

AMENDED IN ASSEMBLY MAY 4, 2015

AMENDED IN ASSEMBLY APRIL 13, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1286

Introduced by Assembly Member Mayes

February 27, 2015

An act to add and repeal Chapter 5.9 (commencing with Section 8490) of Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1286, as amended, Mayes. California Regulatory Reform Council. Existing law establishes the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy in state government with a specified membership and independent state oversight duties.

This bill would establish, until January 1, 2022, the California Regulatory Reform Council, composed of 13 members appointed by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly, as specified. ~~This bill would require 4 of the 13 members of the council to be Members of the Legislature who are to be considered a joint committee of the 2 houses of the Legislature constituted and acting as an investigating committee.~~ This bill would authorize the council, on its own motion, to make reports and recommendations to assist the Legislature and Governor in respect to the holistic impact of all levels of state and local regulations on specific industries operating within the state. This bill would deem the council to be within the executive branch of state government, but prohibit the council from

being subject to the control or direction of any officer or employee of the executive branch, except in connection with the appropriation of funds approved by the Legislature. This bill would require the ~~council to~~, council, on or before January 1, 2017, and at least annually thereafter, to post on its Internet Web site a list of its ongoing ~~activities and its final reports~~, activities, specified information regarding meetings, and copies of final reports. This bill would make legislative findings in regards to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Duplicative, unnecessary, and outdated regulations have
4 negatively impacted economic growth and job creation.

5 (b) State, regional, and local governments are ill-equipped to
6 provide a holistic view of the total impact of regulatory action
7 from all levels of state and local government on specific industries
8 and types of businesses.

9 (c) The establishment of the California Regulatory Reform
10 Council will promote economic growth and job creation by
11 providing the Legislature and Governor with varied, but relevant,
12 experiences and viewpoints to analyze the holistic impact of all
13 levels of state and local regulations on specific industries operating
14 within the state.

15 SEC. 2. Chapter 5.9 (commencing with Section 8490) is added
16 to Division 1 of Title 2 of the Government Code, to read:

17
18 CHAPTER 5.9. CALIFORNIA REGULATORY REFORM COUNCIL
19

20 8490. There is in the state government the California
21 Regulatory Reform Council, hereafter in this chapter referred to
22 as the "council." The council shall be composed of 13 members
23 as follows:

24 (a) Five members appointed by the Governor, as follows:

25 (1) Two public members who reside in different regions of the
26 state so that, collectively, these members represent a geographical
27 balance of the state.

1 (2) One member with professional experience in economic
2 modeling of public policies and economic development activities
3 who resides in southern California.

4 (3) One member with professional experience in economic
5 modeling of public policies and economic development activities
6 who resides in northern California.

7 (4) One member who represents the business community.

8 (b) Two members appointed by the Senate Committee on Rules,
9 as follows:

10 (1) One member of the public.

11 (2) One member who represents the business community.

12 (c) Two members appointed by the Speaker of the Assembly,
13 as follows:

14 (1) One member of the public.

15 (2) One member who represents the business community.

16 (d) Two Members of the Senate appointed by the Senate
17 Committee on Rules. These members shall serve at the pleasure
18 of the appointing authority but shall not be registered with the
19 same political party. If a member, while serving on the council,
20 registers with the same political party as the other member, the
21 Senate Committee on Rules shall replace one of the members with
22 a new member who is not registered with the same political party
23 as the remaining member.

24 (e) Two Members of the Assembly appointed by the Speaker
25 of the Assembly. These members shall serve at the pleasure of the
26 appointing authority but shall not be registered with the same
27 political party. If a member, while serving on the council, registers
28 with the same political party as the other member, the Speaker of
29 the Assembly shall replace one of the members with a new member
30 who is not registered with the same political party as the remaining
31 member.

32 (f) The members appointed pursuant to subdivisions (a) to (c),
33 inclusive, shall serve two-year terms and may be reappointed for
34 additional terms.

35 (g) All vacancies in the council membership shall be filled in
36 the same manner in which original appointments were made.

37 8490.5. For the purposes of expenditures for the support of the
38 council, including the expenses of the members of the council, the
39 council shall be deemed to be within the executive branch of state
40 government, but the council shall not be subject to the control or

1 direction of any officer or employee of the executive branch except
2 in connection with the appropriation of funds approved by the
3 Legislature.

4 8490.10. The members of the council shall serve without
5 compensation, but shall be reimbursed for ~~all necessary~~ *the travel*
6 ~~expenses actually incurred in the performance of their duties.~~
7 *attending meetings. Members of the Assembly or Senate shall not*
8 *be reimbursed for travel expenses, except in the instance where*
9 *those costs will not be paid by their respective Houses of the*
10 *Legislature.*

11 8490.15. ~~For the purposes of this chapter, the Members of the~~
12 ~~Legislature serving as members of the council shall be considered~~
13 ~~a joint committee of the two houses of the Legislature constituted~~
14 ~~and to be acting as an investigating committee, and as such shall~~
15 ~~have the powers and duties imposed on such committees by the~~
16 ~~Joint Rules of the Senate and Assembly.~~

17 8490.20. (a) All members shall be appointed on or before
18 March 1, 2016.

19 (b) The council shall hold its first meeting on or before April
20 1, 2016.

21 (c) The council shall select from among its members a
22 chairperson and vice chairperson, who shall not be registered as
23 members of the same political party.

24 8490.25. Six members of the council shall constitute a quorum.

25 8490.30. It is the purpose of the Legislature to establish a
26 multibody council, composed of individuals with varied, but
27 relevant, experiences and viewpoints to analyze the holistic impact
28 of all levels of state and local regulations on specific industries
29 operating within the state.

30 8490.35. The council, on its own motion, may, for the purpose
31 of making reports and recommendations to assist the Legislature
32 and Governor in respect to the matters listed in Section 8490.30,
33 examine in detail the structure, organization, operation, and impact
34 of all levels of state and local regulations on specific industries
35 operating within the state. The council may make recommendations
36 to the Governor and to the Legislature as the council deems
37 necessary.

38 8490.40. (a) The council shall establish an Internet Web site.

39 (b) On or before January 1, 2017, and at least annually thereafter,
40 the council shall post on its Internet Web site ~~a~~ *all of the following:*

1 ~~(1) A list of its ongoing activities and its final reports.~~ *activities.*

2 ~~(2) The agenda, list of individuals who testified, and background~~
3 ~~materials distributed by the council for each meeting.~~

4 ~~(3) Copies of final reports prepared by the council or on behalf~~
5 ~~of the council.~~

6 ~~(c) All materials required to be posted pursuant to subdivision~~

7 ~~(b) shall remain accessible from the Internet Web site until January~~
8 ~~1, 2022.~~

9 8490.45. This chapter shall remain in effect only until January
10 1, 2022, and as of that date is repealed.