

for subsequent injury, where the degree of permanent disability resulting from both disabilities is greater than the rating assigned to each injury.

Chapter 1525, Statutes of 1949, amended Section 4753 of the Labor Code to provide that payments from the subsequent injury fund shall be reduced by the amount of federal or state monetary payments the employee is receiving in aid programs to which he has not contributed. *The previous wording of the code provided for deduction of monetary payments to which the employee was entitled.*

The amended wording of this section permits payments from the subsequent injury fund to persons eligible for, but not in receipt of, Aid to Needy Blind or Old Age Security. Chapter 1525, Statutes of 1949, also added Section 4753.5, which provides for payment from this fund of expenses incurred by the Attorney General in properly representing the State before the commission and in court in cases involving subsequent injuries.

The California statutes provide for payment of claims for subsequent injury from the General Fund. The workmen's compensation laws of 21 states or territories provide revenue for their subsequent injury funds by requiring the payment of workmen's compensation death benefits into the fund when there are no dependents of the deceased.

The State of Maryland provided for a \$100 payment into the Subsequent Injury Fund for each accidental injury causing death, this payment being in addition to compensation to dependents.

Since workmen's compensation premium rates are based on actuarial computations as to the incidence of fatal industrial accidents, the compensation carriers should not escape payment of these death claims simply because no legal claimant appears. We recommend the necessary statutory change which will pay these amounts into the General Fund as a partial offset to this subsequent injury expense.

OFFICE OF FIRE MARSHAL

ITEM 146 of the Budget Bill

Budget page 455
Budget line No. 7

For Support of Office of Fire Marshal From the General Fund

Amount requested	\$244,675
Estimated to be expended in 1950-51 Fiscal Year	242,000
Increase (1.1 percent)	\$2,675

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$1,209	\$1,209	---	456	16
Operating expense	—895	—895	---	456	32
Equipment	2,361	2,361	---	456	40
Total increase	\$2,675	\$2,675	---		

RECOMMENDATIONS

Amount budgeted	\$244,675
Legislative Auditor's recommendation	244,675
Reduction	None

ANALYSIS

The budget request of the Fire Marshal for support during the 1951-52 Fiscal Year shows only a minor increase of 1 percent. The increase is due entirely to two factors, normal salary increases and the necessity to replace three automobiles, each of which will have exceeded 100,000 miles by the time this budget request becomes effective.

On the whole the activities of the Office of the Fire Marshal have remained level over the past four fiscal years, and the budget request for the 1951-52 Fiscal Year will be an attempt to maintain the same level of service. In view of the increased industrial activity and emergency housing activity which may reasonably be anticipated as a result of the present military emergency, the Office of Fire Marshal will probably be faced with an increased work load which we believe can still be handled by the proposed budget. Consequently, we recommend approval of the budget as requested.

We believe that the Office of Fire Marshal has been doing a good job. However, we would like to call attention to some laxities discovered in the course of our studies. In June of 1950, members of the Legislative Auditor's office, while in the process of inspecting the general operations and plants of the various state institutions, noted that in many instances auxiliary fire-fighting equipment such as fire extinguishers were not being properly kept up by the institutions, and we believe it follows, therefore, that the Office of Fire Marshal was somewhat lax in its inspections. At the Los Guilucos School for Girls, a fire extinguisher was found mounted on the fire truck with a tag indicating that it had last been serviced in March of 1948. When an attempt was made to operate this extinguisher, it failed to function. This was done within a week's time following the last inspection made at this institution by the Office of Fire Marshal. At the Ventura School for Girls during the same month, a number of fire extinguishers were found which exceed the one-year recharge date, and in some instances, some extinguishers had no tags whatsoever. The most flagrant fire violation discovered at this institution was the fact that the old unused laundry chutes running from the second floor of each cottage to the basement were loaded with rubbish at the bottoms of the chutes. This rubbish appeared to have been an accumulation of long standing and should certainly have come to the attention of the inspector from the Fire Marshal's Office long before it was noted by this office. In view of the foregoing, we would recommend that the Office of Fire Marshal increase its vigilance and inspections with regard to operational procedures at state institutions. Inspections made at these institutions for the purpose of determining structural shortcomings from a fire safety standpoint have been quite vigorous, and we believe that inspections of operational procedures and maintenance of equipment should be equally vigorous.