

II. ITEM ANALYSIS OF THE BUDGET BILL

LEGISLATURE		
ITEMS 1-10 of the Budget Bill		Budget page 1
FOR SUPPORT OF THE LEGISLATURE FROM THE GENERAL FUND		
Amount requested -----		\$8,278,060
Balance available from prior year -----		1,122,990
 Total -----		 \$9,401,050
Estimated to be expended in 1963-64 fiscal year -----		7,390,706
 Increase (27.2 percent) -----		 \$2,010,344
TOTAL RECOMMENDED REDUCTION -----		None

ANALYSIS

The total support expenditure proposed for both houses, consisting of \$8,278,060 from the General Fund and a combined balance of \$1,122,990 available from their Contingent Funds, reflects an increase of \$2,010,344, or 27.2 percent over that estimated as required for the current year.

As the current year expenditures include those expenses necessary for the 1964 Budget Session of 30 days as well as those of the First Extraordinary Session of 1963, and as the proposed expenditures are to cover the expenses of the General Session of 1965, it is appropriate to make the expenditure comparison with the most recent fiscal year which includes a general session. In this case it is fiscal year 1962-63 during which the General Session of 1963 took place.

By comparison with that general session year, the proposed budget shows an increase amounting to \$2,030,697 or 27.5 percent. Proposed increased expenditures of contingent funds account for 89.9 percent of the increase, the remaining 10.1 percent of the increase being for legislative printing and other minor increases. Included in the proposed increased contingent fund expenditures is an amount of \$950,000 for alterations and furnishings.

Because the funds requested for transfer to the contingent funds of both houses are appropriated annually and are continuously available without regard to fiscal year, they should not be considered as expended in the year appropriated but rather as a deposit to a fund which maintains a balance of sufficient amount to defray the expenses of the Legislature for one full year beyond the budget year.

We recommend approval as budgeted.

LEGISLATIVE COUNSEL BUREAU

ITEM 11 of the Budget Bill

Budget page 3

FOR SUPPORT OF LEGISLATIVE COUNSEL BUREAU
FROM THE GENERAL FUND

Amount requested -----	\$706,030
Estimated to be expended in 1963-64 fiscal year -----	618,279
Increase (14.2 percent) -----	\$87,751
Increase to maintain existing level of service ----	\$87,751

TOTAL RECOMMENDED REDUCTION ----- None

ANALYSIS

The Legislative Counsel Bureau has as its primary responsibility the rendering of legal assistance to the Members of the Legislature. The principal form of this assistance is providing opinions as may be requested and drafting and reviewing proposed legislation. The drafting and review of the proposed legislation, however, is a substantial service rendered to the executive branch of government as well as to the Legislature.

The counsel has requested an amount of \$706,030 for its support during the budget year 1964-65 which includes a general session. This amount is \$87,751 or 14.2 percent more than estimated as necessary for the current year support which includes the short budget session. Approximately 88 percent of this increase is related to personal service expenditures, reflecting the increases in temporary help required during the general session (11.4 man-years) and merit increases of the regular staff. The remainder of the increase is related to extensions of level of services required to maintain current levels during the longer General Session.

As the counsel's workload and support expenditures vary directly with the length of the session (30-day budget and 120-day general) a better assessment or analysis of the increases required to sustain the same level of services can be made by comparison of costs of the last general session (in the 1962-63 fiscal year) with the proposed expenditure program presented in this budget which includes the general session in fiscal year 1964-65.

	1962-63	1964-65	Difference
Total expenditures -----	\$662,995	\$706,030	\$43,035 + 6.5%

The authorized staff in each case is the 56 full-time employees plus 15 man-years of temporary help and 1 man-year of overtime. Difference in the totals of personal services (+\$35,197) result from salary increases, merit increases, increases in staff benefits and budgeting for full year occupancy of positions.

Differences in operating expenses amount to \$3,711. This increase is related to price increases, proposed expenditures as related to actual and an increase in out-of-state travel of \$800.

The amount budgeted for equipment equals the amount expended for that purpose in 1962-63.

Reimbursements are estimated at \$4,127 less than in 1962-63 thus resulting in an increase in expenditures by that amount.

We recommend approval of this budget item.

LAW REVISION COMMISSION

ITEM 12 of the Budget Bill

Budget page 4

**FOR SUPPORT OF LAW REVISION COMMISSION
FROM THE GENERAL FUND**

Amount requested	\$113,989
Estimated to be expended in 1963-64 fiscal year	111,321
<hr/>	
Increase (2.4 percent)	\$2,668
Increase to maintain existing level of service.....	\$2,668

TOTAL RECOMMENDED REDUCTION..... None

ANALYSIS

This commission of 10 members acts as an aid to the Legislature by performing studies relative to law revision as the Legislature may direct. It examines and reports on current law with respect to obsolete provisions, unconstitutionality, as determined by the courts, and other defects. The day-to-day work of the commission is accomplished by the executive secretary and a staff of six.

The commission has requested \$113,989 for its total support during the fiscal year 1964-65. This represents an increase of \$2,668 or 2.4 percent over the amount estimated as necessary for its support during the current fiscal year.

The major portion (81 percent) of the increase is due to merit salary increases of \$2,174. Other minor increases in staff benefits of retirement, health and welfare contributions and operating expenses, offset in part by a reduction in equipment requirements of \$200, make up the balance of the increase.

We note a shifting of costs in the operating expense line items which, while reflecting a total increase of \$571 or 1.7 percent, indicates a savings of \$2,130 in printing and binding almost totally offset by an increase of \$2,000 in in-state travel. Similarly, rent is shown as increasing by \$500 in the budget year and is exactly offset by a reduction in contractual services. Therefore, the overall dollar increase in operating expenses is directly related to general expense up \$200 and out-of-state travel at \$400.

We have discussed these shifts of costs and increases with the executive secretary and find they are fully justified.

We recommend approval as budgeted.

COMMISSION ON UNIFORM STATE LAWS

ITEM 13 of the Budget Bill

Budget page 5

**FOR SUPPORT OF COMMISSION ON UNIFORM STATE LAWS
FROM THE GENERAL FUND**

Amount requested	\$6,550
Estimated to be expended in 1963-64 fiscal year	5,850
<hr/>	
Increase (12.0 percent)	\$700
Increase to maintain existing level of service.....	\$700

TOTAL RECOMMENDED REDUCTION..... None

Legislators' Retirement Fund

Item 14

**Commission on Uniform State Laws—Continued
ANALYSIS**

This seven-member commission attends meetings of the National Conference of Commissioners on Uniform State Laws and in conjunction with commissioners of other states and the national organization staff, reviews drafts of uniform laws and submits those desirable and practical to the Legislature for its consideration. The office of the ex officio member, the Legislative Counsel, who is secretary of the commission, provides the major portion of the staff support required by the commission.

For the past five fiscal years the commission's budget request has been constant at \$5,850. At no time have the actual expenditures equaled the amount budgeted.

The commission's budget request of \$6,550 shows an increase of \$700 or 12 percent over the current year and reflects the \$700 increase in the contribution to the national conference. This annual contribution has been the largest single expenditure item of operating expenses of the commission for fiscal years 1955-56 through 1962-63 as shown below.

	<i>Contribution</i>	<i>Total expenditure</i>
1955-56	\$1,900	\$3,310
1956-57	1,900	3,146
1957-58	1,900	3,089
1958-59	1,900	2,743
1959-60	2,300	4,880
1960-61	2,300	5,701
1961-62	2,300	4,047
1962-63	2,300	4,830

We recommend approval of this budget item.

CONTRIBUTION TO LEGISLATORS' RETIREMENT FUND

ITEM 14 of the Budget Bill

Budget page 6

FOR STATE'S CONTRIBUTION TO THE LEGISLATORS' RETIREMENT FUND FROM THE GENERAL FUND

Amount requested	\$350,000
Estimated to be expended in 1963-64 fiscal year	315,000
Increase (11.1 percent)	\$35,000
Increase to improve level of service	\$35,000

TOTAL RECOMMENDED REDUCTION

None

ANALYSIS

Section 9358 of the Government Code provides that "the State shall contribute annually to the Legislators' Retirement Fund, an amount as estimated by the Board of Administration, equal to so much of the benefits to be paid from the fund during the year as is not provided by the accumulated contributions of the members receiving such benefits."

The budget proposes \$350,000 for the 1964-65 fiscal year which is an increase of \$35,000, or 11.1 percent above that which is available for the current fiscal year. There is included in the \$350,000 proposed for 1964-65 approximately \$12,000 for 1963-64. Chapters 2103 and 2174,

Legislators' Retirement Fund—Continued

Statutes of 1963 increased the benefits payable to retired members by increasing allowances in proportion to the increase in the cost of living and increasing the allowances for members with more than 15 years of service. The funds made available for the 1963-64 fiscal year are inadequate to provide for the law changes. The \$35,000 increase thus provides the funds to pay for the increases due to law changes over the two-year period of 1963-64 and 1964-65.

We recommend approval as budgeted.

SUPREME COURT

ITEM 15 of the Budget Bill

Budget page 7

FOR SUPPORT OF THE SUPREME COURT FROM THE GENERAL FUND

Amount requested	\$1,026,031
Estimated to be expended in 1963-64 fiscal year	1,006,491
Increase (1.9 percent)	\$19,540
Increase to maintain existing level of service	\$19,540
TOTAL RECOMMENDED REDUCTION	None

ANALYSIS

The State Supreme Court hears appeals initially in cases involving equity, real property, taxation, probate, and the death penalty. On petition it will review cases decided by the district courts of appeal. It has jurisdiction to issue writs of habeas corpus, mandamus, prohibition and certiorari. The Supreme Court admits applicants to the practice of law. It considers clemency applications in certain cases submitted by the Governor. It is the practice of the court to transfer to the appropriate district court of appeal cases which are not closely allied with its exclusive jurisdiction.

The Supreme Court consists of a chief justice, six associate justices, and an authorized staff of 63 technical and clerical positions. Its headquarters are in San Francisco. Calendars are heard also in Los Angeles and Sacramento.

During fiscal year 1964-65 the Supreme Court proposes to expend the sum of \$1,026,031 for its operations. This is an increase of \$19,540 or 1.9 percent over estimated expenditures for the current year.

Personal Services

1 Senior clerk (budget page 7, line 33)

\$4,788

The court proposes to add a senior clerk to its staff with the full-time responsibility of operating document copying equipment. For several reasons, acceptable to the court, such as being indigent or confined, some appellants do not file the required number of copies of appeals or petitions with the court. The court now leases copying equipment which is used to increase the number of copies as provided in court rules and to copy such other documents as may be needed. All personnel in the office now use the machine. The court states that the process now requires a full-time machine operator position.

We recommend the proposed new position of senior clerk as budgeted.