

8/17/77

Memorandum 77-49

Subject: Proposed Budget for 1978-79

Attached is the basic information on the revisions proposed by the staff in the approved budget for 1977-78 and the proposed budget for 1978-79. We proposed to make some transfers between budget categories in the approved budget for 1977-78. These transfers have been discussed with the Department of Finance and informally approved. The proposed budget for 1978-79 is within the amount allotted by the Department of Finance.

Revisions in Approved Budget for 1977-78

Two changes are proposed which will affect the approved budget for 1977-78:

(1) We are planning to reclassify a Clerk-Typist II position to a Senior Word Processing Technician position. The documents to effectuate this change have already been submitted. The change reflects the fact that we are now coding Mag Cards with our IBM Mag Card typewriters for inputting into a computer in Sacramento, which then prints the pages for our printed reports.

(2) We are planning to purchase a third Mag Card typewriter. This typewriter is essential to effective performance of the work of our office, and its purchase has been informally approved by the Department of Finance. We have three Mag Card operators budgeted and need a typewriter for each one.

We plan to finance the two changes listed above by savings in salaries and printing expense. We have some salary savings because, for some time, we have had a vacant Clerk-Typist II position which we are now in the process of filling. Our Administrative Assistant has resigned to take a position in private industry, and we will have salary savings during the time the position is vacant and because we anticipate we will fill the position at the entry level at a lower salary than was received by the person who resigned. Also one of our attorneys--Mr. Murphy--started working on a three-fourths time basis on July 1.

It is essential that these changes be approved so that the workload on the secretarial staff can be reduced by providing more efficient

equipment. The existing workload of the secretarial staff is far in excess of what can reasonably be expected to be carried on on a continuing basis.

If we realize additional salary savings, we plan to use the money for intermittent legal help since Mr. Murphy is now working less than full-time.

Proposed Budget for 1978-79

The proposed budget for 1978-79 continues the existing program at its present level. We have increased the amount for printing in 1978-79 over that available under the revised budget for 1977-78 because we are using some of the money available for printing in 1977-78 to help finance the purchase of the new typewriter. We have budgeted additional money for research consultants in 1978-79 so that the Commission may retain research consultants to commence work on background studies so that studies will be available for Commission consideration during 1980 and 1981.

Additional Information

The salary of the Executive Secretary is fixed by the Department of Finance which still has this matter under consideration. When the salary is fixed, the budget will be adjusted to reflect the decision of the Department of Finance.

If you have any questions concerning the revision of the 1977-78 budget or the proposed budget for 1978-79, we will answer them 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 1977 session, one resolution and seven bills were introduced upon recommendation of the Commission. One additional bill was amended after introduction to incorporate legislation recommended by the Commission. The resolution was adopted and five of the bills were enacted. One bill was in conference committee when the Legislature adjourned, and two bills--introduced to effectuate the Commission's major recommendation relating to nonprofit corporation law--were not set for hearing in 1977 in order to permit time for an Assembly Select Committee to study the recommendation. The bills enacted in 1977 dealt with a variety of subjects: enforcement of sister state money judgments; damages in unlawful detainer actions; use of keepers on writs of execution; liquidated damages for breach of contract; "earnest money" deposits in connection with the sale of real property; effect on attachment of bankruptcy or a general assignment for the benefit of creditors.

The Commission plans to submit a major recommendation to the 1978 session proposing a comprehensive revision of the Probate Code provisions relating to guardianships and conservatorships. Other recommendations being prepared for 1978 deal with the psychotherapist-patient privilege, evidence of market value of property, use of court commissioners in attachment proceedings, attachment of property subject to perfected security interest, and the parol evidence rule.

The Commission may study only topics that the Legislature, by concurrent resolution, authorizes it to study. The Commission now has an agenda of 23 topics and is reviewing its agenda with a view to recommending that some topics be dropped from the agenda and others added.

LAW REVISION COMMISSION

SALARIES AND WAGES	NUMBER OF POSITIONS			ACTUAL 1976-77	ESTIMATED 1977-78	PROPOSED 1978-79
	76-77 FILLED	77-78 AUTH.	78-79 AUTH.			
				SALARY RANGE		
Executive Secretary	1	1	1	\$2,811-2,934	\$35,208	\$35,208
Ass't Executive Secretary	1	1	1	2,547-3,081	34,564	36,252
Staff Counsel II	-	0.8	1	2,210-2,671	19,890	27,483
Staff Counsel I	1.9	1.3	1	2,012-2,431	25,460	20,051
Administrative Assistant I	1	0.3	-	1,294-1,556	4,668	--
Staff Services Analyst	-	0.8	1	987-1,556	10,226	13,784
Sr. Word Processing Tech.	-	0.8	1	896-1,071	9,800	12,200
Word Processing Technician	-	2	2	718-936	20,544	20,772
Clerk-Typist II	2.7	-	-	718-936	--	--
Commission Member	0.3	-	-	(1,980)	3,500	3,500
Temporary Help	<u>0.2</u>	<u>0.5</u>	<u>0.5</u>	<u>1,931</u>	<u>6,800</u>	<u>8,434</u>
TOTAL, SALARIES & WAGES	8.1	8.5	8.5	\$158,945	\$170,660	\$177,684
STAFF BENEFITS	-	-	-	<u>31,228</u>	<u>34,776</u>	<u>37,728</u>
TOTAL, PERSONAL SERVICES				\$190,173	\$205,436	\$215,412

Note: The totals for 1977-78 and 1978-79 will have to be adjusted when the Department of Finance finally sets the salary for the Executive Secretary.

OPERATING EXPENSE & EQUIPMENT	ACTUAL 1976-77	BUDGETED 1977-78	ESTIMATED 1977-78	PROPOSED 1978-79
General Operating Expense	\$16,781	\$16,300	\$16,300	\$17,000
Printing	18,250	18,100	13,728	18,000
Communications	4,418	5,000	5,000	6,000
Travel In-State	7,394	8,700	8,700	9,000
Travel Out-of-State	--	600	600	600
Facilities Operations	7,850	8,424	8,424	8,527
Consultant & Professional Services	10,500	8,500	8,500	13,300
Expendable Equipment	513	--	200	--
Equipment	<u>4,261</u>	<u>2,703</u>	<u>15,997</u>	<u>--</u>
TOTAL, OPERATING EXPENSE & EQUIPMENT	\$69,967	\$68,327	\$77,449	\$72,427
 TOTAL, PERSONAL SERVICES	 <u>190,173</u>	 <u>214,558</u>	 <u>205,436</u>	 <u>215,412</u>
TOTAL, EXPENDITURES	\$260,140	\$282,885	\$282,885	\$287,839