

# CALIFORNIA STATE ASSEMBLY LEGISLATIVE OVERSIGHT HANDBOOK



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Speaker of the Assembly

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# Assembly California Legislature

February 27, 2017

Re: Oversight by the California State Assembly

Dear Standing Committee Chairs and Vice-Chairs, and Members of the Assembly,

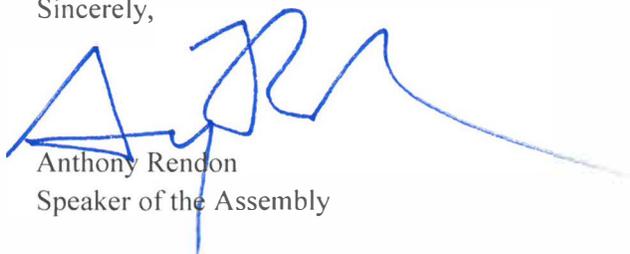
All Californians want government to be accountable. Tax dollars should be spent wisely and government programs operated efficiently. As a co-equal branch of government, it is the constitutional role of the Legislature to monitor state agencies as they implement new laws. Thus, conducting oversight is every bit as important as passing legislation. A key way we can achieve well-organized and effective oversight hearings is through training and the development of tools to support this function.

This Legislative Oversight Handbook offers a toolkit to support oversight activities by Committee Chairs, Vice-Chairs, and key committee staff. It provides background on oversight, reviews the “nuts and bolts” components, and then offers useful advice to support our committees as they prepare and conduct oversight activities. We have worked with Rules Committee Staff, Legislative Counsel, the Chief Clerk’s Office and the Capitol Institute to help identify resources available to you.

Our democratic institutions have succeeded not only because we have formal checks and balances, but also because of our great tradition of public servants working vigorously to uphold their democratic contract and make government institutions work for the people.

It is more essential than ever before that we work together to meet this goal. A strong record of oversight will help maintain public confidence in this institution, but even more importantly it will help us better serve our constituents and improve their quality of life.

Sincerely,



Anthony Rendon  
Speaker of the Assembly



Ken Cooley  
Chair, Assembly Committee on Rules



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## Introduction

Oversight in the California State Assembly gives committees a means to improve the lives of Californians by holding agencies and others accountable to the laws already in place.

More accountable California governance is the result.

The degree of oversight performed by a committee is largely dependent upon the direction and recommendations provided by the committee chairperson. The committee chairperson is in an especially strategic position to determine his or her committee's oversight direction. The chairperson needs to make many important decisions when determining which topics within the committee's jurisdiction need to be reviewed, when to conduct an investigation, and when to schedule an oversight hearing. For oversight to be truly effective, the committee chairperson must be committed to the cause.

This power is well-established. In *Watkins v. United States* (1957), the United States Supreme Court affirmed Congress' oversight power by stating that,

*"We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste."*<sup>1</sup>

Although ongoing, routine Executive Branch oversight will most commonly be conducted by Assembly Standing Committees as the natural companion and extension of their policy work in reviewing and proposing new laws within their jurisdiction and charge under Assembly Rule 11.5, both constituent casework and special projects conducted in a member's personal office can also lead to an adjustment in an agency's policies.

Constituent letters, complaints, and requests for projects and assistance frequently bring problems and deficiencies in state programs and administration to the attention of members and their personal office staff. Thus, personal staff reviewing constituent

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<sup>1</sup> *Watkins v. United States*, 354 U.S. 178, 187 (1957)

casework is in and of itself an effective form of oversight, and may also bring to light a need warranting more thorough investigation via oversight.

In addition, any legislative commission or task force, including select committees established pursuant to Assembly Rule 22, can, if their *"particular study or investigation assigned by the Speaker"* includes some facet of Executive Branch oversight, engage in this kind of more typically standing committee work.

The logic of oversight is straightforward. In our system of checks and balances, the Legislature's power to enact policy includes the power to safeguard the well-being of Californians by monitoring compliance with previously adopted laws. In this way, a Session's legacy is made not just by the enactment of new laws but also by its efficacy in holding the Executive Branch accountable for how it administers current law. This includes ensuring programs are operating consistent with the requirements placed upon them and funds appropriated for a particular program are being spent effectively, efficiently, and in accordance with legislative intent.

Oversight efforts help ensure that the accumulated body of California law, of which the Executive Branch is bound to be both steward and servant, remains apt to its intended purpose and administered fairly and in accord with its intent, to the benefit of California. The unanimity of opinion on this point that oversight supports greater accountability within our democratic system of government is vast and impressive. It is typically understood by thoughtful analysts as a fundamental part of a legislator's sworn duty to uphold the rule of law. A succinct and oft-quoted statement on this power is the following:

*"It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and voice, and to embody the wisdom and will of its constituents."*<sup>2</sup>

Guided by this vision of its scope, importance and purposes, oversight enables a thoughtful Chair and their committee colleagues to open their committee's entire jurisdiction to inquiries not tied to the timing, process, and germaneness limits of the bill cycle. Everything must be done according to proper process, so approvals required under the Assembly Rules are needed, but as long as oversight is undertaken in furtherance of a proper legislative purpose, which is to say it concerns a topic on which the State may legislate, it is well-established that strong, vigorous oversight is within the Legislature's power:

*"The power to investigate is an essential corollary of the power to legislate. The scope of this power on inquiry extends to every proper subject of legislative action."*<sup>3</sup>

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<sup>2</sup> Woodrow Wilson, Congressional Government (Houghton, Mifflin & Co., 1900), 14th impression, p. 303.

<sup>3</sup> Commonwealth ex rel. Carcaci v. Brandamore , 327 A.2d 1, 3 (Pa. 1974).

In doing so, the institutional capacity of the State Assembly grows as a co-equal branch of government.

This power, in turn, can readily be extended into a wide array of areas in keeping with the broad scope of the office of a Member of the State Assembly under the California State Constitution. These would readily include, but are not limited to, such illustrative matters as:

- Review of agency rulemaking to understand the impact of proposed rules as well as what they imply about how the agency interprets legislative intent;
- Review and monitoring of the use of contractors and consultants for government services for efficacy and efficiency of resources consistent with the State Leadership Accountability Act (Government Code Section 13400 et seq.);
- Promote greater alignment and mutual cooperation between the branches of government so as to reduce misdirected effort arising from misunderstandings regarding legislative intent;
- Promote accountability to taxpayers, fairness and good process in state administration by examining agency personnel procedures;
- Develop informational benchmarks and other administrative and programmatic insights to provide the foundation for ongoing review of activities and future policymaking;
- Initiation of investigatory inquiries to delve into the facts which have triggered constituent complaints, media critiques, or other questions about agency performance;
- Ongoing independent accountability reviews to support evaluation of whether current program design, staffing and execution is maximizing the delivery of services to beneficiaries while minimizing adverse unintended consequences;
- Comparison of the effectiveness of similar programs or programs with similar resource inputs; and
- Providing, through ongoing independent reviews and program familiarity, a check upon unfair, unjustified, or misdirected criticism of agencies doing the work they are charged by statute to perform in a creditable way that meets legislative intent.

Ideally, to support the Assembly's Constitutional role as a co-equal branch of government, each Chair and each standing committee should regularly monitor the application of laws and implementation of programs within its jurisdiction as a matter of standard institutional habit and practice.



## Defining Legislative Oversight

Oversight is broadly defined as reviewing, monitoring, and supervising the implementation of public policy.<sup>4</sup>

Generally, informational hearings provide the State Assembly with an opportunity to inspect, examine, review, and check the executive branch and its agencies.<sup>5</sup> Oversight hearings can afford informative briefings for Members and staff on the organization, operations, and programs of an agency, and can shed light on what an agency thinks the legislative intent behind a given statute was and how the agency intends to implement that legislation. Such hearings can be the means to obtain information on the administration, effectiveness, and economy of agency operations and programs. Finally, from an Assembly institutional standpoint, it should be expected that agency officials will be noticeably influenced by the knowledge and expectation that as longer-tenured Members assume policy responsibility in the Assembly, the agency personnel can anticipate being asked to appear before Assembly committees more frequently to account for the activities of their agencies.

Legislative oversight of policy implementation and administration can take a variety of forms and utilizes various techniques.

These include informal communications between Members and executive personnel to the use of state mechanisms,<sup>6</sup> such as the Bureau of State Audits. Legislative oversight can also be the work of a duly constituted Assembly Select Committee if a task requiring such oversight is within its specific charge. This structure placed upon select committees with regards to oversight accords with the orderly conduct of the business of the Assembly and their place within the Assembly with its structure of the standing committees.

At all times, the work of select committees must conform to the Assembly Rule that it *"may act only on the particular study or investigation assigned by the Speaker in Consultation with the Committee on Rules."* (AR 22)

For the State Assembly and our capacity as a co-equal branch of government under the California Constitution, it is quite striking that done well and systematically, oversight can be more impactful than merely passing new laws. Within this co-equal branch of government oversight framework, a subject is researched and examined and the resulting facts are used to evaluate whether, for the effort and resources being

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<sup>4</sup> Frederick M. Kaiser et al., Cong. Research Serv., RL30240 *Congressional Oversight Manual* 1 (2011).

<sup>5</sup> Chairwoman Louise M. Slaughter. *The General Principles of Congressional Oversight. Committee Oversight and Investigations: A User's Guide to Relevant House Rules* (1999).

<sup>6</sup> Frederick M. Kaiser. Cong. Research Serv. *Congressional Oversight* (2001).

expended, appropriate results are being obtained, and if changes or improvements can be made to achieve better, more needed, or different high-value outcomes. Through such focused inquiry and follow-up, an agency's priorities can, in time, be realigned to better reflect the Legislature's view of intended priorities.

## **Types of Oversight Hearings**

There are two types of oversight hearings: informational and investigatory. Generally, informational hearings provide the opportunity for legislators to deepen their knowledge of a particular subject matter; more specifically, informational oversight hearings have an added purpose of presenting information for the purpose of improving public service and maintaining that balance between each branch of government.

Investigatory hearings are primarily conducted for the purpose of fact-finding for a particular event that has occurred, and thus has the effect of overseeing the actions of an agency, organization or individual.

To conduct a successful oversight hearing in either case requires a commitment to research.

## **Informational Oversight Hearings**

Effective oversight is built on a foundation of thorough research. This puts a premium on strong legislative partnerships with key research bodies and institutions in California. Typically, extensive background research will be conducted surrounding the entity and subject of the inquiry, relevant data will be requested and analyzed upon receipt, and prospective witnesses will be interviewed beforehand by staff of the committee. Only after this work has been done will a hearing be structured where invited witnesses will be asked to share their views on the specific questions the committee needs to explore in greater depth.

Given this jurisdictional focus, an option Committee Chairs may wish to consider is to convene informational hearings early in the Session where they can receive a baseline overview of state agency units subject to the panel's policy oversight. Such a hearing can inform the committee of each unit's organization, programs, available resources, administrative priorities, challenges, and recent accomplishments. Beyond the information value of such a hearing, it begins to establish the concept that the Executive Branch's duty of program administration carries with it the prospect of periodic briefings and updates. Then as more law or program-specific oversight hearings are conducted the principle has been established that the relevant agencies should expect to be present and a part of the Assembly's review process.

## Investigatory Oversight Hearings

Another method of exercising oversight is through investigations. Investigations are fact-finding exercises conducted for the purposes of understanding a particular action or event that has occurred and its connection to established policy or law. “The investigatory method helps to ensure a more responsible bureaucracy, while supplying the [Assembly] with information needed to formulate new legislation.”<sup>7</sup>

Investigatory hearings tend to be more adversarial and confrontational. Indeed, the Assembly has tools such as the subpoena power that adds to the adversarial nature of this oversight function. Sometimes high profile investigations set it apart from more routine, accommodative facets of the oversight process. The investigation process also sustains and vindicates the Legislature's role in our constitutional scheme of separated powers and checks and balances.<sup>8</sup>

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<sup>7</sup> Alissa M. Dolan et al. Cong. Research Serv., RL30240 *Congressional Oversight Manual 1* (2014), p. 5.

<sup>8</sup> Morton Rosenberg. *Investigative Oversight: An Introduction to the Law, Practice, and Procedure of Congressional Inquiry I* (1995).



## The Nuts & Bolts of Oversight

### Committee Oversight Procedures and Protocol

*A successful oversight strategy will allow a Committee Chair to both effectively lead and invigorate the productivity of his or her staff. The following document lays out the steps that can be taken by your staff to effectively implement the oversight goals that you envision for your committee.*

#### 1. Approval Process

Committee Oversight Hearings cannot be scheduled until the Speaker has approved the oversight topic. A Member request letter to the Speaker and Executive Summary of the Tentative Plan Memorandum should be submitted to the Speaker's Office early in the process to allow adequate time for Speaker's staff to review.

#### 2. Tentative Plan Memorandum

Committee consultants should prepare a Tentative Plan Memorandum for the Chair that identifies the general oversight topic, focus of the inquiry, timeline for the inquiry, and projected outcome. The memo should include:

- a. **Purpose Statement** – Describing the central focus of the inquiry, and areas of possible outcome, both related to the subject matter jurisdiction of the committee. **(Note on early consultation with the Office of Legislative Counsel:** All oversight must be in furtherance of a legitimate legislative purpose, and a clear and definite statement of that purpose can be important in achieving compliance with committee requests for records, documents, and data. As a best practice, Committee staff may wish to reach out early to the Office of Legislative Counsel for review of the intended purpose of the hearing, the scope of information which is anticipated will be sought to be obtained, and similar matters for their advice and counsel in developing the strongest purpose statement that will lay a good foundation for the inquiry and minimize foreseeable pitfalls).

- b. **Preliminary Workplan and Calendar** – The Who, What, When, Where, and How of the process that will lead to the hearing, including what specific specialized sources of assistance the committee may wish to solicit and what key research needs to be completed.
- c. **Projected Outcome** – What is the expected outcome of the effort and how will that further the committee’s responsibilities and, if appropriate, how is it expected to help institutionalize the committee’s priorities within the staff and management of the entity being examined? This policy perspective should be the primary focus of all such efforts and all needed efforts should be undertaken to sharpen and maintain this emphasis. The outcome should highlight the key issues which have been identified and how the hearing might impact those issues so as to produce a different or better result for those Californians with a stake in the subject matter.

### 3. Requesting a Hearing

- a. After the oversight topic has been approved, submit a letter to the Speaker requesting to hold a hearing with details – date, time, location, and subject matter. Please attach an outline/draft agenda to help expedite approval. Requests should be submitted allowing adequate time for Speaker’s staff to review.
- b. If the hearing is in the Capitol, the room needs to be tentatively reserved with the Sergeant’s Committee Room Scheduler before the request will be considered. The Committee Room Scheduler may be reached at (916) 319-2879 or [assemblycommiteeroomscheduler@asm.ca.gov](mailto:assemblycommiteeroomscheduler@asm.ca.gov).
- c. Hearings outside of the Capitol will not be approved during days we have Floor Session or Check-in Session, with the exception of Thursdays after adjournment (or Fridays when applicable).

### 4. Hearing Notice: Assembly Daily File

Upon approval of a hearing by the Speaker, a File Notice will need to be submitted to the Assembly Desk. There is a 4-day File Notice requirement for all hearings (not including the day of the hearing). If you have questions about how to process a File Notice, you may contact the File Clerk at (916) 319-2358.

### 5. Potential Oversight Areas and General Considerations for Committee Chairs and Staff

It is expected that each Assembly Committee, under the collaborative guidance of its Chair and Vice Chair, will in the normal conduct of its work develop its own approach and style of oversight. Oversight is an area where the unique

strengths of the Chair, Vice Chair, Committee Members, and Assembly Staff can work together to produce focused and productive inquiries that are highly original and yield a positive return for California.

To establish a framework and process for planned oversight endeavors, the Committee Chair may wish to convene an early information hearing to allow the full committee to get a baseline overview of state agency units subject to the panel's policy oversight. Such a hearing should cover each unit's organization, programs, available resources, administrative priorities, challenges, and recent accomplishments.

Once a subject matter for a hearing is identified, the immediate task is to begin researching it by identifying subject matter experts, sources of background information, and beginning to assemble documents and other resources so that a "record" is assembled which lays the foundation for the hearing.

Staff may need to gather background information on an issue, research the intent of the Legislature, and obtain fiscal data. Data may be collected through a variety of means, including existing formal reports of the agency, on-site visits by Members and/or staff, surveys and questionnaires, interviews and meetings, and public hearings.<sup>9</sup>

**6. To foster such versatility in the important public work of convening productive oversight hearings, the following considerations are offered:**

- a. **Oversight highlights the co-equal status of the Legislature and its duty to protect Californians, including the state's taxpayers** – Oversight permits committee's to highlight the constitutional role of the Legislature to set policy and ensure that the public's ends are being properly and well-served by the law's administration.
- b. **Oversight can examine if current statutory authority is being fully utilized to address emergent problems** – An engaged Chair and their staff can identify issues that captivate the public's interest, examine how existing statutory or regulatory tools might be employed to meet that challenge, and then convene a hearing to determine what the appropriate regulator or other party is doing to use the tools presently available on the public's behalf.
- c. **Choose the top issues in the committee jurisdiction and focus on a thorough work-up** – To obtain the greatest impact in the oversight

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<sup>9</sup> James Brennan, "A Guide to Legislative Oversight" NY State Assembly Standing Committee on Oversight, Analysis and Investigation, p 13-14

process, it is best to identify issues that have developed significant current interest, commit staff and institutional resources to a thorough work-up on the topic, and then plan a schedule to allow at least one in-depth hearing and repeated follow-ups to make sure key parties (whether executive branch or private sector) engage in promised follow-through.

- d. **Consider reviewing past enactments which were seen as notable when enacted to identify possible laws to conduct oversight on** – Numerous summaries of past enactments exist both in-house and in outside sources. As one example, an excellent summation of major enactments is compiled each winter by the staff of the University of Pacific’s McGeorge Law School and published in the “*McGeorge Law Review*”.
- e. **Consider constituent interactions with state agencies that are the focus of your district casework** – If many constituents are experiencing similar issues, there may be a need to explore the root of the problem. Are the policies and procedures of the Agency creating the problem, or are their actions required by statute?

## 7. Researching the Issue

If the research phase points to a need to request significant written materials, documentation, or records, these written requests likely need 4 to 8 weeks to produce results.

A key challenge to institutionalizing effective oversight is finding ways to adjust workload so staff on the oversight project can focus on the task at hand. Committee staff may consider requesting new studies and reports, in addition to the existing research resources and studies, previous audits, and other materials relevant to the issue of interest. A partial list of potential resources is provided below. Details regarding these resources may be found in “Oversight Research and Witness Sources.” (See page 148.)

- a. Office of Legislative Counsel
- b. Legislative Analyst Office
- c. Bureau of State Audits
- d. Speaker’s Office of Research and Floor Analysis (SORFA)
- e. State Library - California Research Bureau (CRB)
- f. Little Hoover Commission
- g. Office of the Inspector General
- h. University of California
- i. California State University
- j. USC
- k. Stanford University

- l. Public Policy Institute of California
- m. RAND Corporation
- n. Senate Office of Research

## **8. Staff with Specialized Expertise**

Committee may have access to specialized talent that may be utilized for specific projects. Among the options to be considered, depending on the needs of the investigation:

- a. CPA, Legal, Law School Interns
- b. Science and Technology Fellows
- c. Will an agency of interest loan a staff member so that the fact-finding process is “fair” as pertains to its area of jurisdiction?

## **9. Research Process Overview**

Research proceeds both informally and formally. Initially, the researcher begins talking to a broad array of interested parties or expert resources to identify what data and information is available, who has useful insights into the matter at hand, and what seem to be key issues. Once a preliminary view of key issues is developed, the record can be developed and gaps filled to lay a foundation for a more methodical interview of key personnel and/or witnesses in the preparatory stage of the hearing process.

If the entity is subject to statutory mandated reporting on operations to the Legislature, review of prior reports in the series will be useful to understand recent events, possible trends, and how the entity views its status and progress on priority matters.

## **10. The Power of Investigation**

For institutional reasons, it is vitally important that oversight hearings are planned, convened, and conducted primarily in reliance upon the inherent prestige of the State Assembly as a duly constituted constitutional body. Of the many tools in the oversight toolkit, there is none that is the equal of the inherent power and prestige of the Legislature when duly convened and conducting its vital public work.

Accordingly, the investigatory process will proceed primarily in reliance on voluntary statements and testimony in response to the inherent power of legislative inquiry and the adverse consequences of declining to participate in such a duly-convened proceeding.

Tools do exist to support the body in the very exceptional circumstances where voluntary cooperation is not achieved; in particular Government Code Sections 9400 to 9414 establish a framework for the more formal subpoenaing of witnesses. However, to ensure this tool is only invoked when it is deemed vital for upholding the integrity of the full institution, prior Rules Committee approval is required.

(NOTE: While it serves as an available tool in the Chair's oversight toolkit, if subpoenaed a witness may request reimbursement for their travel expense which is an important practical issue to bear in mind).

## 11. Witnesses <sup>10</sup>

A variety of issues need to be considered when putting together an effective group of witnesses:

- a. Resource Panels – Are subject matter experts available who can be tapped as Technical or Advisory panel members to support the hearing and raise its visibility?
- b. Panels – What is the structure of the witness panels? Are witness panels restricted to 3 persons at most?
- c. Do opposing views exist? Does the subject lend itself to witnesses with contrasting views and is the hearing being designed to take advantage of such a circumstance?
- d. Has the order of witnesses been considered? It can be critical.
- e. Have the witnesses been interviewed? You need to know what is going to be said.
- f. Are the witnesses chosen the most knowledgeable and articulate?
- g. Use of subpoenas are the exception rather than the rule, and for this reason, they are only authorized after Rules Committee consideration and approval. For background on this topic, see the March 18, 1999 Rules Committee Subpoena Policy (See page 147.)

Practical considerations when subpoenas are being considered include:

- i. Consult with Legislative Counsel to explore legal issues that may be implicated in the proposed subpoena.
- ii. Provide Rules Committee Chair with a written request for subpoena issuance.

If available include information on the following in the letter to Rules:

- i. What is the estimated travel budget impact of such witnesses?
- ii. Is it proposed that the Assembly Office of Travel be used?

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<sup>10</sup> James Brennan, "A Guide to Legislative Oversight" NY State Assembly Standing Committee on Oversight, Analysis and Investigation, p 13-14, 16-17

## 12. Questions <sup>11</sup>

- a. Ask tough penetrating questions, but build up to them.
- b. Many questions should be based on the testimony that will be provided.
- c. Know the answer before the question is asked.
- d. Questions should be short and focused.
- e. Have techniques for Member in case witnesses stray from the focus of the hearing or do not respond to the question.
- f. Incorporate questions from Members not serving on the Committee(s).

## 13. Written Material

- a. Advanced Written Testimony – It is advisable that detailed information requests be prepared and sent a minimum of 6-8 weeks prior to the hearing. Advance mailing is important to allow for recipient preparation and staff review and also to permit preparation and service of documentary subpoenas, if necessary.
- b. Advanced Written Testimony should be received no later than 14 days before the hearing date.

## 14. Media and Community Relations

Staff should reach out to your caucus services at the beginning of this process to ensure that the office is well prepared for any inquiries or publicity provided by others. If staff is not prepared, others may shape discussion before you get started.

- a. Speaker's Office of Member Services: (916) 319-3800
- b. Republican Office of Member Outreach and Support: (916) 319-3901

## 15. "Summary of the Hearing" Tool

Based on the preliminary research, staff (and borrowed staff resources) will prepare a "Summary of the Hearing" document which should cover:

- a. Background on the Matter or Problem
- b. Results of the Preliminary Investigation
- c. Tentative Conclusions
- d. Suggested Witnesses along with the key subjects and suggested questions for each
- e. Advanced Written Testimony

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<sup>11</sup> Project on Government Oversight "Framing Questions: What to Ask, How to Ask, and How to Follow Up"

## **16. Calendaring**

The calendar is used to keep a proposed oversight hearing on track and meeting the priorities of the Chair and committee.



## Preparing for the Hearing

### **The Hearing: When**

- Check Assembly and Senate Daily Files
  - If during session: after adjournment Thursday or on Friday
- Check Chair's schedule
- Check other Members' schedules
- Check district events calendar
- Hearing Times – Has adequate time been scheduled for the hearing? Two shorter hearings are better than one hearing which is rushed on substantive issues

### **Logistics Before the Hearing**

- Advance review of site
- Travel Request, if necessary
- Televising
- Audiotape
- Mail to district – needs Rules Committee approval, note potential blackout periods
- Check audio-visuals: microphones, etc.
- Check seating and dais
- Table for sign in and printed materials
- Track and log all donations/expenditures for potential Behested Payment reporting (Questions: Scott Hallabrin (916) 319-3752)

### **Material for the Hearing**

Follow Binder preparation checklist in "Preparation of Briefing Books" (See page145)

- Hearing Agenda
- Background paper on matter or problem
- Results of the Preliminary Investigation
- Existing Reports
- Written Testimony
- Charts and Graphs
- Background package approved by Chair
- Background package submitted to Rules and Reprographics
- Background package provided to Chair, Members, and others as appropriate

### **Other Preparations**

- Provide updates to Chair (weekly, biweekly, or as warranted) as hearing develops
- Identify areas of personal interest to Chair to ensure issues are addressed
- Prepare questions for Chair
- Prepare Opening Statement for Chair and Vice Chair (and other members at the Chair's discretion) which summarizes apparent findings of the preliminary investigation and what the committee is seeking to learn in the following testimony.
- Brief members of Committee
- Reminder notes or calls to all witnesses and Members

### **Media and Community Relations**

- Media Advisory
- Follow up phone calls
- Invite interested parties
- Invite elected officials

### **At the Hearing**

- Work with District Office staff
- Sign-in sheets for witnesses
- Sign-in sheets for audience
- Sign-in sheets for media
- Agenda and background material reproduced for the public
- Press package available
- Per Diem forms for Members (if needed)
- Audio-Visual equipment and set-up
- Timer
- Nameplates
- Camera and staff person to take photos
- Need Swearing in of Witnesses?
  - Will Legislative Counsel and Government Code witness rules be used? Government Code Section 9401 establishes special rules governing the testimony of witnesses at Legislative hearings. If witnesses will be sworn, this section controls and Legislative Counsel must be consulted during hearing preparation.
- Have all hearing time-savers been planned for or purposefully not included?
  - Written testimony summarized by chair and not reiterated by witness?
  - Use of staff questioning at outset?
  - Use of point/counterpoint opposing viewpoints format rather than single witness dialogues?

### **Duties at the Hearing**

- Taking written testimony
- Record-keeping
- Audiotape the hearing
- Note areas for required follow-up – commitments, questions, etc.
- Watch for media; follow up for Chair

### **Chair Responsibilities**

- Calling the hearing to order
- Opening statement
- Invite other Members to speak
- Questioning the witnesses
- Taking public testimony
- Summing up

### **After the Hearing**

- Notes to Members and witnesses
- Thank you notes as appropriate
- Assemble the report
- Process all paper work



## **Participants**

There are various ways a legislative body may approach oversight. "Projects can be short-term, involving only a few telephone calls, in depth, financial and historical data collection, field investigations, on-site state agency visits, interviews, and public hearings."<sup>12</sup> A committee hearing is just one avenue in which oversight may occur. However, jurisdictional conflict within the Assembly must be carefully considered.

### **Standing Committees** (See AR 1.5 and JR 36)

In the State Assembly, all standing committees, except the Assembly Rules Committee, are authorized and directed to conduct oversight hearings. Assembly Rule 11.5 specifies that the 30 standing committees may not commence a study of any subject or matter without permission of the Rules Committee to prevent duplication and overlapping studies.

Assembly Rule 11.5 provides in part that:

*"(a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to conduct oversight hearings and to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative..."*

*"(c) Each committee and any subcommittee, and its members, have and may exercise all the rights, duties, and powers conferred upon investigating committees and their members by law and by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the committee or subcommittee and their members."*

*"(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules..."*

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<sup>12</sup> Committee on Oversight, Analysis and Investigation *Annual Report* New York State Assembly (2012)

Joint Rule 36, which is a lengthy rule thoroughly addressing the authority and procedures pertaining to investigating committees, includes in relevant part that:

*"Every department, commission, board, agency, officer, and employee of the state government, ... and of every political subdivision, county, city, or public district of this state, shall give and furnish to these committees ... upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created."*

### **Select Committees (See AR 22)**

Select committees may perform investigatory oversight hearings. However, this authority is limited and specifically provided for in Assembly Rule 22 at the direction of the Speaker.

Assembly Rule 22 provides in part that:

*"(a) The Assembly General Research Committee is hereby continued as a permanent fact-finding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated as a select committee..."*

### **Joint Legislative Audit Committee (JLAC) (See Article 4, Section 11 of the California Constitution, Government Code 10501, JR 37.3 - 37.5)**

JLAC is established through the Legislature's rulemaking authority under the California Constitution, Government Code Section 10501 and the Joint Rules of the Senate and Assembly. Duties and responsibilities in the Joint Rules of the Senate and Assembly apply to JLAC as well as all powers conferred upon committees by Article IV, Section 11 of the California Constitution.

With a goal of improving government performance, JLAC, through the work of the California State Auditor's Office, oversees the operations and finances of government and publicly created entities. JLAC reviews and takes action on audit requests, which are submitted to the Committee from any Member of the Legislature. It also monitors government operations through oversight hearings.

**Joint Legislative Budget Committee (JLBC) (See JR 37)**

JLBC ascertains facts and makes recommendations to the Legislature and to each of the houses concerning the State Budget, the revenues and expenditures of the state, the organization and functions of the state, its departments, subdivisions, and agencies, with a view to reducing the cost of the state government and securing greater efficiency and economy.

Joint Rule 37 also specifies that JLBC appoints the Legislative Analyst, who oversees the Legislative Analyst's Office (LAO). The LAO provides fiscal and policy advice to the Legislature, and has done so for more than 70 years. It is known for its fiscal and programmatic expertise and nonpartisan analyses of the State Budget.



## **Growing Institutional Capacity: Create Your Standing Committee Resource Book**

Oversight, as an activity derived from status as a standing committee, must be related to a legitimate lawmaking purpose and this, in turn, means it must have some anchor within the jurisdiction of the committee.

This highlights the opportunity available to each Assembly Standing Committees if it develops for its own use a comprehensive resource book that captures all the facets of state law and government that arguably fall within that panel's purview. Such a resource book can take whatever form suits the Chair and staff but should, at a minimum, be organized to permit easy reference to a:

- Complete listing of all the various laws that touch upon the committee's scope of jurisdiction should be in one area of this resource book. Each law citation should include a brief characterization of what the nature of that body of law is, when it was adopted, when it was last significantly amended and what agencies of state or other units of government administer it or are affected by its terms or operation.
  - Regulations: For statutes which authorize the adoption of regulations, where they are to be found and when they were adopted and most recently updated should be included in the Resource Book.
  - Limits on Legislative Action: For statutes adopted by initiative, this fact should be noted as well as whether or not any limitations are contained within them affecting the ability of the Legislature to amend or repeal them; for such restrictions, citation to the relevant provision should be made and a summary of the provision provided.
  - Mandatory Reports - Scope, Timing and Legal Basis: The Resource Book should also include the citation by agency, subject matter, and reporting date, of any mandatory reports the body is required by law to produce. Such reports are a road map into agency operations, including what the agency thinks the intended intent of the law they administer is, and a comparison of multiple years of reports can establish trends and other historical data perspectives.
- Create an overview of multi-faceted laws that summarize 1) the scope of their operation, 2) how these provisions are intended to affect Californians and 3) how these programmatic elements tie into the committee jurisdiction. If a single law or statutory scheme has multiple facets, so that it includes multiple programs, activities, or functions, describe each briefly in terms of how those activities

affect, on the one hand, Californians generally or some subset of the state's population, and then how this relates to the committee's own jurisdiction.

- Identify every organizational unit of state or local level engaged in administering its provisions. Once relevant laws are identified, and their intended functioning, identify as well all the agencies involved, any advisory committees, bureaus, bodies to whom any facets of decision-making under the law(s) is/are delegated, and any departments included or engaging in Executive Branch oversight with respect to the laws implementation.

This review and memorializing, in an ongoing Resource Book of the laws overseen, the various parts of state and local government involved in that law's implementation, including regulations that further refine its application, and all state or local bodies involved in the law's operation, becomes an essential tool in helping the committee understand the full breadth of its range of oversight jurisdiction.

***NOTE: Materials in the Tools and Resources section of this binder, specifically the Quick Reference on California Law (See page 49) may be helpful in identifying various key topics and laws which might be overlooked yet appear to fit within a given standing committee's jurisdiction.***



## **Legislative Rules Governing Oversight Hearings**

**Compiled by Office of the Chief Clerk**

The State Constitution authorizes the Legislature to create committees to ascertain facts and to make recommendations, and to adopt rules for its proceedings. Under the Assembly Rules (AR 26 and AR 56), the Speaker has the sole authority to appoint committee memberships and to approve committee hearings. Subject to the approval of the Speaker, committees may hold informational, oversight, or investigative hearings. Such hearings may be subject to House and Joint Rules, and statutory provisions, listed below. Joint committees are also empowered by the Joint Rules to hold oversight hearings. Specific oversight or audit functions are assigned to the Joint Legislative Audit Committee and the Joint Legislative Budget Committee.

On rare occasions, a legislative committee may issue a subpoena to compel a witness, subject to approval of the Rules Committee (JR 35.5). This joint rule was added in the 2007-08 session to conform with Government Code provisions governing legislative subpoenas.

There are also statutes that provide for committee oversight and review of administrative regulations. Listed below are excerpts from the State Constitution, the Assembly Rules, Joint Rules, and Government Code related to legislative committee investigatory, oversight, and subpoena procedures.

### **LISTING AND SUMMARY OF KEY PROVISIONS GOVERNING LEGISLATIVE OVERSIGHT HEARINGS**

#### **CONSTITUTION**

##### **Article IV, Section 11. Legislative Committees**

Constitutional authority to create fact-finding committees within scope of legislative control.

## **ASSEMBLY RULES**

### **AR 11.5. Assembly Investigating Committees**

Creation of investigatory committees and authority to conduct oversight hearings; committee expenses and Rules Committee coordination.

### **AR 14. Powers of the Committee on Rules**

Law enforcement cooperation, subpoenas, allocation of committee resources.

### **AR 15. Committee on Rules**

Authority of Rules Committee and its investigatory powers extend into recesses.

### **AR 20. Rules and Regulations Governing Committees**

Expenditures, claims, and contracts of investigatory committees: Rules Committee approval.

### **AR 22. Select Committees (General Research Committee)**

The Speaker may appoint select committees to investigate matters not undertaken by a standing committee.

### **AR 26. Duties of the Speaker**

The Speaker's authority to allocate funding, appoint committees, approve hearings, and sign writs and subpoenas.

### **AR 56. Meetings of Standing Committees and Subcommittees**

The Speaker controls committee schedules; hearings must be publicly accessible.

## **JOINT RULES**

### **JR 35.5. Issuance of Subpoenas**

Subpoenas can be authorized by Senate Rules, the Speaker, or a committee Chair (only if preapproved by their Rules Committee in advance). Joint committees must secure preapproval from Joint Rules Committee.

### **JR 36. Investigating Committees**

Authority for creation of investigating committees to ascertain facts and make recommendations; vote requirement for action by joint committee is a quorum of membership of each house; subpoenas are subject to JR 35.5; procedures for witness immunity; all government agencies and boards are required to furnish records and documents; all of the provisions of the Government Code, relating to the attendance and examination of witnesses before the Legislature apply to the committees; procedures for holding hearings; four day public notice; claims and expenses.

### **JR 37. Joint Legislative Budget Committee (JLBC)**

Creation of JLBC; appointing authority; quorum; vacancies; general duty is to ascertain facts and make recommendations to the Legislature concerning the State Budget, and the organization and functions of the state and its departments, subdivisions, and agencies, with focus on securing greater efficiency. All legislative investigating committees are authorized to enter into contracts with JLBC for rendering of services; subcommittees may be created with approval of appointing authority; Legislative Analyst appointed by JLBC; Legislative Analyst's Office duties prescribed; any resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective Rules Committees. Before the committees may act upon or assign the resolution, they shall obtain an estimate from JLBC of the study costs.

### **JR 37.3. Joint Legislative Audit Committee (JLAC)**

Creation of JLAC; appointing authority; quorum; vote requirements; Bureau of State Audits reports.

### **JR 37.4. Study or Audits**

Procedures for audits; all resolutions calling for an audit shall be re-referred to respective Rules Committees; bills requiring action by the Bureau of State Audits shall contain an appropriation for the cost of any study or audit. Before the committees may act upon or assign the bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the cost of the study or audit.

### **JR 37.7. Administrative Regulations**

Senate Rules Committee and the Speaker have authority to approve study of administrative regulations; criteria for study approval process; procedures for handling unacceptable agency regulations.

### **JR 40. Joint Rules Committee**

Authority of Joint Rules Committee in coordinating law enforcement cooperation in committee investigations and in serving committee subpoenas.

### **JR 40.1. Review of Administrative Regulations**

Rules Committee and Joint Rules Committee authority to approve committee requests for "priority review" of administrative regulations (under Government Code Section 11349.7).

### **JR 42. Information Concerning Committees**

Duty of Rules Committees in organizing the business of the investigating committees, assigning study topics, and publishing reports.

## **STATUTORY PROVISIONS**

### **GOVERNMENT CODE SECTION 11349.1-11349.9 (REGULATIONS)**

The office, at the request of any standing, select, or joint committee of the Legislature, shall initiate a priority review of any regulation, group of regulations, or series of regulations that the committee believes does not meet the standards set forth in Section 11349.1.

### **GOVERNMENT CODE SECTION 9401 (SUBPOENAS)**

A subpoena requiring the attendance of any witness before the Senate, Assembly, or a committee may be issued by the President of the Senate, Speaker of the Assembly, or the chairman of any committee before whom the attendance of the witness is desired if permission has been secured from the Rules Committee of the respective house (*Amended by Statutes of 1984, Chapter 1672, Section 1*).

### **GOVERNMENT CODE SECTION 9402 (SUBPOENAS)**

A subpoena is sufficient if it:

- (a) States whether the proceeding is before the Senate, Assembly, or a committee.
  - (b) Is addressed to the witness.
  - (c) Requires the attendance of the witness at a time and place certain.
  - (d) Is signed by the President of the Senate, Speaker of the Assembly, or chairman of the committee before whom attendance of the witness is desired
- (*Amended by Statutes of 2014, Chapter 71, Section 68. Effective January 1, 2015*).

## **MASON's MANUAL PROVISIONS**

### **Section 757**

Legislative Oversight of the Executive Branch

### **Section 683**

Committee of the Whole

### **Section 802**

Summons, Subpoenas, and Warrants



## **Oversight Coordination and Processes**

The committee may need to take a broad review of an issue which could encompass multiple agencies and departments whose jurisdiction may cross over into other standing committees.

As a result, the committee should look at how it can coordinate with other committees when there may be jurisdiction cross-over. It may also be helpful to partner with Select Committees, when there is an expressed interest in a subject matter by a chair.

“Intercommittee cooperation on oversight can prove beneficial for a variety of reasons. It should, for example, minimize unnecessary duplication and conflict and will inhibit agencies from playing one committee against another.”  
13

The existing oversight structures of the Legislature may be a critical component of oversight by a committee. These committees can be an important resource as they have expertise in research and data collection and may be able to provide assistance in your oversight activities:

1. Joint Legislative Audit Committee
2. Joint Legislative Budget/Assembly Budget Committee
3. Accountability and Administrative Review Committee
4. Business and Professions Committee (Sunset Review Process)

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<sup>13</sup> Congressional Oversight Manual, CRS, December 19, 2014 p. 16.

## Joint Legislative Audit Committee (JLAC)

(916) 319-3300

### Introduction to the Joint Legislative Audit Committee (*JLAC memo - May 2015*)

**Any Member of the Legislature may submit audit requests to the Joint Legislative Audit Committee (JLAC) for approval of audits that are conducted by the State Auditor's office (CSA).**

The JLAC was established through the Legislature's rulemaking authority under the California Constitution, Government Code Section 10501 and the Joint Rules of the Senate and Assembly, Rule 37.3. Duties and responsibilities in the Joint Rules of the Senate and Assembly apply to the JLAC as well as all powers conferred upon committees by Article IV, Section 11 of the California Constitution.

The JLAC is a 14-member committee consisting of seven Assemblymembers and seven Senators. The current chair is Assemblyman Mike Gipson. Four members from each house constitute a quorum and the number of votes necessary for an action. The goal of the committee is to improve government performance by overseeing the operations and finances of government and publicly-created entities.

**The JLAC reviews and takes action on audit requests. It also monitors government operations through oversight hearings.**

*Types of Audits* – Audits considered by the JLAC include *performance audits*, which examine whether state agencies and programs are efficiently and effectively operating as the Legislature intended; accomplishing their goals and objectives; complying with laws, regulations, and policies; and using state resources properly. The JLAC also considers *financial and financial-related audits* of government and publicly-created entities. Both performance and financial audits can address compliance issues, which include determining whether an entity or program is complying with applicable laws and regulations.

*Mandated v. Discretionary Audits* – Mandated audits are written into law or budget control language (e.g. state's annual financial audit). Because these audits are mandated by statute, mandated audits receive the highest priority. Joint Rule 37.4(b) requires that any bill requiring an audit or study by the CSA contain an appropriation for the cost of the study or audit. Discretionary audits are requested by members of the Legislature through the JLAC. Resources available for discretionary audits vary depending upon the CSA workload and committee priorities.

*Hearings* – The JLAC conducts two types of hearings: regular and oversight hearings. At a regular hearing, the JLAC considers each audit request as analyzed by the CSA and takes one of four actions on each request: approve, deny, retain, or refer to another agency. Regular hearings typically begin with a briefing from the CSA on the status of

audits in progress and the availability of CSA resources for new audits. Next, the JLAC reviews each request on its agenda in sign-in order. For each audit request, the requestor first makes a brief presentation on the audit request, followed by the CSA's description of the proposed scope of work and estimated cost to conduct the work. Lastly, the potential auditee and the public at large are given an opportunity to comment on the audit request.

Oversight hearings generally address the findings, conclusions, recommendations, and the auditee's response to issues identified in a completed audit. Oversight hearings are conducted on an as-needed basis on a variety of topics and may be included as part of a regular hearing.

***When does the JLAC meet?*** The JLAC can conduct its business at any time, including during recess and the interim period between sessions. The JLAC generally conducts regular hearings when the Legislature is in session. These hearings are noticed in the Assembly and Senate files in advance of the hearing date.

***Requesting an Audit*** – Any member of the Legislature or a committee of the Legislature can request an audit by submitting to the JLAC a request letter addressed to the Chair of the JLAC. The audit request process begins with completing the “JLAC Information Sheet”. The information sheet should be completed first, followed by a meeting with the JLAC staff before finalizing the audit request letter. Completing the information sheet will assist in framing the issue, problem, deficiency, and motivation for the audit request; developing a good argument for approving the audit request; and identifying the questions the audit should answer. A well-written audit request provides the CSA with clear direction and generally results in objective data and information useful to policymakers.

When an audit request letter is submitted to the JLAC office, the Chair reviews the request, acknowledges its receipt, and forwards it to the CSA. The CSA prepares an analysis of the audit request, which includes a brief objective background, the audit scope and objectives, and the estimated cost to conduct the proposed audit. Before finalizing the analysis, the CSA staff will confirm the scope and objectives of the audit request with legislative staff in the requester's office. The written analysis is confidential until the hearing and is provided to the JLAC members before the hearing. Copies of the analyses are available to the public at the start of the hearing. The JLAC will publicly release audit request letters scheduled for a hearing three business days prior to the scheduled hearing. Once the JLAC approves an audit, state law precludes the CSA's office from discussing or disclosing any aspect of the audit, including the audit approach or potential findings, until it is completed.

***When must audit requests be submitted?*** Audit request letters must be received by the JLAC office by 5:00pm on the deadline date noticed in the Assembly and Senate Files for each scheduled hearing.

***When are audits completed?*** Once an audit is approved by the JLAC, on average it takes at least six months for the CSA to complete the audit work.

***The Role of the CSA*** – The CSA promotes the effective and efficient management of public funds and programs by providing audits of state and local government operational and financial activities to the Legislature, governmental officials, and citizens. The CSA is the only California state agency statutorily authorized to perform independent, nonpartisan external audits (Government Code Section 8453 et al.) and has the authority to initiate evaluations of state issues and entities identified as being high-risk for waste, fraud, abuse, and mismanagement or that have major challenges related to efficiency and effectiveness. As the State’s independent auditor, state law exclusively grants the CSA unfettered access to records of state and local agencies, special districts, school districts, and any publicly-created entity.

**For More Information**

Additional information about the JLAC is available online at:  
<http://legaudit.assembly.ca.gov/>.

The JLAC staff can assist in framing the background, scope, and objectives of the audit request letter as well as determine the feasibility of the audit topic. The JLAC staff can be reached at (916) 319-3300 or in LOB 107.

The CSA’s audit and investigation reports are available online. To check the estimated release date of audits approved by the JLAC, go to the Work In Progress link on the CSA’s website: [www.auditor.ca.gov](http://www.auditor.ca.gov)

## **Assembly Budget Committee**

(916) 319-2099

The Assembly Budget Committee's deliberations include a significant oversight component in order to provide context and help identify priorities for spending.

Almost every hearing contains some type of investigatory and informational agenda item intended to compliment the review of the Governor's budget proposal and issues brought forward by the public. The Budget Committee and its subcommittees frequently have oversight-only informational hearings as part of the dialogue that shapes the budget and its implementation or to respond to the interests of the members. In addition, because the Budget Committee reviews every major department annually, the budget process is often used as a platform to reinforce or explore an oversight issue that may also be under discussion by a policy committee or JLAC.

## **Accountability and Administrative Review Committee**

(916) 319-3600

The Assembly Committee on Accountability and Administrative Review (AAR) is charged with overseeing key state functions, including government efficiency, organization, and procurement. Primary jurisdictions are identifying savings and efficiencies in the management of state government, reviewing and studying the implementation, operation, and effectiveness of state programs and agencies.

The AAR Committee welcomes suggestions from the public or state employees on government operations that may need to be examined. The committee will hold oversight hearings on topics such as:

- How well state dollars are utilized by a government department or agency;
- Misuse or abuse of state funds or property
- How well a state government program, department or agency performs its required duties to serve the public.

Standing committees often collaborate with AAR regarding potential topics of oversight. AAR staff act as a resource in brainstorming a topic or idea and may be able to assist in determining potential lines of inquiry. In some cases a joint hearing with AAR may be warranted and recommended. However, even if the AAR is not directly involved in the oversight hearing, AAR is available to assist and help guide staff through the oversight process.

## **Business and Professions Committee – Sunset Review Process**

(916) 319-3301

The Assembly Committee on Business and Professions and Senate Committee on Business, Professions and Economic Development conduct systematic reviews of existing consumer boards under the Department of Consumer Affairs (DCA) by reviewing the laws and regulations pertaining to a board and evaluating its programs and policies; determining whether the board operates and enforces its regulatory responsibilities and is carrying out its statutory duties mandated by the Legislature; and examining fiscal management practices and financial relationships with other agencies.

The committees review each entity at the DCA (boards, bureaus, programs, commissions, and committees) at least once every four years and more often as needed. Committee staff consistently monitor all operations, meetings, activities, media, licensee feedback, budget proposals, and related legislation to maintain ongoing awareness as to whether or not the Department and entities under its umbrella are functioning in line with the goals set forth by the Legislature.

Each fall, committee staff receive information prepared by these programs, providing a snapshot and substantive information about who they are, who they license, and how they perform their regulatory functions. In early winter, staff then digests the material provided by entities up for review. A background paper is prepared which identifies issues and problem areas for the particular agency and gives some background regarding each issue. Committee staff recommendations for corrective action are included. Recommendations may include necessary statutory changes, necessary regulatory changes, administrative and operational changes, budget changes, and, in some cases, elimination. The process culminates in two full days of hearings held in March.

The committees also hold regular informational hearings to further investigate matters that regulatory entities within the committees' jurisdiction may not be focusing on in a meaningful way. Through the use of hearings, round tables, town hall meetings and other forums, the committees are able to ask important questions, evaluate potential solutions, and improvements to the functions of government as well as stay ahead of contentious issues before they rise to the level of unfavorable media attention or perceived inaction on the part of the Legislature.



## Office of Legislative Counsel Collaboration for Hearing Preparation

Members routinely rely on the experience of seasoned committee consultants when scheduling, preparing, and conducting investigative hearings. Members may be less familiar, however, with services that the Office of Legislative Counsel (OLC) can provide in connection with legislative hearings upon request.<sup>1</sup>

The following are a few illustrative examples of areas where Members and committee staff are encouraged to collaborate with OLC deputies:

1. Framing the purpose and scope of the inquiry.  
All committee hearings must concern issues within the subject matter jurisdiction of the committee and be supported by a legitimate legislative purpose. OLC can advise on these matters, including suggestions for keeping the hearing narrowly focused, such as establishing limits on the time or scope of permitted testimony.
2. Preliminary investigation.  
In order for committee hearings to be effective, Members generally need to secure relevant information in advance of the hearing so that it may be analyzed and lines of inquiry can be developed. OLC can advise and provide procedural guidance on strategies for obtaining information that ranges from informal letter requests to formal requests for records pursuant to the California Public Records Act to serving legislative subpoenas that compel the production of documents or witnesses. In some circumstances, OLC can also provide assistance with developing lines of questioning, including advice on how to tailor questions to achieve the goals of the investigative hearings.
3. Witness testimony.  
As a general matter, witnesses are not compelled to appear or asked to provide committee testimony under oath. OLC can advise as to whether it is advisable under the circumstances to compel witness attendance by legislative subpoena, obtain sworn testimony from witnesses, or both. Additionally, OLC can advise on the benefits and risks of obtaining sworn

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<sup>1</sup> In some cases, committees conducting investigative hearings may be best served by retaining outside counsel with trial court expertise. If OLC determines that outside counsel with trial court expertise would be the more appropriate option for advising a committee with respect to an investigative hearing, then OLC will advise the Chair or his or her staff accordingly.

testimony, including issues relating to testimonial privileges and instances where compelled testimony can unintentionally result in conferring witnesses with immunity from subsequent criminal prosecution.

4. Limitations on legislative inquiry.

Although the Legislature has broad investigative authority, there are limitations on the scope of legislative inquiry at a hearing. Questions should be limited to the subject matter of the hearing. Also, where executive agencies or law enforcement agencies are engaged in an ongoing investigation, principles of comity discourage inquiries that could hinder or obstruct those investigations. Further, a committee may be precluded from obtaining testimony as to topics after a witness asserts evidentiary privileges, including attorney-client privilege, deliberative process privilege, privilege against self-incrimination, or the privilege for official information. OLC can advise on the appropriate scope of inquiry and provide guidance as to evidentiary objections relating to privilege.

5. OLC staffing of committee hearings.

The Chair of the committee may request that the Legislative Counsel Bureau provide a deputy to attend any committee hearing. OLC deputies are qualified to advise the Chair on a number of matters pertaining to the conduct of a hearing. While deputies will attempt to timely resolve any issue as it arises at a committee hearing, issues that are anticipated in advance should be conveyed to the deputy at the earliest possible time prior to the hearing.

- Administering oaths – OLC deputies are statutorily authorized to administer oaths, such as the oath administered to a witness.
- Legislative procedure – OLC can advise on procedural issues that can arise during a hearing, such as which motions are debatable or which motions take precedence over another.
- Open Meetings – OLC can advise on compliance with open meeting laws, such as issues relating to quorum or the circumstances when the body may meet in closed session.
- Evidentiary objections – OLC can advise the chair on how to rule on evidentiary objections that are raised, including on issues of privilege.
- Testimony – In limited circumstances, an OLC deputy could be called upon to provide testimony as to legal opinions pertaining to matters of constitutionality, statutory construction, code drafting style, or the operation of relevant statutory schemes.

Contacting OLC early in the hearing preparation process to collaborate on issues such as those described above can improve the prospects for a successful and effective hearing.

# Supporting Documents





## Oversight Quotes

**James F. Brennan, Chair New York Assembly Standing Committee on Oversight Analysis and Investigation, from “A Guide to Legislative Oversight”:**

*The State Constitution, statutory law, case law, and Assembly Rules all provide the basic authority for the Legislature to conduct oversight. Even though this authority is limited at times to legitimate areas of committee jurisdiction, it is well established that the actual right to inquire and investigate into matters of public concern is a key component of the Legislature’s part in the law-making process.*

**Congressman Charles B. Rangel:**

*As a member of Congress, I believe Congress must provide oversight of actions by the Executive Branch as our system of checks and balances requires.*

**Thomas P. Carr, Cong. Research Serv., RL30539, Hearings in the House of Representatives: A Guide for Preparation and Procedure 4-5 (2006):**

*Committees hold legislative hearings on measures or policy issues that may become legislation...*

*Oversight hearings review or study a law, an issue or an activity, often focusing on the quality of federal programs and the performance of government officials. Hearings also help ensure that the execution of laws by the executive branch complies with legislative intent, and that administrative policies reflect the public interest. Oversight hearings often seek to improve the efficiency, economy, and effectiveness of government operations...*

*Investigative hearings share some of the characteristics of legislative and oversight hearings. The difference lies in Congress’s stated determination to investigate, usually when there is a suspicion of wrongdoing on the part of public officials on governmental operations or of private citizens in business or other activities...*

**From *Investigative Oversight: An Introduction to the Law, Practice and Procedure of Congressional Inquiry I* (1995) by Morton Rosenberg with the Congressional Research Service:**

*The adversarial, often confrontational, and sometimes high profile nature of congressional investigations sets it apart from the more routine, accommodative facets of the oversight process experienced in authorization, appropriations or confirmation exercises. While all aspects of legislative oversight share the common goals of informing Congress so as to best accomplish its tasks of developing legislation, monitoring the implementation of public policy, and of disclosing to the public how its government is performing, the inquisitorial process also sustains and vindicates Congress' role in our constitutional scheme of separated powers and checks and balances.*

**John Stuart Mill (Considerations on Representative Government, 1861, p. 104), British utilitarian philosopher:**

*... the proper office of a representative assembly is to watch and control the government; to throw the light of publicity on its acts; to compel a full exposition and justification of all of them which any one considers questionable....*

**Morton Rosenberg, Fellow, The Constitution Project; former Specialist in American Law at the Congressional Research Service (CRS):**

*The failure of a Member to foster and engage an inquiry to determine whether our laws are being faithfully carried out, or whether new laws or actions are needed, is a violation of a Member's oath of office, and abdication of his legislative role as a responsible Member.*

**Stanley Brand of the Brand Law Group; former General Counsel to the House of Representatives under Speaker Tip O'Neill, Jr.:**

*As Raoul Berger, the late, great Harvard law professor used to say, if you look at Article I—and what he called the vast armamentarium of powers enumerated in Article I—and you put the president's powers enumerated in Article II next, the president looks like the valet of the Congress.*

**From *Congressional Oversight Manual I* (2011) by Fredrick M. Kaiser et al. with the Congressional Research Services:**

*Throughout its history, Congress has engaged in oversight—broadly defined as the review, monitoring, and supervision of the implementation of public policy—of the executive branch.*

**James Wilson (The Works of James Wilson, 1896, vol. II, p. 29), an architect of the Constitution and Associate Justice on the first Supreme Court:**

*The House of Representatives ... form the grand inquest of the state. They will diligently inquire into grievances, arising both from men and things.*

**Mickey Edwards, Vice President and Director of the Aspen Institute; former Member of Congress (R-OK) and Chairman of the House Republican Policy Committee:**

*When it comes to oversight functions—of either oversight committees, or oversight subcommittees, or any other special task force; anything that is created to do oversight over the executive branch—take off your party hat. Put it in a drawer, and deal with this as somebody who has taken an oath of office—or works for somebody who has taken an oath of office—to carry out the mandates of the Constitution to function as the people's voice.*

**Bob Barr; former federal prosecutor and a former member of the United States House of Representatives:**

*It is high time for some congressional oversight backbone.*

**American Jurisprudence, 2d, vol. 72, § 51 (2012), States, Territories, and Dependencies:**

*The power of inquiry—with the power to enforce it—is an essential and appropriate auxiliary to the legislative function. Legislative bodies have the inherent power to conduct investigations in aid of prospective legislation and for the purpose of securing information needed for the proper discharge of their functions and powers.*

**From Dickinson v. Johnson, 176 S.W. 116, 117 (Ark. 1915):**

*Now, an investigation into the management of the various institutions of the state and the departments of the state government is at all times a legitimate function of the legislature.*

**From Watkins v. United States, 354 US 178 (Supreme Court 1957):**

*We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes...*

**From Commonwealth ex rel. Carcaci v. Brandamore, 327 A.2d 1, 3 (Pa. 1974):**

*The power to investigate is an essential corollary of the power to legislate. The scope of this power of inquiry extends to every proper subject of legislative action.*

**From McGrain v. Daugherty, 273 US 135,177 and 181-182 (Supreme Court 1927):**

*Congress, investigating the administration of the Department of Justice during the Teapot Dome scandal, was considering a subject “on which legislation could be had or would be materially aided by the information which the investigation was calculated to elicit.” The “potential” for legislation was sufficient. The majority added, “We are of [the] opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function.”*

**From In re Joint Legislative Committee to Investigate the Educational System of the State of New York, 32 N.E.2d 769, 771 (N.Y. 1941):**

*The law-making power given to the Legislature authorizes it, by inquiry, to ascertain facts which affect public welfare and the affairs of government. Such power of inquiry, with process to enforce it, is an essential auxiliary to the legislative function. “A legislative body may act upon common knowledge or information voluntarily contributed. At times it stands in need of more. There is then power to investigate by subpoena under the sanction of an oath.” Upon such inquiries the Legislature may compel the attendance of witnesses and the production of documentary evidence to the end that it may perform its constitutional functions by the enactment of laws to correct public dangers—either real or apprehended. This power may be delegated to a committee.*

**From Eastland v. United States Servicemen's Fund, 421 US 491 (Supreme Court 1975):**

*Expanding on its holding in McGain, the Court declared, “To be valid legislative inquiry there need be no predictable end result.”*

**From McGrain v. Daugherty, 273 US 135 (Supreme Court 1927):**

*A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. All this was true before and when the Constitution was framed and adopted. In that period the power of inquiry—with enforcing process—was regarded and employed as a necessary and appropriate attribute of the power to legislate—indeed, was treated as inhering in it.*

**From *McGrain v. Daugherty*, 273 US 135 (Supreme Court 1927):**

*The only legitimate object the Senate could have in ordering the investigation was to aid it in legislating, and we think the subject matter was such that the presumption should be indulged that this was the real object. An express avowal of the object would have been better; but in view of the particular subject-matter was not indispensable...*

*The second resolution—the one directing the witness be attached—declares that this testimony is sought with the purpose of obtaining “information necessary as a basis for such legislative and other action as the Senate may deem necessary and proper.” This avowal of contemplated legislation is in accord with what we think is the right interpretation of the earlier resolution directing the investigation. The suggested possibility of “other action” if deemed “necessary and proper” is of course open to criticism in that there is no other action in the matter which would be within the power of the Senate. But we do not assent to the view that this indefinite and untenable suggestion invalidates the entire proceeding. The right view in our opinion is that it takes nothing from the law object avowed in the same resolution and is rightly inferable from the earlier one. It is not as if an inadmissible or unlawful object were affirmatively and definitely avowed.*

**From *Watkins v. United States*, 354 US 178 (Supreme Court 1957):**

*It is unquestionably the duty of all citizens to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action. It is their unremitting obligation to respond to subpoenas, to respect the dignity of the Congress and its committees and to testify fully with respect to matters within the province of proper investigation. This, of course, assumes that the constitutional rights of witnesses will be respected by the Congress as they are in a court of justice.*

...

*But, broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. This was freely conceded by the Solicitor General in his argument of this case. Nor is the Congress a law enforcement or trial agency. These are functions of the executive and judicial departments of government. No inquiry is an end in itself; it must be related to, and in furtherance of, a legitimate task of the Congress. Investigations conducted solely for the personal aggrandizement of the investigators or to 'punish' those investigated are indefensible.*

**From *Commonwealth ex rel. Carcaci v. Brandamore* 459 Pa. 48 (1974):**

*Broad as it is, however, the legislature’s investigative role, like any other governmental activity, is subject to the limitations placed by the Constitution on governmental encroachments on individual freedom and privacy.*

**From Attorney General v. Brissenden, 271 Mass. 172 (1930):**

*The General Court has no power through itself or any committee or any agency to make inquiry into the private affairs of the citizen, except to accomplish some authorized end.*

**From Watkins v. United States, 354 US 178 (Supreme Court 1957):**

*The Bill of Rights is applicable to [Congressional] investigations as to all forms of governmental action. Witnesses cannot be compelled to give evidence against themselves. They cannot be subjected to unreasonable search and seizure. Nor can the First Amendment freedoms of speech, press, religion, or political belief and association be abridged.*



## Legal Issues Pertinent to Investigative Hearings Conducted by Investigating Committees

1. Legislative investigations must serve a legislative purpose (See *In re Battelle* (1929) 207 Cal. 227, 240-241).
  - a. By law, the funds, property, or personnel of a public agency may not be used for a purpose unrelated to the business of the agency, and the agency may not consent to the use of its funds, property, or personnel for that unrelated purpose (See Government Code Section 8314; Penal Code Sections 424, 503 & 504; *People v. Knott* (1940) 15 Cal.2d 628; *People v. Qui Mei Lee* (1975) 48 Cal.App.3d 516, 521-523; *People v. Harby* (1942) 51 Cal.App.2d 759, 767).
  - b. California courts have consistently held that it would amount to an improper diversion of public funds for an officer or employee of a public agency (for example, the Legislature) to cause the money or property of the agency to be used for a purpose having no connection with the affairs of the agency (See *Stanson v. Mott* (1976) 17 Cal.3d 206, 213-223; *Fair Political Practices Com. v. Suitt* (1979) 90 Cal.App.3d 125, 129-132; *Miller v. Miller* (1978) 87 Cal.App.3d 762, 768-777; *People v. Battin* (1978) 77 Cal.App.3d 635, 647-648; *People v. Sperl* (1976) 54 Cal.App.3d 640, 657-662; *People v. Holtzendorff* (1960) 177 Cal.App.2d 788, 805-806). Determining what constitutes a legislative purpose is a fact-specific inquiry based upon the particular circumstances involved.
  - c. Pursuant to Article IV of the California Constitution, it is the basic function of the Legislature to consider and enact legislation. Thus, as a general proposition, a “legislative purpose” is one that is germane to this basic function.
  - d. Certain activities, including the investigation, study, analysis, and dissemination or receipt of information with respect to legislation or state governmental proceedings generally, may also be deemed to further a legislative purpose. Thus, in the course of legislative activities, committees may investigate and analyze matters involving the formulation and presentation of legislation, may respond to inquiries from the public concerning these matters, and may engage in any other activity that is reasonably related to these matters.

- e. It is unlikely that a committee's investigation would not serve a legislative purpose; however, any questions as to whether a particular investigation does, in fact, serve a legislative purpose should be directed to the Office of Legislative Counsel.
2. The subject of a legislative investigation must be within the scope of the resolution creating the committee (See *In re Battelle*, supra, at pp. 240-241).
  3. The Legislature has the authority to investigate, with certain limitations (See generally Government Code Chapter 4 (commencing with Section 9400), Part 1, Division 2, Title 2).
    - a. The Legislature has inherent authority to issue subpoenas (*In re Battelle*, supra, at p. 241; see also *McGrain v. Daugherty* (1927) 273 U.S. 135; *Special Assembly Int. Com. v. Southard* (1939) 13 Cal. 2d 497; *In Re Bunkers* (1905) 1 Cal.App. 61). Past practice, however, has been to request the voluntary attendance of witnesses or production of documents before seeking approval for the issuance of a subpoena.
      - i. Subpoena requests must be approved by the appropriate Rules Committee (Government Code Section 9401; JR 35.5). All subpoenas are drafted by the Office of Legislative Counsel.
      - ii. An investigating committee has the authority to issue subpoenas to compel the attendance and testimony of witnesses, the production of documents, or both (See Government Code Section 9405, and JR 36). Pursuant to Assembly Rule 11.5, standing committees are constituted as investigating committees. Thus, the standing committees of the Assembly also possess the authority conferred on investigating committees by Joint Rule 36, including the authority to issue subpoenas.
      - iii. The committee should consider if it has jurisdiction over an individual called to testify. There is some question whether a subpoena may compel the personal appearance of an individual who resides outside California and whether a subpoena for documents must be served on a representative in California (See Code of Civil Procedure Sections 1987.3 and 1989; *Amoco Chemical Co. v. Certain Underwriters at Lloyd's of London* (1995) 34 Cal.App. 4<sup>th</sup> 554, 561, fn. 9).
      - iv. There are specific requirements that must be followed for the issuance and service of a legislative subpoena (See generally Government Code Section 9402).

- a. A subpoena issued by an investigating committee is sufficient if it meets all of the following conditions:
    - i. States that the proceeding is before the committee;
    - ii. Is addressed to the witness;
    - iii. Requires the attendance of the witness at a time and place certain; and
    - iv. Is signed by the chairperson of the committee.
  - b. A subpoena requesting the production of documents should be drafted so that all of the following conditions are met:
    - i. The materiality of the subpoenaed items to the investigation appears on the face of the subpoena;
    - ii. The witness is able to readily identify the items sought (describe the documents as specifically as possible); and
    - iii. If the records sought cover a period of time, the time period is as short as possible, consistent with the objective of the subpoena.
  - c. The investigating committee should provide reasonable notice to allow adequate planning time for the subpoenaed person to attend the hearing or produce documents (See Code of Civil Procedure Section 1987).
  - d. A subpoena may be served by anyone over 18 years of age (Government Code Section 9403). The sergeants may serve a subpoena (JR 36).
- b. There are limitations on a legislative committee's investigative authority.
- i. Legislative bodies may not conduct investigations into areas that are within the exclusive province of one of the other branches of government (*Watkins v. United States* (1957) 354 U.S. 178; *Barenblatt v. United States* (1959) 360 U.S. 109).
  - ii. An investigating committee must also consider constitutional limitations. "The Bill of Rights is applicable to investigations as to all forms of governmental action. Witnesses cannot be compelled to give evidence against themselves. They cannot be subjected to

unreasonable search and seizure. Nor can the First Amendment freedoms of speech, press, religion, or political belief and association be abridged” (*Watkins v. United States*, supra, at p. 188).

- iii. Evidentiary privileges may protect the disclosure of information at an investigative hearing.
  - a. Witnesses may raise evidentiary privileges, such as the privilege against self-incrimination or the attorney-client privilege (Evidence Code Division 8 (commencing with Section 900)).
  - b. Besides evidentiary privileges, other provisions of law may protect the disclosure of confidential information, such as official information (Evidence Code Section 1040) and trade secrets (Evidence Code Section 1060).
  - c. Under the Evidence Code, the chairperson of the committee may rule on the validity of any privileges that are asserted (Evidence Code Section 901). The committee may wish to have a deputy from the Office of Legislative Counsel or a special counsel to the committee assist the chairperson with those rulings.

#### 4. Issues related to witnesses.

- a. A witness before a legislative committee has no right to be represented by counsel at the hearing (*Ex parte D.O. McCarthy* (1866) 29 Cal. 395).
  - i. In practice, however, committees uniformly allow witnesses to be accompanied by counsel. If counsel disrupts the proceedings, the committee chairperson may properly limit counsel’s function to advising his or her client of his or her legal rights and obligations as a witness.
  - ii. It is not required that an investigating committee’s rules include a policy regarding a witness’s right to counsel. However, a committee may include a policy if it chooses to do so.
- b. Witnesses are not required to be sworn in before testifying. If, however, a committee wishes to swear in witnesses (Government Code Section 9404), it is advisable that the oath be administered by a deputy from the Office of Legislative Counsel.
- c. A committee can, under certain circumstances, grant criminal immunity to a witness subpoenaed to testify at a legislative hearing by compelling the

witness to testify notwithstanding the witness's assertion of the constitutional privilege against self-incrimination (Government Code Section 9410; see *McClain v. Superior Court* (1950) 99 Cal.App.2d 109, 118-119). Committees should be careful not to confer immunity to a witness inadvertently. It is usually advisable to determine whether there are other ongoing investigations pertaining to the matter, such as a law enforcement investigation. In those circumstances, the committee often coordinates with the outside entity to ensure that the committee's work does not adversely impact the other entity's investigation.

- d. If a witness neglects or refuses to obey a subpoena, the committee must determine how to proceed with the contumacious witness (Government Code Sections 9405-9408; see *In re Battelle*, supra, at pp. 235-237 (procedure when Legislature is in session); see *In re McClain* (1950) 99 Cal.App.2d 274 (procedure when Legislature is out of session)).
  - i. The witness must be advised as to the scope and purpose of the hearing in order for the witness to determine whether the committee is authorized to conduct the inquiry and whether the particular question is material to that inquiry (Government Code Section 9405; see *Watkins v. United States* (1957) 354 U.S. 178; emphasis added).
  - ii. An uncooperative witness may, in some circumstances, be held in contempt. Every state agency is required to discharge a person who commits a contempt before a legislative committee, is forbidden to pay him or her for services performed after the contempt, and is prohibited from ever employing or compensating the person again (Government Code Section 9411).
5. Obtaining records or testimony from executive branch agencies or employees.
  - a. Joint Rule 36 states, in part, that “[e]very department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created.”
  - b. As an internal rule of the Legislature, however, Joint Rule 36 is not effective as a legal requirement that a state agency provide information or assistance to the Legislature (*People's Advocate, Inc. v. Superior Court* (1986) 181 Cal.App.3d 316, 325). The court in *People's Advocate* distinguished statutes from rules adopted by the Legislature to govern its

procedures, and reasoned that the rules and principles subsumed under statutory law are addressed to the world outside the Legislature, while internal rules of the Legislature do not have the force of law except as they may bind the house which adopted them (*Id.* at p. 325; emphasis in original).

- c. There are no constitutional or statutory provisions that generally require a state agency or state employee, upon request, to provide information to the Legislature, or to a Member or committee of the Legislature. There are, however, two statutory methods available to the Legislature to require the disclosure of records of a state agency:
  - i. The issuance to the agency of a legislative subpoena. The records must be material to the legislative purpose of the hearing, and not protected by a statutory privilege (See *In re Battelle*, supra, at pp. 240-241; Evidence Code Sections 1040 and 1060, and Division 8 (commencing with Section 900)). As a courtesy, always request records directly from the state agency prior to issuing a subpoena.
  - ii. The filing of a request with the agency under the California Public Records Act (Government Code Chapter 3.5 (commencing with Section 6250), Division 7, Title 1).



## Quick Reference on California Statutory and Other Law

- Administration of courts and court personnel
  - Title 8 (commencing with Section 68070) of the Government Code
- Administration, formation and powers of special districts
  - Title 6 (commencing with Section 58000) of the Government Code
  - Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:
    - Division 3 (commencing with Section 56000) of Title 5 of the Government Code
- Administrative Procedure Act
  - Administrative adjudication:
    - Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 of the Government Code
  - Administrative adjudication formal hearings:
    - Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code
  - Office of Administrative Hearings:
    - Chapter 4 (commencing with Section 11370) of Part 1 of Division 3 of Title 2 of the Government Code
  - Regulations and rulemaking:
    - Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code
- Administrative Procedure Act: Office of Administrative Law
  - Sections 11340.1 to 11340.4, inclusive, of the Government Code
  - Regulatory authority:
    - Section 11342.4 of the Government Code
- Adoptions
  - Division 13 (commencing with Section 8500) of the Family Code
- Adult education
  - Chapter 10 (commencing with Section 52500) of Part 28 of Division 4 of Title 2 of the Education Code
  - Article 3 (commencing with Section 84830) of the Education Code
  - Article 9 (commencing with Section 84900) of Chapter 5 of Part 50 of Division 7 of Title 3 of the Education Code

- Agricultural chemicals, other than pesticides
  - Commercial feed:
    - Chapter 6 (commencing with Section 14901) of Division 7 of the Food and Agricultural Code
  - Fertilizing materials:
    - Chapter 5 (commencing with Section 14501) of Division 7 of the Food and Agricultural Code
  - Livestock drugs:
    - Chapter 4 (commencing with Section 14200) of Division 7 of the Food and Agricultural Code
  
- Agricultural commodities and commissions
  - Bees and honey:
    - Division 13 (commencing with Section 29000) of the Food and Agricultural Code
  - County agricultural commissioners:
    - Division 2 (commencing with Section 2001) of the Food and Agricultural Code
  - Fruit, nut, and vegetable standards:
    - Division 17 (commencing with Section 42501) of the Food and Agricultural Code
  - Marketing advisory and promotional agency laws:
    - Division 22 (commencing with Section 63901) of the Food and Agricultural Code
  - Milk:
    - Division 15 (commencing with Section 32501) of the Food and Agricultural Code
  - Poultry, rabbits, and eggs:
    - Division 12 (commencing with Section 24501) of the Food and Agricultural Code
  
- Agricultural Labor Relations Act
  - Chapter 1 (commencing with Section 1140) of Part 3.5 of Division 2 of the Labor Code
  
- Air Resources Board
  - Part 2 (commencing with Section 39500) of Division 26 of the Health and Safety Code
  
- Alcohol and drug abuse treatment
  - Divisions 10.5 (commencing with Section 11750), 10.6 (commencing with Section 11998), 10.7 (commencing with Section 11999), 10.8 (commencing with Section 11999.4), and 10.9 (commencing with Section 11999.20) of the Health and Safety Code

- Alcoholic Beverage Control
  - Section 22 of Article XX of the California Constitution
  - Chapter 1 (commencing with Section 23000) of Division 9 of the Business and Professions Code
- Alfred E. Alquist Seismic Safety Commission
  - Chapter 12 (commencing with Section 8870) of Division 1 of Title 2 of the Government Code
  - Article 2 (commencing with Section 8899.18) of Chapter 14 of Division 1 of Title 2 of the Government Code
- Arbitration of disputes between franchisor/franchisee
  - Article 7 (commencing with Section 20040) of Ch. 5.5 of Division 8 of the Business and Professions Code
- Area Agencies on Aging
  - Chapter 5 (commencing with Section 9400) of Division 8.5 of the Welfare and Institutions Code
- Arts Council
  - Dixon-Zenovich-Maddy California Arts Act of 1975:
    - Chapter 9 (commencing with Section 8750) of Division 1 of Title 2 of the Government Code
- Asset forfeiture
  - Seizure and disposition:
    - Uniform Controlled Substances Act:
      - Chapter 8 (commencing with Section 11469) of Division 10 of the Health and Safety Code
- Athletics, State Athletic Commission
  - Article 1 (commencing with Section 18600) of Chapter 2 of Division 8 of the Business and Professions Code
- Baldwin Hills Conservancy
  - Baldwin Hills Conservancy Act:
    - Division 22.7 (commencing with Section 32550) of the Public Resources Code
- Benefit assessments
  - Article XIID of the California Constitution
  - Section 6365 of the Harbors and Navigation Code
  - Benefit Assessment Act of 1982:
    - Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the Government Code

- Benefit Assessment Districts:
  - Chapter 1 (commencing with Section 99000) of Part 11 of Division 10 of the Public Utilities Code
  - Chapter 9 (commencing with Section 100600) of Part 12 of Division 10 of the Public Utilities Code
- Fire Suppression Assessments:
  - Article 3.6 (commencing with Section 50078) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code
- Proposition 218 Omnibus Implementation Act:
  - Article 4.6 (commencing with Section 53750) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code
- Special Benefit Assessment Districts:
  - Chapter 12 (commencing with Section 33000) of Part 3 of Division 10 of the Public Utilities Code
- The Improvement Act of 1911:
  - Division 7 (commencing with Section 5000) of the Streets and Highways Code
- Beverage Container Recycling Act
  - Division 12.1 (commencing with Section 14501) of the Public Resources Code
- Board of Equalization (Include statutory and constitutional provisions)
  - Sections 17 through 19 of Article XIII of the California Constitution
  - Part 9 (commencing with Section 15602) of Division 3 of Title 2 of the Government Code
  - Assessment of specified properties by the state board:
    - Chapter 4 (commencing with Section 721) of Part 2 of Division 1 of the Revenue and Taxation Code
  - Equalization by the state board:
    - Chapter 2 (commencing with Section 1815) of Part 3 of Division 1 of the Revenue and Taxation Code
- Board of State and Community Corrections
  - Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of the Penal Code
- Business, Transportation and Housing Agency
  - This agency no longer exists as it was superseded by the Transportation Agency.
    - Transportation Agency:
      - Part 4.5 (commencing with Section 13975) of Division 3 of Title 2 of the Government Code
    - See also California Business, Consumer Services and Housing Agency (below)

- California Board of Pilot Commissioners
  - Chapter 2 (commencing with Section 1150) of Division 5 of the Harbors and Navigation Code
- California Bureau of State Audits
  - Chapter 6.5 (commencing with Section 8543) of Division 1 of Title 2 of the Government Code
- California Business, Consumer Services and Housing Agency
  - Section 100 of the Business and Professions Code
  - Sections 12804, 12804.5, 12855, and 12856 of the Government Code
- California Children and Families Commission
  - Division 108 (commencing with Section 130100) of the Health and Safety Code
- California Commission on Judicial Performance
  - Sections 8, 18, 18.1, and 18.5 of Article VI of the California Constitution
  - Chapter 2.5 (commencing with Section 68701) of Title 8 of the Government Code
- California Community Colleges System
  - Division 7 (commencing with Section 70900) of Title 3 of the Education Code
- California Community Colleges System Chancellor
  - Article 3 (commencing with Section 71090) of Chapter 1 of Part 44 of Division 7 of Title 3 of the Education Code
- California Conservation Corps
  - Division 12 (commencing with Section 14000) of the Public Resources Code
- California Department of Aging
  - Chapter 2 (commencing with Section 9100) of Division 8.5 of the Welfare and Institutions Code
- California Department of Alcoholic Beverage Control
  - Article 1 (commencing with Section 23049) of Ch. 1.5 of Division 9 of the Business and Professions Code
  - Section 12804 of the Government Code
- California Department of Child Support Services
  - Chapter 1 (commencing with Section 17000) of Division 17 of the Family Code

- California Department of Conservation
  - Chapter 2 (commencing with Section 600) of Division 1 of the Public Resources Code
- California Department of Consumer Affairs
  - Article 1 (commencing with Section 23049) of Chapter 1.5 of Division 9 of the Business and Professions Code
  - Section 12804 of the Government Code
- California Department of Community Services and Development
  - Article 8 (commencing with Section 12085) of Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code
- California Department of Developmental Services
  - Part 1 (commencing with Section 4400) of Division 4.1 of the Welfare and Institutions Code
- California Department of Education
  - Chapter 3 (commencing with Section 33300) of Part 20 of Division 2 of Title 2 of the Education Code
- California Department of Fair Employment and Housing
  - Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code
- California Department of Food and Agriculture
  - Division 1 (commencing with Section 101) of the Food and Agricultural Code
- California Department of Forestry and Fire Protection
  - Chapter 2.5 (commencing with Section 700) of Division 1 of the Public Resources Code
- California Department of General Services
  - Part 5.5 (commencing with Section 14600) of Division 2 of Title 2 of the Government Code
- California Department of Health Care Services
  - Part 1 (commencing with Section 100100) of Division 101 of the Health and Safety Code
- California Department of Industrial Relations
  - Division 1 (commencing with Section 50) of the Labor Code

- California Department of Justice (Cal DOJ)
  - Part 6 (commencing with Section 15000) of Division 3 of Title 2 of the Government Code
- California Department of Managed Health Care
  - Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code
- California Department of Motor Vehicles
  - Chapter 1 (commencing with Section 1500) of Division 2 of the Vehicle Code
- California Department of Parks and Recreation
  - Chapter 1 (commencing with Section 500) of Division 1 of the Public Resources Code
  - State parks and monuments:
    - Chapter 1 (commencing with Section 5001) of Division 5 of the Public Resources Code
- California Department of Pesticide Regulation
  - Chapter 1 (commencing with Section 11401) Division 6 of the Food and Agricultural Code
- California Department of Real Estate (Cal DRE)
  - Bureau of Real Estate:
    - Division 4 (commencing with Section 10000) of the Business and Professions Code
- California Department of Rehabilitation
  - Division 10 (commencing with Section 19000) of the Welfare and Institutions Code
- California Department of Social Services
  - Chapter 2 (commencing with Section 10550) of Part 2 of Division 9 of the Welfare and Institutions Code
- California Department of Technology
  - Chapter 5.6 (commencing with Section 11545) of Part 1 of Division 3 of Title 2 of the Government Code
- California Department of Toxic Substances Control
  - Chapters 6.5 (commencing with Section 25100) and 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code

- California Department of Transportation (CalTrans)
  - Part 5 (commencing with Section 14000) of Division 3 of Title 2 of the Government Code
  - Article 3 (commencing with Section 90) of Chapter 1 of Division 1 of the Streets and Highways Code
- California Department of Veterans Affairs
  - Chapter 2 (commencing with Section 60) of Division 1 of the Military and Veterans Code
  - Chapter 1 (commencing with Section 690) of Division 4 of the Military and Veterans Code
- California Department of Water Resources
  - Article 1 (commencing with Section 120) of Chapter 2 of Division 1 of the Water Code
  - Chapter 2.5 (commencing with Section 205) of Division 1 of the Water Code
- California Emergency Medical Services Authority (Cal EMSA)
  - Article 1 (commencing with Section 1797.100) of Chapter 3 of Division 2.5 of the Health and Safety Code
- California Energy Commission
  - Chapter 3 (commencing with Section 25200) of Division 15 of the Public Resources Code
- California Environmental Protection Agency (Cal-EPA)
  - Various sections in Chapter 1 and 2 (commencing with Section 12800) of Part 2.5 of Division 3 of Title 2 of the Government Code
- California Environmental Quality Act (CEQA)
  - Division 13 (commencing with Section 21000) of the Public Resources Code
- California Fair Political Practices Commission
  - Chapter 3 (commencing with Section 83100) of Title 9 of the Government Code
- California Gambling Control Commission
  - Article 2 (commencing with Section 19810) of Chapter 5 of Division 8 of the Business and Professions Code
- California High Speed Rail Authority
  - Division 19.5 (commencing with Section 185000) of the Public Utilities Code
  - Chapters 20 (commencing with Section 2704) and 21 (commencing with Section 2704.75) of Division 3 of the Streets and Highways Code

- California Highway Patrol
  - Chapter 2 (commencing with Section 2100) of Division 2 of the Vehicle Code
- California Industrial Development Financing Advisory Commission
  - Article 3 (commencing with Section 91550) of Chapter 1 of Title 11 of the Government Code
- California Labor and Workforce Development Agency
  - Part 8.5 (commencing with Section 15550) of Division 2 of Title 2 of the Government Code
- California Mental Health Services Oversight and Accountability Commission
  - Part 3.7 (commencing with Section 5845) of Division 5 of the Welfare and Institutions Code
- California Military Department
  - Chapter 1 (commencing with Section 50) of Division 1 of the Military and Veterans Code
- California Occupational Safety and Health Division (Cal-OSHA)
  - Division of Occupational Safety and Health:
    - Division 5 (commencing with Section 6300) of the Labor Code
- California Office of the Inspector General
  - Chapter 8.2 (commencing with Section 6125) of Title 7 of Part 3 of the Penal Code
- California Office of Traffic Safety
  - Chapter 5 (commencing with Section 2900) of Division 2 of the Vehicle Code
- California overseas trade offices
  - No longer exists.
- California Peace Officers Standards Training Commission (Cal POST)
  - Chapter 1 (commencing with Section 13500) of Title 4 of Part 4 of the Penal Code
- California Political Reform Act
  - Title 9 (commencing with Section 81000) of the Government Code
- California Pollution Control Financing Authority
  - Division 27 (commencing with Section 44500) of the Health and Safety Code

- California Secretary of State
  - Article II of the California Constitution
  - Section 11 of Article V of the California Constitution
  - Section 10 of the Elections Code
  - Chapter 3 (commencing with Section 12152) of Part 2 of Division 3 of Title 2 of the Government Code
- California State Personnel Board
  - Sections 2 and 3 of Article VII of the California Constitution
  - Article 1 (commencing with Section 18650) of Chapter 2 of Part 2 of Division 5 of Title 2 of the Government Code
- California State University system
  - Part 55 (commencing with Section 89000) of Division 8 of Title 3 of the Education Code
- California Stem Cell Agency/California Institute for Regenerative Medicine (CIRM)
  - California Institute for Regenerative Medicine:
    - Article XXXV of the California Constitution
  - California Stem Cell Research and Cures Act:
    - Chapter 3 (commencing with Section 125290.10) of Part 5 of Division 106 of the Health and Safety Code
- California Student Aid Commission
  - Article 2 (commencing with Section 69510) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code
- California Transportation Commission
  - Part 5.3 (commencing with Section 14500) of Division 3 of Title 2 of the Government Code
  - Article 2 (commencing with Section 70) of Chapter 1 of Division 1 of the Streets and Highways Code
- California Unemployment Insurance Program
  - Employment Development Department:
    - Chapter 2 (commencing with Section 301) of Part 1 of Division 1 of the Unemployment Insurance Code
  - Scope of coverage:
    - Chapter 3 (commencing with Section 601) of Part 1 of Division 1 of the Unemployment Insurance Code
  - Benefits:
    - Chapter 5 (commencing with Section 1251) of Part 1 of Division 1 of the Unemployment Insurance Code

- California Victims Compensation and Government Claims Board
  - Part 4 (commencing with Section 13900) of Division 3 of Title 2 of the Government Code
  
- California-Mexico relations
  - California-Mexico Border Relations Council:
    - Chapter 2 (commencing with Section 99520) of Title 20 of the Government Code
  - Environmental and public health protection at the California-Mexico Border:
    - Part 2.5 (commencing with Section 71100) of Division 34 of the Public Resources Code
  - Infrastructure Financing Districts in the Border Development Zone:
    - Chapter 2.9 (commencing with Section 53398) of Part 1 of Division 2 of Title 5 of the Government Code
  - Office of Binational Border Health:
    - Section 475 of the Health and Safety Code
  - Office of California-Mexico Affairs:
    - Chapter 8 (commencing with Section 8700) of Division 1 of Title 2 of the Government Code
  - Otay Mesa East Toll Facility Act:
    - Chapter 7 (commencing with Section 31460) of Division 17 of the Streets and Highways Code
  
- CalPERS
  - Section 8 of Article III of the California Constitution
  - Public Employees' Pension Reform Act of 2013 (PEPRA):
    - Chapter 21 (commencing with Section 7500) of Division 7 of Title 1 of the Government Code
  - Public Employees' Retirement Law (PERL):
    - Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code
  
- CalSTRS
  - Teacher's Retirement Law:
    - Part 13 (commencing with Section 22000) of Division 1 of Title 1 of the Education Code (Teachers' Retirement Law)
    - Part 14 (commencing with Section 26000) of Division 1 of Title 1 of the Education Code
  - Public Employees' Pension Reform Act of 2013 (PEPRA):
    - Chapter 21 (commencing with Section 7500) of Division 7 of Title 1 of the Government Code
  
- Cal-Fresh
  - Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code

- Cal-Works
  - Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code
- Cal-Vet loan program
  - Article 3 (commencing with Section 985) of Chapter 6 of Division 4 of the Military and Veterans Code
- Campaign finance
  - Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code
- Cap & Trade
  - Part 5 (commencing with Section 38570) of Division 25.5 of the Health and Safety Code
- Career Technical Education (CTE) law
  - Chapter 1 (commencing with Section 8006) of Part 6 of Division 1 of Title 1 of the Education Code
  - Chapter 9 (commencing with Section 52300) of Part 28 of Division 4 of Title 2 of the Education Code
  - Part 52 (commencing with Section 88530) of Division 7 of Title 3 of the Education Code
- Charitable and cooperative corporation law
  - Charitable corporation law:
    - The Supervision of Trustees and Fundraisers for Charitable Purposes Act:
      - Article 7 (commencing with Section 12580) of Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code)
    - Sections 23701 and 23703 of the Revenue and Taxation Code
  - Consumer Cooperative Corporation Law:
    - Part 2 (commencing with Section 12200) of Division 3 of Title 1 of the Corporations Code
- Charitable solicitation
  - Chapter 1.3 (commencing with Section 17510) of Chapter 1 of Part 3 of Division 7 of the Business and Professions Code
- Children's programs and services
  - Part 4 (commencing with Section 16000) of Division 9 of the Welfare and Institutions Code
  - Miscellaneous programs throughout Part 6 (commencing with Section 18000) of Division 9 of the Welfare and Institutions Code

- Children with special health care needs:
  - Part 5.5 (commencing with Section 17700) of Division 9 of the Welfare and Institutions Code
- Delinquency and Dependency:
  - Division 2 (commencing with Section 100) of the Welfare and Institutions Code
- First 5:
  - Division 108 (commencing with Section 130100) of the Health and Safety Code
- Foster Care SSI/SSP:
  - Chapter 6.2 (commencing with Section 13750) of Part 3 of Division 9 of the Welfare and Institutions Code
- Homeless Youth Emergency Service Pilot Projects:
  - Chapter 6 (commencing with Section 13700) of Part 3 of Division 9 of the Welfare and Institutions Code
- School-Based Mental Health Intervention and Prevention:
  - Part 4 (commencing with Section 4370) of Division 4 of the Welfare and Institutions Code
- City and county organization and powers
  - Article XI of the California Constitution
  - Cities:
    - Title 4 (commencing with Section 34000) of the Government Code
  - Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:
    - Division 3 (commencing with Section 56000) of Title 5 of the Government Code
  - Counties:
    - Title 3 (commencing with Section 23000) of the Government Code
- Civil Rights: Unruh Act
  - Section 51 of the Civil Code
- Clean Air
  - Division 26 (commencing with Section 39000) of the Health and Safety Code
- Clean Water
  - California Safe Drinking Water Act:
    - Chapter 4 (commencing with Section 116270) of Part 12 of Division 104 of the Health and Safety Code
  - Water Quality:
    - Division 7 (commencing with Section 13000) of the Water Code
- Coachella Valley Mountains Conservancy
  - Division 23.5 (commencing with Section 33500) of the Public Resources Code

- Coastal Act
  - Division 20 (commencing with Section 30000) of the Public Resources Code
- Coastal Commission
  - Article 1 (commencing with Section 30300) of Chapter 4 of Division 20 of the Public Resources Code
- Coastal Conservancy
  - Division 21 (commencing with Section 31000) of the Public Resources Code
- Commission on Disability Access
  - Chapter 3.7 (commencing with Section 8299) of Division 1 of Title 2 of the Government Code
- Commission on State Mandates
  - Chapter 3 (commencing with Section 17525) of Part 7 of Division 4 of Title 2 of the Government Code
- Commission on the Status of Women and Girls
  - Chapter 3.1 (commencing with Section 8240) of Division 1 of Title 2 of the Government Code
  - Title 5.7 (commencing with Section 13775) Part 4 of the Penal Code
- Common carriers
  - Part 1 (commencing with Section 201) of Division 1 of the Public Utilities Code
  - Chapter 5 (commencing with Section 2168) of Title 7 of Part 4 of Division 3 of the Civil Code
- Community college job training programs
  - Section 78018 of the Education Code
  - Part 52.5 (commencing with Section 88600) of Division 7 of Title 3 of the Education Code
- Condemnation
  - Condemnation Deposits Fund:
    - Article 10 (commencing with Section 16346) of Part 2 of Division 4 of Title 2 of the Government Code
  - Eminent domain law:
    - Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure
  - Property Acquisition Law:
    - Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code

- Condominium conversions
  - New Rental Housing: Conversion:
    - Article 2.5 (commencing with Section 66452.50) of Chapter 3 of Division 2 of Title 7 of the Government Code
- Confidentiality of court records
  - Statute specific. See, for example, the following:
    - Adoption of unmarried minors:
      - Chapter 7 (commencing with Section 9200) of Part 2 of Division 13 of the Family Code
    - Family conciliation courts:
      - Section 1818 of the Family Code
    - Juvenile case files:
      - Section 827 of the Welfare and Institutions Code
    - Unlawful detainer:
      - Section 1161.2 of the Code of Civil Procedure
- Consumer finance and credit reporting
  - Commercial credit reporting:
    - Title 1.61 (commencing with Section 1785.41) of Part 4 of Division 3 of the Civil Code
  - Consumer Credit Reporting Agencies Act:
    - Title 1.6 (commencing with Section 1785.1) of Part 4 of Division 3 of the Civil Code
  - Investigative Consumer Reporting Agencies Act:
    - Title 1.6A (commencing with Section 1786) of Part 4 of Division 3 of the Civil Code
- Consumer protection
  - Division 1.5 (commencing with Section 475) of the Business and Professions Code
  - Part 4 (commencing with Section 1738) of Division 3 of the Civil Code
  - Consumer Legal Remedies Act:
    - Title 1.5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code
  - Consumer products:
    - Chapter 5 (commencing with Section 108525) of Part 3 of Division 104 of the Health and Safety Code
  - Department of Consumer Affairs:
    - Division 1 (commencing with Section 100) of the Business and Professions Code
  - Song-Beverly Consumer Warranty Act:
    - Chapter 1 (commencing with Section 1790) of Title 1.7 of Part 4 of Division 3 of the Civil Code
  - Unfair competition law:

- Chapter 5 (commencing with Section 17200) of Part 1 of Division 7 of the Business and Professions Code
- Controlled substances
  - Division 10 (commencing with Section 11000) of the Health and Safety Code
- Corporate securities law
  - Division 1 (commencing with Section 25000) of Title 4 of the Corporations Code
- County Governments: Authority, Responsibility, Powers
  - Sections 1, 3, 4, 7, and 8 of Article XI of the California Constitution
  - Title 3 (commencing with Section 23000) of the Government Code
  - Divisions 1 (commencing with Section 50001) and 2 (commencing with Section 53000) of Title 5 of the Government Code
- Covered California/California Health Benefits Exchange
  - Title 22 (commencing with Section 100500) of the Government Code
- Crime victims and restitution
  - Chapters 1 (commencing with Section 1191) and 2 (commencing with Section 1213) of Title 8 of Part 2 of the Penal Code
  - Crime Victims' Bill of Rights:
    - Section 28 of Article I of the California Constitution
    - Title 17 (commencing with Section 679) of the Penal Code
  - Local assistance centers for victims and witnesses:
    - Article 2 (commencing with Section 13835) of Chapter 4 of Title 6 of Part 4 of the Penal Code
  - Restitution centers:
    - Chapter 9.2 (commencing with Section 6220) of Title 7 of Part 3 of the Penal Code
  - Victims Compensation and Government Claims Board:
    - Part 4 (commencing with Section 13900) of Division 3 of Title 2 of the Government Code
- Delta Protection Commission
  - Delta Protection Act of 1992:
    - Division 19.5 (commencing with Section 29700) of the Public Resources Code
- Delta Stewardship Council
  - Review for consistency between Delta Protection Act's economic sustainability plan and Delta Plan, Section 29761.5 of the Public Resources Code
  - Sacramento-San Joaquin Delta Reform Act of 2009:
    - Division 35 (commencing with Section 85000) of the Water Code

- Bay Delta Conservation Plan:
  - Section 85320 of the Water Code
- Delta Governance:
  - Section 85200 of the Water Code
- Delta Plan:
  - Sections 85300 to 85309 of the Water Code
- Early actions:
  - Sections 85080 to 85084 of the Water Code
  
- Developmental disabilities
  - Divisions 4.1 (commencing with Section 4400) and 4.5 (commencing with Section 4500) of the Welfare and Institutions Code
  
- Disability insurance
  - Disability compensation:
    - Part 2 (commencing with Section 2601) of Division 1 of the Unemployment Insurance Code
  - Life and disability insurance:
    - Part 2 (commencing with Section 10110) of Division 2 of the Insurance Code
  
- Discrimination in employment
  - Sections 8 and 31 of Article I of the California Constitution
  - Section 98.6, 132, 230 through 230.8, 246.5, 247, and 1198.3 of the Labor Code
  - Fair Employment and Housing Act:
    - Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code
  - Privileges and immunities:
    - Part 3 (commencing with Section 920) of Division 2 of the Labor Code
  
- Discrimination in housing
  - Section 8 of Article I of the California Constitution
  - Age discrimination:
    - Section 51.2, et seq. of the Civil Code
  - Disability discrimination:
    - Section 54.1 of the Civil Code
  - Fair Employment and Housing Act:
    - Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code
  - Housing finance:
    - Part 6 (commencing with Section 35800) of Division 24 of the Health and Safety Code
  - Unruh Civil Rights Act:
    - Section 51 of the Civil Code

- Drinking water regulation, toxic contamination of water
  - California Safe Drinking Water Act/Safe Drinking Water State Revolving Fund Law of 1997/Water Equipment and Control/Water Supply:
    - Part 12 (commencing with Section 116270) of Division 104 of the Health and Safety Code
- Drivers' licenses
  - Division 6 (commencing with Section 12500) of the Vehicle Code
- Driving under the influence
  - Articles 1.3 (commencing with Section 23136), 1.5 (commencing with Section 23140), and 2 (commencing with Section 23152) of Chapter 12 of Division 11 of the Vehicle Code
  - Division 11.5 (commencing with Section 23500) of the Vehicle Code
- Drought relief
  - Drought housing rental subsidies:
    - Chapter 3 (commencing with Section 34085) of Part 1.6 of Division 24 of the Health and Safety Code
  - Emergency regulations:
    - Section 1058.5 of the Water Code
  - Enforcement of Water Rights:
    - Sections 1825 to 1851 of the Water Code
  - Unauthorized diversion:
    - Section 1052 of the Water Code
  - Water shortage emergencies:
    - Chapter 3 (commencing with Section 350) of Division 1 of the Water Code
- Education: Local Control Funding Formula
  - Chapter 12.5 (commencing with Section 2574) of Part 2 of Division 1 of Title 1 of the Education Code
  - Part 24 (commencing with Section 41000) of Division 3 of Title 2 of the Education Code
  - Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3 of Title 2 of the Education Code
  - Local control and accountability plans:
    - Article 4.5 (commencing with Section 52060) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code
- Economic disaster relief
  - Section 6 of Article XVI of the California Constitution
  - California Disaster Assistance Act:
    - Chapter 7.5 (commencing with Section 8680) of Division 1 of Title 2 of the Government Code
  - Community Redevelopment Disaster Project Law:

- Part 1.5 (commencing with Section 34000) of Division 24 of the Health and Safety Code
  - Deferred-payment rehabilitation loans:
    - Chapter 6.5 (commencing with Section 50660) of Part 2 of Division 31 of the Health and Safety Code
  - Disaster Relief Fund:
    - Article 7.7 (commencing with Section 16419) of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code
- Economic impact reports
  - Public Participation: Procedure for Adoption of Regulations:
    - Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code
- Economic impact reports: major and minor proposed regulations
  - Section 11346.3 of the Government Code
- Economic impact reports: Department of Finance Regulations on How to Prepare Economic Impact Reports
  - Chapter 1 (commencing with Section 2000) of Division 3 of Title 1 of the California Code of Regulations
  - Section 11346.36 of the Government Code
- Emergency response relating to hazardous materials
  - Section 25354 of the Health and Safety Code
- Emergency services, excluding medical emergencies
  - California Disaster Assistance Act:
    - Chapter 7.5 (commencing with Section 8680) of Division 1 of Title 2 of the Government Code
  - California Emergency Services Act:
    - Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code
  - Local Emergency Telephone Systems:
    - Article 6 (commencing with Section 53100) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code
- Eminent Domain
  - Section 19 of Article 1 of the California Constitution
  - Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure
- Employment Development Department
  - Chapter 2 (commencing with Section 301) of Part 1 of Division 1 of the Unemployment Insurance Code

- Energy conservation
  - Division 15 (commencing with Section 25000) of the Public Resources Code
- Energy research, development and demonstration
  - Chapter 7.1 (commencing with Section 25620) of Division 15 of the Public Resources Code
- Energy: siting of power plants
  - Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code
- Enforcement of judgments
  - Title 9 (commencing with Section 680.010) of Part 2 of the Code of Civil Procedure
- Evidence Code, excluding criminal procedure
  - Evidence Code
- Expositions and fairs
  - Division 3 (commencing with Section 3001) of the Food and Agricultural Code
- False advertising
  - Section 2 of Article I of the California Constitution
  - Part 3 (commencing with Section 17500) of Division 7 of the Business and Professions Code
  - Enforcement provisions applicable to false advertising claims:
    - Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code
- Fire safety, excluding residential building standards
  - Fires and fire protection:
    - Division 12 (commencing with Section 13000) of the Health and Safety Code
  - Protection of forest, range and forage lands:
    - Chapters 1 through 7 (commencing with Section 4101) of Part 2 of Division 4 of the Public Resources Code
- Fish and Wildlife Department
  - Division 2 (commencing with Section 700) of the Fish and Game Code
- Food labeling
  - Chapter 4 (commencing with Section 110290) of Part 5 of Division 104 of the Health and Safety Code

- Formation of new corporate entities
  - Chapter 2 (commencing with Section 200) of Division 1 of Title 1 of the Corporations Code
  
- Foster care
  - Dependency and Delinquency:
    - Division 2 (commencing with Section 100) of the Welfare and Institutions Code
  - Foster Care Benefits:
    - Articles 5 (commencing with Section 11400) and 6 (commencing with Section 11450) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code
  - Foster Care SSI/SSP:
    - Chapter 6.2 (commencing with Section 13750) of Part 3 of Division 9 of the Welfare and Institutions Code
  - Foster Child Ombudsman Program:
    - Chapter 2.5 (commencing with Section 16160) of Part 4 of Division 9 of the Welfare and Institutions Code
  - Foster Home Licensing:
    - Chapter 3 (commencing with Section 1500) of Division 2 of the Health and Safety Code
  - Intensive Foster Care:
    - Chapter 6.2 (commencing with Section 18358) of Part 6 of Division 9 of the Welfare and Institutions Code
  - Placement:
    - Chapter 1 (commencing with Section 16000) of Part 4 of Division 9 of the Welfare and Institutions Code
  - Transitional Housing:
    - Article 4 (commencing with Section 16522) of Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code
  
- Franchises, except for arbitration of disputes between franchisor/franchisee
  - Franchise Investment Law:
    - Division 5 (commencing with Section 31000) of Title 4 of the Corporations Code
  - Taxation:
    - Section 27 of Article XIII of the California Constitution
  
- Franchises: Disputes between franchisor/franchisee
  - Franchise Relations Act:
    - Chapter 5.5 (commencing with Section 20000) of Division 8 of the Business and Professions Code
  
- Franchise Tax Board
  - Part 10 (commencing with Section 15700) of Division 3 of Title 2 of the Government Code

- Gaming
  - Section 19 of Article IV of the California Constitution
  - Gambling Control Act:
    - Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Profession Code
  - Gaming:
    - Chapter 10 (commencing with Section 330) of Title 9 of Part 1 of the Penal Code
  - Lotteries:
    - Chapter 9 (commencing with Section 319) of Title 9 of Part 1 of the Penal Code
  
- General obligation bond acts
  - Section 1 of Article XVI of the California Constitution
  - Archie-Hudson and Cunneen School Technology Revenue Bond Act:
    - Chapter 17 (commencing with Section 17160) of Part 10 of Division 1 of Title 1 of the Education Code
  - California Earthquake Safety and Housing Rehabilitation Bond Act of 1988:
    - Chapter 12.45 (commencing with Section 8878.15) of Division 1 of Title 2 of the Government Code
  - California Library Construction and Renovation Bond Act of 1988:
    - Chapter 11 (commencing with Section 19950) of Part 11 of Division 1 of Title 1 of the Education Code
  - California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000:
    - Chapter 12 (commencing with Section 19985) of Part 11 of Division 1 of Title 1 of the Education Code
  - California Safe Drinking Water Bond Law of 1976:
    - Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code
  - California Safe Drinking Water Bond Law of 1984:
    - Chapter 10.2 (commencing with Section 13810) of Division 7 of the Water Code
  - California Safe Drinking Water Bond Law of 1986:
    - Chapter 10.7 (commencing with Section 13895) of Division 7 of the Water Code
  - California Safe Drinking Water Bond Law of 1988:
    - Chapter 16 (commencing with Section 14000) of Division 7 of the Water Code
  - California Stem Cell Research and Cures Bond Act of 2004:
    - Article 2 (commencing with Section 125291.10) of Chapter 3 of Part 5 of Division 106 of the Health and Safety Code
  - Cameron-Unruh Beach, Park, Recreational and Historical Facilities Bond Act of 1964:
    - Chapter 1.6 (commencing with Section 5096.1) of Division 5 of the Public Resources Code

- o Children’s Hospital Bond Act of 2004:
  - Part 6 (commencing with Section 1179.10) of Division 1 of the Health and Safety Code
- o Children’s Hospital Bond Act of 2006:
  - Part 6.1 (commencing with Section 1179.50) of Division 1 of the Health and Safety Code
- o Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998:
  - Part 68 (commencing with Section 100400) of Division 14 of Title 3 of the Education Code
- o Clean Water Bond Law of 1970:
  - Chapter 13 (commencing with Section 13970) of Division 7 of the Water Code
- o Clean Water Bond Law of 1974:
  - Chapter 14 (commencing with Section 13985) of Division 7 of the Water Code
- o Clean Water Bond Law of 1984:
  - Chapter 15 (commencing with Section 13999) of Division 7 of the Water Code
- o Clean Water and Water Conservation Bond Law of 1978:
  - Chapter 12.5 (commencing with Section 13955) of Division 7 of the Water Code
- o Clean Water and Water Reclamation Bond Law of 1988:
  - Chapter 17 (commencing with Section 14050) of Division 7 of the Water Code
- o County Correctional Facility Capital Expenditure Bond Act of 1986:
  - Title 4.7 (commencing with Section 4475) of Part 3 of the Penal Code
- o County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988:
  - Title 4.8 (commencing with Section 4496) of Part 3 of the Penal Code
- o County Jail Capital Expenditure Bond Act of 1981:
  - Title 4.5 (commencing with Section 4400) of Part 3 of the Penal Code
- o County Jail Capital Expenditure Bond Act of 1984:
  - Title 4.6 (commencing with Section 4450) of Part 3 of the Penal Code
- o Disaster Preparedness and Flood Prevention Bond Act of 2006:
  - Chapter 1.699 (commencing with Section 5096.800) of Division 5 of the Public Resources Code
- o Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990:
  - Chapter 12.47 (commencing with Section 8878.50) of Division 1 of Title 2 of the Government Code

- o Economic Recovery Bond Act:
  - Section 9 of Article III of the California Constitution
  - Title 18 (commencing with Section 99050) of the Government Code
- o First-Time Home Buyers Bond Act of 1982:
  - Chapter 3 (commencing with Section 52525) of Part 6 of Division 31 of the Health and Safety Code
- o Fish and Wildlife Habitat Enhancement Act of 1984:
  - Chapter 7 (commencing with Section 2600) of Chapter 7 of Division 3 of the Fish and Game Code
- o Higher Education Facilities Bond Act of 1986:
  - Chapter 14.5 (commencing with Section 67350) of Part 40 of Division 5 of Title 3 of the Education Code
- o Higher Education Facilities Bond Act of 1988:
  - Chapter 14.3 (commencing with Section 67330) of Part 40 of Division 5 of Title 3 of the Education Code
- o Higher Education Facilities Bond Act of June 1990:
  - Chapter 14.4 (commencing with Section 67345) of Part 40 of Division 5 of Title 3 of the Education Code
- o Higher Education Facilities Bond Act of June 1992:
  - Chapter 14.6 (commencing with Section 67358) of Part 40 of Division 5 of Title 3 of the Education Code
- o Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006:
  - Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2 of the Government Code
- o Housing and Emergency Shelter Trust Fund Act of 2002:
  - Part 11 (commencing with Section 53500) of Division 31 of the Health and Safety Code
- o Housing and Emergency Shelter Trust Fund Act of 2006:
  - Part 12 (commencing with Section 53540) of Division 31 of the Health and Safety Code
- o Housing and Homeless Bond Act of 1988:
  - Part 9 (commencing with Section 53150) of Division 31 of the Health and Safety Code
- o Housing and Homeless Bond Act of 1990:
  - Part 10 (commencing with Section 53180) of Division 31 of the Health and Safety Code
- o Insurance Assessment Bond Fund:
  - Article 14.25 (commencing with Section 1063.50) of Chapter 1 of Part 2 of Division 1 of the Insurance Code
- o Johnston-Filante Hazardous Substance Cleanup Bond Act of 1984:
  - Article 7.5 (commencing with Section 25385) of Chapter 6.8 of Division 20 of the Health and Safety Code
- o Kindergarten–University Public Education Facilities Bond Act of 2002:
  - Part 68.1 (commencing with Section 100600) of Division 14 of Title 3 of the Education Code

- o Kindergarten–University Public Education Facilities Bond Act of 2004:
  - Part 68.2 (commencing with Section 100800) of Division 14 of Title 3 of the Education Code
- o Kindergarten–University Public Education Facilities Bond Act of 2006:
  - Part 69 (commencing with Section 101000) of Division 14 of Title 3 of the Education Code
- o Lake Tahoe Acquisitions Bond Act:
  - Title 7.43 (commencing with Section 66950) of the Government Code
- o Nejedly-Hart State, Urban and Coastal Park Bond Act of 1976:
  - Chapter 1.68 (commencing with Section 5096.111) of Division 5 of the Public Resources Code
- o New Prison Construction Bond Act of 1981:
  - Chapter 12 (commencing with Section 7100) of Title 7 of Part 3 of the Penal Code
- o New Prison Construction Bond Act of 1984:
  - Chapter 13 (commencing with Section 7200) of Title 7 of Part 3 of the Penal Code
- o New Prison Construction Bond Act of 1986:
  - Chapter 14 (commencing with Section 7300) of Title 7 of Part 3 of the Penal Code
- o New Prison Construction Bond Act of 1988:
  - Chapter 15 (commencing with Section 7400) of Title 7 of Part 3 of the Penal Code
- o New Prison Construction Bond Act of 1990:
  - Chapter 16 (commencing with Section 7420) of Title 7 of Part 3 of the Penal Code
- o Passenger Rail and Clean Air Bond Act of 1990:
  - Chapter 17 (commencing with Section 2701) of Division 3 of the Streets and Highways Code
- o Public Education Facilities Bond Act of 1996:
  - Chapter 1 (commencing with Section 100000) of Part 66 of Division 14 of Title 3 of the Education Code
- o Recreation and Fish and Wildlife Enhancement Bond Act:
  - Article 5.5 (commencing with Section 11922) of Chapter 10 of Part 3 of Division 6 of the Water Code
- o Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006:
  - Division 43 (commencing with Section 75001) of the Public Resources Code
- o Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act):
  - Chapter 1.692 (commencing with Section 5096.300) of Division 5 of the Public Resources Code

- o Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century:
  - Chapter 20 (commencing with Section 2704) of Division 3 of the Streets and Highways Code
- o Seismic Retrofit Bond Act of 1996:
  - Chapter 12.48 (commencing with Section 8879) of Division 1 of Title 2 of the Government Code
- o Senior Center Bond Act of 1984:
  - Chapter 9 (commencing with Section 9590) of Division 8.5 of the Welfare and Institutions Code
- o State Beach, Park, Recreational and Historical Facilities Bond Act of 1974 or Z'berg-Collier Park Bond Act:
  - Chapter 1.67 (commencing with Section 5096.71) of Division 5 of the Public Resources Code
- o State General Obligation Bond Law:
  - Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code
- o Veterans Bond Act of 1968:
  - Article 5j (commencing with Section 996.971) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1971:
  - Article 5k (commencing with Section 996.985) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1974:
  - Article 5l (commencing with Section 997.001) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1976:
  - Article 5m (commencing with Section 998.001) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1978:
  - Article 5n (commencing with Section 998.021) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1980:
  - Article 5p (commencing with Section 998.041) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1982:
  - Article 5q (commencing with Section 998.052) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1984:
  - Article 5r (commencing with Section 998.063) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1986:
  - Article 5s (commencing with Section 998.074) of Chapter 6 of Division 4 of the Military and Veterans Code
- o Veterans Bond Act of 1988:
  - Article 5t (commencing with Section 998.085) of Chapter 6 of Division 4 of the Military and Veterans Code

- Veterans Bond Act of 1990
  - Article 5u (commencing with Section 998.098) of Chapter 6 of Division 4 of the Military and Veterans Code
- Veterans Bond Act of 1996:
  - Article 5v (commencing with Section 998.200) of Chapter 6 of Division 4 of the Military and Veterans Code
- Veterans Bond Act of 2000:
  - Article 5w (commencing with Section 998.300) of Chapter 6 of Division 4 of the Military and Veterans Code
- Veterans Bond Act of 2008:
  - Article 5x (commencing with Section 998.400) of Chapter 6 of Division 4 of the Military and Veterans Code
- Veterans' Homes Bond Act of 2000:
  - Chapter 2 (commencing with Section 1100) Division 5 of the Military and Veterans Code
- Veterans Housing and Homeless Prevention Bond Act of 2014:
  - Article 5y (commencing with Section 998.540) of Chapter 6 of Division 4 of the Military and Veterans Code
- Voting Modernization Bond Act of 2002 (Shelley-Hertzberg Act):
  - Article 5 (commencing with Section 19250) of Chapter 3 of Division 19 of the Elections Code
- Water Conservation Bond Law of 1988:
  - Chapter 4.7 (commencing with Section 12879) of Part 6 of Division 6 of the Water Code
- Water Conservation and Water Quality Bond Law of 1986:
  - Chapter 6.1 (commencing with Section 13450) of Division 7 of the Water Code
- Workers' Compensation Bond Fund:
  - Article 14.26 (commencing with Section 1063.70) of Chapter 1 of Part 2 of Division 1 of the Insurance Code
- Youth Center and Youth Shelter Bond Act of 1988:
  - Chapter 2 (commencing with Section 2000) of Division 2.5 of the Welfare and Institutions Code
- Governmental efficiency and cost control
  - Part 2 (commencing with Section 16300) of Division 4 of Title 2 of the Government Code
- Governor's Office of Business & Economic Development (Go-Biz)
  - Chapter 1.6 (commencing with Section 12096) of Part 2 of Division 3 of Title 2 of the Government Code
- Governor's Office of Emergency Services (Cal OES)
  - Article 5 (commencing with Section 8585) of Chapter 7 of Division 1 of Title 2 of the Government Code

- Grand juries
  - Title 4 (commencing with Section 888) of Part 2 of the Penal Code
- Harbors
  - Divisions 6 (commencing with Section 1690), 7 (commencing with Section 4000), and 8 (commencing with Section 5800) of the Harbors and Navigation Code
- Hazardous waste regulation and remediation
  - Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code
  - Carpenter-Presley-Tanner Hazardous Substance Response Act:
    - Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code
- Health and Human Services Agency
  - Part 2.5 (commencing with Section 12800) of Division 3 of Title 2 of the Government Code
- Horse racing
  - Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code
- Housing rehabilitation
  - Cal-Home Program:
    - Chapter 6 (commencing with Section 50650) of Part 2 of Division 31 of the Health and Safety Code
  - California Earthquake Safety and Housing Rehabilitation Bond Act of 1988:
    - Chapter 12.45 (commencing with Section 8878.15) of Division 1 of Title 2 of the Government Code
  - Community Development Block Grant Program Funds:
    - Chapter 12 (commencing with Section 50825) of Part 2 of Division 31 of the Health and Safety Code
  - Community Redevelopment Law:
    - Part 1 (commencing with Section 33330) of Division 24 of the Health and Safety Code
  - Deferred-payment rehabilitation loans:
    - Chapter 6.5 (commencing with Section 50660) of Part 2 of Division 31 of the Health and Safety Code
  - Downtown Rebound Program:
    - Chapter 18 (commencing with Section 50898) of Part 2 of Division 31 of the Health and Safety Code
  - Exception from definition of “public works” for affordable housing:
    - Section 1720 of the Labor Code

- o Family Housing Demonstration Program:
  - Chapter 15 (commencing with Section 50880) of Part 2 of Division 31 of the Health and Safety Code
- o HOME Investment Partnerships Act:
  - Chapter 16 (commencing with Section 50896) of Part 2 of Division 31 of the Health and Safety Code
- o Housing Advisory Service:
  - Chapter 7.5 (commencing with Section 50690) of Part 2 of Division 31 of the Health and Safety Code
- o Housing Trust Fund:
  - Chapter 13 (commencing with Section 50842.1) of Part 2 of Division 31 of the Health and Safety Code
- o Local planning:
  - Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code
- o Low rent housing projects:
  - Article XXXIV of the California Constitution
- o Mobilehome Park Purchase Fund:
  - Chapter 11 (commencing with Section 50780) of Part 2 of Division 31 of the Health and Safety Code
- o Multifamily Housing Program:
  - Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code
- o Relocation assistance:
  - Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code
- o Special Housing Program for Migratory Workers:
  - Chapter 8.5 (commencing with Section 50710) of Part 2 of Division 31 of the Health and Safety Code
- Import/export trade
  - o Alcoholic beverages:
    - Section 22 of Article XX of the California Constitution
  - o California Foreign Investment Program:
    - Chapter 4.2 (commencing with Section 6315) of Title 1 of the Government Code
  - o Commerce Clause:
    - Clause 3 of Section 8 of Article I of the United States Constitution
  - o Foreign trade zone:
    - Chapter 4 (commencing with Section 6300) of Title 1 of the Government Code
  - o Importation of alcoholic beverages:
    - Chapter 4 (commencing with Section 23660) of Division 9 of the Business and Professions Code
  - o Income taxation of foreign companies:
    - Section 25110 of the Revenue and Taxation Code

- International trade and investment:
  - Chapter 2.5 (commencing with Section 13996.4) of Part 4.7 of Division 3 of Title 2 of the Government Code
- Impoundment of vehicles
  - Chapter 10 (commencing with Section 22650) of Division 11 of the Vehicle Code
- Industrial development bonds
  - Bond issuance for industrial development financing:
    - Article 2 (commencing with Section 6540) of Chapter 5 of Division 7 of Title 1 of the Government Code
  - California Industrial Development Financing Act:
    - Title 10 (commencing with Section 91500) of the Government Code
  - California Infrastructure and Economic Development Bank and financing of industrial development bonds:
    - Article 2 (commencing with Section 63030) of Chapter 2 of Division 1 of Title 6.7 of the Government Code
  - Financial guarantee of industrial development bonds:
    - Article 5 (commencing with Section 12100) of Chapter 1 of Part 4 of Division 2 of the Insurance Code
- Information Technology
  - Acquisition of information technology goods and services:
    - Chapter 3 (commencing with Section 12100) of Part 2 of Division 2 of the Public Contract Code
  - Department of Technology:
    - Chapter 5.6 (commencing with Section 11545) of Part 1 of Division 3 of Title 2 of the Government Code
- International trade, research and import/export finance
  - Clause 3 of Section 8 of Article I of the United States Constitution
  - Chapter 2.5 (commencing with Section 13996.4) of Part 4.7 of Division 3 of Title 2 of the Government Code
- Joint exercise of powers
  - Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code
- Judges Retirement Law
  - Section 18 of Article VI of the California Constitution
  - Chapters 11 (commencing with Section 75000) and 11.5 (commencing with Section 75001) of Title 8 of the Government Code

- Labeling of agricultural commodities
  - Nursery stock:
    - Chapter 5 (commencing with Section 53301) of Division 18 of the Food and Agricultural Code
  - Seeds:
    - Chapter 2 (commencing with Section 52251) of Division 18 of the Food and Agricultural Code
- Lake Tahoe Conservancy
  - California Tahoe Conservancy:
    - Title 7.42 (commencing with Section 66905) of the Government Code
- Landlord/tenant relations
  - Chapter 2 (commencing with Section 1940) of Title 5 of Part 4 of Division 3 of the Civil Code
- Leasing of school property
  - Chapter 4 (commencing with Section 17385) of Part 10.5 of Division 1 of Title 1 of the Education Code
- Licensing and regulation of community & child care facilities
  - Chapters 3 (commencing with Section 1500), 3.35 (commencing with Section 1596.60), 3.4 (commencing with Section 1596.70), 3.5 (commencing with Section 1596.90), 3.6 (commencing with Section 1597.30), and 3.65 (commencing with Section 1597.70) of Division 2 of the Health and Safety Code
- Licensing of health care facilities
  - Clinics:
    - Chapter 1 (commencing with Section 1200) of Division 2 of the Health and Safety Code
  - Health facilities:
    - Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code
  - Outpatient settings:
    - Chapter 1.3 (commencing with Section 1248) of Division 2 of the Health and Safety Code
- Liens
  - Title 14 (commencing with Section 2872) of Part 4 of Division 3 of the Civil Code
  - Various provisions throughout the Code of Civil Procedure
  - Enforcement of liens:
    - Title 4 (commencing with Section 1180) of Part 3 of the Civil Code
  - Liens of attachment:

- Article 3 (commencing with Section 488.500) of Chapter 8 of Title 6.5 of Part 2 of the Civil Code
  - Liens re enforcement of money judgments:
    - Chapter 2 (commencing with Section 697.010) of Division 2 of Title 9 of Part 2 of the Civil Code
  - Mechanic's liens:
    - Section 2 of Article XIV of the California Constitution
  - Tax lien cessation or presumption after 30 years:
    - Section 30 of Article XIII of the California Constitution
- Local agency formation commissions
  - Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:
    - Division 3 (commencing with Section 56000) Title 5 of the Government Code
- Long term care services
  - California Partnership for Long-Term Care Program:
    - Division 12 (commencing with Section 22000) of the Welfare and Institutions Code
  - State Long-Term Care Ombudsman:
    - Chapter 11 (commencing with Section 9700) of Division 8.5 of the Welfare and Institutions Code
- Managed Risk Medical Insurance Board (MRMIB)
  - California Major Risk Medical Insurance Program, administered by the State Department of Health Care Services:
    - Chapter 4 (commencing with Section 15870) of Part 3.3 of Division 9 of the Welfare and Institutions Code
  - Duties transferred to the State Department of Health Care Services:
    - Chapter 1 (commencing with Section 15800) of Part 3.3 of Division 9 of the Welfare and Institutions Code
  - Managed Risk Medical Insurance Board [repealed as of 1/1/2016]:
    - Part 6.5 (commencing with Section 12700) of Division 2 of the Insurance Code
- Master Plan of Higher Education
  - Part 40 (commencing with Section 66000) of Division 5 of Title 3 of the Education Code
- Medi-Cal
  - Chapters 7 (commencing with Section 14000) and 8 (commencing with Section 14200) of Part 3 of Division 9 of the Welfare and Institutions Code

- Mental health, except mentally disordered offenders
  - Divisions 4 (commencing with Section 4000), 5 (commencing with Section 5000), 6 (commencing with Section 6000), and 7 (commencing with Section 7100) of the Welfare and Institutions Code
- Mental health: Proposition 63
  - Sections 17043 and 19602.5 of the Revenue and Taxation Code
  - Sections 5771.1 and 5813.5 of the Welfare and Institutions Code
  - Parts 3.1 (commencing with Section 5820), 3.2 (commencing with Section 5830), 3.6 (commencing with Section 5840), and 3.7 (commencing with Section 5845) of Division 5 of the Welfare and Institutions Code
  - Article 11 (commencing with Section 5878.1) of Chapter 1 of Part 4 of Division 5 of the Welfare and Institutions Code
  - Part 4.5 (commencing with Section 5890) of Division 5 of the Welfare and Institutions Code
  - Section 18257 of the Welfare and Institutions Code
- Milton Marks Little Hoover Commission
  - Chapter 6 (commencing with Section 8501) of Division 1 of Title 2 of the Government Code
- Mobile homes & mobile home parks
  - Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code
- Mobile sources of air pollution
  - Division 26 (commencing with Section 39000) of the Health and Safety Code, especially Part 5 (commencing with Section 43000)
- Motor vehicle fees
  - Registration of vehicles and certificates of title:
    - Chapter 6 (commencing with Section 9101) of Division 3 of the Vehicle Code
- Municipal Improvement Acts of 1911, 1913, etc.
  - Improvement Act of 1911:
    - Division 7 (commencing with Section 5000) of the Streets and Highways Code
  - Improvement Bond Act of 1915:
    - Division 10 (commencing with Section 8500) of the Streets and Highways Code
  - Municipal Improvement Act of 1913:
    - Division 12 (commencing with Section 10000) of the Streets and Highways Code

- National Guard
  - Section 7 of Article V of the California Constitution
  - Section 51 of the Military and Veterans Code
  - Chapter 3 (commencing with Section 210) of Part 1 of Division 2 of the Military and Veterans Code
  - Educational assistance to national guard:
    - Article 20.7 (commencing with Section 69999.10) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code
- Natural Community Conservation Planning Act
  - Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code
- Natural Resources Agency
  - Various sections in Chapters 1 and 2 (commencing with Section 12800) of Part 2.5 of Division 3 of Title 2 of the Government Code
- Notary Public
  - Chapter 3 (commencing with Section 8200) of Division 1 of Title 2 of the Government Code
- Occupational licensing
  - Healing arts:
    - Division 2 (commencing with Section 500) of the Business and Professions Code
  - Licensing by cities:
    - Chapter 1 (commencing with Section 16000) of Part 1 of Division 7 of the Business and Professions Code
  - Licensing by counties:
    - Chapter 2 (commencing with Section 16100) of Part 1 of Division 7 of the Business and Professions Code
  - Professions and vocations:
    - Division 3 (commencing with Section 5000) of the Business and Professions Code
  - Real estate:
    - Division 4 (commencing with Section 10000) of the Business and Professions Code
  - Special business regulations:
    - Division 8 (commencing with Section 18400) of the Business and Professions Code

- Offices of the Governor, Lieutenant Governor, State Controller, and State Treasurer
  - Controller:
    - Section 11 of Article V of the California Constitution
    - Chapter 5 (commencing with Section 12402) of Part 2 of Division 3 of Title 2 of the Government Code
  - Governor:
    - Sections 1 through 8 and 11 of Article V of the California Constitution
    - Chapters 1 (commencing with Section 12001) and 1.6 (commencing with Section 12085) of Part 2 of Division 3 of Title 2 of the Government Code
  - Lieutenant Governor:
    - Sections 9 through 11 of Article V of the California Constitution
    - Chapter 2 (commencing with Section 12101) of Part 2 of Division 3 of Title 2 of the Government Code
  - Treasurer:
    - Section 11 of Article V of the California Constitution
    - Chapter 4 (commencing with Section 12302) of Part 2 of Division 3 of Title 2 of the Government Code
- Office of Planning and Research
  - Chapter 1.5 (commencing with Section 65025) of Division 1 of Title 7 of the Government Code
- Office of State Architect
  - Chapter 10 (commencing with Section 14950) of Part 5.5 of Division 3 of Title 2 of the Government Code
- Office of Statewide Health Planning and Development (OSHPD)
  - Part 1 (commencing with Section 127000) of Division 107 of the Health and Safety Code
- Oil Spill Prevention and Response Act
  - The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act:
    - Article 3.5 (commencing with Section 8574.1) of Chapter 7 of the Government Code
    - Chapter 7.4 (commencing with Section 8670.1) of Division 1 of Title 2 of the Government Code
    - Division 7.8 (commencing with Section 8750) of the Public Resources Code
- Older Californians Act
  - Mello-Granlund Older Californians Act:
    - Division 8.5 (commencing with Section 9000) of the Welfare and Institutions Code

- Open meetings laws as they affect state government
  - Section 3 of Article I of the California Constitution
  - Bagley-Keene Act:
    - Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code
  - Legislative open meetings:
    - Section 3(b) of Article I of the California Constitution
    - Section 7(c) of Article IV of the California Constitution
    - Article 2.2 (commencing with Section 9027) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code
- Parks and recreation
  - Parks and monuments:
    - Division 5 (commencing with Section 5001) of the Public Resources Code
- Pest management and pesticides
  - Animal and poultry quarantine and pest control:
    - Division 5 (commencing with Section 9101) of the Food and Agricultural Code
  - Pest control operations:
    - Division 6 (commencing with Section 11401) of the Food and Agricultural Code
  - Plant quarantine and pest control:
    - Division 4 (commencing with Section 5001) of the Food and Agricultural Code
- Pesticides
  - Division 7 (commencing with Section 12500) of the Food and Agricultural Code
- Pesticides: processed food and public health
  - Chapter 5 (commencing with Section 110425) of Part 5 of Division 104 of the Health and Safety Code
- Political Reform Act of 1974
  - Title 9 (commencing with Section 81000) of the Government Code
- Prescriptions
  - Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code
  - Chapter 4 (commencing with Section 11150) of Division 10 of the Health and Safety Code

- Privacy
  - Section 1 of Article I of the California Constitution
  - California Right to Financial Privacy Act:
    - Chapter 20 (commencing with Section 7460) of Division 7 of Title 1 of the Government Code
  - Confidentiality of Medical Information Act:
    - Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code
  - Insurance Information and Privacy Protection Act:
    - Article 6.6 (commencing with Section 791) of Chapter 1 of Part 2 of Division 1 of the Insurance Code
  - Invasion of privacy crime:
    - Chapter 1.5 (commencing with Section 630) of Title 15 of Part 1 of the Penal Code
  - Invasion of privacy tort:
    - Section 1708.8 of the Civil Code
  - Personal information privacy:
    - Titles 1.8 (commencing with Section 1798) through 1.82 (commencing with Section 1799), of Part 4 of Division 3 of the Civil Code
  - Reproductive Privacy Act:
    - Article 2.5 (commencing with Section 123460) of Chapter 2 of Part 2 of Division 106 of the Health and Safety Code
  - Telephone corporation customer right of privacy:
    - Article 3 (commencing with Section 2891) of Chapter 10 of Part 2 of Division 1 of the Public Utilities Code
- Probate Code
  - Divisions 1 through 11 of the Probate Code
- Product labeling, except agricultural and medical
  - Bucket labeling:
    - Article 4 (commencing with Section 108625) of Chapter 5 of Part 3 of Division 104 of the Health and Safety Code
  - California Organic Products Act of 2003:
    - Article 7 (commencing with Section 110810) of Chapter 5 of Part 5 of Division 104 of the Health and Safety Code
  - Charcoal hazards:
    - Article 5 (commencing with Section 108650) of Chapter 5 of Part 3 of Division 104 of the Health and Safety Code
  - Food:
    - Chapter 5 (commencing with Section 110425) of Part 5 of Division 104 of the Health and Safety Code
  - Label requirements:
    - Chapter 8 (commencing with Section 108800) of Part 3 of Division 104 of the Health and Safety Code

- Made in USA label:
  - Section 17533.7 of the Business and Professions Code
- Misbranded cosmetics:
  - Article 3 (commencing with Section 111730) of Chapter 7 of Part 5 of Division 104 of the Health and Safety Code
- Packaging, labeling and advertising:
  - Chapter 4 (commencing with Section 110290) of Part 5 of Division 104 of the Health and Safety Code
- Poison Prevention Packaging Act:
  - Chapter 6 (commencing with Section 108675) of Part 3 of Division 104 of the Health and Safety Code
- Toy labels:
  - Section 108560 of Article 2 of Chapter 5 of Part 3 of Division 104 of the Health and Safety Code
- Water heating warning labels:
  - Article 1 (commencing with Section 108525) of Chapter 5 of Part 3 of Division 104 of the Health and Safety Code
- Product liability
  - Section 1714.45 of the Civil Code
  - Part 3 (commencing with Section 108040) of Division 104 of the Health and Safety Code
- Property acquisition (private property acquired by state agency)
  - Section 19 of Article 1 of the California Constitution
  - Eminent domain:
    - Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure
  - Property acquisition law:
    - Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code
- Property acquisition, state and local
  - City:
    - Chapter 5 (commencing with Section 37350) of Part 2 of Division 3 of Title 4 of the Government Code
  - County:
    - Sections 23004, 25212, and 25212.2 of the Government Code
  - Local agency:
    - Chapter 2 (commencing with Section 50300) of Part 1 of Division 1 of Title 5 of the Government Code
  - State:
    - Section 10 of Article XIX of the California Constitution

- Proposition 65
  - Chapter 6.6 (commencing with Section 25249.5) of Division 20 of the Health and Safety Code
  
- Public administration of estates
  - Public guardian:
    - Part 5 (commencing with Section 2900) of Division 4 of the Probate Code
  - Public administrators:
    - Chapter 4 (commencing with Section 7600) of Part 1 of Division 7 of the Probate Code
  - The public administrator:
    - Chapter 9 (commencing with Section 27440) of Part 3 of Division 2 of Title 3 of the Government Code
  
- Public assistance (General Assistance, CalWORKs, and SSI/SSP)
  - CalWORKs:
    - Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code
  - General assistance:
    - Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code
  - SSI/SSP:
    - Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code
  
- Public employee collective bargaining
  - Bill of Rights for State Excluded Employees:
    - Chapter 10.5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code
  - Education employees:
    - Chapters 10.7 (commencing with Section 3540) and 12 (commencing with Section 3560) of Division 4 of Title 1 of the Government Code
  - Firefighter and peace officer arbitration:
    - Title 9.5 (commencing with Section 1299) of Part 3 of the Code of Civil Procedure
  - In-Home Supportive Services Employer-Employee Relations Act:
    - Title 23 (commencing with Section 110000) of the Government Code
  - Local public employees:
    - Meyers-Milias-Brown Act:
      - Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code

- State public employees:
  - Ralph C. Dills Act:
    - Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1 of the Government Code
- Transit employees:
  - Ch. 7 (commencing with Section 99560) of Part 11 of Division 10 of the Public Utilities Code
- Trial court employees:
  - Article 3 (commencing with Section 71630) of Chapter 7 of Title 8 of the Government Code
- Trial court interpreters:
  - Chapter 7.5 (commencing with Section 71800) of Title 8 of the Government Code
- Public Employment Relations Board (Cal PERB)
  - Sections 3501 and 3513 of the Government Code
  - Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code
  - Section 12813.5 of the Government Code
- Public finance of housing
  - Division 31 (commencing with Section 50000) of the Health and Safety Code
  - Housing Authorities Law:
    - Chapter 1 (commencing with Section 34200) of Part 2 of Division 24 of the Health and Safety Code
- Public Health Department & programs
  - Division 112 (commencing with Section 131000) of the Health and Safety Code
- Public records and Public Records Act
  - Section 3 of Article 1 of the California Constitution
  - California Public Records Act:
    - Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code
  - Legislative open records:
    - Section 3(b) of Article I of the California Constitution
    - Legislative Open Records Act:
      - Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code
  - Public Records Protection and Recovery
    - Chapter 3.01 (commencing with Section 6204) of Division 7 of Title 1 of the Government Code

- Public Utilities Commission
  - Article XII (commencing with Section 1) of the California Constitution
  - Chapter 2 (commencing with Section 301) of Part 1 of Division 1 of the Public Utilities Code
  - Telecommunications:
    - Chapter 10 (commencing with Section 2871) of Part 2 of Division 1 of the Public Utilities Code
- Ralph M. Brown Act
  - Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code
- Redistricting
  - Article XXI of the California Constitution
  - Chapter 3.2 (commencing with Section 8251) of Division 1 of Title 2 of the Government Code
- Regulation of consumer products containing toxic substances under the Sherman Food, Drug and Cosmetics Law
  - Article 5 (commencing with Section 110545) of Chapter 5 of Part 5 of Division 104 of the Health and Safety Code
  - Article 2 (commencing with Section 111250) of Chapter 6 of Part 5 of Division 104 of the Health and Safety Code
  - Article 2 (commencing with Section 111670) of Chapter 7 of Part 5 of Division 104 of the Health and Safety Code
- Rent control
  - Ellis Act:
    - Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code
- Residential building standards
  - Building records:
    - Chapter 10 (commencing with Section 19850) of Part 3 of Division 13 of the Health and Safety Code
  - Local building permits:
    - Chapter 9 (commencing with Section 19825) of Part 3 of Division 13 of the Health and Safety Code
  - Residential building strengthening/seismic safety:
    - Chapter 13.8 (commencing with Section 8897) of Division 1 of Title 2 of the Government Code
  - State Housing Law:
    - Part. 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code

- Retirement Systems (include Statutory and Constitutional Authority)
  - Section 5 of Article XIII B of the California Constitution
  - Chapter 21 (commencing with Section 7500) of Division 7 of Title 1 of the Government Code (including the Public Employees' Pension Reform Act of 2013 (PEPRA))
  - City employees:
    - Chapter 2 (commencing with Section 45300) of Division 5 of Title 4 of the Government Code
  - County Employees Retirement Law of 1937 ('37 Act):
    - Chapter 3 (commencing with Section 31450) of Part 3 of Division 4 of Title 3 of the Government Code
  - Judges:
    - Section 17 of Article XVI of the California Constitution
    - Section 17 of Article VI of the California Constitution
    - Judges' Retirement System:
      - Chapter 11 (commencing with Section 75000) of Title 8 of the Government Code
    - Judges' Retirement System II:
      - Chapter 11.5 (commencing with Section 75500) of Title 8 of the Government Code
  - Legislators:
    - Section 7 of Article III of the California Constitution
    - Sections 1.5, 4, and 4.5 of Article IV of the California Constitution
    - Section 11 of Article VII of the California Constitution
    - Section 6 of Article XX of the California Constitution
    - Legislators' Retirement System:
      - Chapter 3.5 (commencing with Section 9350) of Part 1 of Division 2 of Title 2 of the Government Code
  - Police officers and firefighters:
    - Chapter 4 (commencing with Section 50800) of Part 1 of Division 1 of Title 5 of the Government Code
  - Public Employees Retirement System:
    - Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code
  - Retirement boards and investments:
    - Section 17 of Article XVI of the California Constitution
  - State Teachers' Retirement System:
    - Parts 13 (commencing with Section 22000) and 14 (commencing with Section 26000) of Division 1 of Title 1 of the Education Code
- Revenue bonds
  - Revenue Bond Law of 1941:
    - Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code

- Sacramento-San Joaquin Delta Conservancy
  - Division 22.3 (commencing with Section 32300) of the Public Resources Code
- San Diego River Conservancy
  - Division 22.9 (commencing with Section 32630) of the Public Resources Code
- San Francisco Bay Conservation and Development Commission
  - Title 7.2 (commencing with Section 66600) of the Government Code
- San Gabriel/Lower Los Angeles River Mountains Conservancy
  - Division 22.8 (commencing with Section 32600) of the Public Resources Code
- San Joaquin River Conservancy
  - Division 22.5 (commencing with Section 32500) of the Public Resources Code
- Santa Monica Mountains Conservancy
  - Division 23 (commencing with Section 33000) of the Public Resources Code
- Schools: certificated employees of schools
  - Chapters 1 (commencing with Section 44000), 2 (commencing with Section 44200), 3 (commencing with Section 44420) , and 4 (commencing with Section 44800) of Part 25 of Division 3 of Title 2 of the Education Code
- Schools: charter schools
  - Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code
- Schools: classified school employees
  - Chapters 1 (commencing with Section 44000) and 5 (commencing with Section 45100) of Part 25 of Division 3 of Title 2 of the Education Code
- School buses and school bus safety and maintenance
  - Part 23.5 (commencing with Section 39800) of Division 3 of Title 2 of the Education Code
  - Articles 10 (commencing with Section 41850) and 10.5 (commencing with Section 41860) of Chapter 5 of Part 24 of Division 3 of Title 2 of the Education Code

- School crossing guards
  - Article 12 (commencing with Section 45450) of Chapter 5 of Part 25 of Division 3 of Title 2 of the Education Code
  - Section 21221 of the Government Code
  - Sections 2815, 21100, 42200, and 42201 of the Vehicle Code
- School facilities and finance
  - Parts 10 (commencing with Section 15100) and 10.5 (commencing with Section 17210) of Division 1 of Title 1 of the Education Code
  - Parts 66 (commencing with Section 100000), 68 (commencing with Section 100400), 68.1 (commencing with Section 100600), 68.2 (commencing with Section 100800), and 69 (commencing with Section 101000) of Division 14 of Title 3 of the Education Code
- Seaports and physical infrastructure
  - Division 6 (commencing with Section 1690) of the Harbors and Navigation Code
- Security of data
  - Titles 1.8 (commencing with Section 1798) through Title 1.82 (commencing with Section 1799), inclusive, of Part 4 of Division 3 of the Government Code
  - Office of Information Security:
    - Chapter 5.7 (commencing with Section 11549) of Part 1 of Division 3 of Title 2 of the Government Code
- Senior citizens advocacy activities
  - Chapter 4 (commencing with Section 9300) of Division 8.5 of the Welfare and Institutions Code
- Senior Legislature
  - Chapter 4 (commencing with Section 9300) of Division 8.5 of the Welfare and Institutions Code
- Services for developmentally disabled Californians
  - Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code
- Services for physically disabled Californians
  - Part 2.5 (commencing with Section 54) of Division 1 of the Civil Code
  - Loans to blind persons:
    - Chapter 5 (commencing with Section 12700) of Part 3 of Division 9 of the Welfare and Institutions Code
  - Programs offered by the Department of Rehabilitation, generally:
    - Part 2 (commencing with Section 19100) of Division 10 of the Welfare and Institutions Code

- o Special housing programs:
  - Chapter 7 (commencing with Section 50680) of Part 2 of Division 31 of the Health and Safety Code
- o Special needs housing:
  - Chapter 6.3 (commencing with Section 51312) of Part 3 of Division 31 of the Health and Safety Code
- o State agency services:
  - Section 11135 of the Government Code
  - Sections 504 and 508 of the federal Rehabilitation Act of 1973
    - Sections 794 and 794d of Title 29 of the United States Code
  - Federal Americans with Disabilities Act of 1990
    - Section 12101 et seq. of Title 42 of the United States Code
- o State programs for the blind:
  - Chapter 9 (commencing with Section 18650) of Part 6 of Division 9 of the Welfare and Institutions Code
- Services for seniors in residential and day settings
  - o Adult day health care programs:
    - Chapter 8.7 (commencing with Section 14520) of Part 3 of Division 9 of the Welfare and Institutions Code
  - o Mello-Granlund Older Californians Act:
    - Division 8.5 (commencing with Section 9000) of the Welfare and Institutions Code
  - o Program of all-inclusive care for the elderly:
    - Chapter 8.75 (commencing with Section 14591) of Part 3 of Division 9 of the Welfare and Institutions Code
- Sierra Nevada Conservancy
  - o Division 23.3 (commencing with Section 33300) of the Public Resources Code
- Sister state agreements and friendship agreements with other nations
  - o Generally uncodified (see <http://soir.senate.ca.gov/sisterstates>)
- Small business development and operations
  - o Part 5 (commencing with Section 1400) of Division 3 of Title 1 of the Corporations Code
  - o California Small Business Financial Development Corporation Law:
    - Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 1 of the Corporations Code

- Solid waste management, except hazardous substances
  - The California Beverage Container and Litter Reduction Act:
    - Division 12.1 (commencing with Section 14501) of the Public Resources Code
  - The California Integrated Waste Management Act of 1989:
    - Division 30 (commencing with Section 40000) of the Public Resources Code
- State and local economic development
  - Local:
    - Chapter 1 (commencing with Section 52200) of Part 4 of Division 1 of Title 5 of the Government Code
  - State:
    - Chapter 2 (commencing with Section 14999) of Part 5.7 of Division 2 of Title 2 of the Government Code
- State Bar
  - Section 6, 8, 9, 15, 18, and 21 of Article VI of the California Constitution
  - Chapter 4 (commencing with Section 6000) of Division 3 of the Business and Professions Code
- State Commission on Aging
  - Appointments to:
    - Section 9612 of the Unemployment Insurance Code
  - California Commission on Aging:
    - Chapter 3 (commencing with Section 9200) of Division 8.5 of the Welfare and Institutions Code
- State Fire Marshal
  - Chapter 1 (commencing with Section 13100) of Part 2 of Division 12 of the Health and Safety Code
  - Section 702 of the Public Resources Code
- State governmental organization and reorganization
  - Articles III through VI of the California Constitution
  - Title 2 (commencing with Section 8000) of the Government Code
  - Procedure for reorganization of state government:
    - Section 6 of Article 5 of the California Constitution
    - Article 7.5 (commencing with Section 12080) of Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code

- State Historical Resources Commission
  - Article 2 (commencing with Section 5020) of Chapter 1 of Division 5 of the Public Resources Code
  
- State Hospitals Administration and Authorization
  - Developmentally Disabled:
    - Chapter 3 (commencing with Section 7500) of Division 7 of the Welfare and Institutions Code
  - Mentally Disordered:
    - Chapter 2 (commencing with Section 7200) of Division 7 of the Welfare and Institutions Code
  
- State Independent Living Council
  - Sections 19091 and 19092 of the Welfare and Institutions Code
  
- State investment practices
  - California Debt and Investment Advisory Commission:
    - Chapter 11.5 (commencing with Section 8855) of Division 1 of Title 2 of the Government Code
  - Darfur Contracting Act of 2008:
    - Article 13 (commencing with Section 10475) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code
  - Investment of state property:
    - Article 2 (commencing with Section 14660) of Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code
  - Iran Contracting Act of 2010:
    - Chapter 2.7 (comm. w/ Sec. 2200) of Pt. 1 of Division 2 of the Public Contract Code
  - Prohibited business arrangements:
    - Chapter 7 (commencing with Section 16649.80) of Part 2 of Division 4 of Title 2 of the Government Code
  - Public moneys:
    - Section 11 of Article XI of the California Constitution
  - Public pension or retirement fund:
    - Section 17 of Article XVI of the California Constitution
  - Revenue bonds:
    - Chapter 5 (commencing with Section 15830) of Part 10b of Division 3 of Title 2 of the Government Code
  - Securities owned by state agencies:
    - Division 8 (commencing with Section 7600) of Title 1 of the Government Code
  - State funds, generally:
    - Part 2 (commencing with Section 16300) of Division 4 of Title 2 of the Government Code

- State investments, generally:
  - Chapter 3 (commencing with Section 16430) of Part 2 of Division 4 of Title 2 of the Government Code
- State Lands Commission
  - Division 6 (commencing with Section 6001) of the Public Resources Code
  - Chapters 2 (commencing with Section 6101) and 3 (commencing with Section 6201) of Part 1 of Division 6 of the Public Resources Code
- State Library
  - Chapter 7 (commencing with Section 19300) of Part 11 of Division 1 of Title 1 of the Education Code
- State Lottery
  - Section 19 of Article IV of the California Constitution
  - Chapter 12.5 (commencing with Section 8880) of Division 1 of Title 2 of the Government Code
- State Military
  - Section 7 of Article V of the California Constitution
  - Chapter 1 (commencing with Section 50) of Division 1 of the Military and Veterans Code
  - Division 2 (commencing with Section 100) of the Military and Veterans Code
- State printing and binding contracts
  - Legislative printing and publications:
    - Chapter 7 (commencing with Section 9700) of Part 1 of Division 2 of Title 2 of the Government Code
  - State printing:
    - Chapter 7 (commencing with Section 14850) of Part 5.5 of Division 3 of Title 2 of the Government Code
- State procurement
  - Acquisition of goods and services:
    - Chapter 2 (commencing with Section 10290) of Part 2 of Division 2 of the Public Contract Code
  - Acquisition of information technology goods and services:
    - Chapter 3 (commencing with Section 12100) of Part 2 of Division 2 of the Public Contract Code
  - California State Contracts Register:
    - Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code
  - Department of General Services, generally:
    - Part 5.5 (commencing with Section 14600) of Part 5.5 of Division 3 of Title 2 of the Government Code

- Drug Free Workplace Act of 1990:
  - Chapter 5.5 (commencing with Section 8350) of Division 1 of Title 2 of the Government Code
- Disabled veteran goals in state contracting:
  - Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code
- Employment regulation relating to public works contracts:
  - Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code
- Joint powers agreements:
  - Chapter 5 (commencing with Section 6522) of Division 7 of Title 1 of the Government Code
- Personal data protection and state agencies:
  - Article 5 (commencing with Section 1798.14) of Chapter 1 of Title 1.8 of the Civil Code
- Public work and public purchases:
  - Division 5 (commencing with Section 4000) of Title 1 of the Government Code
- Recycled product procurement by the Legislature:
  - Chapter 5 (commencing with Section 12300) of Part 2 of Division 2 of the Public Contract Code
- Small Business Procurement and Contract Act:
  - Chapter 6.5 (commencing with Section 14835) of Part 5.5 of Division 3 of Title 2 of the Government Code
- State agency contracts and information returns:
  - Section 18646 of the Revenue and Taxation Code
- State contracting, generally:
  - Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code
- State Water Resources Control Board
  - Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of the Water Code
- Stationary source air pollution
  - Division 26 (commencing with Section 39000) of the Health and Safety Code, especially Part 3 (commencing with Section 40000) and Part 4 (commencing with Section 41500)
- Stream resource management
  - Appropriation of water:
    - Part 2 (commencing with Section 1200) of Division 2 of the Water Code
  - Maintenance of flow in streams:
    - Sections 7040 through 7045 of the Water Code

- Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act:
  - Division 26 of the Water Code
    - Urban Streams Restoration Program:
      - Sections 79060 through 79062.5 of the Water Code
- Stream courses:
  - Sections 7047 through 7048 of the Water Code
- Water Quality, Supply, and Infrastructure Improvement Act of 2014:
  - Division 26.7 of the Water Code
    - Protecting rivers, lakes, streams, coastal waters, and watersheds:
      - Sections 79730 through 79738 of the Water Code
- Structural fire safety
  - Various portions of Chapter 1 (commencing with Section 13100) of Part 2 of Division 12 of the Health and Safety Code, including Article 2 (commencing with Section 13140)
  - Chapters 1.8 through 5.5 (commencing with Section 13195) of Part 2 of Division 12 of the Health and Safety Code
- Subdivision Map Act re: timber, coastal, agricultural land use
  - No specific provisions relating to timber
  - Access to navigable waters, including coastlines:
    - Article 3.5 (commencing with Section 66478.1) of Chapter 4 of Division 2 of Title 7 of the Government Code
  - Agriculture:
    - Section 66474.4 of the Government Code
- Subdivision Map Act re: housing
  - Division 2 (commencing with Section 66410) of Title 7 of the Government Code
- Subdivisions
  - Chapter 1 (commencing with Section 11000) of Part 2 of Division 4 of the Business and Professions Code
- Sunsetting of boards and commissions under the jurisdiction of the Department of Consumer Affairs
  - Acupuncture Board:
    - Sections 4928 and 4934 of the Business and Professions Code
  - Board for Professional Engineers, Land Surveyors and Geologists:
    - Sections 6710 and 6714 of the Business and Professions Code
  - Board of Behavioral Sciences:
    - Sections 4990 and 4990.04 of the Business and Professions Code
  - Board of Psychology:
    - Sections 2920 and 2933 of the Business and Professions Code

- Board of Registered Nursing:
  - Sections 2701 and 2708 of the Business and Professions Code
- Board of Vocational Nursing and Psychiatric Technicians of the State of California:
  - Sections 2841 and 2847 of the Business and Professions Code
- Bureau of Automotive Repair:
  - Section 9882 of the Business and Professions Code
- Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation:
  - Sections 9810 and 9812.5 of the Business and Professions Code
- Bureau of Real Estate:
  - Section 10186.9 of the Business and Professions Code
- Bureau of Security and Investigative Services:
  - Alarm Company Act:
    - Chapter 11.6 (commencing with Section 7590) of the Business and Professions Code
    - Sections 7590.1, 7591.10, 7593.6, 7593.7, 7594.4, 7599.34, 7599.42, 7599.43, and 7599.61 of the Business and Professions Code
- California Architects Board:
  - Sections 5510 and 5517 of the Business and Professions Code
- California Board of Accountancy:
  - Sections 5000 and 5015.6 of the Business and Professions Code
- California Board of Occupational Therapy:
  - Section 2570.19 of the Business and Professions Code
- California State Board of Pharmacy:
  - Sections 4001 and 4003 of the Business and Professions Code
- California Board of Podiatric Medicine:
  - Section 2460 of the Business and Professions Code
- Contractors' State License Board:
  - Sections 7000.5 and 7011 of the Business and Professions Code
- Dental Board of California:
  - Sections 1601.1 and 1616.5 of the Business and Professions Code
- Dental Hygiene Committee:
  - Section 1901 of the Business and Professions Code
  - Section 1903 of the Business and Professions Code
- Landscape Architects Technical Committee:
  - Section 5621 to 5622 of the Business and Professions Code
- Medical Board of California:
  - Sections 2001 and 2020 of the Business and Professions Code
- Naturopathic Medicine Committee:
  - Sections 2450.3 and 3686 of the Business and Professions Code
- Osteopathic Medical Board of California:
  - Section 2450 of the Business and Professions Code
- Physical Therapy Board of California:
  - Sections 2602 and 2607.5 of the Business and Professions Code

- Physician Assistant Board:
  - Sections 3504 and 3512 of the Business and Professions Code
- Professional Fiduciaries Bureau:
  - Section 6510 of the Business and Professions Code
- Respiratory Care Board of California:
  - Sections 3710 and 3716 of the Business and Professions Code
- Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board:
  - Sections 2531 and 2531.75 of the Business and Professions Code
- State Board of Barbering and Cosmetology:
  - Section 7303 of the Business and Professions Code
- State Board of Chiropractic Examiners:
  - Section 1000 of the Business and Professions Code
- State Board of Guide Dogs for the Blind:
  - Sections 7200 and 7215.6 of the Business and Professions Code
- State Board of Optometry:
  - Sections 3010.5 and 3014.6 of the Business and Professions Code
- Structural Pest Control Board:
  - Sections 8520 and 8528 of the Business and Professions Code
- Veterinary Medical Board:
  - Sections 4800 and 4804.5 of the Business and Professions Code
- Superintendent of Public Instruction
  - Chapter 2 (commencing with Section 33100) of Part 20 of Division 2 of Title 2 of the Education Code
- Taxes: Personal Income Tax Law
  - Section 26 of Article XIII of the California Constitution
  - Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code
  - Administration of franchise and income tax laws:
    - Part 10.2 (commencing with Section 18401) of Division 2 of the Revenue and Taxation Code
  - Earned Income Tax Credit Information Act:
    - Part 10.3 (commencing with Section 19850) of Division 2 of the Revenue and Taxation Code
  - Katz-Harris Taxpayers' Bill of Rights Act:
    - Part 10.7 (commencing with Section 210001) of Division 2 of the Revenue and Taxation Code
- Taxes: Sales and Use Tax
  - Section 24 of Article XIII of the California Constitution
  - Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code

- Taxes: Corporation Tax
  - Section 27 of Article XIII of the California Constitution
  - Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code
  - Administration of franchise and income tax laws:
    - Part 10.2 (commencing with Section 18401) of Division 2 of the Revenue and Taxation Code
- Taxes: Insurance Tax
  - Section 28 of Article XIII of the California Constitution
  - Part 7 (commencing with Section 12001) of Division 2 of the Revenue and Taxation Code
- Taxes: Alcoholic Beverage Taxes and fees
  - Section 22 of Article XX of the California Constitution
  - Alcoholic Beverage Control Act:
    - Division 9 (commencing with Section 23000) of the Business and Professions Code
  - Alcoholic Beverage Tax Law:
    - Part 14 (commencing with Section 32001) of Division 2 of the Revenue and Taxation Code
  - Licenses and fees:
    - Chapter 3 (commencing with Section 23300) of Division 9 of the Business and Professions Code
- Taxes: Cigarette Taxes
  - Part 13 (commencing with Section 30001) of Division 2 of the Revenue and Taxation Code
- Telecommunications
  - Chapter 10 (commencing with Section 2871) of Part 2 of Division 1 of the Public Utilities Code
- Tidelands and submerged lands
  - Sections 3 and 4 of Article X of the California Constitution
  - Chapter 4 (commencing with Section 6301) of Part 1 of Division 6 of the Public Resources Code
  - Chapters 2 (commencing with Section 6701) and 3 (commencing with Section 6801) of Part 2 of Division 6 of the Public Resources Code

- Tobacco products
  - Divisions 8.5 (commencing with Section 22950) and 8.6 (commencing with Section 22970) of the Business and Professions Code
  - Smoking in the workplace:
    - Chapter 3 (commencing with Section 6404.5) of Part 1 of Division 5 of the Labor Code
  - Tobacco control:
    - Chapter 1 (commencing with Section 104350) of Part 3 of Division 103 of the Health and Safety Code
  - Tobacco surtax:
    - Article 2 (commencing with Section 30121) of Chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code
  
- Tourism
  - California Tourism Marketing Act:
    - Chapter 1 (commencing with Section 13995) of Part 4.7 of Division 3 of Title 2 of the Government Code
  - California Welcome Centers:
    - Chapter 1.5 (commencing with Section 13995.150) of Part 7 of Division 3 of Title 2 of the Government Code
  
- Toxic air contaminants and indoor air quality
  - Chapter 3.5 (commencing with Section 39650) of Part 2 of Division 26 of the Health and Safety Code
  - Part 6 (commencing with Section 44300) of Division 26 of the Health and Safety Code
  - Article 8 (commencing with Section 41985) of Chapter 3 of Part 4 of Division 26 of the Health and Safety Code
  - Chapter 7 (commencing with Section 105400) of Chapter 7 of Part 5 of Division 103 of the Health and Safety Code)
  
- Toxic substances and hazardous materials, except for workplace safety
  - Asbestos:
    - Chapter 10.3 (commencing with section 25910) to Chapter 10.4 (commencing with Section 25915), inclusive, of Division 20 of the Health and Safety Code
  - Carpenter-Presley-Tanner Hazardous Substance Response Act:
    - Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code
  - Clean up:
    - Hazardous material release clean up:
      - Chapter 6.10 (commencing with Section 25403) of Division 20 of the Health and Safety Code
    - Hazardous material release response plans and inventory :
      - Chapter 6.95 (commencing with Section 25500) of Division 20 of the Health and Safety Code

- Control and regulations:
  - Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code
    - Enforcement and CUPAs:
      - Article 8 (commencing with Section 25180)
    - Facilities:
      - Articles 9 (commencing with Section 25200) and 9.1 (commencing with Section 25205.1)
    - Hazardous Materials Transportation:
      - Articles 6 (commencing with Section 25160) and 6.5 (commencing with Section 25167.1)
    - Listing/classifying of hazardous waste:
      - Generally:
        - Article 4 (commencing with Section 25140)
      - Specific hazardous materials:
        - Articles 10 (commencing with Section 25210) through 16 (commencing with Section 25258)
    - Standards and regulations:
      - Article 5 (commencing with Section 25150)
- Trade restraints
  - Commerce Clause:
    - Section 8 of Article I of the United States Constitution
  - Prohibited restraints on competition:
    - Article 2 (commencing with Section 16720) of Chapter 2 of Part 2 of Division 7 of the Business and Professions Code
- Transportation financing
  - Part 5.3 (commencing with Section 14500) of Division 3 of Title 2 of the Government Code
  - Article 5 (commencing with Section 181) of Chapter 1 of Division 1 of the Streets and Highways Code
  - Division 3 (commencing with Section 2004.5) of the Streets and Highways Code
- Trucking regulated by the PUC
  - Chapter 7 (commencing with Section 5101) of Division 2 of the Public Utilities Code
- University of California (Include statutory and constitutional provisions)
  - Part 57 (commencing with Section 92000) of Division 9 of Title 3 of the Education Code
  - Section 9 of Article IX of the California Constitution

- U.C. Regents (Include statutory and constitutional provisions)
  - Article 3 (commencing with Section 92020) of Chapter 1 of Part 57 of Division 9 of Title 3 of the Education Code
  - Section 9 of Article IX of the California Constitution
- Underground storage tank regulation and cleanup
  - Chapter 6.7 (commencing with Section 25280) to Chapter 6.77 (commencing with Section 25299.200), inclusive, of Division 20 of the Health and Safety Code
- Unemployment compensation
  - Part 1 (commencing with Section 100) of Division 1 of the Unemployment Insurance Code
- Unemployment insurance -- length of coverage
  - Article 2 (commencing with Section 1275) of Chapter 5 of Part 1 of Division 1 of the Unemployment Insurance Code
- Uniform accounting and reporting procedures for local agencies
  - Counties:
    - Chapter 8 (commencing with Section 30200) of Division 3 of Title 3 of the Government Code (counties)
  - Local-State Financial Coordination Act:
    - Article 9 (commencing with Section 53890) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code
- Vehicle financial responsibility
  - Division 7 (commencing with Section 16000) of the Vehicle Code
- Vehicle registration
  - Division 3 (commencing with Section 4000) of the Vehicle Code
  - Off-highway vehicles:
    - Division 16.5 (commencing with Section 38000) of the Vehicle Code
- Vehicle weight restrictions
  - Division 15 (commencing with Section 35000) of the Vehicle Code
- Vehicles, aircraft, and vessels -- operation, safety, equipment, transfer of ownership, licensing and registration
  - Aircraft:
    - Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code
  - Vehicles:
    - Equipment:
      - Division 12 (commencing with Section 24000) of the Vehicle Code

- Off-highway vehicles:
  - Division 16.5 (commencing with Section 38000) of the Vehicle Code
- Registration and certificates of title:
  - Division 3 (commencing with Section 4000) of the Vehicle Code
- Safety regulations:
  - Division 14.8 (commencing with Section 34500) of the Vehicle Code
- Sales:
  - Division 3.6 (commencing with Section 9950) of the Vehicle Code
- Vessels:
  - Operation and equipment of vessels:
    - Chapter 5 (commencing with Section 650) of Division 3 of the Harbors and Navigation Code
  - Registration and transfer of vessels:
    - Division 3.5 (commencing with Section 9840) of the Vehicle Code
- Vessel Traffic Management Systems (VTMS)
  - Article 4 (commencing with Section 445) of Chapter 1 of Division 3 of the Harbors and Navigation Code
- Veterans
  - Chapter 2 (commencing with Section 60) of Division 1 of the Military and Veterans Code
- Divisions 4 (commencing with Section 690), 5 (commencing with Section 1010), 6 (commencing with Section 1170), and 8 (commencing with Section 1800) of the Military and Veterans Code
- Veterinarians, agricultural issues
  - County veterinarians:
    - Chapter 3 (commencing with Section 2301) of Division 2 of the Food and Agricultural Code
  - Diseased bovines:
    - Part 2 (commencing with Section 9801) of Division 5 of the Food and Agricultural Code
  - Diseased swine:
    - Part 3 (commencing with Section 10701) of Division 5 of the Food and Agricultural Code
  - Livestock drugs:
    - Chapter 4 (commencing with Section 14200) of Division 7 of the Food and Agricultural Code

- Veterinarians, licensing issues
  - Chapter 11 (commencing with Section 4800) of Division 2 of the Business and Professions Code
- Vocational education
  - See also *Career Technical Education (CTE)*, as both Vocational Education and CTE are deemed the same (see Section 52377 of the Education Code))
  - Article 5 (commencing with Section 12050) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code
  - Chapter 4.5 (commencing with Section 56452) of Part 30 of Division 4 of Title 2 of the Education Code
  - Sections 59142 and 78018 of the Education Code
- Water and water supply planning
  - Conservation, development, and utilization of state water resources:
    - Division 6 (commencing with Section 10000) of the Water Code
  - Integrated water supply and flood protection planning, design, and implementation:
    - Division 33 (commencing with Section 83000) of the Water Code
  - Safe, Clean, Reliable Water Supply Act:
    - Division 24 (commencing with Section 78500) of the Water Code
  - Water Quality, Supply, and Infrastructure Improvement Act of 2014:
    - Division 26.7 (commencing with Section 79700) of the Water Code
- Water rights and water banks
  - Cuts in banks of streams:
    - Sections 7050 through 7051 of the Water Code
  - Determination of water rights:
    - Sections 2000 through 2900 of the Water Code
- Weights and measures
  - Division 5 (commencing with Section 12001) of the Business and Professions Code
- Wild and scenic rivers
  - The California Wild and Scenic Rivers Act
    - Chapter 1.4 (commencing with Section 5093.50) of Division 5 of the Public Resources Code
  - Wild and Scenic Rivers Act:
    - Chapter 28 (commencing with Section 1271) of Title 16 of the United States Code

- Wildlife Conservation Board
  - Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code
- Williamson Act (aka California Land Conservation Act of 1965)
  - Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code
- Women and Minority Business Enterprises (WMBE)
  - Article 1.5 (commencing with Section 10115) of Part 2 of Division 2 of the Public Contract Code (held statutory scheme, except for reporting requirements, was invalid as violating the equal protection clause in *Connerly v. State Personnel Bd.* (2001) 92 Cal.App.4th 16, 62-63)
  - Bridge and highway districts:
    - Section 20916.3 of the Public Contract Code
  - PUC Program:
    - Article 5 (commencing with Section 8281) of Chapter 7 of Division 4 of the Public Utilities Code
  - Sacramento Regional Transit District:
    - Section 20323 of the Public Contract Code
  - Santa Clara Valley Transportation Authority:
    - Section 20306 of the Public Contract Code
  - SF Bay Area Rapid Transit District:
    - Section 20229.1 of the Public Contract Code
  - Sonoma-Marin Area Rail Transit District:
    - Section 20355.7 of the Public Contract Code
  - Southern California Rapid Transit District:
    - Section 20231.5 of the Public Contract Code
  - Transportation agencies:
    - Section 20217 of the Public Contract Code
- Workers' compensation
  - Section 4 of Article XIV of the California Constitution
  - Chapter 5 (commencing with Section 110) of Division 1 of the Labor Code
  - Division 4 (commencing with Section 3200) of the Labor Code
- Workforce development and training
  - Part 8.5 (commencing with Section 15550) of Division 2 of Title 2 of the Government Code
- Workforce Investment Board
  - Labor and Workforce Development Agency:
    - Part 8.5 (commencing with Section 15550) of Division 2 of Title 2 of the Government Code

- Workplace safety regulations and Cal-OSHA
  - Division of Occupational Safety and Health:
    - Division 5 (commencing with Section 6300) of the Labor Code)
  
- Youth authority and prisons -- construction and discipline
  - Prisons:
    - Title 1 (commencing with Section 2000) and Title 2 (commencing with Section 3200) of Part 3 of the Penal Code
      - Offenses:
        - Title 5 (commencing with Section 4500) of Part 3 of the Penal Code
      - Administration:
        - Title 7 (commencing with Section 5000) of Part 3 of the Penal Code
  - Youth Authority:
    - Division of Juvenile Facilities:
      - Chapter 4 (commencing with Section 6001) of Title 7 of Part 3 of the Penal Code
    - Youth Authority Act:
      - Chapter 1 (commencing with Section 1700) of Division 2.5 of the Welfare and Institutions Code



## FAQ SHEET:

### Legislative Rules, Statutes, & Case Law Governing Oversight Hearings

Office of the Assembly Chief Clerk & Office of Legislative Counsel

#### Legislative and Committee Basics

1. What parts of the State Constitution speak to the Legislature, its organization and authority, and its use of committees?

**Article IV primarily outlines legislative duties and powers, but other sections also address legislative powers. Article IV, Section 11 grants the Legislature authority to create fact-finding committees. Article IV, Section 7(c) provides that all hearings must be public.**

2. What is the purpose of a committee hearing?

**Most hearings are held to take testimony on proposed legislation, and to craft possible amendments and ultimately to take a vote on the merits of proposed legislation before sending the recommendations to the floor. Other purposes include: informational hearings, oversight hearings, investigative hearings (including ratification of gubernatorial appointments and Governor's Reorganization Plans, and executive sessions for personnel or security matters). Hearings may be held to ascertain facts, take sworn or unsworn testimony, and to make recommendations to the full House.**

3. What sections of the Assembly Standing Rules guide the organization of Assembly committees, their authority, and how they work and collaborate with other offices and bodies of the Assembly?

**Oversight functions are addressed in Assembly Rules 11.5, 14, 15, 20, 26, and 56. There are additional rules that specifically address committee procedures for bill hearings.**

4. Is there guidance in the Joint Rules that affects how our Assembly committees do their work and/or their powers? If so, where do we find it?

**Yes, the Joint Rules contained in SCR 37 (2015-16 session) provide important guidance on the role of both Assembly and joint committees. As it relates to oversight hearings: Joint Rule 36 generally governs the procedures of investigating committees (either joint or single house). Joint Rule 35.5 addresses the issuance of subpoenas. Joint Rule 37 creates the Joint Legislative Budget Committee and enumerates its powers and duties. Joint Rules 37.3 and 37.4 establish the role of the Joint Legislative Audit Committee. Joint Rule 37.7 grants the Senate Committee on Rules and the Speaker with the authority to approve committee studies of administrative regulations. Joint Rule 42 tasks the Rules Committees of each House with organizing the work of investigating committees.**

5. Are there provisions in Mason's Manual that are relevant to how our committees operate?

**Sections 757 and 758 of Mason's Manual address legislative oversight of the executive branch and of administrative regulations. There are other sections of Mason's Manual which address internal committee procedures, but Mason's Manual is only invoked when legislative rules are silent.**

6. What are standing committees and where in the Assembly Rules is the authority for their work?

**Each standing committee is created by the house rules and is empowered to hear legislation and issue recommendations on the passage of bills and on the adoption of amendments. A myriad of Assembly and Joint Rules govern the powers and proceedings of committees. The house rules are enumerated in House Resolution 1, which contains Assembly Rules 1 to 122. Assembly Rule 11 establishes the 31 standing committees for the current two-year session. Generally, Assembly Rules 11.3, 11.5, 12, 20, 25, 55 through 61, and 66 through 68.7 cover most committee functions. Joint Rules 36 and 62 are Joint Rules that contain important committee procedures. In addition, the Rules Committee adopts jurisdictional guidelines for each committee (published in the Journal) to efficiently manage the workflow of the house. Since the Assembly is not a continuing body, standing committees do not automatically carry over from one**

**biennial session to the next, but, out of tradition, most committees are reconstituted each two-year session.**

7. What are select committees and where in the Assembly Rules is the authority for their work?

**A select committee is a committee created by the Speaker (via letter to the Journal) to address a specific issue, usually at the request of a Member or group of Members. Under Assembly Rule 22, a select committee is deemed a “Subcommittee of the General Research Committee” and may not undertake any investigation that another committee has been tasked to undertake. Select committees may meet numerous times during a two year session, depending on the scope and purpose of their work. Some select committees issue reports, or propose legislation for introduction by a Member or standing committee. Select committees may not hear legislation.**

8. What are subcommittees and where in the Assembly Rules is the authority for their work?

**Subcommittees may be created by the Speaker (via letter to the Journal) as subunits of a standing committee. Each subcommittee is assigned a specific scope (e.g., Budget Subcommittee on Education Finance). The members of a subcommittee must be appointed from the membership of the standing committee. Subcommittees make recommendations to the full committee and may not take final action on committee matters. The same rules that apply to standing committees generally apply to subcommittees. See generally Assembly Rules 11.3, 11.5, 12, 26, and 56.**

9. What is a Committee of the Whole and where in the Assembly Rules is the authority for its work?

**Assembly Rule 115 and Mason’s Manual Sections 683 through 691 describe the Committee of the Whole. A rarely used device, the Committee of the Whole essentially allows the 80 Members of the Assembly to sit as a committee on the Assembly Floor to conduct a hearing in the Chamber. Since outside testimony may be presented during a Committee of the Whole meeting, this parliamentary device is primarily used to allow expert witnesses to brief the entire Membership on complex matters.**

10. What are conference committees and where in the Assembly Rules is the authority for their work?

**A conference committee is a joint Assembly and Senate committee composed of six legislators, three from each House. The conference committee meets in public session to reconcile differences between the Assembly and Senate versions of a measure. Three Assembly conferees are chosen by the Speaker; three Senate conferees are chosen by the Senate Rules Committee. Joint Rules 28 through 30 cover the conference committee process.**

11. What are Assembly investigating committees and how are they constituted, structured, and what guidance does the Joint Rules and/or Standing Rules of the Assembly give to their work?

**Under Assembly Rule 11.5, all standing committees are constituted as investigating committees. The Assembly and Joint Rules provide authority for committees to conduct oversight hearings and investigations, usually subject to approval of the Speaker and/or the Rules Committee.**

### **The Institutional Framework for Committee Work**

12. What approval or other powers exist in terms of the Speaker's direction of the work of the Assembly committees under the Joint and/or Standing Rules of the Assembly?

**The Speaker has the sole authority to appoint Members to committees (and to remove them), to create subcommittees and select committees, to approve committee hearings, and to approve study requests (see AR 26, AR 56, and JR 37.7). The Speaker also has general control over the allocation of resources, the production of documents, and under Joint Rule 35.5 may issue subpoenas. Essentially, the Speaker can control the agendas, meetings, staffing, and membership of committees. The Speaker also has the power to re-refer bills that are substantially amended on the Floor (or that are in the Assembly for concurrence) (AR 77.2 and JR 26.5).**

13. What approval or other powers exist in terms of the Rules Committee and its Chair pertaining to the work of the Assembly committees under the Joint and/or Standing Rules of the Assembly?

**The Assembly and Joint Rules both provide the Rules Committee with authority over the approval of committee expenses, issuance of subpoenas, and coordination of investigative assignments (See AR 11.5, AR 14, AR 15, AR 20, JR 35.5, JR 40, JR 40.1, and JR 42).**

14. What is the approval process for investigating committee inquiries?

**The Speaker authorizes investigative hearings (AR 26, AR 56, JR 37.7). The Rules Committee may prioritize, coordinate, and assign work to investigating committees (AR 11.5, JR 36, and JR 42). Accordingly, a committee chair would submit a letter to the Speaker requesting permission to conduct an oversight hearing or series of hearings. Once approved, the committee would coordinate with the Speaker's office and Rules Committee to establish the parameters, scope, and expenses of such an investigative hearing or hearings. Also, the Rules Committee may assign an investigative topic to a committee.**

15. What is the funding process for investigative committee inquiries?

**The Speaker has the power to allocate funding, staffing, and other resources for committee operations (AR 26). The Rules Committee has authority to approve claims and expenses associated with investigative hearings (AR 11.5, AR 14, AR 20, and JR 36).**

16. What are the powers of the Rules Committee with respect to the conduct of investigating committee inquiries?

**The Rules Committee exercises control over investigative hearings through its power to refer subject matter to committees (AR 11.5(d)), approving committee expenses (AR 11.5(e), AR 20, and JR 36), general coordination of committee work (AR 11.5(d), AR 14(a)(10), and JR 42), and approval power over subpoena issuance (JR 35.5).**

17. What rules and regulations exist in the Standing Rules of the Assembly related to committee governance?

**Assembly Rule 55 allows committees to adopt rules to govern their proceedings that are consistent with the house rules, while Assembly Rule 11.5(c) applies all house rules to investigating committees.**

18. What are the key Joint and/or Assembly Standing Rules a standing committee chair and his or her staff should be familiar with?

**In addition to investigative provisions highlighted in this document, committee chairs and staff should be familiar with Assembly and Joint Rules governing committee procedures (specifically, AR 55 through AR 61; AR 67 through AR 68.5; AR 77.2; and JR 60, JR 61, and JR 62).**

19. What do the Standing Rules of the Assembly say about when, where, and how standing committees and subcommittees can meet?

**Essentially, committee hearings must be authorized by the Speaker, and they must be open to the public and noticed by the committee chair in the Daily File for four days. Assembly Rules 26 and 56 and Joint Rules 60, 61, and 62 concern committee meetings. Assembly Rules 26 and 56 give the Speaker and committee chairs general approval authority over hearings; Joint Rule 61 establishes deadlines; and Joint Rules 36, 60, and 62 govern file notice requirements and other hearing requirements.**

20. Can a standing committee use subpoenas to support their work? What rules and/or law is the source of this authority?

**In rare circumstances, a committee may need to utilize the legislative subpoena process to conduct its work. There is longstanding custom, precedent, statutory and case law establishing legislative authority to issue subpoenas (see Mason's Manual, Section 802). A legislative subpoena may require the attendance of a witness or the production of documents. The house and joint rules, in conjunction with Government Code Sections 9400-9414, govern the legislative subpoena process.**

**A committee chair may issue a subpoena only after securing permission from the Rules Committee, or from the Joint Rules Committee if it is a joint committee (JR 35.5). Additionally, Assembly Rule 26(a)(11) and Joint Rule**

**35.5 give the Speaker the authority to issue subpoenas. The Rules Committee, Joint Rules Committee, and Sergeant at Arms are authorized to facilitate the subpoena process under Assembly Rule 14(a)(6), Joint Rule 36, and Joint Rule 40. Committees are empowered to procure oral or documentary testimony (JR 36).**

21. What resources may be available to assist standing committees in developing strong program cost estimates, evaluation of data, budget projections, and actuarial studies or forecasts of various kinds? How does a committee go about accessing them?

**Subject to fiscal and timing restraints, committees may utilize many resources to gather and evaluate data, including the Joint Legislative Budget Committee (JLBC), Legislative Analyst, California Research Bureau (State Library), Legislative Counsel, University of California, CSU, private universities, and think tanks. If funding is approved by the Rules Committee, a committee may hire specialized staff or contract with an entity to conduct studies or analyze data (e.g., a think tank, CPA, or other expert). Any resource request that may impose a cost or require a contract or study needs Rules Committee approval in advance (AR 11.5(e), AR 20, and JR 36). Any committee can contract with JLBC to render its services (JR 37), subject to the contract approval authority of the Rules Committee (AR 14(a)(10) and AR 20). Note that investigating committees are required to submit all reports, documents, and data to the LAO upon completion of their work (JR 37).**

### **Oversight, Fact-finding and Investigational Collaboration**

22. What is the relationship of Assembly Standing Rule 11.5 and Joint Rule 36? Are they the same? Do they apply to the same groups of committees?

**Assembly Rule 11.5 designates all standing committees as investigating committees. Joint Rule 36 goes further by expanding the definition to also include joint committees, with special treatment to JLAC, JLBC, and Joint Rules in specified circumstances. The two rules are similar in their designation of investigating committees. Joint Rule 36 provides substantial further details as to the duties, powers, and procedures of such committees. The two rules read together provide a broad designation of investigative powers within the legislative committee structure.**

23. What authority does an Assembly Standing Committee have to require an Executive Branch agency to provide requested information to the committee? Are there constitutional, statutory or case laws that support this power of legislative committees vis-a-vis the Executive Branch?

**There are no constitutional or statutory provisions that generally require a state agency or state employee, upon request, to provide information to the Legislature, or to a Member or committee of the Legislature. There are, however, two statutory methods available to the Legislature to seek the disclosure of records of a state agency or employee:**

- (1) The issuance to the agency following Rules Committee approval of a legislative subpoena as described in Chapter 4 (commencing with Section 9400), Part 1, Division 2, Title 2 of the Government Code. The records must be material to the legislative purpose of the hearing, and not protected by a statutory privilege (see *In re Battelle* (1929) 207 Cal. 227, 240-241; Sections 1040 and 1060, and Division 8 (commencing with Section 900), Evidence Code). As a courtesy, the Legislature should request records directly from the state agency prior to issuing a subpoena.**
- (2) The filing of a request with the agency under the California Public Records Act (Chapter 3.5 (commencing with Section 6250), Division 7, Title 1, Government Code).**

**Joint Rule 36 states, in part, that “[e]very department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created.”**

**As an internal rule of the Legislature, however, Joint Rule 36 is not effective as a legal requirement that a state agency provide information or assistance to the Legislature (*People’s Advocate, Inc. v. Superior Court* (1986) 181 Cal. App. 3d 316, 325). The court in *People’s Advocate* distinguished statutes from rules adopted by the Legislature to govern its procedures, and reasoned that the rules and principles subsumed under**

**statutory law are addressed to the world outside the Legislature, while internal rules of the Legislature do not have the force of law except as they may bind the house which adopted them (*Id.* at p. 325).**

24. Are there recognized limits, decisional, statutory or otherwise, on the power of legislative committees to require that state agencies respond to inquiries?

**Evidentiary privileges apply in all proceedings in this state, including any action, hearing, investigation, inquest, or inquiry conducted by a legislative body (Sections 901 and 910, Government Code). Thus, any request for testimony or documents of a state agency would be subject to evidentiary privileges, such as the privilege against self-incrimination or the attorney-client privilege (Division 8 (commencing with Section 900), Evidence Code). Besides evidentiary privileges, there may be other provisions of law that protect the disclosure of confidential information, such as official information (Evidence Code Section 1040) and trade secrets (Evidence Code Section 1040).**

25. What resources and/or processes exist under law or rules to guide and help implement the legislative subpoena?

**Prior to issuing a legislative subpoena, the chairperson of a committee must receive permission from the Assembly Committee on Rules (Government Code Section 9401; see also JR 35.5).**

**A subpoena issued by a legislative investigating committee in accordance with JR 35.5 and the Government Code is sufficient if the subpoena (a) states that the proceeding is before the committee, (b) is addressed to the witness, (c) requires the attendance of the witness at a time and place certain, and (d) is signed by the chair of the committee before whom attendance of the witness is desired (Government Code Section 9402).**

**Subpoenas may be issued for testimony only, for documents only, or for both (see Government Code Section 9405). In drafting a subpoena requiring the production of documents (a subpoena duces tecum), care must be taken to describe the documents sought as specifically as possible. Insofar as possible, the subpoena should be drafted so that all of the following conditions are met:**

**(a) The materiality of the subpoenaed items to the investigation appears on the face of the subpoena.**

**(b) The witness can readily identify the items sought.**

**(c) Where records sought cover a period of time, that period is as short as possible, consistent with the objectives of the subpoena.**

**Generally, subpoenas may be served by anyone over 18 years of age (Government Code Section 9403). Joint Rule 36 requires that the Sergeant-at-Arms of the appropriate house, or such other person as may be designated by the chair of the committee, to serve legislative subpoenas.**

26. Do the Joint Rules and/or Assembly Standing Rules provide a process by which other specialized committees engage in oversight (Joint Legislative Budget Committee, Joint Legislative Audit Committee, or Joint Rules Committee)?

**Generally speaking, the Joint Legislative Audit Committee may trigger an audit of a specific agency program or project. Any Member may make an audit request subject to approval by JLAC at a public hearing. Joint Rules 37.3 and 37.4 establishes the role of JLAC.**

**Joint Rule 37 creates the Joint Legislative Budget Committee and enumerates its powers and duties. JLBC has broad discretion to ascertain facts and issue recommendations relative to state agency budgets and programs. Investigating committees are required to submit all reports, documents, and data to the LAO upon completion of their work (JR 37). Joint Rules 40 and 40.1 govern Joint Rules Committee powers and authority, including the power to contract for services and studies.**

27. How does oversight by standing committees based upon their committee jurisdictions fit alongside and mutually reinforce the work of other bodies within the Assembly?

**When standing committees conduct oversight hearings, it makes sense for the committee chair to formally or informally confer with other committees that may have experience in the particular policy area/agency under investigation. For instance, Budget Subcommittees, JLAC, JLBC, and the Speaker's policy unit, may have expertise in dealing with a broad range of program areas that may benefit a standing committee. Ultimately, it is the role of the Speaker and the Rules Committee to coordinate the work of**

**investigating committees to reduce overlapping work and overstepping of jurisdictions.**

28. Do the Joint Rules and/or Assembly Standing Rules establish processes to ensure that the oversight activities of the Assembly are or can be coordinated?

**The Speaker and the Rules Committee generally coordinate the work of the Assembly committees. Assembly Rule 11.5(d) and Joint Rule 42 require the Rules Committee to coordinate the work and work products of investigating committees. Assembly Rules 26 and 56 grant the Speaker general authority to allocate resources and expenditures, appoint committees, and to approve special hearings. Assembly Rule 22 authorizes the Speaker to create select committees to investigate specific issues.**

### **Administrative Regulations and Oversight**

29. Under the Joint Rules and/or Assembly Standing Rules, what confers authority or responsibility on legislative committees with respect to Administrative Regulations of the Executive Branch?

**Joint Rules Committee (for joint committees) and Assembly Rules Committee (for Assembly committees) approve priority review requests to the Office of Administrative Law (see JR 40.1 and Government Code Section 11349.7; see also JR 37.7, which authorizes the Speaker, at the request of a Member, to direct a standing committee to study any proposed or existing regulation or group of related regulations).**

30. What in general does the Administrative Procedure Act and the Office of Administrative Law say about the role of the Legislature in receiving information, exercising review, and engaging in ongoing, routine oversight?

**As a general rule, the Administrative Procedure Act, specifically, Article 7 (commencing with Section 11349.7) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code, is an internal process by which the Executive Branch of government evaluates proposed regulations for compliance with the quasi-legislative regulatory authority delegated from the Legislature. It authorizes the Office of Administrative Law and the Department of Finance to provide information to the Legislature about agencies' compliance with the APA procedures so that the Legislature can evaluate whether statutory changes to the process by which regulations are adopted are necessary. At the request of any standing, select, or joint committee of the Legislature, the Office of Administrative Law is required**

**to initiate a priority review of any regulation, group of regulations, or series of regulations that the committee determines are not authorized by law (Government Code Section 11349.7).**

31. Under the regulatory reforms of SB 617 of 2011, (enacted as Chapter 496 of the Statutes of 2011), an enhanced regulatory review process is set out (See Government Code Sections 11346.3(c)(1), 11346.36 (a) to (f), and 11349.1.5). This new law imposes express reporting requirements to the Legislature and public at Government Code Sections 11346.36 (f), and 11349.1.5 (b) and (c).

(a) Where can we find the adopted Department of Finance guidelines for how the standardized regulatory impact analyses required by the new law are to be made, including how the estimation described in Government Code Section 11342.548 is required to be made?

**Pursuant to Government Code Section 11346.36(f), the Department of Finance guidelines were adopted as regulations that are found in both the CCR and the State Administrative Manual. The regulations are at Sections 2000-2004 of Title 1 of the California Code of Regulations and in Sections 6600-6616 of the State Administrative Manual.**

(b) Where does the Department of Finance publish its comments "on the extent to which the assessment adheres to the regulations adopted" pursuant to this law?

**The Department of Finance comments are available on the DOF website, although there is no statutory requirement that they be published. They can be found on a Web page dealing with Major Regulations at: [http://www.dof.ca.gov/research/economic\\_research\\_unit/SB617\\_regulation/Major\\_Regulations/](http://www.dof.ca.gov/research/economic_research_unit/SB617_regulation/Major_Regulations/)**

(c) Is there a simple summary of these new requirements which can assist the oversight process?

**The Office of Administrative Law Web site contains a number of informational materials such as guides to participating in the rulemaking process: <http://www.oal.ca.gov/res/docs/pdf/HowToParticipate.pdf>**

32. Are there other key constitutional provisions, statutes, or court decisions that are sources of power or limitation upon the Legislature in relation to Executive Branch administrative law and regulation?

**The California Constitution provides for a “separation of powers” of state government between the legislative, executive, and judicial departments, and enjoins any one department from exercising the powers of either of the others except as specified in that instrument. In setting forth the requirements for the Legislature to enact substantive law, the California Constitution provides that "The Legislature may make no law except by statute and may enact no statute except by bill" (Cal. Const., art. IV § 8, subd. (b)), and further requires that each bill passed by the Legislature be presented to the Governor (*id.*, art. IV, § 10). Under the separation of powers doctrine, "[L]egislative power ... is circumscribed by the requirement that legislative acts be bicamerally enacted and presented to the head of the executive branch for approval or veto." (*California School Boards Ass'n v. Brown* (2011) 192 Cal.App.4th 1507, 1519, citing *Carmel Valley Fire Protection Dist. v. State* (2001) 25 Cal.4th 287, 298.)**

**The constitutional separation of powers doctrine allows the Legislature to authorize executive agencies to enact regulations that are consistent with, and not in conflict with, the authorizing statute (Government Code Section 11342.1). An administrative agency may not exercise its rulemaking power so as to alter or enlarge the provisions of the statute that is being administered (*First Industrial Loan Co. v. Daugherty* (1945) 26 Cal.2d 545, 550, 556). Thus, an administrative agency may not act contrary to the statute that is the source of its power or exceed the scope of its authority (Government Code Section 11342.2; *California Emp. Com. v. Kovacevich* (1946) 27 Cal.2d 546, 553).**

**The separation of powers doctrine also acts as a limitation on the Legislature’s ability to control the manner in which the executive agency exercises its regulatory authority. While the Legislature may not interfere with how an administrative agency chooses to exercise its discretion within the confines of a statutory delegation of regulatory authority, it may always enact statutes to control the scope of regulatory authority that is**

delegated to an administrative agency (*Carmel Valley*, supra, at p. 305). For example, a statute that restricts an administrative agency's delegated authority in a manner that eliminates the underlying authority to enact a particular existing regulation would render that existing regulation invalid as an act in excess of the agency's statutory authority (*Association for Retarded Citizens v. Department of Developmental Services* (1985) 38 Cal.3d 384, 391).

You may need to consult with Legislative Counsel to determine whether particular oversight activities are authorized or prohibited by the separation of powers doctrine.

### Other Topics Supporting Oversight

33. Does California have whistleblower statutes that may intertwine with the oversight power of the Legislature?

Certain informational disclosures related to improper governmental activities that are made to legislative committees are protected by the Whistleblower Protection Act (Article 10 (commencing with Government Code Section 9149.20) of Chapter 1.5 of Part 1 of Division 2 of Title 2). Specifically, Government Code Section 9149.23 prohibits an employee from using his or her official authority or influence to intimidate, threaten, coerce, or command any person with the purpose of interfering with the right of that person to disclose improper governmental activities to a legislative committee. Violation of this statute allows a private right of action to be brought against the employee by the offended party.

Other whistleblower statutes may provide a basis for legislative oversight depending on the facts and subject matter involved.

34. What is the Bureau of State Audits?

The Bureau of State Audits conducts independent financial and performance audits and evaluations as directed by statute, and other government audits approved by the Joint Legislative Audit Committee. In addition, the bureau administers the "California Whistleblower Protection Act," and may investigate alleged violations of state law, federal law, or

**state agency regulations (Government Code Sections 8547-8547.12). The bureau, under the direction of the California State Auditor, acts as the independent, nonpartisan auditor for the Legislature and California state government. Any Member of the Legislature can exercise legislative oversight by requesting a performance review—either through the Joint Legislative Audit Committee or by enacting legislation that requires a performance audit.**

35. What is the California State Auditor?

**The State Auditor is appointed by the Governor from a list of three names submitted by the Joint Legislative Audit Committee (Government Code Sections 8543.2 and 8543.3). The State Auditor conducts performance audits that are either mandated by statute or requested by the Legislature. Performance auditing is the systematic and objective examination of evidence to provide an independent assessment of the performance and management of an organization or activity against objective criteria as well as assessments that provide a prospective focus or create best practices. Performance audits provide information to improve operations and facilitate decision making by parties with responsibility to oversee or initiate corrective action and improve public accountability. These audits cover a wide variety of objectives.**

36. What is the California Inspector General?

**The Inspector General’s stated mission is to safeguard “the integrity of the State’s correctional system—in effect, to act as the eyes and ears of the public in overseeing the State’s prisons and correctional programs. The OIG accomplishes that mission by conducting reviews of policies, practices, and procedures of the California Department of Corrections and Rehabilitation (CDCR) when requested by the Governor, the Senate Committee on Rules, or the Assembly. The OIG is also responsible for contemporaneous oversight of the internal affairs investigations and the disciplinary process of CDCR, for conducting reviews of the delivery of medical care at each State institution, and for determining the qualifications of candidates submitted by the Governor for the position of warden.”**

37. What is the California Research Bureau and why should Committee Chairs, other Members and staff know about its capabilities?

**The California Research Bureau (CRB) provides nonpartisan research services to the Governor and his staff, to both houses of the Legislature, and to other elected state officials. These services include preparation of reports and memoranda on current policy issues, which might cover topics such as the history of the issue, experiences and proposals in other states, case studies and examples, data analysis, and development of legislative proposals. This work might be confidential to the requestor, or might result in a published report.**

**The CRB also provides specialized library services to its clients. It has an office in room 5210 in the Capitol staffed by librarians with considerable expertise in the literature concerning current California policy issues. They share a commitment to providing quick, thorough, and confidential services. The librarians have ready access to an extensive collection of reports, studies, and other materials concerning current and historical policy issues, as well as many electronic databases. In addition, the CRB convenes regular seminars and presentations by academic and think tank scholars doing work related to current policy issues.**



## **RULES GOVERNING LEGISLATIVE OVERSIGHT**

### **CONSTITUTION**

#### **Article IV, Section 11**

The Legislature or either house may by resolution provide for the selection of committees necessary for the conduct of its business, including committees to ascertain facts and make recommendations to the Legislature on a subject within the scope of legislative control.

### **ASSEMBLY RULES**

#### **Assembly Investigating Committees**

##### **AR 11.5.**

(a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to conduct oversight hearings and to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees consists of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson is the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(c) Each committee and any subcommittee, and its members, have and may exercise all the rights, duties, and powers conferred upon investigating committees and their members by law and by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this rule, to be paid from the Assembly Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

### **Powers of the Committee on Rules**

#### **AR 14.**

(a) The Committee on Rules has the following powers:

(6) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(10) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

### **Committee on Rules**

#### **AR 15.**

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session, and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the Committee on Rules and its members.

### **Rules and Regulations Governing Committees**

#### **AR 20.**

All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized

representative before the expenses are incurred, unless the expenditure is specifically exempted from this requirement by the resolution authorizing it.

No warrant may be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage may be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

### **Assembly General Research Committee (“Select Committees”)**

#### **AR 22.**

(a) The Assembly General Research Committee is hereby continued as a permanent fact-finding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups, and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums that are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

### **Duties of the Speaker**

#### **AR 26.**

(a) The Speaker possesses the powers and shall perform the duties prescribed as follows:

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, including the Committee on Rules, and their respective chairpersons and vice chairpersons. The Speaker has approval power over the appointment of subcommittees of standing and special committees, except as otherwise provided in Rule 14.5. The Committee on Rules consists of the Chairperson, Vice Chairperson, and other Members who shall be appointed by the Speaker in accordance with the process for appointing the membership of standing committees pursuant to this rule. Two alternate members of the Committee on Rules shall be appointed in accordance with the process for appointing members to the Committee on Rules. Members and alternates so appointed shall remain in office until their successors are selected as provided for in these rules. The Speaker may designate any member in lieu of or in addition to the alternate member to fill a temporary vacancy. An alternate member may serve when a committee member is absent.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly and to establish a procedure in accordance with Rule 118 for admitting employees of the Legislature to the Assembly Chambers, including the Lobby in the rear of the chambers and any hallway or area of the floor that is adjacent to the desks occupied by the assistants to the Chief Clerk.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

### **Meetings of Standing Committees and Subcommittees**

#### **AR 56.**

All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Speaker, unless permission for a different hearing time is granted by the Speaker. A committee or subcommittee may not meet during any session of the Assembly, nor may any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area that is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee may not be held in the Assembly Chamber.

No bill may be set for hearing, nor may any notice thereof be published by any Assembly committee or subcommittee, until the bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

## **JOINT RULES**

### **Issuance of Subpoenas**

#### **JR 35.5.**

A subpoena requiring the attendance of a witness or the production of documents may be issued by the Senate Committee on Rules, the Speaker of the Assembly, or the chairperson of a committee conducting an investigation only if permission has been secured from the rules committee of the respective house, or from the Joint Rules Committee if the subpoena is issued by the chairperson of a joint committee.

### **Investigating Committees**

#### **JR 36.**

In order to expedite the work of the Legislature, either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee pursuant to this rule shall state the purpose of the committee and the scope of the subject concerning which it is to act, and may authorize it to act either during sessions of the Legislature or, when authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may employ clerical, legal, and technical assistants as may be authorized by: (a) the Joint Rules Committee in the case of a joint committee, (b) the Senate Committee on Rules in the case of a Senate committee, or (c) the Assembly Committee on Rules in the case of an Assembly committee.

Except as otherwise provided herein for joint committees or by the rules of the Senate or the Assembly for single house committees, each committee may adopt and amend rules governing its procedure as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. The rules may include provisions fixing the quorum of the committee and the number of votes necessary to take action on any matter. With respect to all joint committees, a majority of the membership from each house constitutes a quorum, and an affirmative vote of a majority of the membership from each house is necessary for the committee to take action.

Each committee is authorized and empowered to summon and subpoena witnesses, to require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. A committee's issuance of a subpoena shall comply with Rule 35.5. Each member of the committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, apply to the committees. A committee may grant a witness immunity from criminal prosecution, pursuant to subdivision (a) of Section 9410 of the Government Code, only after securing permission from the rules committee of the respective house, or from the Joint Rules Committee in the case of a joint committee.

The Sergeant at Arms of the Senate or Assembly, or other person as may be designated by the chairperson of the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so by the chairperson, or by a majority of the membership of the committee.

Every department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created.

Each committee or subcommittee of either house, in accordance with the rules of that respective house, and each joint committee or subcommittee thereof, may meet at any time during the period in which it is authorized to act, either at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it, subject to the following exceptions:

(a) When the Legislature is in session:

(1) A committee or subcommittee of either house may not meet outside the State Capitol without the prior approval of the Senate Committee on Rules with respect to Senate committees and subcommittees, or the Speaker of the Assembly with respect to Assembly committees and subcommittees.

(2) A committee or subcommittee of either house, other than a standing committee or subcommittee thereof, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto. This requirement may be waived by a majority vote of either house with respect to a particular bill.

(3) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet outside the State Capitol without the prior approval of the Joint Rules Committee.

(4) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto.

(b) When the Legislature is in joint recess, each joint committee or subcommittee, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall notify the Joint Rules Committee at least two weeks prior to a meeting.

(c) The requirements placed upon joint committees by subdivisions (a) and (b) of this rule may be waived as deemed necessary by the Joint Rules Committee.

Each committee may expend such money as is made available to it for its purpose, but a committee may not incur any indebtedness unless money has been first made available therefor.

Living expenses may not be allowed in connection with legislative business for a day on which the Member receives reimbursement for expenses while required to be in Sacramento to attend a session of the Legislature. The chairperson of each committee shall audit and approve the expense claims of the members of the committee, including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairperson, but excluding other types of mileage, and shall certify the amount approved to the Controller. The Controller shall draw his or her warrants upon the certification of the chairperson.

Subject to the rules of each house for the respective committees of each house, or the joint rules for any joint committee, with the permission of the appointing authority of the respective house, or the permission of the appointing authorities of the two houses in the case of a joint committee, the chairperson of any committee may appoint subcommittees and chairpersons thereof for the purpose of more expeditiously handling

and considering matters referred to it, and the subcommittees and the chairpersons thereof shall have all the powers and authority herein conferred upon the committee and its chairperson. The chairperson of a subcommittee shall audit the expense claims of the members of the subcommittee, and other claims and the expenses incurred by it, and shall certify the amount thereof to the chairperson of the committee, who shall, if he or she approves the same, certify the amount thereof to the Controller; the Controller shall draw his or her warrant therefor upon that certification, and the Treasurer shall pay the same. Any committee or subcommittee thereof that is authorized to leave the State of California in the performance of its duties shall, while out of the state, have the same authority as if it were acting and functioning within the state, and the members thereof shall be reimbursed for expenses.

Notwithstanding any other provision of this rule, if the standing rules of either house require that expense claims of committees for goods or services, pursuant to contracts, or for expenses of employees or members of committees be audited or approved, after approval of the committee chairperson, by another agency of either house, the Controller shall draw his or her warrants only upon the certification of the other agency. All expense claims approved by the chairperson of any joint committee, other than the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be approved by the Joint Rules Committee, and the Controller shall draw his or her warrants only upon the certification of the Joint Rules Committee.

Except salary claims of employees clearly subject to federal withholding taxes and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

### **Joint Legislative Budget Committee**

#### **JR 37.**

In addition to any other committee provided for by these rules, there is a joint committee to be known as the Joint Legislative Budget Committee, which is hereby declared to be a continuing body.

It is the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the state, and the organization and functions of the state and its departments, subdivisions, and agencies, with a view to reducing the cost of the state government and securing greater efficiency and economy.

The committee consists of eight Members of the Senate and eight Members of the Assembly. The Senate members of the committee shall be appointed by the Senate Committee on Rules. The Assembly members of the committee shall be appointed by the Speaker of the Assembly. The committee shall select its own chairperson.

Any vacancy occurring at any time in the Senate membership of the Joint Legislative Budget Committee shall be filled by the Senate Committee on Rules, and the Senators

appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he or she is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the Joint Legislative Budget Committee shall be filled by appointment by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over between regular sessions until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he or she is not reelected at the general election.

The committee may adopt rules to govern its own proceedings and its employees. The committee, with the permission of the appointing authorities of the two houses, may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation, or hearing that the committee itself has authority to undertake or hold. A subcommittee for the purpose of this assignment has and may exercise all the powers conferred upon the committee, limited only by the express terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Those powers may be withdrawn or terminated at any time by the committee.

The Joint Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Joint Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Joint Legislative Budget Committee of the cost of the services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter into those contracts with the Joint Legislative Budget Committee. Money received by the Joint Legislative Budget Committee pursuant to any agreement shall be in augmentation of the current appropriation for the support of the Joint Legislative Budget Committee.

The provisions of Rule 36 shall apply to the Joint Legislative Budget Committee, which has all the authority provided in that rule or pursuant to Section 11 of Article IV of the California Constitution.

The committee has authority to appoint a Legislative Analyst, to fix his or her compensation, to prescribe his or her duties, and to appoint any other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst are as follows:

- (1) To ascertain the facts and make recommendations to the Joint Legislative Budget Committee and, under its direction, to the committees of the Legislature concerning:
  - (a) The State Budget.
  - (b) The revenues and expenditures of the state.
  - (c) The organization and functions of the state and its departments, subdivisions, and agencies.
- (2) To assist the Senate Committee on Appropriations, the Senate Budget and Fiscal Review Committee, and the Assembly Committees on Appropriations and Budget in

consideration of the Budget, all bills carrying express or implied appropriations, and all legislation affecting state departments and their efficiency; to appear before any other legislative committee; and to assist any other legislative committee upon instruction by the Joint Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Joint Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Joint Legislative Budget Committee, and to keep and make available all documents, data, and reports submitted to him or her by any Senate, Assembly, or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The chairperson of the committee or, in the event of that person's inability to act, the vice chairperson, shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee. The chairperson shall certify to the Controller the expense amount approved, the Controller shall draw his or her warrants upon the certification of the chairperson, and the Treasurer shall pay the same to the chairperson of the committee, to be disbursed by the chairperson.

On and after the commencement of a succeeding regular session, those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel, and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody all documents, data, reports, and other materials that have come into the possession of the committee and that are not included within the final report of the committee to the Assembly, Senate, or the Legislature, as the case may be. The documents, data, reports, and other materials shall be available, upon request, to Members of the Legislature, the Senate Office of Research, and the Assembly Office of Research. The Legislative Analyst, with the consent of the committee, shall make available to any Member or committee of the Legislature any other reports, records, documents, or other data under his or her control, except that reports prepared by the Legislative Analyst in response to a request from a Member or committee of the Legislature may be made available only with the written permission of the Member or committee who made the request.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature to conduct a study or provide information that falls within the scope of his or her responsibilities and that concerns the administration of the government of the State of California, shall at once advise the Joint Legislative Budget Committee of the

nature of the request without disclosing the name of the Member or committee making the request.

The Legislative Analyst shall immediately undertake to provide the requesting committee or legislator with the service or information requested, and shall inform the committee or legislator of the approximate date when this information will be available. Should there be any material delay, he or she shall subsequently communicate this fact to the requester.

Neither the Committee on Rules of either house nor the Joint Rules Committee may assign any matter for study to the Joint Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

Any concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective rules committees. Before the committees may act upon or assign the resolution, they shall obtain an estimate from the Joint Legislative Budget Committee of the amount required to be expended to make the study.

### **Joint Legislative Audit Committee**

#### **JR 37.3.**

The Joint Legislative Audit Committee is created pursuant to the Legislature's rulemaking authority under the California Constitution, and pursuant to Chapter 4 (commencing with Section 10500) of Part 2 of Division 2 of Title 2 of the Government Code. The committee consists of seven Members of the Senate and seven Members of the Assembly, who shall be selected in the manner provided for in these rules. Notwithstanding any other provision of these rules, four Members from each house constitute a quorum of the Joint Legislative Audit Committee and the number of votes necessary to take action on any matter. The Chairperson of the Joint Legislative Audit Committee, upon receiving a request by any Member of the Legislature or committee thereof for a copy of a report prepared or being prepared by the Bureau of State Audits, shall provide the Member or committee with a copy of the report when it is, or has been, submitted by the Bureau of State Audits to the Joint Legislative Audit Committee.

### **Study or Audits**

#### **JR 37.4.**

- (a) Notwithstanding any other provision of law, the Joint Legislative Audit Committee shall establish priorities and assign all work to be done by the Bureau of State Audits.
- (b) Any bill requiring action by the Bureau of State Audits shall contain an appropriation for the cost of any study or audit.
- (c) Any bill or concurrent, joint, Senate, or House resolution assigning a study or audit to the Joint Legislative Audit Committee or to the Bureau of State Audits shall be referred to the respective rules committees. Before the committees may act upon or assign the

bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study or audit.

### **Administrative Regulations**

#### **JR 37.7.**

(a) Any Member of the Senate may request the Senate Committee on Rules, and any Member of the Assembly may request the Speaker of the Assembly, to direct a standing committee or the Office of Research of his or her respective house to study any proposed or existing regulation or group of related regulations. Upon receipt of a request, the Senate Committee on Rules or the Speaker of the Assembly shall, after review, determine whether a study shall be made. In reviewing the request, the Senate Committee on Rules or the Speaker of the Assembly shall determine:

- (1) The cost of making the study.
  - (2) The potential public benefit to be derived from the study.
  - (3) The scope of the study.
- (b) The study may consider, among other relevant issues, whether the proposed or existing regulation:
- (1) Exceeds the agency's statutory authority.
  - (2) Fails to conform to the legislative intent of the enabling statute.
  - (3) Contradicts or duplicates other regulations adopted by federal, state, or local agencies.
  - (4) Involves an excessive delegation of regulatory authority to a particular state agency.
  - (5) Unfairly burdens particular elements of the public.
  - (6) Imposes social or economic costs that outweigh its intended benefits to the public.
  - (7) Imposes unreasonable penalties for violation.

The respective reviewing unit shall, in a timely manner, transmit its concerns, if any, to the Senate Committee on Rules or the Speaker of the Assembly, and the promulgating agency.

In the event that a state agency takes a regulatory action that the reviewing unit finds to be unacceptable, the unit shall file a report for publication in the Daily Journal of its respective house indicating the specific reasons why the regulatory action should not have been taken. The report may include a recommendation that the Legislature adopt a concurrent resolution requesting the state agency to reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

### **Joint Rules Committee**

#### **JR 40.**

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

## **Review of Administrative Regulations**

### **JR 40.1.**

The Joint Rules Committee, with regard to joint committees, and the respective rules committee of each house, with regard to standing and select committees of the house, shall approve any request for a priority review made by a committee pursuant to Section 11349.7 of the Government Code and shall submit approved requests to the Office of Administrative Law. The Joint Rules Committee or the respective rules committee, and the committee initiating the request, shall each receive a copy of the priority review.

## **Information Concerning Committees**

### **JR 42.**

The Committee on Rules of each house shall provide for a continuous cumulation of information concerning the membership, organization, meetings, and studies of legislative investigating committees. Each Committee on Rules shall be responsible for information concerning the investigating committees of its own house, and concerning joint investigating committees under a chairperson who is a Member of that house. To the extent possible, each Committee on Rules shall seek to ensure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within a reasonable period of time.

The information thus cumulated shall be made available to the public by the Committee on Rules of each house and shall be published periodically under their joint direction.

## **STATUTORY PROVISIONS**

### **GOVERNMENT CODE SECTION 11349.1-11349.9 (REGULATIONS)**

The office, at the request of any standing, select, or joint committee of the Legislature, shall initiate a priority review of any regulation, group of regulations, or series of regulations that the committee believes does not meet the standards set forth in Section 11349.1.

### **GOVERNMENT CODE SECTION 9401 (SUBPOENAS)**

A subpoena requiring the attendance of any witness before the Senate, Assembly, or a committee may be issued by the President of the Senate, Speaker of the Assembly, or the chairman of any committee before whom the attendance of the witness is desired if permission has been secured from the Rules Committee of the respective house.

*(Amended by Statutes of 1984, Chapter 1672, Section 1.)*

## **GOVERNMENT CODE SECTION 9402 (SUBPOENAS)**

A subpoena is sufficient if it:

- (a) States whether the proceeding is before the Senate, Assembly, or a committee.
- (b) Is addressed to the witness.
- (c) Requires the attendance of the witness at a time and place certain.
- (d) Is signed by the President of the Senate, Speaker of the Assembly, or chairman of the committee before whom attendance of the witness is desired.

*(Amended by Statutes of 2014, Chapter 71, Section 68. Effective January 1, 2015)*

### **PARLIAMENTARY AUTHORITY** **(Mason's Manual of Legislative Procedure)**

#### **Mason's Section 757. Legislative Oversight of the Executive Branch**

1. Legislatures have undertaken significant responsibilities for overseeing the operations of the executive branch. Ensuring the effective implementation and operation of state government programs is a legitimate responsibility of the legislature.
2. Legislatures use several mechanisms to oversee the operation of the executive branch. These include program evaluation and performance auditing units, review and analysis of agency budgets, and review of administrative regulations.
3. To better monitor and maintain control over state expenditures when the legislature is not in session, several legislatures have delegated authority to adjust appropriations to a committee of the legislature. Some state courts have determined that such delegation of budget authority to legislative committees is an unconstitutional delegation of the legislatures' powers.
4. Legislative committees may be created to investigate any subject legitimately within the scope of functions, powers and duties of the legislature. The legislature may continue its investigatory function between sessions. The legislature may require information from other branches of government as is reasonably necessary to complete the work of the committees.

#### **Mason's Section 758. Legislative Review of Regulations**

1. To provide for the effective oversight of state agencies, legislatures have established procedures for reviewing administrative rules and regulations. Generally, this review considers whether the agencies have statutory authority to promulgate the regulations and whether the regulations are consistent with the legislature's intent when granting rule-making authority.
2. Some legislatures have established procedures to veto regulations that do not meet certain requirements. Legislatures have adopted different procedures for vetoing regulations, including vote by committee, passage of a resolution by one chamber, passage of a resolution by both chambers and passage of a statute.

## **MASON (ON COMMITTEE OF THE WHOLE)**

### **COMMITTEE OF THE WHOLE AND INFORMAL CONSIDERATION**

#### **Section 683. Purpose of Committee of the Whole**

The purpose of the committee of the whole is to permit more free and informal discussion of any question than could be had in a deliberative body acting under its ordinary rules of procedure.

## **MASON (ON SUBPOENA POWER)**

### **Mason's Section 802. Summons, Subpoenas and Warrants**

#### **See also Section 615, Committees Are Agencies of the House.**

1. A legislative body or a committee, when acting within the scope of its authority to conduct an investigation, may summon and examine witnesses, and require the production and examination of books, records and papers.
2. The law may provide for a penal offense for a person who fails to appear before a legislative committee pursuant to a summons or subpoena issued by the appropriate legislative authority.
3. When a committee is authorized to subpoena witnesses, the chair of the committee, in conjunction with its counsel, may select the names and number of witnesses for attendance at each session, and the chair may sign the summons for each witness. Subpoenas should not be issued in blank.
4. When a subpoena *duces tecum* has been issued under statutory authority, showing that the purpose of the examination was within the scope of the inquiry authorized, the court cannot cancel the subpoena nor enjoin the issuance of any further subpoena.
5. When a witness lawfully summoned refuses to appear, a warrant may be issued to compel the witness' attendance.
6. No affidavit charging contempt need be filed before a house to authorize it to issue its warrant to arrest a contumacious person who refuses to testify before one of its committees. The written report of the committee is sufficient authority for the issuance of the warrant.
7. A person disobeying a subpoena of a legislative committee may be apprehended and brought before the committee by a sheriff under a warrant issued to the sheriff, and either prosecuted for a misdemeanor under a statute for failure to obey the subpoena or punished for contempt by the legislature, but that person cannot be punished by the judiciary for contempt.
8. A writ of prohibition cannot be used to prevent an administrative or legislative body from proceeding with an investigation.
9. Service of a subpoena or the execution of a warrant requiring attendance before a legislative committee is not "an arrest" within statute exempting members of the legislature from arrest.
10. Warrants, subpoenas, etc. issued during recess are signed only by authority specially given.

Sec. 802, Par. 1: Cushing's Legislative Assemblies, Secs. 634,930, 939, 1901; *Ex parte* Bunkers (Calif., 1905); *Hagaman v. Andrews* (Fla., 1970); *Ex parte Dalton* (Ohio, 1886).

Sec. 802, Par. 2: Cushing's Legislative Assemblies, Secs. 635, 938,939, 1902; *In re Chapman* (U.S., 1897); *New Jersey v. Brewster* (N.), 1916); *People v. Foster* (N.Y., 1923); *Sullivan v. Hill* (W.Va., 1913).

Sec. 802, Par. 3: Cushing's Legislative Assemblies, Sec. 1902; Jefferson, Sec. XIII; *New Jersey v. Brewster* (N.J., 1916).

Sec. 802, Par. 4: *In re Martens* (N.Y., 1919).

Sec. 802, Par. 5: *Ex parte Hague* (N.J., 1929); *Ex parte Caldwell* (W.Va., 1906).

Sec. 802, Par. 6: *Lowe v. Summers* (Mo., 1897).

Sec. 802, Par. 7: *People ex rel. Hastings v. Hofstadter* (N.Y., " 1932).

Sec. 802, Par. 8: *People ex rel Bender v. Milliken* (N.Y., 1906).

Sec. 802, Par. 9: *People ex rel Hastings v. Hofstadter* (N.Y ., 1932).



**2015-16 Standing Committee Rules**  
**Containing Oversight or Investigations Provisions**

**Office of the Chief Clerk**

**Business and Professions:**

- 10) (c) Geographic Restriction. Informational and **oversight hearings** outside of Sacramento are permitted during recesses, but the Committee may not act on a bill outside of Sacramento. [Joint Rule 60]

**Governmental Organization:**

- 13 (a).The Committee may conduct **detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the Committee's jurisdiction. Whenever reports submitted by the Legislative Analyst or Auditor General are referred to the Committee, any legislative recommendation contained therein may be placed on the Committee's agenda for review.

**Housing and Community Development:**

- 11 (a).The Speaker may create **oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the committee's jurisdiction. Such subcommittees shall make **periodic reports to the full committee on the progress of their oversight activities.**
- (b).Whenever reports submitted by the Legislative Analyst or State Auditor are referred to the committee, any legislative recommendations contained therein subject to approval of the chair shall be placed on the committee's agenda for appropriate action.

**Insurance:**

20. The Committee may hold **joint oversight hearings** with one or more Assembly or Senate Committees on matters within the jurisdiction of the Committee.

21. The Chair may recommend to the Speaker the **creation of oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the Committee's jurisdiction. Such subcommittees shall make **periodic reports to the full Committee on the progress of their oversight activities.**

#### **Joint Legislative Audit:**

3. The Committee is charged with establishing priorities and assigning audits for the State Auditor, **ascertaining facts through investigations, reviewing reports and taking actions thereon, and making reports and recommendations to the Legislature** regarding the revenues and expenditures of the State, its departments, subdivisions, and agencies.
4. The provisions of Rule 36 of the Joint Rules of the Senate and Assembly relating to **investigating committees apply to the Committee**, as well as other duties and responsibilities prescribed in the Joint Rules of the Senate and Assembly, and all powers conferred upon committees by Article IV, Section 11 of the Constitution of the State of California.
32. The Chair, with the concurrence of the Senate Rules Committee and the Speaker of the Assembly, may appoint from the members of the Committee, subcommittees of one or more members **to consider and recommend to the full Committee action on any study, inquiry investigation, or hearing which the Committee itself has authority to undertake** or hold. The Chair may assign and reassign members of, and subject matters to, the various subcommittees. The recommendation of a subcommittee may be accepted by the affirmative vote of at least four members from each house.

#### **Labor and Employment:**

##### **OVERSIGHT**

- 37) The Committee may **hold joint oversight hearings** with one or more Assembly or Senate Committees on matters within the jurisdiction of the Committee.
- 38) The Chair may request that the Speaker create **oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the Committee's jurisdiction. Such subcommittees shall make periodic reports to the full Committee on the progress of their oversight activities. [Assembly Rule 11.5]

### **Privacy and Consumer Protection:**

- 10) (a) Geographic Restriction. Informational and **oversight hearings outside of Sacramento** are permitted during recesses, but the Committee may not act on a bill outside of Sacramento. [Joint Rule 60]

### **Public Safety:**

- 1) Oversight

Investigation: The Speaker may create **oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the Committee's jurisdiction. Such subcommittees shall make periodic reports to the full Committee on the progress of their oversight activities.

### **Transportation:**

#### **Oversight Report Recommendations**

10(a) Whenever reports submitted by the Legislative Analyst or the State Auditor are referred to the Committee, any legislative recommendations contained therein may be placed on the Committee's agenda for appropriate action.

### **Utilities and Commerce:**

#### **OVERSIGHT**

13. (a) The Speaker may recommend to **create oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the committee's jurisdiction. Such subcommittees shall make **periodic reports to the full committee on the progress of their oversight activities**.

### **Veterans Affairs:**

#### **XIII. OVERSIGHT**

13(a). The Committee may **conduct detailed investigations of the performance and effectiveness of state agencies and programs** that come within the scope of the Committee's jurisdiction. Whenever reports submitted by the Legislative Analyst or Auditor General are referred to the Committee, any

legislative recommendation contained therein may be placed on the Committee's agenda for review.



## **Preparation of Briefing Books**

### **What goes in:**

- A summary of the issue which is the subject of the hearing. Special reference should be made to the way the issue illustrates a particular statutory or administrative problem.
- Outline of pertinent statute and rules and regulations. Also included should be a summary of legislative and administrative history, indicating legislative intent, and the administrative procedures followed.
- A summary of any relevant court decisions.
- A summary of the issue as it appears to:
  - depart from the legislative intent;
  - depart from the published rules and regulations of the agency;
  - suggest a flaw in either the statute or rules and regulations;
  - suggest improper or questionable behavior;
  - highlight the attainment or lack thereof of program objectives.
- If appropriate, include a comparison of how the same or similar problems have been handled by another agency.
- Prepare a chronology of significant events concerning the issue. This information should be easily available, if committee staff keep an active list of events occurring within an agency.
- Prepare a list of witnesses in order of their appearance with a summary of what their testimony will cover.
- If necessary or appropriate, prepare biographical data on each witness, paying special attention to how each witness is connected to the issue.

Source: A Guide to Legislative Oversight: A Report from James F. Brennan, Chair New York State Assembly Standing Committee on Oversight, Analysis and Investigation. p 17-18.

- Prepare a list of specific, focused questions that members might ask to witnesses, with reference made to back-up material if appropriate. To get the right answer, you must ask the right question.
- If appropriate, prepare a list of exhibits with a summary of each.
- Bind all material in a three-ring binder with tabs for easy access to each section.

Source: A Guide to Legislative Oversight: A Report from James F. Brennan, Chair New York State Assembly Standing Committee on Oversight, Analysis and Investigation. p 17-18.



## **Subpoena Policy**

On March 18, 1999, the Assembly Committee on Rules adopted a policy requiring all requests for subpoena issuance to be made a minimum of 14 days before the date of the requested appearance.<sup>1</sup>

Prior to the issuance of a subpoena, a committee must seek by written request to obtain voluntary attendance from the potential witness. Only after the potential witness refuses to appear or to produce documents will permission for a subpoena be considered.

If a committee chair believes that a subpoena is necessary, a request for issuance must be made to the Assembly Committee on Rules. Joint committees must seek permission from the Joint Committee on Rules.

Requests for permission to issue a subpoena should be submitted on the attached form and must contain, at minimum, the following information:

- a) The committee requesting the subpoena;
- b) The witness's name and address;
- c) The time and place of the appearance;
- d) If documents are requested, the specific documents and the time and place for production; and
- e) A description of efforts made to secure voluntary attendance or document production, including copies of written requests.

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<sup>1</sup> Subpoenas may not be issued by the chair of a committee without permission from the Assembly Committee on Rules.

A subpoena requiring the attendance of any witness before the Senate, Assembly, or a committee may be issued by the President of the Senate, Speaker of the Assembly, or the chairman of any committee before the attendance of the witness is desired if permission has been secured from the Rules Committee of the respective house. (Government Code Section 9401).



## **Oversight Research and Witness Sources**

### **Internally-accessible Institutional Resources**

#### **Bureau of State Audits**

Office of Legislative and Governmental Affairs  
(916) 445-0255

The California State Auditor promotes the efficient and effective management of public funds and programs by providing to citizens and the State independent, objective, accurate, and timely evaluations of state and local governments' activities.

The California State Auditor serves the Legislature as a resource and provides oversight for functions and policies enacted into law. We work to ensure the ideas were implemented as wanted.

#### **How Do I Request an Audit?**

Steps to request a discretionary audit:

- Submit a letter to the chair of the Joint Legislative Audit Committee (JLAC) setting out the topic and potential scope of the requested audit.
- Review the audit analysis prepared by the California State Auditor's Office to ensure concerns are addressed. The audit analysis is confidential until the public hearing and outlines the issues, scope of the audit, and the California State Auditor's estimated timeline and cost.
- Present the audit request at the JLAC hearing as the committee deliberates the request.

#### **What Happens Once an Audit Is Approved?**

- The California State Auditor will begin the auditing process when the resources become available.
- State law precludes the California State Auditor from discussing or disclosing any aspect of the audit once the audit commences.

## What Happens After the Audit Is Completed?

- The California State Auditor will release a report to the public.
- The California State Auditor is available to discuss the results of the audit with any member or its staff with priority given to the requestor.
- The California State Auditor is available to the Legislature to testify on the results of a completed audit.
- The California State Auditor requests auditees to report their progress implementing recommendations at 60 days, six months, and one year. The California State Auditor annually reports to the Legislature the auditee's progress in implementing recommendations

## California Whistleblower Protection Act

- Under the California Whistleblower Protection Act, the California State Auditor has broad authority to perform independent investigations into complaints about state agencies or employees engaging in an improper governmental activity.

(From [www.bsa.ca.gov](http://www.bsa.ca.gov))

## Legislative Analyst Office

925 L Street, Suite 1000  
Sacramento, CA 95814  
(916) 445-4656

The Legislative Analyst's Office (LAO) has provided fiscal and policy advice to the Legislature for more than 70 years. It is known for its fiscal and programmatic expertise and nonpartisan analyses of the state budget. The office serves as the "eyes and ears" for the Legislature to ensure that the executive branch is implementing legislative policy in a cost efficient and effective manner.

The office is overseen by the Joint Legislative Budget Committee (JLBC), a 16-member bipartisan committee. Currently, the office has a staff of 43 analysts and approximately 13 support staff. The analytical staff cover several budget and policy areas: Criminal Justice, State Finance, Education (including K-12 and Higher Education), Health and Human Services, Natural Resources and Environment, General Government (including Local Government), Transportation, and Capital Outlay and Infrastructure.

More generally, the office is a staff resource to all legislators. The LAO also performs the following functions:

**Budget "Control."** The LAO reviews requests by the administration to make changes to the budget *after* it is enacted. These reviews are used primarily by members of the JLBC and the fiscal committees.

**Special Reports.** Throughout the year, the office prepares special reports on the state budget and topics of interest to the Legislature.

**Initiatives and Ballot Measures.** The office estimates the fiscal effect on state and local government of all proposed initiatives (prior to circulation) and prepares analyses of all measures that qualify for the statewide ballot.

**Forecasting.** The LAO forecasts the state revenues and expenditures.

(From [www.lao.ca.gov](http://www.lao.ca.gov))

## Office of Legislative Counsel

(916) 341-8000

Attorneys in the office, with the assistance of highly trained support staff:

- Draft bills, constitutional amendments, resolutions, and proposed amendments to those measures
- Render legal opinions on issues of constitutionality, statutory interpretation, and other legal matters
- Provide counsel to the Members and committees of the Legislature
- Represent the Senate and Assembly in litigation
- Prepare contracts for services to the Senate and Assembly
- Provide various legal services to the Governor
- Assist in the preparation of an initiative measure when requested to do so by 25 or more electors, and assist judges in the drafting of legislation

## Speaker's Office of Research and Floor Analysis (SORFA)

SORFA prepares the Democratic Floor Alert, and provides research and assistance to the Speaker's policy staff on current legislative issues. The floor alert is prepared by SORFA consultants in advance of every session day and provides an analysis of the law being proposed for each bill considered on the Assembly Floor. SORFA consultants also prepare research papers on emerging public policy issues and areas of legislative interest for the Speaker's policy unit. SORFA may be reached at (916) 319-3728.

## State Library

The **California Research Bureau** (CRB) provides nonpartisan research services to the Governor and his staff, to both houses of the Legislature, and to other elected State officials.

These services include preparation of reports and memoranda on current policy issues, which might cover topics such as the history of the issue, experiences and proposals in other states, case studies and examples, data analysis, and development of legislative proposals. This work might be confidential to the requestor, or might result in a published report.

The Bureau regularly publishes an electronic notification service of new studies and reports about matters of current legislative or administration interest. This is an excellent way for policy professionals to stay up-to-date about research in their fields. The ***Studies in the News*** is accessible at <http://www.library.ca.gov/sitn/crb/>. Electronic links are provided to most entries.

The Bureau also provides specialized library services to its clients. It has an office in room 5210 in the Capitol staffed by librarians with considerable expertise in the literature concerning current California policy issues. They share a commitment to providing quick, thorough, and discrete services. The librarians have ready access to an extensive collection of reports, studies, and other materials concerning current and historical policy issues, as well as many electronic databases. In addition, the Bureau convenes regular seminars and presentations by academic and think tank scholars doing work related to current policy issues.

State government clients may call (916) 319-2691 or email [crb@library.ca.gov](mailto:crb@library.ca.gov) to request research work or librarian assistance, or to be included in the Bureau's electronic studies notification services or seminar distribution lists.

### **External Resources**

#### **California State University (CSU)**

Center for California Studies  
California State University, Sacramento  
(916) 278-6906

The Center for California Studies (CCS) at CSU Sacramento administers the Faculty Research Fellows Program, which funds research related to issues of interest to the State Assembly, the State Senate, and the Executive Branch.

Research questions are solicited from the respective branches. (For the Assembly, research questions are solicited from the Speaker's Office.) Examples of research topics include gasoline tax proposals, alternative energy technology, highway transportation funding, early childhood education programs, and virtually any other topic of interest that relates to public policy. From each accepted research question, CCS develops a Request for Proposal, which is sent to faculty throughout the California State University system. A grant is awarded to the winning proposal, and the faculty member uses the funds to conduct research and develop a report which responds to the question. The report is delivered to the office or Member who requested it. Also, the researcher may make a presentation to legislators, staff, or at a public hearing.

Research grants range in size, but typically are in the range of \$15,000-\$30,000. Research projects typically are completed within 6 months. Members wishing to have a research topic considered for this program should consult the Speaker's Office.

### **Office of the Inspector General**

(916) 255-1102

The Office of the Inspector General conducts policy and performance reviews of the California Department of Corrections and Rehabilitation (CDCR) at the request of the Governor, the Senate Rules Committee, or the Speaker of the Assembly.

The Inspector General serves as the Chair of the California Rehabilitation Oversight Board, which reports to the Legislature on the progress made by the CDCR to provide effective rehabilitative programs to California's inmates and parolees.

*(From [www.oig.ca.gov](http://www.oig.ca.gov))*

### **Little Hoover Commission**

925 L Street, Suite 805  
Sacramento, CA 95814  
(916) 445-2125

The Little Hoover Commission (LHC) has served as an independent voice for government reform, advising the Governor and Legislature for more than 50 years.

The Commission is known for its investigative reviews of state government operations that identify ways to improve program outcomes, increase government transparency, and reduce expenditures without sacrificing services. The Commission's work also helps to eliminate duplication or wasteful practices, consolidate services or abolish, create and reorganize government to better meet the needs of Californians.

The Little Hoover Commission welcomes the opportunity to work with the Governor, legislators, and staff and is available to:

- **SUPPORT:** Offer official support for legislation that implements our recommendations, including writing support letters or providing testimony at legislative hearings.
- **ADVISE:** Brief policymakers and staff on issues researched by the Commission and discuss policy or organizational options, past or potential reforms, and ideas for legislation.

- **LISTEN & RESEARCH:** Consider letters from the Governor, members of the Legislature, and others requesting future Commission study topics.

The Commission also maintains an online library of its reports and written testimony from participants of its public hearings – a valuable resource for policy analysts seeking various viewpoints of an issue from a historical perspective. For more information on how LHC can be of service, please contact LHC staff by phone at (916) 445-2125 or email at [littlehoover@lhc.ca.gov](mailto:littlehoover@lhc.ca.gov). All of the Commission’s reports are available for download on their website: [www.lhc.ca.gov](http://www.lhc.ca.gov).

*(from LHC Annual Report, October 2014)*

### **Public Policy Institute of California (PPIC)**

Senator Office Building  
1121 L Street, Suite 801  
Sacramento, California 95814  
Telephone: (916) 440-1120

The PPIC aims to inform and improve public policy through high-quality research and analysis. The PPIC works to raise awareness about the state’s long-term challenges and engage Californians in the critical decisions ahead. The PPIC is nonpartisan, objective, and independent. It is committed to providing accurate, unbiased, and advocacy-free information.

(From <http://www.ppic.org/>)

### **RAND Corporation**

Office of External Affairs  
1776 Main Street  
Santa Monica, CA 90401  
(310) 393-0411 x 6687

The RAND Corporation is a nonprofit institution that helps improve policy and decision-making through research and analysis. RAND develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest.

RAND is dedicated to bringing research to legislators who can use this high-quality, objective analysis to shape public policy and improve outcomes. RAND can provide testimony for informational hearings and can speak with legislators and their staff on issues such as: corrections, air quality, law enforcement, autonomous vehicles, marijuana policy, veterans, education, workforce development, early childhood

education, mental health, and more. RAND conducts client-funded research for federal, state, and local governments, and holds tours of its award-winning headquarters campus in Santa Monica for legislative staff and elected officials, and roundtable discussions in Sacramento and in Santa Monica many times each year.

If you have additional questions, please contact the Office of External Affairs at (310) 393-0411 x 6687. Visit [www.rand.org/topics/california](http://www.rand.org/topics/california) for additional resources and research.

## **Senate Office of Research**

(916) 651-1500

The Senate Office of Research (SOR) is a nonpartisan office charged with serving the research needs of the California State Senate and assisting Senate members and committees with the development of effective public policy.

SOR policy consultants work with Senators to help generate problem-solving ideas, gather data, prepare briefing papers, craft legislation, and organize informational hearings. The policy consultants also prepare background information for Senate Rules Committee members to consider as they review the Governor's appointments to state agencies, boards, and commissions.

The office is responsible for tracking emerging state and federal issues and acting as a liaison with think tanks and academic institutions outside the Capitol. Research findings are often shared through published reports written by SOR staff and studies commissioned by SOR.

*(From SOR website [sor.senate.ca.gov](http://sor.senate.ca.gov))*

## **Stanford**

Office of Government and Community Relations  
Stanford University

(650) 725-3329

The Office of Government and Community Relations coordinates and facilitates Stanford's interactions with local, state, and federal governments, as well as its relationship with neighboring communities.

The Office promotes the interests of the University's faculty, students, and staff through contact with public officials, involvement with educational organizations, tracking of pertinent legislation and lobbying on behalf of the University on a wide variety of issues from land use policies to funding for the basic sciences.

## **University of California (UC)**

UC State Governmental Relations  
1130 K Street, Suite 340  
Sacramento, CA 95814  
(916) 445-9924

With its ten campuses, five academic medical centers, and three national laboratories, the University of California is the state's research arm. Widely regarded as the world's premier public research university, its expertise is available to and often utilized by policymakers and staff in the consideration of public policy.

UC's State Governmental Relations office is the liaison between the Capitol community and UC, providing a one-stop shop for all issues pertaining to UC, including requests for research expertise. This central point of contact allows UC to search all of its resources for the most appropriate expert who can assist in a timely fashion.

## **University of Southern California (USC)**

State Government Relations  
University of Southern California  
1800 I Street  
Sacramento, California 95811  
(916) 637-8983

The University of Southern California is home to research centers and institutes spanning the arts and humanities, social and natural sciences, and engineering and technology. These centers and institutes are the locus of research for collaborative groups of investigators pushing the frontiers of knowledge forward.

Subject area experts are searchable by topic area on the following link:

<https://pressroom.usc.edu>

California Research Bureau List of Recent Oversight Reports

Assembly/Senate	Committee	Report Title	Date
Senate	Veteran Affairs	Report to the President Pro Tempore regarding oversight of the California Military Department	5/29/2013
Senate	Governance and Finance	Financing affordable housing and local economic development	2/22/2012
Assembly	Arts, Entertainment, Sports, Tourism, and Internet Media	How state activities can impact the business climate of the high technology economy	11/17/2011
Senate	Energy, Utilities and Communications	Advanced transportation and alternative sources manufacturing sales and use tax exclusion program	10/11/2011
Senate	Governance and Finance	Restructuring redevelopment	2/9/2011
Assembly	Public Safety	The Sex Offender Registration Act	1/25/2011
Senate	Budget and Fiscal Review	Implementing the CDCR strategic plan and improving public safety	12/14/2010
Senate	Local Government	Transparency and accountability: pursuing the public right to know	10/20/2010
Senate	Revenue and Taxation	Enterprise Zone oversight hearing	4/10/2010
Senate	Food and Agriculture	A review of regulations to prevent heat illness and deaths	7/14/2010
Senate	Local Government	Faster, Cheaper, Better? How counties use design-build contracting	1/20/2010
Senate	Local Government	Prudence and economy: rethinking state limits on county offices	4/17/2010
Senate	Local Government	Prudence and economy: rethinking state limits on county offices	4/17/2010
Senate	Labor and Industrial Relations	Joint informational hearing on Occupational Safety and Health Appeal Boards	4/10/2010
Senate	Local Government	The Williamson Act	4/3/2010

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Assembly	Jobs, Economic Development, and the Economy	Keeping the promise: examination of workforce training and job development services for veterans	4/2/2010
Senate	Oversight and Outcomes	In-home supportive services	3/13/2010
Senate	Banking, Finance, and Insurance	Department of Insurance oversight hearing	10/13/2006
Senate	Health	Options for handling intellectual property associated with stem cell research grants	10/31/2005
Senate	Transportation	Impacts of state transportation funding reductions and budget proposals on the LA Region	4/26/2004
Senate	Health and Human Services	Lead content in Mexican candy	6/3/2004
Senate	Health and Human Services	Issues within adult day health care	5/12/2004
Senate	Health and Human Services	Oversight hearing on the administration's budget proposal to repeal SB 322 stem cell research guidelines	5/5/2004
Senate	International Trade Policy and State Legislation	An informational hearing on biotechnology, international trade policy and the risks to CA	6/24/2003
Senate	California's Role in the World Trade Organization	The need for legislative oversight in the global economy	9/8/2000
Senate	Transportation	Stopping identity fraud at the Department of Motor Vehicles	11/16/2000
Senate	Public Safety	The joint oversight hearing of the Senate and Assembly Committees on Public Safety	5/15/2000
Senate	Insurance	Interim hearing on Department of Insurance oversight	2/25/1999
Senate	Industrial Relations	The garment industry	11/14/1997
Senate	Public Employment and Retirement Committee	Oversight of investment procedures of the Public Employee's Retirement System and State Teachers Retirement System	4/3/1997

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Senate	Insurance	Oversight hearing on the Department of Insurance	4/19/1997
Senate	Developmental Disabilities and Mental Health	Oversight hearing on developmental center downsizing	2/25/1997
Senate	Insurance	Oversight hearing on HMO mergers	4/5/1997
Joint Committee	Workers' Compensation	The 1993 reforms, one year later	9/10/1994
Senate	Criminal Procedure	Background paper; Oversight hearing: Prison Industry Authority reform	5/2/1996
Senate	Insurance	Joint oversight hearing on the regulation of pharmaceutical benefit managers	2/7/1996
Senate	Insurance	Oversight hearing on the Department of Corporations regulatory authority over health care service plans	12/5/1995
Senate	Developmental Disabilities and Mental Health	Oversight hearing on Sonoma Developmental Center	10/13/2015
Senate	Insurance	Where is the department headed	4/29/1995
Senate	Natural Resources and Wildlife	Species and habitat program reform	6/18/1995
Senate	Natural Resources and Wildlife	Natural communities conservation planning program	5/18/1995
Senate	Natural Resources and Wildlife	The California Endangered Species Act and the Native Plant Protection Act	5/2/1995
Senate	Insurance	Department of Corporations administration of conversions and recon structuring of non-profit health care service plans	10/18/1994
Senate	Toxics and Public Safety Management	Oversight Hearing of the Department of Health Services	4/1/1993
Assembly	Natural Resources	Transcript of proceedings: environmental and regulatory permit streamlining initiative	4/16/1992
Assembly	Natural Resources	Assembly Committee on Natural Resources oversight hearing on implementation of CA clean air act of 1988	11/25/1991

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Senate	Insurance, Claims, and Corporations	Oversight hearing on implementation of California Residential Earthquake Recovery Act	11/6/1991
	Tobacco Education Oversight	Toward a tobacco-free California: a master plan to reduce Californian's use of tobacco	1/1/1991
Assembly	Housing and Community Development	Oversight Hearing on the Department of Housing and Community Development and the CA Housing Finance Agency	Not Available
Assembly	Environmental Safety and Toxic Materials	Hearing on Super Fund	4/6/1990
Assembly	Governmental Efficiency and Consumer Protection	Report on legislation and oversight hearings for the 1989-90 legislative session	12/1/1990
Assembly	Governmental Efficiency and Consumer Protection	Task Force on State Design and Construction Policy report	7/26/1989
Senate	Business and Professions	Department of consumer affairs responses	10/26/1989
Senate	Business and Professions	Interim hearing on the Consumer Affairs and selected regulatory boards	10/26/1989
Assembly	Finance and Insurance	Hearing of the Assembly Finance and Insurance Committee on the subject of Coastal Insurance Company's insolvency & liquidation	7/7/1989
Assembly	Natural Resources	Oversight hearing on the Beverage Container Recycling and Litter Abatement Act	2/27/1989
Senate	AIDS	Oversight hearing on the State AIDS plan	4/31/1989
Senate	Citizen Participation in Government	Oversight hearing on institutional response to pregnant and parenting adolescents in California	1/24/1989
Assembly	Finance and Insurance	Oversight hearing on Proposition 103	1/31/1989
Assembly	Transportation	Special Oversight hearing on student transportation safety in the Santa Clarita Valley	11/1/1988
Assembly	Education	Oversight of implementation of community college matriculation program	8/2/1988

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Assembly	Natural Resources	Oversight hearing on the implementation of the Bottle Bill	5/26/1988
Assembly	Utilities and Commerce	The PUC's administration of residential energy rates, the baseline program	2/8/1988
Senate	Industrial Relations	Oversight report, study of formal hearing case processing, Division of labor standards enforcement	2/1/1998
	Mental Health, Developmental Disabilities, and Genetic Diseases	Oversight hearing on the appointment process for advocacy boards serving persons with developmental disabilities and mental illness	8/16/1988
Assembly	Medi-Cal Oversight	Oversight hearing on the financial problems of trauma centers in Los Angeles County	10/22/1987
Assembly	Transportation	Assembly Transportation Committee oversight hearing on the auditor general investigation of Caltrans excessive overtime and travel claims	6/25/1986
Senate	Industrial Relations	An analysis of wage-claim case processing by the Labor Commissioner in the Department of Industrial Relations	11/1/1986
Assembly	Transportation	Special policy oversight and compliance hearing on 1986-1987 budget proposals for the motor vehicle account and the state highway account	3/2/1986
	Review of Out-Of-State Accredited Institutions	Oversight of out-of-state accredited institutions operating in California	Not Available
Senate	Health and Human Services	Nursing Home Patients Protection Act	4/7/1986
Assembly	Agriculture	Department of Industrial Relations compliance with amusement ride safety law	3/1/1986
Assembly	Medi-Cal Oversight	Oversight hearing on poor women's access to prenatal care	2/27/1986
Senate	Industrial Relations	Cal-OSHA routine compliance inspections	5/1/1986

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Assembly	Medi-Cal Oversight	Oversight hearing on access to and use of dental services for Medi-Cal children	11/13/1985
Assembly	Medi-Cal Oversight	Written testimony submitted to the special committee on Medi-Cal oversight	11/13/1985
Assembly	Medi-Cal Oversight	Oversight hearing on medically indigent adults and state funding for county health services	12/19/1985
Senate	Industrial Relations	Cal-OSHA inspections compliance with statutory mandates	9/1/1985
Joint Committee	Medi-Cal Oversight	Oversight hearing on the transfer to counties of responsibility for health care for medically indigent adults	10/22/1984
Joint Committee	Fisheries and Aquaculture	Oversight hearing on aquaculture	4/14/1984
Joint Committee	Medi-Cal Oversight	Written testimony submitted to the special committee on Medi-Cal oversight	Not Available
Senate	Legislative Oversight	Final Fiscal year 1980-1981 report and recommendation of additional subjects to be considered for the special committee on Legislative Oversight	Not Available
Senate	Education	Legislative Oversight of Federal Funding of the State Department of Education	Not Available
Assembly	Revenue and Taxation	Proposition 13 assessment issues	9/25/1980 - 9/26/1980
	Detwiler, Peter	Thinking about tomorrow	2/7/2006
	Tobacco Education Oversight	Toward a tobacco-free California	Not Available
Assembly	Ethics	Oversight report on executive branch implementation of existing conflict of interest financial disclosure, and post-employment lobbying statutes	3/17/1990

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