

4/25/73

Memorandum 73-40

Subject: Research Contracts

Two contracts with consultants are recommended for approval by the Commission.

Consultant on condemnation law and procedure. Commissioner McLaurin (after discussing the matter with Commissioner Sandstrom) recommends that Thomas M. Dankert, Ventura attorney, be appointed to replace Paul Overton as a consultant on condemnation law and procedure. The contract would be for one dollar compensation a fiscal year plus travel expenses at the same rate as members of the Law Revision Commission. The maximum amount of travel expenses under the contract would be \$500 for the period of the contract (May 5, 1973 - June 30, 1975).

Contract with Professor Van Alstyne on inverse condemnation. We have previously made a contract with Professor Van Alstyne covering various aspects of inverse condemnation law such as the following:

- (1) Rules on when interest commences and ceases to accrue.
- (2) Statute of limitations.
- (3) Claims statute.
- (4) Rules for offsetting benefits.
- (5) Remedies as alternatives to payment of damages.

Our authority to pay under this contract expires on June 30, 1973, and the study will not be even started by then because Professor Van Alstyne has been devoting all his free time to the Uniform Eminent Domain Code project. Accordingly, the staff would like to make a new contract for this study at the same compensation as the prior contract--\$3000 plus not to exceed \$200 in

travel expenses. I have written to Professor Van Alstyne asking whether he would be willing to make a new contract but have not yet received a reply. Obviously, we will not make the contract unless he is willing to do the study.

Respectfully submitted,

John H. DeMouilly
Executive Secretary