

3/7/85

Memorandum 85-37

Subject: Meeting Schedule

A subcommittee of the Assembly Ways and Means Committee held a hearing on the Commission's budget on March 6. Although the Legislative Analyst recommended approval of the budget as proposed by the Governor and the staff of the subcommittee recommended approval of the budget as submitted, one member of the subcommittee made a motion to reduce the amount of printing money in the budget by \$10,000 and another member suggested that the amount budgeted for travel be significantly reduced to force the Commission regularly to meet in Southern California where most of the members of the Commission live. But I have a good working relationship with the Chair and the majority of the members of the subcommittee, and the motions were not adopted and the budget was approved as submitted. However, the subcommittee adopted control language (a statute section to be a part of the budget bill) directing that the Commission not meet exclusively in Sacramento.

The Chair of subcommittee directed that I advise the Commission that the Commission should return to its previous policy of meeting at various places throughout the state. See the attached subcommittee analysis in more detail. (The staff of the subcommittee apparently had available the material we supplied to the office of the Legislative Analyst showing the names and addresses of members of the Commission, the frequency of meetings and proposed meetings, work in progress, and other information the Legislative Analyst had requested. I only became aware of this problem two days before the hearing and obtained the attached copy of the subcommittee analysis at the hearing.)

I explained to the subcommittee that the Commission had decided to meet in Sacramento because it was hoped that this would encourage the legislative members of the Commission to attend meetings. I stated that the cost was not significant because we had free use of a meeting room in the State Capitol and had to pay the cost of a meeting room if we met elsewhere than in Sacramento. The Chair of the subcommittee then indicated that it was more a matter of providing the public with an opportunity to observe and provide input to the Commission. I responded that we

have seldom had members of the public attend our meetings when we met in different cities, that our meetings are work sessions, not public hearings, and that we send

- copies of our agendas to more than 50 persons and organizations.
- copies of all our meeting materials on the probate law study to 66 different persons.
- copies of all meeting materials on family law matters to 46 different persons.
- copies of tentative drafts of probate proposals to 235 different persons.
- copies of tentative drafts of family law proposals to 177 different persons.

I told the subcommittee that we request persons to provide written comments that can be studied before the meeting so that we can devote the time at the meeting to developing and perfecting drafts.

The subcommittee was not persuaded. The control language (the special section to be added to the budget bill) was approved so that the subcommittee will be alerted next year to its expression of concern and can review the action taken by the Commission in response to the expression of concern. The subcommittee drafted the language of the control section using language that gives the Commission a maximum flexibility in determining where to meet, but advised that the concern of the subcommittee is to be taken into account in determining the places where the Commission will meet.

The schedule adopted by the Commission for future meetings was attached to the subcommittee staff analysis and is attached to this Memorandum. The staff does not believe that it would be wise to ignore the desires expressed by the budget subcommittee. Accordingly, we suggest that the Commission give further consideration the places where future meetings of the Commission will be held.

The staff also believes that we should include in the next Annual Report a paragraph stating the places where meetings were held so that we can avoid any future controversy on this matter. We would not add this paragraph to the Annual Report submitted for approval at the March meeting because we need to get that report printed as soon as possible. Normally we have the Annual Report available at this time to provide to the Legislative Analyst and the subcommittee staff.

Respectfully submitted,

John H. DeMouilly
Executive Secretary

Governor's Budget: p. GG 136
Legislative Analyst: p. 1584
Michael Y. Corbett

CALIFORNIA LAW REVISION COMMISSION
(Item 8830)

General Program Description

The California Law Revision Commission consists of 10 members--one from each house of the Legislature, seven appointed by the Governor, and the Legislative Counsel.

The commission currently has before it 23 topics assigned by the Legislature. In 1984, the commission recommended 25 bills to the Legislature, of which 21 were enacted. These bills include a revision of various probate procedures as well as measures affecting joint tenancy, reimbursement of educational expenses at marriage dissolution, the statute of limitations on felonies and other matters. The commission indicates that during 1985, it intends to develop a new probate code for submission to the Legislature in January 1986.

Proposed Budget

The budget proposes an appropriation of \$526,000 from the General Fund for support of the commission in 1985-86. This is \$272,000, or 107 percent, above current-year General Fund expenditures. This increase, however, does not reflect a major expansion of the commission's program. Instead, it reflects a change in the source of funds used to support the commission.

Chapter 1335, Statutes of 1984, removed the commission from the legislative branch and established it as an executive branch agency, effective January 1, 1985. In addition, the measure contained a General Fund appropriation for support of the commission, which eliminated the need for continued financing from the Contingent Funds of the Assembly and Senate after January 1, 1985. Thus, only half-year funding for the commission was provided from the General Fund in 1984-85.

The \$526,000 proposed for 1985-86 represents an increase of \$47,000, or 9.8 percent, over current-year expenditures from all fund sources (including \$225,000 from the Contingent Funds of the Assembly and Senate). This increase will grow by the amount of any salary or staff benefit increase approved by the Legislature for the budget year.

Analyst Issues

The Analyst recommends approval. Staff concurs with the Analyst but recommends that the subcommittee adopt budget control language

directing the commission to hold its meetings throughout the state. Staff is advised that the commission has adopted a policy whereby all meetings will be held in Sacramento. This policy is unnecessarily expensive in terms of travel and per diem expenditures as most of the commission's members reside in Southern California.

Moreover, interest in the revision of our state laws is not limited to Sacramento. Thus, for reasons of government economy and public input, the commission should return to its previous policy of holding its meetings at various sites throughout the state.

1/24/85

CALIFORNIA LAW REVISION COMMISSION

SCHEDULE FOR FUTURE MEETINGS

(All meetings will be held in Sacramento)

March

March 21 (Thursday) - 3:00 p.m. - 10:00 p.m.
March 22 (Friday) - 9:00 a.m. - 6:00 p.m.

May

May 16 (Thursday) - 3:00 p.m. - 10:00 p.m.
May 17 (Friday) - 9:00 a.m. - 6:00 p.m.

June

June 27 (Thursday) - 3:00 p.m. - 10:00 p.m.
June 28 (Friday) - 9:00 a.m. - 6:00 p.m.

September

September 12 (Thursday) - 3:00 p.m. - 10:00 p.m.
September 13 (Friday) - 9:00 a.m. - 6:00 p.m.

October

October 10 (Thursday) - 3:00 p.m. - 10:00 p.m.
October 11 (Friday) - 9:00 a.m. - 6:00 p.m.

December

December 5 (Thursday) - 3:00 p.m. - 10:00 p.m.
December 6 (Friday) - 9:00 a.m. - 6:00 p.m.