

Hi. This is Chris Micheli. I'm principal with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Today's podcast is on Governor's Reorganization Plans.

The California Constitution grants the Governor, subject to approval by the Legislature, with the authority to assign and reorganize functions among the executive officers and agencies as well as their employees. This reorganization of the executive branch of government is called a Governor's Reorganization Plan or more commonly referred to as a GRP.

Article V, Section 6 of the California Constitution authorizes a statute to allow the Governor to reorganize functions among state agencies other than the remaining constitutional offices.

As such, a GRP is a bill that is submitted to the Legislature for approval after its consideration by the Little Hoover Commission, which must occur at least 30 days prior to the GRP's submission to the California Legislature.

The Little Hoover Commission's role is set forth in California Government Code Section 8523, which was put into statute in 1974 by Chapter 1242 that year. Following a review and one or more public hearings of the proposed GRP and the Little Hoover Commission offers a recommendation to the legislature to either allow the GRP to go into effect or to reject the GRP.

Then each house of the Legislature has 60 calendar days to act on the GRP. If they don't act, the GRP takes effect on the 61st day after submission to the Legislature. Otherwise, a resolution that rejects the GRP must be adopted by both the Senate and the Assembly by a majority vote of each house of the Legislature.

Government Code Section 8523 subdivision A requires the governor to submit to the Little Hoover Commission for study and recommendation any reorganization plan which he intends to submit to the Legislature. This must occur at least 30 days prior to submission of the GRP to the Legislature.

Then again, the Little Hoover Commission must make its report to the governor and the Legislature within 30 days of the date on which the governor submitted his or her GRP to the legislature for consideration.

Pursuant to state law, the Little Hoover Commission may undertake a study of the GRP, submit it to the Legislature, and make reports to the governor and legislature as the LHC, or Little Hoover Commission, deems necessary.

Prior to transmittal of a GRP to the LHC, the governor must submit each GRP to the Legislative Counsel in order for it to be drafted and submitted to the Legislature in the form and using the language suitable for enactment as a statute. The Legislative Counsel also prepares a Legislative Counsel Digest of the GRP.

Next, under Government Code Section 8523 subdivision B it is the intent of the Legislature and requiring the use of statutory language to ensure the GRPs submitted to the Legislature express clearly and specifically both the nature and the purposes of the GRP.

Be aware that under Section 8523 subdivision C of the Government Code, the Governor may submit a GRP directly to the Legislature if that GRP is substantially identical to a plan that was previously submitted to the Little Hoover Commission during the same legislative session. The Little Hoover Commission's role in the GRP process is one of advisory.

The LHC begins that process by conducting one or more public hearings in order to provide a forum for affected agencies, their constituencies, and interest groups to comment on the proposed GRP. In addition to invited witnesses, the Little Hoover Commission also hears testimony from other interested parties or members of the public who would like to testify.

The LHC assesses the GRP based upon its broad mandate to assist policymakers in promoting the economy, efficiency, and improve service in the transaction of the public business. The LHC's report offers a recommendation on whether the plan should go into effect.

The GRP may be delivered to the Legislature at any time during a regular session of the Legislature provided that the Legislature has at least 60 calendar days of continuous session remaining to consider that GRP. The Governor's reorganization process is an important one for the Governor to assign any new duties or to change existing duties of state agencies and departments.

The last GRP was done in 2012, under then-Governor Jerry Brown, to restructure various agencies and departments under his authority and control.

Thanks for joining this podcast. I hope you enjoyed it.