative committees have directed the commission to give priority. Other recommendations on smaller topics will be submitted to the Legislature during this period.

Present staffing of the commission is adequate to handle the anticipated workload during 1969-70. Delay in completing work on major topics now under study is unavoidable because the studies are complex and controversial.

Authority

Section 10330 of the Government Code.

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LAW REVISION COMMISSION

SUMMARY				ACTUAL 1967-68	ESTIMATED 1968-69	PROPOSED 1969-70	AMOUNT OF CHANGE
TOTAL EXPENDITURES							
Support (General Fund) -----				\$126,230	\$150,069	\$163,922	\$4,853 (3.1%)
Personnel man-years -----				6.1	8	8	
EXPENDITURES	NO. OF POSITIONS			ACTUAL 1967-68	ESTIMATED 1968-69	PROPOSED 1969-70	AMOUNT OF CHANGE
	67-68 (Filled)	68-69 (Auth.)	69-70 (Auth.)				
PERSONAL SERVICES (See page -----, Salary Supplement)							
Authorized positions -----	6.1	8	8	\$78,417	\$105,650	\$108,485	
Staff benefits -----	-	-	-	6,773	8,710	9,276	
Workmen's compensation -----	-	-	-	-	100	100	
Totals, Personal Services -----	6.1	8	8	\$85,190	\$114,460	\$117,861	\$3,392 (3%)
OPERATING EXPENSES AND EQUIPMENT							
General expense -----				\$5,594	\$6,000	\$6,000	
Printing -----				15,836	13,900	14,500	
Communications -----				2,102	3,000	3,000	
Traveling—in-state -----				3,894	7,500	7,500	
Traveling—out-of-state -----				561	500	400	
Rent—building space -----				4,000	4,000	4,000	
Accounting and personnel services -----				2,403	2,600	2,600	
Research and contractual services -----				6,650	7,000	7,000	
Equipment -----				-	100	1,061	
Totals, Operating Expenses and Equipment -----				\$41,040	\$44,600	\$46,061	\$1,461 (3.3%)
TOTAL EXPENDITURES -----				\$126,230	\$159,069	\$163,922	\$4,853 (3.1%)

RECONCILIATION WITH APPROPRIATIONS

General Fund

APPROPRIATIONS

Budget Act appropriation -----	\$144,251	\$154,579	\$163,922
Allocations from Salary Increase Fund -----	5,072	5,677	-
Total Available -----	\$149,323	\$160,256	\$163,922
Unexpended balance, estimated savings -----	-23,093	-1,187	-
TOTAL EXPENDITURES -----	\$126,230	\$159,069	\$163,922

REVENUES

Miscellaneous (General Fund) -----	\$300	\$500	\$500
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CORRECTION RECORD

Shift	Initial	Mach. No.
1NO	_____	_____
2NO	_____	_____
FLOOR	_____	_____