

minutes

Date of Meeting: March 13-14, 1959
Date of Memo: February 27, 1959

MEMORANDUM NO. 3

SUBJECT: 1958-59 Printing Program.

When the Department of Finance learned of our request for a \$10,000 augmentation of our 1959-60 budget to provide a part of the \$18,000 needed to complete the condemnation study, I was requested to review our current (1958-59) budget to see what funds might be available there to meet this need (other than the \$8000 we had indicated we could utilize from the research funds in the present budget). Accordingly, I reviewed the current budget and wrote a letter to Mr. Rinehart of the Department of Finance presenting a detailed analysis of the impact which the cost of the condemnation study (and certain other changes in our situation since the budget was submitted and approved) would make on the budgets for this year and next year. A copy of my letter is attached.

In the course of preparing these figures I reviewed our printing program for the current year. As of now, we have used only \$500 of the \$13,000 budgeted for printing. It is, of course, desirable to use as much of this printing money as possible during the current year to avoid too large a printing expense next year. After looking the situation over I have concluded that the Commission should try to get the following studies printed on the funds available in this year's budget:

- Study #33 Survival of Tort Actions
- #34 Uniform Rules of Evidence
- #38 Inter Vivos Rights in Section 201.5 Property
- #41 Small Claims Court Law
- #42 Rights of Good Faith Improver
- #44 Suit by Partnerships and Unlicensed
Associations in Common Name
- #48 Juveniles Right to Counsel
- #49 Rights of Unlicensed Contractor
- #51 Right to Support After Divorce
- #59 Revision of Statutes Providing for
Service of Process

Even with this substantial printing program to be accomplished within the next four months we will be able to utilize only \$8550 of the present balance of \$12,500 in the current printing account. I have, accordingly, reported to Mr. Rinehart that the balance (other than \$500 to cover contingencies) is available to help defray the cost of the condemnation study.

It will, of course, be a sizeable task to get the studies listed above to the printer before June 30 which must be done if they are to be charged to this year's funds. It can be done, we believe, by following the procedure set up during the last fiscal year -- i.e., we will send the research consultants' study manuscripts to the printer as soon as the studies are approved by the Commission and hold the galley proof on them until the Commission has had an opportunity to determine its recommendation and proposed legislation, if any, on the subject. In this way we can quite legitimately commit enough funds to cover the studies before June 30 even though (because of State Bar delays and the like) we do not actually complete the studies and their printing until well into fiscal year 1959-60.

It will take some time to get the various manuscripts processed for printing and this work must, of course, be fitted into the other work of the office. It is highly desirable, therefore, that the Commission approve

as many research consultant study manuscripts for printing at as early a date as possible. I would hope to get approval of the following manuscripts for printing at the March meeting:

Study #33 Survival of Tort Actions
#38 Inter Vivos Rights
#42 Rights of Good Faith Improver
#48 Juveniles Right to Counsel
#51 Right to Support After Divorce

Would you, accordingly, please read each of these manuscripts before the meeting and be prepared to state at the meeting whether it would be agreeable to you to have them printed now or whether, on the other hand, you have questions as to their adequacy or suggestions for their improvement.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

February 24, 1959

Mr. Robert Rinehart
Department of Finance
State Capitol
Sacramento, California

Dear Bob:

I enclose two copies of the memorandum on estimated printing and binding costs which we sent you some time ago. On one of them, I have indicated certain changes that have occurred in our situation since the estimates were made up:

1. Items circled in red are deleted because the decision has been made not to print a separate pamphlet on these studies but to cover them in an abbreviated report in a section of our annual report (this reflects a Commission decision to do this whenever possible to save printing costs).
2. Items circled in blue with arrows indicate a shift in the year of printing. In the case of items moving to the right, it is because we were not able to complete them as soon as we had hoped. In the case of items moving left, it is because they will be completed in time to print before June, 1959. (Several of the items originally scheduled for printing in 1959-60 were deferred until then simply because this year's funds had been allocated to the studies in the second column.)

The net effect, of course, is to show a reduction in the amount we need for printing between now and June 30, 1959 to \$8850 and an increase in the amount we will need in 1959-60 to \$27,050. To the latter figure should be added an increase of \$500 to cover the expanded size of our annual report to include abbreviated reports on several studies. Thus, these figures show that we would be short by \$2550 of sufficient printing funds in 1959-60. However, this figure may not be as alarming as it appears on first sight. One or more studies may not get completed for one reason or another and there may be some funds available elsewhere to partially cover a shortage. I should think, therefore, that we might regard the net deficit here as in the order of \$1500.

In any event, we have found an additional \$4200 in the funds originally allocated to printing in our current budget to help with our condemnation study. However, the amount actually in that account on December 31, 1958 was \$12,550. Of this, \$500 should be reserved to

cover printing of stationery and the contingency that some of our printing cost estimates are too low. Thus, \$3200 is in fact available.

To this may be added, however, \$1500 from our 1958-59 Office Expense balance which stood at \$2401.68 on December 31, 1958. Thus, \$4700 is available from these sources to help with the condemnation study. However, there is an offsetting item. We figured on \$8000 from this year's research funds to contribute to the condemnation study. Actually, the figure should be \$6500, thus leaving \$3100 in that account, the balance of which on December 31, 1958 was \$9600. The reason is that we have four other studies not yet assigned to research consultants which must be assigned this year since there will be no research funds for them in next year's budget.

The net of all of this is that we can cover \$11,200 of the necessary funds for the condemnation study from this year's funds (Research \$6500, Printing \$3200 and Office \$1500), leaving \$6800 to be covered from next year's budget.

The augmentation of our 1959-60 budget shown by the foregoing to be necessary is \$8300, i.e., \$6800 for Research and \$1500 for Printing deferred from this year to next.

Very truly yours,

John R. McDonough, Jr.
Executive Secretary

JRM:imh
Enclosures

bc to Mr. Thomas E. Stanton, Jr.
Mr. Ralph N. Kleps
Honorable James A. Cobey
Honorable Clark L. Bradley