

9/4/79

Memorandum 79-32

Subject: 1980-81 Budget

Background

At its September meeting, the Commission must approve a proposed budget for submission to the Department of Finance. Attached is a staff-recommended revised budget for 1979-80 and the staff-recommended proposed budget for 1980-81. The Commission also is required to submit a document showing what reductions in "programs" would be made to achieve a 10-percent reduction in the proposed budget. This document is also attached.

Based on the material provided by the Commission, the Department of Finance will prepare a budget for the Law Revision Commission which, after approval by the Governor, will be submitted by the Governor to the 1980 Legislature. The Governor's approved budget for the Commission will make any necessary revisions in the amounts allocated for various budget categories in the current budget year (1979-80) and will itemize the amounts allotted for various budget categories in the Governor's budget for 1980-81.

The Department of Finance will provide the Commission with a "planning estimate." The planning estimate is an estimate of the maximum amount the Department of Finance is willing to recommend to the Governor at the time the estimate is prepared. The exact amount of the planning estimate for the Commission is not available at this time, but our discussions with the Department of Finance staff lead us to believe that it will be approximately the amount set out in the staff-proposed budget for 1980-81. This amount is adequate to continue the Commission's activities at the current level. The staff can make minor adjustments in the proposed expenditures for 1980-81 (as approved by the Commission) to the extent necessary to conform to the actual amount of the planning estimate when it becomes available.

After we submit our proposed budget to the Department of Finance, it will be subject to review and adjustment by the Department of Finance and by the Governor's office.

Preliminary Material

The preliminary material explains the function of the Commission and summarizes its activities. This material is important since it

provides the Commission with an opportunity to inform the Legislature as to what the Legislature gets for its money. The portion of the preliminary material which deals with the Commission's activities during 1980 states what the staff believes the Commission will be ready to submit for enactment in 1980 and the major studies that will be considered by the Commission during 1980.

Revisions in Approved Budget for 1979-80

Transfers in the allotments of various Operating Expenses and Equipment categories are proposed based on actual past year expenditures and revised estimates of current year expenditures. These transfers include an increase in the general operating expenses allotment (primarily to cover maintenance costs of newly-acquired equipment) and an increase in the allotment for consultant and professional services (needed to partially cover the unanticipated cost in the current year for the preparation of the community property background study described in Memorandum 79-41). Increases in these categories will be achieved by transferring funds from a number of other categories (primarily from the allotment for printing). The anticipated savings in printing costs through the use of newly-acquired equipment will permit a transfer from the allotment for printing without adversely affecting the Commission's printing program.

Proposed Budget for 1980-81

We propose a reduction in the authorized positions to conform to the actual level at which positions are presently filled. A 0.6 reduction in authorized positions is proposed by eliminating 0.4 of one clerical position and by budgeting one legal position at a 0.8 (3/4 time) level.

Staff salaries are budgeted at the level fixed by the State Personnel Board and Department of Finance.

Operating expense allotments for general expense, printing, communications, and in-state travel are slightly increased over 1979-80 in anticipation of price increases due to inflation and the submission of the proposed enforcement of judgments legislation to the Legislature in 1981.

The amount of funds budgeted for consultant and professional services is increased so that the Commission may retain research consultants to commence work on background studies, to be considered during

1981 and 1982, in subject areas to be determined by the Commission during 1980-81.

The allotment for out-of-state travel is increased in anticipation of the Executive Secretary's attendance of the National Conference of Commissioners on Uniform State Laws to which he has been recently elected an Associate Member.

The Commission's current five-year lease of office space from Stanford University expires October 1, 1980, and a new lease will need to be negotiated. The current lease cost covers full service, including building custodial service and maintenance and all utilities except telephone. The proposed allotment for facilities operations has been increased to meet the anticipated increased cost of the new lease. The new lease will need to reflect the great increase in cost during the last five years of providing custodial service, utilities, and maintenance.

Program Reduction to Achieve 10-Percent Reduction in Expenditures

The material showing the program reductions in order to achieve a 10-percent reduction in expenditures is substantially the same as submitted in prior years. It reflects the view that the highest priority should be given to maintaining the level of production of proposed legislation and that printing should be greatly reduced before the level of output of proposed legislation is significantly reduced.

Additional Information

If you desire any additional information concerning the attached material or have other questions, we can provide the information at the meeting.

Respectfully submitted,

John H. DeMouilly
Executive Secretary

CALIFORNIA LAW REVISION COMMISSION

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 Commission consists of a Member of the Senate appointed by the Committee on Rules, a Member of the Assembly appointed by the Speaker, and seven 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.

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 efforts of the Commission permit the Legislature to determine significant policy questions rather than to concern itself with the technical problems in preparing background studies, working out intricate legal problems, and drafting needed legislation. The Commission thus enables the Legislature to accomplish needed reforms that otherwise might not be made because of the heavy demands on legislative time. In some cases, the Commission's study discloses that no new legislation on a particular topic is needed, thus relieving the Legislature of the need to study the topic.

At the 1979 session, seven of eight bills recommended by the commission were enacted. One modernized almost 30 percent of the Probate Code by streamlining and consolidating the divisions relating to guardianships and conservatorships. The others dealt with confessions of judgment, wage garnishment, conforming California attachment law to the new Federal Bankruptcy Act, ad valorem taxes when property is taken for public use, and rules for construction of the Probate Code. As a result of commission recommendations to the 1979 session, 483 new sections were enacted, 193 sections were amended, and 290 sections were repealed.

The commission plans to submit recommendations to the 1980 session dealing with such matters as the probate homestead, agreements for the entry of support and paternity judgments, quiet title actions, undertakings for costs, Evidence Code property valuation rules, special assessment liens on property acquired for public use, assignments for the benefit of creditors, vacation of streets, highways, and service easements, and enforcement of judgments against public entities. The commission also plans to complete work on a new comprehensive statute relating to the enforcement of judgments, including such matters as exemptions from execution, and to commence work on other major projects--problems under the community property statutes, whether a Marketable Title Act should be enacted in California and a new adoption statute.

The commission may study only topics that the Legislature, by concurrent resolution, authorizes it to study. The commission now has an agenda of 26 topics, two of which were added by the 1979 session.

S U M M A R Y B Y O B J E C T

PERSONAL SERVICES	78-79	79-80	80-81	ACTUAL 1978-79	BUDGETED 1979-80	REVISED 1979-80	PROPOSED 1980-81
Authorized positions.....	7.1	7.9	7.3	\$162,598	\$193,138	\$214,154	\$204,547
Merit salary adjustment.....	-	-	-	(3,854)	(1,574)	(1,574)	(0)
Total, Salaries & Wages.....	<u>7.1</u>	<u>7.9</u>	<u>7.3</u>	<u>\$162,598</u>	<u>\$193,138</u>	<u>\$214,154</u>	<u>\$204,547</u>
Estimated salary savings.....	-	-0.2	-	-	-8,279	-8,279	-
Net Totals, Salaries & Wages.....	<u>7.1</u>	<u>7.7</u>	<u>7.3</u>	<u>\$162,598</u>	<u>\$184,859</u>	<u>\$205,875</u>	<u>\$204,547</u>
Staff benefits.....	-	-	-	37,936	44,363	52,969	54,087
TOTALS, PERSONAL SERVICES.....	<u>7.1</u>	<u>7.7</u>	<u>7.3</u>	<u>\$200,534</u>	<u>\$229,222</u>	<u>\$258,844</u>	<u>\$258,634</u>

OPERATING EXPENSES AND EQUIPMENT

General expenses.....	\$ 20,379	\$ 18,029	\$ 23,029	\$ 24,000
Printing.....	6,750	15,800	10,000	12,500
Communications.....	4,523	6,300	6,000	6,500
Travel--in-state.....	6,982	9,500	9,000	10,000
Travel--out-of-state.....	-	600	600	900
Consultant and professional services.....	11,475	11,900	13,500	17,500
Facilities operations.....	8,152	9,363	9,363	14,200
Expendable equipment.....	-	-	-	-
Equipment.....	<u>20,999</u>	<u>9,000</u>	<u>9,000</u>	<u>-</u>
Totals, operating expenses and equipment.....	<u>\$ 79,260</u>	<u>\$ 80,492</u>	<u>\$ 80,492</u>	<u>\$ 85,600</u>
TOTALS, EXPENDITURES.....	<u>\$279,794</u>	<u>\$309,714</u>	<u>\$339,336</u>	<u>\$344,234</u>

R E C O N C I L I A T I O N W I T H A P P R O P R A T I O N S

APPROPRIATIONS

Budget Act appropriation.....	\$294,469	\$309,714	\$309,714	\$344,234
Allocation for employee compensation.....	<u>3,365</u>	<u>-</u>	<u>36,560</u>	<u>-</u>
Totals Available.....	<u>\$297,834</u>	<u>\$309,714</u>	<u>\$346,274</u>	<u>\$344,234</u>
Reduction per Section 27.2, Budget Act of 1979.....	-	-	-6,938	-
Unexpended balance, estimated savings.....	<u>-18,039</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTALS, EXPENDITURES (State Operations).....	<u>\$279,794</u>	<u>\$309,714</u>	<u>\$339,336</u>	<u>\$344,234</u>

S A L A R Y S U P P L E M E N T

SALARIES & WAGES	NUMBER OF POSITIONS				ACTUAL	BUDGETED	ESTIMATED	PROPOSED
	78-79 FILLED	79-80 AUTH.	79-80 EST.	80-81 AUTH.	1978-79	1979-80	1979-80	1980-81
					SALARY RANGE			
Executive Secretary	1	1	1	1	\$3,550-3,620		\$43,440	\$43,440
Ass't Executive Secretary	1	1	1	1	2,921-3,535		42,420	42,420
Staff Counsel II	-	1	0.6	0.8	2,537-3,065		18,828	25,995
Staff Counsel I	1.8	1	1.2	1	2,307-2,789		39,060	33,468
Staff Services Analyst	1	1	1	1	1,132-1,782		17,991	18,831
Sr. Word Processing Tech.	-	1	0.8	1	1,004-1,200		9,882	13,617
Word Processing Tech.	2	1.4	1.2	1	804-1,048		15,720	12,576
Commission Member	-	-	-	-	(2,460)		7,400	7,400
Temporary Help	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>3,134</u>		<u>6,800</u>	<u>6,800</u>
NET TOTAL SALARIES	7.3	7.9	7.3	7.3	\$162,598	\$193,138	\$201,541	\$204,547

PROGRAMS/ACTIVITIES OF LOWEST PRIORITY

(Instructions on Back)

(Dollars in Millions)

10 Percent State-Funded Reduction \$0.0345 1/

Date September 17, 1979
 PSN _____

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Agency _____
 Dept. Law Revision Comm'n

SO LA	BUDGET ACT ITEM NO.	PROGRAM/ACTIVITY/DESCRIPTION (List lowest priority first)	REDUCTION LEVELS (indicate funds ^{3/} & positions ^{4/})			CHANGES REQUIRED IN				DISCUSSION	
			Total ^{2/} Program Activity	Reduction Options			State		Federal		
				I	II	III	Law	Regs	Law		Regs
SO	15.	Report on statutes held unconstitutional or impliedly repealed.	\$0.0005 (0.0005GF) 0 pos.				X			Eliminates report, required by statute, on statutes held unconstitutional or impliedly repealed.	
SO	15.	Reauthorization each year by concurrent resolution of topics previously authorized for study by Legislature.	\$0.0015 (0.0015GF) 0 pos.				X			Eliminates requirement that a topic previously authorized for study be again authorized each year in order to continue study of topic. New topics would continue to require initial approval by concurrent resolution of Legislature.	
Total by funding Source											
GF											
SF											
Subtotal State Funds ^{1/}			(See page 3.)								
FF											
R											
L											
Overall Totals											

Agency Secretary/Director Approval

^{1/}Amounts in Total Program/Activity column, Subtotal State Funds line and 10 Percent State Funded Reduction line will be the same.

^{2/}Based on 1978-79 current full year authorized level of expenditures.

^{3/}Indicate funding source, i.e., GF = General Fund, FF = Federal Funds, R = Reimbursements, SF = Special Funds, L = Local.

^{4/}Indicate number or positions that would be eliminated/abolished below reduction levels.

PROGRAMS/ACTIVITIES OF LOWEST PRIORITY

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Dept. Law Revision Commission

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			Total ^{2/} Program Activity	Reduction Options			State Law	Federal Law	Reqs	Reqs	
				I	II	III					
SO	15.	Index for bound volumes.	\$0.001 (0.001GF) 0 pos.							Eliminates index for bound volumes, which are published biennially.	
SO	15.	Annual Report--reduce publication from annual to biennial.	\$0.002 (0.002GF)			X				Publish biennial, rather than annual, "Annual" Report.	
SO	15.	Publication of Bound Volumes.	\$0.0025 (0.0025GF) 0 pos.							Eliminates publication of bound volume (biennial). Savings to Law Revision Comm. approximately \$2,500 annually. (State recoups approximately \$1,500 of \$2,500 cost annually by sale of volumes, making net cost to State approx. \$1,000	
Total by funding Source			(See page 3.)				Agency Secretary/____ Approval				
GF											
SF											
Subtotal State Funds ^{1/}											
FF											
R											
L											
Overall Totals											

(Continued on page 3)

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			Total ^{2/} Program Activity	Reduction Options			State		Federal		
				I	II	III	Law	Regs	Law		Regs
		Publication of Volumes cont.								annually if volume published without index.)	
SO	15.	Printing of recommendations.	\$0.015 (0.015GF) 0.5 pos.							Substantially eliminates printing of recommendations.	
SO	15.	Production of recommendations --delay overall production of recommendations to Legislature by approximately 5-10% and somewhat reduce quality.	\$0.012 (0.012GF) 0.2 pos.							Substantially eliminates use of paid expert consultants.	
Total by funding source											
		GF	\$0.0345								
		SF									
		Subtotal State Funds ^{1/}	\$0.0345								
		FF									
		R									
		L									
		Overall Totals	\$0.0345								

Agency Secretary/Director Approval

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