

9/18/56

Memorandum No. 2

Subject: Budget for 1957-58

Attached is a copy of a revised proposed budget for 1957-58 and a copy of the Chairman's letter of September 14 to the Department of Finance explaining it.

The Department of Finance declined to give us any money from the emergency fund for the current year. Thus, we had to use all available surplus funds in the current budget for research and will not be able to augment our legal staff this year. We were able, however, to upgrade Mrs. Nordby's position from Junior Counsel to Assistant Counsel as of October 1, 1956.

The proposed budget for 1957-58 therefore provides for a new Junior Counsel position, to begin July 1, 1957. It also includes \$5820 to cover research projects which we will have to carry over from the current fiscal year for lack of funds to undertake or complete them (See Memorandum No. 3 regarding selection of studies to be completed during current fiscal year).

The Chairman and I decided, subject to the approval of the Commission, to include \$5000 in the item for Research Services in the proposed budget for 1957-58 as a reserve for studies which may be assigned to us by the 1957 Legislature, other than those recommended by the Commission. A similar item in our proposed budget for the current fiscal year was not approved by the Department of Finance but we believe that the events since the date of that decision conclusively establish the commission's need for such a fund. If the Chief of the Budget Section again refuses to approve this item, we recommend that the matter be discussed, if necessary, with the Director of Finance, the Governor, and the Ways and Means and Finance Committees of the Legislature.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

SUPPORT EXPENDITURES DETAIL	NO. OF POSITIONS				ACTUAL	ACTUAL	BUDGETED	9/17/56 PROPOSED
	54-55 (Filled)	55-56 (Filled)	56-57 (Auth.)	57-58 (Auth.)	1954-55	1955-56	1956-57*	1957-58
SALARIES AND WAGES								
Commission members (7) per diem	-	-			\$1,380	\$1,040	\$2,000	\$2,000
Executive Secretary (one-half time)	1	1	1	1	6,000	6,300	6,900	6,900
Assistant Counsel	-	-	-	1	-	-	5,922	6,285
Junior Counsel	0.4	1	1	1	1,790	4,721	-	4,980
Senior Stenographer-Clerk	1	0.8	-	-	3,470	3,175	-	-
Senior Legal Stenographer	-	0.2	1	1	-	682	4,550	4,780
Intermediate Stenographer-Clerk	-	0.2	1	1	-	427.17	3,372	3,484
Totals, Salaries & Wages	2.4	3.2	4	5	12,640	16,345.17	22,744	28,429
OPERATING EXPENSES								
Office					590.80	959.67	910	1,000
Printing & Binding					939.94	875.92	6,000	6,000
Traveling-in-State					3,083.17	2,161.14	4,040	4,000
Travel-out-of-State					-	379.25	500	500
Telephone and Telegraph:								
Exchange charges					512.12	262.43	250	265
Long distance					-	281.49	300	300
Postage					217.60	330.50	500	350
Subscriptions					-	259.75	-	300
Research Services					4,529.02	16,754.69	15,580	28,320
Revision Education Code					11,617.63	-	-	-
Totals, Operating Expenses					21,490.28	22,264.84	28,080	41,035
EQUIPMENT								
Office - additional					69.09	1,516.26	200	630
TOTALS, SUPPORT					34,199.37	40,126.27	51,024	70,094

* The figures in this column reflect certain transfers between items made in our budget for the current year as a result of discussions with the Department of Finance.

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September 14, 1956

Mr. Robert L. Barkness
Department of Finance
5066 State Capitol
Sacramento, California

Dear Mr. Barkness:

This letter explains the proposed budget of the California Law Revision Commission for fiscal year 1957-58. Several items have been substantially changed from their counterparts as originally established in our 1956-57 budget in light of the experience which the commission has gained during the past fiscal year.

1. SALARIES AND WAGES.

Commission Members (7) per diem (\$2,000): This figure is the same as the revised figure for 1956-57.

Executive Secretary (\$6,900): This figure is the same as for 1956-57.

Assistant Counsel (\$6,285): This figure takes account of the regular increase in pay for this position.

Junior Counsel (\$4,980): This is a new position. Our legal staff now consists of a half-time Executive Secretary and an Assistant Counsel. Experience has shown that there is more legal staff work to be done than these two people can do. To date we have been able to maintain our work load only because Professor McDonough, our Executive Secretary, has devoted considerably more than one-half of his time to the commission's work.

Senior Legal Stenographer (\$4,780): This figure takes into account the regular increase in pay for this position.

Intermediate Stenographer-Clerk (\$3,484): This figure is fixed on the assumption that we will begin a full time Intermediate Stenographer-Clerk as of November 1, 1956; thus the rate will be \$281 for the first four months of 1957-58 and \$295 for the remaining eight months.

2. OPERATING EXPENSES.

Office (\$1,000): This figure is slightly larger than the revised figure for 1956-57.

Printing and Binding (\$6,000): This figure is the same as for 1956-57.

Traveling-in-State (\$4,000): This figure is approximately the same as the revised figure for 1956-57.

Traveling-out-of-State (\$500): This figure is the same as for 1956-57.

Telephone and Telegraph. (a) Exchange charges (\$265): This figure has been increased slightly to cover charges at the present rate. (b) Long Distance (\$300): This figure is the same as for 1956-57.

Postage (\$350): This figure has been reduced from \$500 because postage expense has run less than anticipated.

Subscriptions (\$300): This is slightly larger than the cost of subscriptions in 1955-56 on the assumption that additional members of the commission may desire subscriptions in 1957-58.

Research Services (\$28,320): This figure consists of the following items:

Stanford Research Contract	\$ 2,500 ✓
Research carried over from 1956-57 due to lack of funds	5,820 ✓ ³⁷⁵⁰ ₂₀₇₀
Research on topics to be recommended to 1957 Session of the Legislature by the commission: 15 at an average cost of \$1,000	15,000
Reserve for topics which ^{will} may be assigned by 1957 Session of Legislature	<u>5,000</u>
	\$ 28,320

The figure for the Stanford research contract (\$2,500) is the same as for 1956-57. The figure of \$5,820 for research on assignments carried over from the current fiscal year consists of \$3,750 budgeted for the second part of the Uniform Rules of Evidence study plus \$2,070 by which we are short of the funds necessary to cover existing research assignments. The commission believes that its request for \$5,000 to cover assignments which may be given to it by the 1957 Session of the Legislature, other than those which the commission will recommend, is justified by its experience in the 1956 Session in which it was given several such assignments which will cost \$7,150 during the current fiscal year. The commission recognizes that the Department of Finance declined to approve a similar item in its proposed budget for the current fiscal year. We respectfully request

Mr. Robert L. Harkness

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the Department to reconsider its decision in order to avoid a recurrence of the present situation in which the commission has more assignments from the Legislature than it has funds to complete.

3. EQUIPMENT

Office - additional (\$630): This item assumes that the new position of Junior Counsel will be established and includes funds for the purpose of buying office equipment. It also includes funds for files which we find we must acquire at the rate of approximately two per year.

Very truly yours,

THOMAS E. STANTON, JR.
Chairman, California
Law Revision Commission

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