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Memorandum No. 4

Subject: Agenda resolution, 1958 Session
of Legislature

Action
The Chairman has entered into a contract with Stanford University covering agenda work for the current fiscal year (1957-58). The contract should be ratified by action of the Commission at the August 1957 meeting.

Action
As is shown by the list attached to Memorandum No. 6, we now have 41 studies on hand which I assume we hope to complete prior to the 1959 Session of the Legislature. Most of these studies have not yet been started. It is, therefore, reasonable to assume that the Commission will request authority to make few, if any, additional studies from the 1958 Session of the Legislature. We would like to have you give some preliminary thought to this matter at the August meeting in order to give us some guidance as to how to proceed with the agenda work.

It might be argued, I think that no new topics for study should be included in the agenda resolution which will be introduced in 1958 * on the theory that we have enough work on hand now to keep us busy until July 1, 1959 when an agenda resolution adopted by the 1959 Session would become effective. On the other hand, we should have many of the 41 studies presently authorized behind us by July 1, 1958 when a resolution adopted by the 1958 Session would become effective and the rest should be well under way by that time. Thus, a small additional backlog may be desirable to avoid a gap in the Commission's "pipeline" (suggestion-agenda-study-recommendation-presentation) or as a hedge

* Section 10335 of the Government Code would seem to require the Commission to submit a resolution authorizing it to continue studies not completed: "The commission shall file a report at each regular session of the Legislature which shall contain a calendar of topics selected by it for study, including a list of the studies in progress and a list of topics intended for future consideration. After the filing of its first report the commission shall confine its studies to those topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study by concurrent resolution of the Legislature. The commission shall also study any topic which the Legislature, by concurrent resolution, refers to it for such study."

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against the possibility that the 1959 Session might not see fit to authorize some or all of the topics then recommended by the Commission for study.

Whatever decision may be reached on the question of whether to include new topics in the agenda resolution submitted in 1958, the work presently being done at Stanford is necessary, both to clean up a substantial backlog of suggestions not yet acted upon and to have in our files a number of good topics for study whenever we are ready to take on new work. Any decision taken on this matter at the August meeting would be primarily for the purpose of channeling this work and planning the agendas of future commission and committee meetings.

We have a number of recommendations made last year by the Southern Committee relating to agenda items which have not been passed on by the Commission. It would be desirable to act upon these recommendations at the August meeting if time permits. The Committee's recommendations are as follows:

I. Suggestions which the Southern Committee recommends the commission Not Accept without other recommendations for disposition.

Suggestion No.

124	140	169(3)
132(17)	146	169(6)
132(20)	148	170(3)
135(2)	153(1)	170(4)
135(4)	153(2)	170(5)
135(5)	156(1)	173
135(6)	156(2)	174
135(9)	156(3)	175
135(10)	160(2)	179
135(11)	168	

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II. Suggestions which the Southern Committee recommends the commission Not Accept with further suggestion re disposition.

Suggestion No.

Suggested disposition

~~110~~

Include in Report to Legislature as statute held unconstitutional and discuss with legislative members whether they care to sponsor repealing legislation

~~116~~

~~128~~

~~132(18)~~

~~135(3)~~

Refer to legislative members of Commission for any action they may care to take.

~~135(7)~~

141

170(1)

180

Action

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

JRM:fp