

for the last half of the 1951-52 Fiscal Year. The request is made in anticipation of the retirement of the executive secretary to the commission as of the close of the 1951-52 Fiscal Year to allow six months understudy preparatory to a new employee assuming the duties of the executive secretary position. This position should be eliminated after six months.

This appears to be a reasonable request in view of the present organizational structure of the commission with a limited staff of three in number including the executive secretary. However, in our opinion, the Legislature should consider the consolidation of the functions of this agency with those of the Corporation Commissioner.

DEPARTMENT OF JUSTICE

ITEM 153 of the Budget Bill

Budget page 475
Budget line No. 62

For Support of the Department of Justice From the General Fund

Amount requested	\$2,186,625
Estimated to be expended in 1950-51 Fiscal Year	1,930,096
Increase (13.3 percent)	\$256,529

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$126,274	\$106,834	\$19,440	484	9
Operating expense	82,647	79,042	3,605	484	10
Equipment	28,059	19,843	8,216	484	11
Plus:					
Decreased reimbursements	19,549	19,549	---	---	---
Total increase	\$256,529	\$225,268	\$31,261		

RECOMMENDATIONS

Amount budgeted	\$2,186,625
Legislative Auditor's recommendation	2,155,364
Reduction	\$31,261

ANALYSIS

Summary of Recommended Reductions

	Amount	Budget Page	Line No.
Salaries and Wages			
2 Student legal assistants	\$5,280	479	12
4 Special investigators	14,160	483	43
Operating Expenses			
Expenses for 2 new narcotic offices	2,705	483	69
Radio maintenance	900	483	62
Equipment			
Equipment for 2 new narcotic offices	8,216	483	80
Total reductions	\$31,261		

Division of General Administration

This division includes the office of the Attorney General, accounting section, stenographic pool, teletype section, and the Bureau of Statistics. The amount requested is \$705,844 for 1951-52. This is an increase of \$21,869 or 3.0 percent over the estimated expenditures for the 1950-51 Fiscal Year.

Five new positions are proposed. Two of these are teletypewriter operators for the Los Angeles control center. These are necessary to

handle an estimated increase in messages made possible by the modernizing of the state teletype system. We recommend approval.

Three positions are requested for the Bureau of Statistics. One clerk is necessary because of increased work load in the Corrections Section. Two positions are requested to expand the juvenile probation statistics for the Youth Authority. During the current fiscal year probation records of 19 counties are scheduled for reporting. It is proposed to add 37 additional counties during the 1951-52 Fiscal Year. This program appears to have real value to the administrators of the Youth Authority program. When this program was undertaken it was planned to expand to cover all the counties. We recommend approval of the requested positions.

Operating expenses have increased for teletype. Telephone charges are up because of the installation of an improved system of receiving calls from administrative agencies. Teletype rentals are up \$8,788 as a result of the modernization of the system and future rearrangements of circuits.

Division of Civil Law

The amount requested is \$410,871 for 1951-52. This is an increase of \$12,440, or 3 percent over estimated expenditures for 1950-51. Reimbursements for legal services from Special Fund agencies amount to \$168,695, or 41.0 percent of the total required for support of this division.

Three new positions are proposed. One deputy attorney general, grade 3, was allowed in 1950-51 for one year because of an increased work load in the number of condemnation cases necessary for public works. This position is extended through the 1951-52 Fiscal Year. Present plans provide for a continuation of the acquisition of sites at a high rate. *We recommend approval for another year.*

Two student legal assistants costing \$5,280 are requested for Sacramento and San Francisco offices. These student assistants are used for general clerical work in legal research, serving of papers and legal documents and similar less responsible tasks. The department has two such positions in the Los Angeles office. These positions are not based on work load. *We believe this is an added service and in the interest of economy we do not recommend the positions.*

Operating expenses are held to the present level.

Division of Criminal Law

The amount requested is \$72,752 for 1951-52. This is an increase of \$610 over estimated expenditures for 1950-51. We recommend approval.

Bureau of Criminal Identification

The amount requested is \$773,404 for 1951-52. This is an increase of \$152,401, or 24.5 percent over estimated expenditures for the 1950-51 Fiscal Year. Salaries and wages have increased \$80,569 as a result of 32 new positions. Operating expenses are up \$61,733 largely the result of additional rent for new quarters on a full year basis.

Modus Operandi Section—19 New Positions

The Modus Operandi Section assists local law enforcement agencies by maintaining records of known criminals and their patterns of operation. Crime reports, pawned property reports, and photographs of known

criminals constitute the major items of work load. Sharp increases in the number of these reports occurred in 1949-50 over 1948-49. The proposed 19 positions are considerably below the original request of the agency but we believe the positions proposed should enable this section to process the 1951-52 work load at the present level of service.

Four of these positions are key punch operators for operation of mechanical tabulating equipment. Every effort should be made by the bureau to develop mechanical means of record search to determine if it is possible by this means to absorb additional work load without adding additional personnel.

We recommend that selective statistical studies be instituted by the Division of General Administration of the Department of Justice to determine the value of processing all types of crime reports through modus operandi files. In 1949-50 the section received 252,000 crime reports. The study should determine the value of modus operandi to local law enforcement in solving particular classes of crimes.

Record Section—12 New Positions

The record section does clerical work for the Fingerprint and Modus Operandi Section. Twelve positions were loaned during the current year to this section from the Fingerprint Section to keep work current. Increased work load in the Fingerprint Section in 1951-52 will require the return of these personnel. We recommend approval of these positions.

Laboratory—1 New Position

The criminal laboratory performs analyses and tests for various law enforcement agencies throughout the State. The number of criminal cases received and examinations conducted have increased considerably in 1949-50 over 1948-49. This work load has continued to increase in 1950-51. We recommend that this position be approved.

Bureau of Investigation

The amount requested is \$172,827 for 1951-52. This is an increase of \$3,316 or 2.0 percent over estimated expenditures for the 1950-51 Fiscal Year. The increase is the result of replacement of five cars. We recommend approval.

Division of Narcotic Enforcement

The amount requested is \$259,622 for 1951-52. This is an increase of \$39,030, or 17.7 percent over estimated expenditures for the 1950-51 Fiscal Year. Five new positions are proposed.

New branch offices in Fresno and San Diego are proposed. For the first year operation it is estimated these offices would cost \$25,081. Four additional positions are requested to staff these offices.

We recommend that the positions not be granted. These additional branch offices are an expanded service to local governments. Instead of the State assuming direct responsibility for enforcement, the staff of the division should be used to stimulate local police to enforce narcotic laws and to coordinate narcotic enforcement between local departments.

We approve the position of card punch operator because of increased work load in processing prescriptions for narcotics.

We recommend a reduction of \$900 in radio maintenance. Radio maintenance doubled over 1950-51 although no additional equipment is to be added. This represents the charges assessed by the Division of Communication. The Division of Narcotics has 11 units of radio equipment and a maintenance charge of \$180 per unit is proposed. The original cost of the equipment per unit was only \$255.

An increase of 100 percent in informers' fees and evidence purchase is proposed. We agree that this is a necessary operating expense that has not been adequate in the past but we recommend that the department adopt regulations setting a pattern on fees for informers.

**Department of Justice
ADDITIONAL SUPPORT**

ITEM 154 of the Budget Bill

Budget page 476
Budget line No. 57

*For Additional Support of the Department of Justice
From the Motor Vehicle Fund*

Amount requested	\$40,000
Estimated to be expended in 1950-51 Fiscal Year	40,000
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Increase	None

RECOMMENDATIONS

Amount budgeted	\$40,000
Legislative Auditor's recommendation	40,000
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Reduction	None

ANALYSIS

We recommend approval of this item. The funds represent teletype services rendered to the Department of Motor Vehicles. This item is not supported by actual billing based on message volume. We again recommend that this appropriation be supported by a schedule showing actual service.

This appropriation is available for all regular support claims of the department. Because the appropriation does not specifically state that the amount is to be transferred to the regular support appropriation, the Department of Justice must file individual claims against the Motor Vehicle Fund. This procedure is needlessly cumbersome. This appropriation item should include the words "to be transferred to the credit of Item-154."

**Department of Justice
OTHER CURRENT EXPENSES**

ITEM 155 of the Budget Bill

Budget page 484
Budget line No. 37

*For Fees to Special Counsel Employed Pursuant to Section 12520,
Government Code, From the General Fund*

Amount requested	\$2,500
Estimated to be expended in 1950-51 Fiscal Year	2,500
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Increase	None

RECOMMENDATIONS

Amount budgeted	\$2,500
Legislative Auditor's recommendation	2,500
Reduction	None

ANALYSIS

If a district attorney is disqualified to conduct any criminal prosecution within the county, the Attorney General may employ special counsel to conduct the prosecution. The amount requested is \$2,500. Its expenditure is limited by the terms of the appropriation.

We recommend approval.

Department of Justice**OTHER CURRENT EXPENSES—SERVICES RENDERED COLORADO RIVER BOARD**

ITEM 156 of the Budget Bill

Budget page 484

Budget line No. 67

For Services Rendered the Colorado River Board From the General Fund

Amount requested	\$47,366
Estimated to be expended in 1950-51 Fiscal Year	46,549
Increase (1.7 percent)	\$817

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$146	\$146	---	484	51
Operating expense	---	---	---	484	59
Equipment	671	671	---	484	65
Total increase	\$817	\$817	---		

RECOMMENDATIONS

Amount budgeted	\$47,366
Legislative Auditor's recommendation	47,366
Reduction	None

ANALYSIS

This budget is at the 1950-51 level. Expenditures were increased in 1950-51 in anticipation of litigation in the Supreme Court of the United States to resolve the conflict between Arizona and California as to the division of water available to the lower basin of the Colorado River. This litigation has not yet developed and savings should accrue.

The amount of \$24,000 for a consulting attorney on a per diem basis is the same as last year. The need for such services should be critically reviewed by the Attorney General.

We recommend approval of the amount requested.

Department of Justice
OTHER CURRENT EXPENSES—ENFORCEMENT OF CARTWRIGHT AND
UNFAIR PRACTICES ACT

ITEM 157 of the Budget Bill

Budget page 485
 Budget line No. 20

For Enforcement of the Cartwright and Unfair Practices Act
From the General Fund

Amount requested	\$23,481
Estimated to be expended in 1950-51 Fiscal Year	22,449
Increase (4.6 percent)	\$1,032

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$1,007	\$1,007	---	484	84
Operating expense	225	225	---	485	15
Equipment	---	---	---	485	18
Total increase	\$1,032	\$1,032	---		

RECOMMENDATIONS

Amount budgeted	\$23,481
Legislative Auditor's recommendation	23,481
Reduction	None

ANALYSIS

Special appropriations have been received for two years to enforce the Cartwright and Unfair Practices Act. The report of the Department of Justice for the biennium indicates the following results for the first year of this special appropriation:

	<i>Pending</i>	<i>Closed</i>	<i>Total</i>
Cartwright Act—injunction to restrain unfair practice	4	1	5
Unfair Trade Practice Act	8	-	8

In previous years the Attorney General has testified as to the inconsistencies inherent in the enforcement of these acts and has based his request for funds to enforce the act primarily on the general grounds that he was under obligation to enforce all laws.

We recommend that the Attorney General review the experience of the past two years in enforcing this legislation and report to the Legislature his opinion of the need for this legislation and possible revision, as well as recommendations for enforcement.

Department of Justice
OTHER CURRENT EXPENSES—BANK TAX LITIGATION

ITEM 158 of the Budget Bill

Budget page 485
 Budget line No. 49

For Expense of Litigation in Connection With the State Bank Tax
From the General Fund

Amount requested	\$29,473
Estimated to be expended in 1950-51 Fiscal Year	30,198
Decrease (2.4 percent)	\$725

RECOMMENDATIONS

Amount budgeted	\$29,473
Legislative Auditor's recommendation	29,473
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Reduction	None

ANALYSIS

This item was added in 1950-51 to provide funds to handle litigation involving a challenge of the method of determining the rate of tax on banks and financial corporations. A writ of prohibition is now before the Supreme Court. Until this decision is announced it is uncertain whether this litigation will develop. Nothing has yet been expended from the 1950-51 appropriation.

We recommend approval of this item.

**Department of Mental Hygiene
DEPARTMENTAL ADMINISTRATION**

ITEM 159 of the Budget Bill

Budget page 493
Budget line No. 29

For Support of Departmental Administration From the General Fund

Amount requested	\$1,407,626
Estimated to be expended in 1950-51 Fiscal Year	1,148,239
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Increase (22.6 percent)	\$259,387

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$165,482	\$70,838	\$94,644	498	37
Operating expense	69,610	26,363	43,247	498	38
Equipment	24,295	—35,177	59,472	498	39
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Total increase	\$259,387	\$62,024	\$197,363		

RECOMMENDATIONS

Amount budgeted	\$1,407,626
Legislative Auditor's recommendation	1,255,414
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Reduction	\$152,212

ANALYSIS

The budget request for departmental administration is \$640,316 for the 1951-52 Fiscal Year. This is an increase of \$69,266; or 12.0 percent over the estimated expenditure of \$571,050 for the current year.

The department is requesting 13.7 new positions. We recommend that two of the requested new positions be not granted. These are the research writer, as shown on Budget page 496, line 7, at a cost of \$4,980 and an intermediate stenographer-clerk at a cost of \$2,400. Included in the recommended reduction would be \$2,104 for equipment and an adjustment in operating expenses.

These positions were requested in last year's budget and not allowed. We do not feel that this new service should be allowed, on the basis that this work is and should be supplied through the personnel now available in the department.

We also recommend that the requested expansion of the preventive mental hygiene program be not allowed. Although we recognize that this may be a desirable service to be performed by the Department of Mental