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1968 REGULAR SESSION

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REORGANIZATION OF THE EXECUTIVE BRANCH OF CALIFORNIA STATE GOVERNMENT

Reorganization Plan No. 1 of 1968

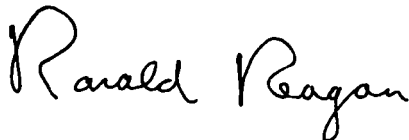
February 1, 1968

HON. ROBERT H. FINCH, *President*
and Members of the Senate

HON. JESSE M. UNRUH, *Speaker*
and Members of the Assembly

Pursuant to Section 12072 of the Government Code, I hereby transmit Reorganization Plan No. 1 of 1968.

Respectfully,

A handwritten signature in cursive script that reads "Ronald Reagan". The signature is written in dark ink and is positioned above the printed name and title.

RONALD REAGAN
Governor

REORGANIZATION PLAN NO. 1 OF 1968

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GOVERNOR'S MESSAGE

Organizations of the Executive Branch of government are administrative instruments established to accomplish public purposes. Ideally, the structures will achieve those purposes with maximum effectiveness, at a minimum cost to the public. With the passing of time the circumstances of government are altered in many ways. Sheer growth in numbers, both of the governed and of those employed by government, create pressures where none existed before; new problems emerge along with new population trends and new technologies; advanced techniques of management call forth new forms and methods of managing; and alterations in public purposes not infrequently require new and different structures for their achievement.

The organizations of the Executive Branch are subject to these pressures for changes in form and must create structures which will work with and not against the public will and interest. After a time, it is possible for this to result in a large number of widely scattered, relatively uncoordinated and undirected activities which must then be re-gathered and reconstituted in more manageable forms.

In 1966 the voters approved a constitutional amendment authorizing the Legislature to delegate to the Governor the power to reorganize the structure of state government (Section 6 of Article V of the California Constitution). In 1967 the Legislature passed, and I signed into law, Senate Bill 296 which, as recommended by the Commission on California State Government Organization and Economy, provided for delegation to the Governor of the authority to reorganize, subject to review by the Legislature. This Reorganization Plan No. 1 of 1968 has been prepared in the spirit of Senate Bill 296 and specifically in compliance with Section 12071 of the Government Code. I am submitting it for review by the Legislature in compliance with Section 12072 of the Government Code. I have found each reorganization action included in this Plan to be in the public interest.

Shortly after assuming office, and in the belief that a proper concept of Cabinet level functions could hold the number of agencies to a minimum and at the same time improve operations, I acted under my administrative authority to eliminate the four non-statutory agencies which had been established by Executive Order under the preceding administration, and to set up channels of communication to the various units of the Executive Branch through the Administrators of the statutory agencies. At the same time, I emphasized a change in the orientation of these Administrators from the role of the State's highest executive managers of day-to-day affairs to one of advisor to the Governor on major policy and program matters, principal communication link for effective transmission of policy problems and decisions between the Governor and operating units of government, and an extension of the Governor's authority in relation to functions under each Administrator's responsibility.

In addition, I instituted a regular and continuing series of meetings of the Administrators with the Cabinet Secretary, and personally participate in Cabinet meetings with them and with the Director of Finance and the Executive Secretary. These meetings have produced a truly viable Cabinet, whose members are familiar with all major problems of state government and not solely with those of their own agencies and functions. Consequently, all points of view are brought to bear upon major program and policy problems, and Cabinet level policy decisions are communicated throughout the Executive Branch promptly, effectively, accurately, and with a common understanding.

Enactment of Senate Bill 296 has provided an opportunity to give formal structure to this concept of a working Cabinet, and to insure continuation of a method of administration which has been responding effectively to state government needs and problems. Much of that which is contained in this Reorganization Plan No. 1 has resulted from consideration of the very basic process of policy decision-making and communication of such de-

cisions to the action units of state government. These key functions must work efficiently in order for the Governor, as Chief Executive, to administer as large and diverse an organization as the Executive Branch.

In order fully to understand the functioning of the organization structure here presented, it is necessary to understand the role of those members of the Governor's Cabinet with responsibilities for each of the four Agencies, as contained in this Plan. Currently, with one exception, the individuals in these positions are functioning officially as the Administrators of their respective statutorily established Agencies. In recognition of the changes in the nature of their duties, their Cabinet responsibilities, and their special relationship to the Governor, this Plan changes the title of the heads of the four Agencies from Administrator to Secretary. Some of the functions of the Agency Secretaries have already been mentioned. Among the principal responsibilities are functions such as:

- a. Objectives, Policies, and Programs — Assist the Governor in establishing the objectives of the Administration and in formulating programs and policies governing the acquisition and utilization of resources to attain the objectives.
- b. Communication—Ensure that the Governor's policies and program objectives are communicated to the organizations under his jurisdiction and provide the communication link between the Governor's Office and the departments for major matters of fiscal management and administration.
- c. Coordination, Representation and Adjudication—Exercise the authority of the Governor in adjudicating conflicts among organizations within his own jurisdiction, and represent those organizations, and the Governor, in coordinating activities with other federal, state, or local jurisdictions.

- d. Administration and Management — Assume responsibility for sound fiscal management of organizations within his jurisdiction; review and approve proposed budgets; hold each organization head responsible for management control over administrative, fiscal, and program performance; review operations and evaluate performance at appropriate intervals; seek continually to improve organization structures, operating policies, and management information systems.

These statements of responsibility clearly specify the policy level role of the Agency Secretary and specifically exclude him from daily administration and operating decisions, except where those decisions may have a broad impact on or represent a change in policy. The corollary, of course, is that the departments continue to be the basic operating units of state government. In certain instances, action has been taken to divest the Agency head of particular operating responsibilities and to reassign those responsibilities to the appropriate department directors. Department heads administer their departments in accordance with their statutory authority and have experienced a significant improvement in their ability to communicate across department lines and with the Governor's Office. This structure, along with the schedule of meetings previously mentioned, provides for a much more continuous representation of a department director's position to the Governor's Office than would exist if a large number of departments reported directly to the Governor and were continually competing for separate attention. The role of Agency Secretary requires men of broad perspective and mature judgment, with outstanding ability to communicate; persons of prestige who enjoy the confidence of all sectors of the community. It does not necessarily, or in all cases, require an in-depth knowledge of subject matter areas. Department heads, expert in their functional areas, will continue to provide the guidance and judgment appropriate to the departmental level.

The reorganization effected by this Plan has as its objectives all those purposes which are specified in Section 12071 of the Government Code. These include reduction of expenditures and promotion of economy, increasing effectiveness of management, increasing efficiency of operations, grouping or consolidating related functions under a single head, and eliminating overlapping functions and duplication of effort. In addition, these specific objectives are sought:

- a. To provide the Governor with a small, workable Cabinet which can function effectively as an executive team.
- b. To clarify lines of authority and responsibility, and to strengthen accountability for results.
- c. To improve communications within the Executive Branch.
- d. To provide for continuing top-level evaluation of all State programs from a basic policy point of view.
- e. To provide for continuing executive attention to organization structures and management processes.

The criteria used to judge the extent to which any given structure would facilitate achievement of the objectives were:

- a. The number of Agency Secretaries (and accompanying staffs) is not to exceed the absolute minimum required to perform satisfactorily the role of Agency Secretary as defined above.
- b. Organizations which have close functional relationships are to be grouped together in order to assure coordination of activities and to obviate possibilities of duplication, overlap, and working at cross purposes.
- c. The major areas of functional activity in which state government relates most directly to the people of California are Human Relations, Resources, Transportation, and Agri-

culture. These are the appropriate nuclei of the Agency structure.

- d. A balance of workload and responsibility is to be achieved among the Agency Secretaries. This may require assignment of two or more homogeneous groups of functions to a single Agency. However, a single homogeneous group of functions is not to be divided among two or more Agencies.
- e. Lines of communication are not to be lengthened. Rather, they are to be shortened and made more effective.

It is apparent that there are some constraints on total achievement of these objectives and satisfaction of all criteria. For example, some groupings of functionally related activities are prohibited because some of the activities are constitutionally established functions directed by independently elected officers. Additionally, some of the criteria tend to be in conflict, such as holding the number of Agencies to a practical minimum while at the same time achieving the best possible grouping of functionally related organizations. Recognizing this difficulty, I believe that this Plan represents the arrangement which is most effective and most practical, for the benefit of all the people of California, in full consideration of all objectives and criteria. In the cases of the Human Relations Agency and the Resources Agency, each encompasses many different and complex functions which do, however, comprise a consistent, homogeneous whole. The Business and Transportation Agency groups two kinds of functions which, while not unrelated, do not constitute the same single focus of attention that is possible in the case of all of California's resources, or the well-being of all of California's people.

Similarly, the Agriculture and Services Agency basically is comprised of two kinds of activities. One of these is an activity identified in original criteria as one of the four most basic functions—Agriculture. The existing Department of Agriculture, with all of its important functions, is one part

of this Agency. The other part is comprised of all of the service functions of state government, along with a very significant new function for California, a Department of Commerce. This department, dedicated to those activities involved in stimulating the economy of California, is closely related to and an important adjunct of those interests represented by the term "agribusiness."

It is important, in respect to these two Agencies particularly, to recall the nature of the duties and responsibilities of an Agency Secretary. While the Plan has not split functions which form a homogeneous whole it has, in these cases, placed more than one homogeneous activity under a single Agency Secretary. If the Agency Secretaries were expected to participate continually in day-to-day operating decisions, the organization proposed would be far less effective. However, in functioning as a policy-maker, Governor's advisor, communicator, and Governor's representative, the demands made on an Agency Secretary are quite analogous to those made on a corporate president who oversees, coordinates, and establishes policies for the general management guidance of a variety of corporate functions or, for that matter, to the demands made on a legislator who is expected to represent, with judgment, the diverse interests of the middle class, the wealthy and the poor, of ethnic minorities as well as the majority, of businessmen and consumers, of the criminal offender as well as his victim, etc. The experience of the past year under the communication plan that was established by my Executive Order has provided ample evidence that those functions expected of Agency Secretaries under this Plan can, in fact, be carried out successfully when the positions are filled by capable executives of mature judgment and understanding.

As previously mentioned, in the structure of the Human Relations Agency this Reorganization Plan achieves an effective grouping of functions which together constitute a single, homogeneous whole. To the statutorily established Health and Welfare Agency grouping of Mental Hygiene, Health Care Services, Public Health, Rehabilitation, and Social

Welfare, the Plan adds the functions of Human Resources Development, Employment, Industrial Relations, Corrections, and the Youth Authority. The areas of poverty, welfare, job training and employment, of crime, delinquency and corrections, of rehabilitation, health improvement and health maintenance are certainly among our most difficult and demanding problems in terms of both immediate impact upon all of our citizens and current costs to the taxpayer. They are also areas in which the functions of government are so closely inter-related that adequate coordination and integration of programs are absolutely essential to achievement of successful solutions. The grouping of these functions under the Secretary for Human Relations ensures the necessary coordination and integration.

Similarly, to those functions previously established by statute under the Resources Administrator, i.e., Conservation, Fish and Game, Harbors and Watercraft, Parks and Recreation, Water Resources and the State Water Resources Control Board, the Plan adds the functions of the Air Resources Board and the Colorado River Board. This achieves the same purposes of guaranteeing coordination and integration of government functions related to California's most basic resources of air, water, and land. These resources are necessary to sustain all forms of life, and any potential destruction of their usefulness for human ends represents a most extreme threat to the population itself. It is of the utmost importance that these resources be properly and adequately managed for the benefit of our own and future generations, and that programs to preserve or enhance one resource do not achieve their goals by means which lead to the deterioration of another resource. It is a prime responsibility of the Secretary for Resources to ensure the adequate and properly balanced management of these resources.

The basic transportation functions of Aeronautics, Highway Patrol, Motor Vehicles, and Public Works were previously grouped by legislation as the Transportation Agency. This Plan adds a num-

ber of functions, related to each other, which deal with and regulate certain business activities. It thereby creates a Business and Transportation Agency which includes Banking, Corporations, Housing and Community Development, Insurance, Real Estate, and Savings and Loan.

Under this Plan, the Agriculture and Services Agency retains all of the important functions of the Department of Agriculture and insures, by virtue of the Secretary's position, continuing Cabinet status and direct communication with the Governor for the members of the agricultural and agribusiness community. The Plan adds the economic development functions of the Department of Commerce and groups a number of other functions which perform or provide a variety of services within state government and in relation to the general public. These functions are: Professional and Vocational Standards, Veterans Affairs, State Fire Marshal, Franchise Tax Board, Employees' Retirement System, and Teachers' Retirement System.

The Director of Finance, as the Governor's principal advisor on fiscal affairs, financial policies, and budgetary matters, continues to report directly to me and serves as a member of the Cabinet.

For other functions of the Executive Branch having to do with planning and coordinating the use of state resources for the assistance of the public in emergency situations (Disaster Office and Military Department) and the planning and coordinating of activities with local government jurisdictions (Council on Intergovernmental Relations), the Plan continues the direct management relationship between these functions and the Governor.

This entire Reorganization Plan has been submitted to the Commission on California State Government Organization and Economy, in accordance with requirements of Section 8523 of the Government Code.

Enough has already been said to indicate the underlying philosophy and logic of this Reorganization Plan. I noted at the outset that as circumstances change, government must adjust to meet the new challenges. This will be true in the future.

I would hope, in addition, that some of today's most troublesome challenges will be dealt with so successfully as to permit a sharp reduction in the requirement for state government activities in certain areas. These are the reasons for the provisions of Sections 12072 and 12082 of the Government Code which provide for continuing activity in relation to reorganization.

This Reorganization Plan accomplishes a number of very significant and appropriate steps for California Government at this time. For example:

- a. The Plan has brought essential groups of programs and services into clear, coordinated relationship to each other.
- b. It has helped to balance the workload and responsibilities of the Agency Secretaries.
- c. It has insured a more continuous and uniform review of program performance.
- d. It has highlighted overlapping and obsolete functions for necessary restructuring.
- e. It has consolidated numerous independent, fragmented but related activities into single structures.
- f. It has transferred selected functions to more appropriate settings.
- g. It has enhanced communication within the Executive Branch.
- h. It has provided the Governor with an organizational structure which is an adequate and effective tool for the administration of the complex affairs of government.

In essence, this organization has been tried. It works. It works well. It has been a most important first step toward the goals of effective, efficient and economic state government; goals which we all endorse. I am certain that, with your support, this Reorganization Plan will prove to be only the first in our mutual and continuing efforts to provide significant management improvements for the State of California.

INTRODUCTORY STATEMENT

This reorganization plan is effective on the date specified by Government Code Section 12075.

In addition to the description of the reorganization of various agencies in the Executive Branch of the State government, there is also set forth explanatory material, the statutes that are suspended (required by Government Code Sections 12072 and 12073(g)), and other descriptive material concerning the reorganization. To facilitate understanding and reference, the explanatory material immediately follows the reorganization to which it is applicable.

Also, to facilitate the subsequent amendment of statutes to reflect the changes made by this Plan (required by Government Code Section 12080), where it is appropriate a notation is made of the principal statutes that require amendment. This itemization is not intended to be all inclusive, but will note the principal statutes to the extent feasible at this time.

STATUTORY AGENCIES AND SECRETARIES

The names of the Health and Welfare Agency, Youth and Adult Corrections Agency and Resources Agency established by Government Code Section 12800 are changed to Human Relations Agency, Agriculture and Services Agency and Resources Agency. The name of the Transportation Agency established by Government Code Section 13975 is changed to Business and Transportation Agency. This will result in there being in the Executive Branch of State Government the following four Agencies:

1. Business and Transportation Agency
2. Resources Agency
3. Human Relations Agency
4. Agriculture and Services Agency

The name of the head of each of the four Agencies is changed from Administrator to Secretary.

Any function required by statute to be performed by the Administrator of the Health and Welfare Agency or the Administrator of the Youth and Adult Corrections Agency as those Agencies existed prior to the effective date of this Reorganization Plan shall be performed by the Secretary of the Human Relations Agency except as otherwise provided herein.

Any such function may be delegated by the Secretary to the head of any unit in the Human Relations Agency.

Any function required by statute to be performed by the Administrator of the Resources Agency as that Agency existed prior to the effective date of this Reorganization Plan shall be performed by the Secretary of the Resources Agency except as otherwise provided herein. Any such function may be delegated by the Secretary to the head of any unit in the Resources Agency.

Any function required by statute to be performed by the Administrator of the Transportation Agency as that Agency existed prior to the effective date of this Reorganization Plan shall be performed by the Secretary of the Business and Transportation Agency except as otherwise provided herein. Any such function may be delegated by the Secretary to the head of any unit in the Business and Transportation Agency.

The agencies included under each of the four Agencies are described in the following material.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 11551, 12800-12805, 12850-12854, 13975-13983 and 14000

BUSINESS AND TRANSPORTATION

The Business and Transportation Agency consists of the following:

- A. Department of Aeronautics
- B. Department of the California Highway Patrol
- C. Department of Motor Vehicles
- D. Department of Public Works
- E. State Banking Department
- F. Department of Corporations
- G. Department of Housing and Community Development
- H. Department of Insurance
- I. Department of Real Estate
- J. Department of Savings and Loan

Explanatory Material:

The Agency contains two groups of departments which are functionally related. The first group consists of the transportation-oriented departments which, under existing statutes, have been part of the Transportation

Agency. The second group consists of the last six above-named business regulatory departments.

The component administrative units in the two functional groups in the Agency each bear important responsibilities for the necessary development of the transportation and business sectors of California's economy.

There is no immediate fiscal impact to the change. The departments statutorily in the existing agency are funded from the Aeronautics, Motor Vehicle and State Highway Funds. Those departments added under reorganization will continue to be funded from existing sources with no increase.

Statutes Suspended:

None

Statutes Requiring Amendment:

Business and Professions Code Section 10050

Corporations Code Section 25300

Financial Code Sections 200 and 5200

Government Code Sections 13975-13983, 14000, 14005, 66503

Health and Safety Code Sections 37031 and 37050

Insurance Code Section 12906

Public Utilities Code Sections 21201 and 21215

Street and Highways Code Sections 30050 and 30051

Vehicle Code Sections 291, 1500, 2901, 2902, 22356, 23340, 23341, 23342, 28101, 28103, 28105, 28107, and 28108

A. DEPARTMENT OF AERONAUTICS

There is no reorganization or change in the objectives of this Department except the name is changed from Division of Aeronautics to Department of Aeronautics.

Explanatory Material:

This Department's principal objective is to encourage, foster and assist in the development of recreational and noncommercial aviation in California and encourage the establishment of airports and air navigation facilities.

The Department furnishes staff services to the State Aeronautics Board which advises the Department on formation of policy.

Renaming the Division a Department will constitute a paper name change only because Aeronautics for all intents and purposes is a department attached directly to the Agency, and the Director is appointed by the Governor as are existing department heads.

Statutes Suspended:

None

Statutes Requiring Amendment:

Public Utilities Code Sections 21201, 21215 and all references to the existing Division in Division 9 of the Code.

B. DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

This Department is charged with the responsibility of providing adequate patrol of California's highways at all times to assure the safe and lawful use of the State's highway system.

Statutes Suspended:

None

Statutes Requiring Amendment:

Vehicle Code Section 2100

C. DEPARTMENT OF MOTOR VEHICLES

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The major objectives of the Department are to promote the public safety on the highways and to provide identification and security of property rights in vehicles. The Department also is responsible for administering specific statutes having to do with occupational licensing of persons and firms in several industries and specialties related to motor vehicles. The Department administers the financial responsibility laws and has responsibility for administering the collection of use tax on used vehicles.

Statutes Suspended:

None

Statutes Requiring Amendment:

Vehicle Code Section 1500

D. DEPARTMENT OF PUBLIC WORKS

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

This Department is charged with the planning, construction and maintenance of State highways, bridges and

freeways through the Division of Highways and the Division of Bay Toll Crossings.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 14000, 14005

Vehicle Code Section 291

E. STATE BANKING DEPARTMENT

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency.

Explanatory Material:

It is the responsibility of this Department to administer State laws relating to banks and trust companies and the banking and trust business for the general purpose of safeguarding the funds of depositors in any unit of the State-chartered banking system.

The Department also follows the two principal programs of (1) chartering new banks, licensing branches, and reviewing mergers and consolidations and (2) examining banking and trust companies to determine financial condition and depositor safety.

Statutes Suspended:

None

Statutes Requiring Amendment:

Financial Code Section 200

F. DEPARTMENT OF CORPORATIONS

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency and the name is changed from Division of Corporations to Department of Corporations.

Explanatory Material:

The primary objective of the Department is the protection of the public in the sale of securities. The Department is also charged with responsibility for preventing fraud and usury, as well as unsound business practices in industrial loan companies, personal property brokers, small loan brokers, credit unions, check sellers and cashers, escrow agents, retirement systems, and trading stamp companies.

Naming Corporations a Department constitutes a paper name change only because Corporations is in effect a Department within the Department of Investment, and the

Commissioner is appointed by the Governor as are existing Department heads.

Statutes Suspended:

None

Statutes Requiring Amendment:

Corporations Code Sections 25300, 25303, 25355, and 29200

Financial Code Sections 18611, 22410, and 24409

G. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency.

Explanatory Material:

Established in 1965, the Department's objectives relate to assistance to local government, upon request, in developing new and used housing for farm laborers, the elderly, racial minorities, persons displaced by governmental action and low-income persons. Advice and assistance is given to government agencies and private enterprise regarding the nature and availability of Federal assistance for housing and community development or redevelopment. The department is also responsible for the preparation and enforcement, where not otherwise provided for by law, of those parts of the Health and Safety and Labor Codes dealing with the State Housing Law and mobile homes.

The Department of Housing and Community Development is added to the group of five business regulatory departments for two reasons.

First, this department is a business regulatory department in that it has jurisdiction over housing codes and mobile homes, and conducts a regulatory and inspecting function. Second, from a standpoint of activities aiding housing in the State, this department works very closely with the other business regulatory departments. The department's approach has been, and will continue to be, aid in lower income housing needs. In this regard, the Banking, Real Estate, and Savings and Loan Departments have furnished advice and counsel.

Statutes Suspended:

None

Statutes Requiring Amendment:

Health and Safety Code Sections 37031 and 37050

H. DEPARTMENT OF INSURANCE

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency.

Explanatory Material:

The main programs of the Department are to: license companies and individuals who engage in the insurance business; admit insurers to operate in California; grant permits to issue securities and make changes in capital structure; approve certain types of policy forms; approve minimum workmen's compensation insurance rates; examine the financial condition and procedures of insurers through field audits and analysis of financial statements; take over California affairs of insurers in financial difficulty for the purpose of rehabilitation or liquidation; investigate complaints from policyholders against insurers and producers; check activities of licensees for compliance with all insurance laws; audit premium and surplus line brokers' tax returns; and collection of quarterly and annual premium taxes and annual retaliatory and surplus line broker's taxes as revenue for the General Fund.

Statutes Suspended:

None

Statutes Requiring Amendment:

Insurance Code Sections 21, 12900, 12975, and 12906

I. DEPARTMENT OF REAL ESTATE

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency and the name is changed from Division of Real Estate to Department of Real Estate.

Explanatory Material:

The primary objective of the Department is to protect the general public in all matters relating to the sale, purchase or lease, through agents, of real estate, business opportunities, mineral, oil and gas rights or lands and in the offering of subdivided properties and of real property securities. A further objective is to encourage professional orientation for the real estate business by assisting in the advancement of education and research in the field of real estate.

Naming Real Estate a Department constitutes a paper name change only because Real Estate is in effect a Department within the Department of Investment, and the Commissioner is appointed by the Governor as an existing department head.

Statutes Suspended:

None

Statutes Requiring Amendment:

Business and Professions Code Sections 1004, 10050, 10130, 10150.6, 10225, 10239.22, 10593.6, 11011.6, 11012 and 11015

J. DEPARTMENT OF SAVINGS AND LOAN

There is no reorganization or change in the objectives of this Department except it is in the Business and Transportation Agency and the name is changed from Division of Savings and Loan to Department of Savings and Loan.

Explanatory Material:

The Department through its administration and enforcement assures the financial soundness and safety of State-licensed savings and loan associations in California and the legality of their operations.

Naming Savings and Loan a Department constitutes a paper name change only because Savings and Loan is in effect a Department within the Department of Investment, and the Commissioner is appointed by the Governor as are existing department heads.

Statutes Suspended:

None

Statutes Requiring Amendment:

Financial Code Sections 5000 and 5253

K. DEPARTMENT OF INVESTMENT

The Department of Investment and the Investment Board are abolished.

Explanatory Material:

This Department has for years been merely an ineffective paper organization with rotating directorships. The Department serves no useful purpose and should be abolished.

The Board's duties can better and more efficiently be performed by existing departments in the reorganized Agency.

Some savings in administrative and clerical overhead will be accomplished.

Statutes Suspended:

Business and Professions Code Sections 10005 and 10070

Part 7 (commencing with Section 15480) of Division 3 of Title 2 of the Government Code

Statutes Requiring Amendment:

Financial Code Section 210

Insurance Code Section 12906

RESOURCES

The Resources Agency consists of the following:

- A. Department of Conservation.
- B. Department of Fish and Game.
- C. Department of Harbors and Watercraft.
- D. Department of Parks and Recreation.
- E. Department of Water Resources.
- F. Air Resources Board.
- G. Colorado River Board.
- H. State Water Resources Control Board.

Explanatory Material:

All of these units have previously been within the existing Resources Agency with the exception of the Air Resources Board and the Colorado River Board, which have not previously been placed by statute within any Agency. Additionally, the principal function of the Office of Nuclear Energy (previously the Office of Atomic Energy Development and Radiation Protection) is transferred from the Health and Welfare Agency to the Resources Agency. (See page 27.) This office will be included in the staff of the Resources Agency and will not be a part of any department.

The units within the Resources Agency are charged in general with the administration of California's programs of natural resource conservation and development. The State's enormous population growth will continue to place severe pressure upon air, land, and water resources. The future economic health and quality of life in California will depend to a large degree upon the success of Resources Agency programs, such as water development, water and air pollution control, recreational opportunities, ocean resources development, fish and wildlife conservation, and forest, mineral, and land conservation. The component administrative units of the Agency each bear important responsibilities in the overall protection and enhancement of the State's natural environment. The further consolidation of units into a single Agency facilitates coordination of programs toward this end.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 12805

A. DEPARTMENT OF CONSERVATION

There is no change in the basic objectives of this Department. There is the following reorganization:

1. The State Lands Commission and the Division of State Lands are not reorganized or changed except they are in the Department of Conservation (formerly in the Department of Finance).

Explanatory Material:

The Division of State Lands administers, sells, leases or disposes of State lands under its control. Included are State school lands, tidelands, submerged lands, swamp and overflowed lands and beds of navigable rivers and lakes, all of which are crucial to the State's conservation programs. The placement of the State Lands Division in the Department of Conservation provides functional consolidation which encourages more thorough performance of related conservation programs in the total public interest.

The Commission, which is composed of ex-officio officers, will continue to function as it has.

Statutes Suspended:

None

Statutes Requiring Amendment:

Public Resources Code Sections 6101, 6102, and 6103

B. DEPARTMENT OF FISH AND GAME

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The objectives of this Department are the protection, propagation, preservation, and investigation of the State's fish and game resources, including ocean fisheries and marine products, for the utilization and the general benefit and recreation of the people of California.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

C. DEPARTMENT OF HARBORS AND WATERCRAFT

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The objective of this Department is to further the development of a Statewide system of small craft harbors

and connecting waterways, and to promote safety in the use of boats and boating facilities.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

D. DEPARTMENT OF PARKS AND RECREATION

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The objective of this Department is to make recreational facilities available to the people of the State.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

E. DEPARTMENT OF WATER RESOURCES

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The objectives of this Department include the construction and operation of the State Water Project and the planning and administration of a variety of programs for the control, protection, conservation, and distribution of the water resources of the State.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

F. AIR RESOURCES BOARD

There is no reorganization or change in the objectives of this Board except it is in the Resources Agency.

Explanatory Material:

Under the Mulford-Carrell Act of 1967 a State Air Resources Board was created in State Government to coordinate the administration and regulation of air conservation programs within the State.

The long-term plan of the State provides for coordination of programs relating to the three elements of our physical environment—air, land, and water. It is consistent that these should be in the Resources Agency.

Statutes Suspended:

None

Statutes Requiring Amendment:

Health and Safety Code Section 39020

G. COLORADO RIVER BOARD

There is no reorganization or change in the objectives of this Board except it is in the Resources Agency.

Explanatory Material:

The Colorado River Board protects the rights and interests of the State of California, its agencies and citizens, in and to the water and power of the Colorado River system.

Under its basic responsibilities the Board must protect California's water rights against encroachment from any cause by engaging in interstate conferences, appearing at hearings before legislative committees and negotiating with the executive departments of the Federal Government; and must assist the State Attorney General in the event of litigation.

By transferring the Board to the Agency, the Agency will be better able to coordinate the State's position with respect to the Colorado River.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 12803

Water Code Section 12510

H. WATER RESOURCES CONTROL BOARD

There is no reorganization or change in the objectives of this Board.

Explanatory Material:

The State Water Resources Control Board exercises the adjudicatory and regulatory functions of the State of California in the field of water resources. The water pollution, water rights, and water quality functions of State Government are combined to provide for consideration of each of these matters when new applications for appropriation of water are granted, or waste discharge requirements or water quality objectives established.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

I. OFFICE OF NUCLEAR ENERGY

The name of the Office of Atomic Energy Development and Radiation Protection is changed to Office of Nuclear Energy. The developmental functions (Health and Safety Code, Sections 25700-25781) are transferred from the Health and Welfare Agency to the Resources Agency.

Explanatory Material:

The mission of this Office is to carry out legislative and executive policy designed to assure that California maintains a leading role in the utilization of, and as a consequence, benefits from, the peacetime use of atomic energy and radiation.

Placement of this Office in the Resources Agency allows a more efficient use of personnel in carrying out this mission. Applications of atomic technology to the generation of low-cost electricity in non-smog producing plants, and exploration and development of ocean, aerospace, and other physical resources are rapidly becoming a vital part of the total resources effort.

As such it is necessary to maintain a closely coordinated involvement of Resources Agency units with other units of State and local government and the private sector to assure maximum benefit from this emerging technology.

This Office provides a technical ability and awareness permitting the State to identify new areas of use and to stimulate private enterprise. The Office also performs special studies using State and private personnel where necessary.

Radiation protection functions have already been assigned to the Department of Public Health, and the change merely formalizes a working arrangement. No increase in Public Health staff will be required. For further explanatory material see Public Health, pages 30-31.

As a result of this reorganization the Office of Nuclear Energy functions with fewer personnel at a savings of approximately \$10,000.

Statutes Suspended:

None

Statutes Requiring Amendment:

Health and Safety Code Sections 25730, 25731, 25732, 25733, 25734, 25734.5, 25736, 25738, 25739, 25752
Government Code Section 12803

HUMAN RELATIONS

The Human Relations Agency consists of the following:

- A. Department of Corrections
- B. Department of Mental Hygiene

- C. Department of the Youth Authority
- D. Department of Public Health
- E. Department of Health Care Services
- F. Department of Rehabilitation
- G. Department of Social Welfare
- H. Department of Employment
- I. Department of Industrial Relations
- J. Department of Human Resources Development

Explanatory Material:

The Human Relations Agency is made up of those departments primarily concerned with programs for people. Though program approach may of necessity vary, department to department, each is concerned with helping to make all citizens of the State self-sufficient.

Several of the departments embrace programs by which disadvantaged California citizens are given assistance or training through which they are helped to self-sufficiency. Included among these are the departments of Social Welfare, Rehabilitation, Employment, Industrial Relations and the Service Center Program.

The Departments of Mental Hygiene, Public Health and Health Care Services have programs for protection of the environmental, mental and physical health of our people.

While the Departments of Correction and Youth Authority (formerly in the Youth and Adult Corrections Agency) deal basically with the law violator, they are involved in activities calculated to enable the offender to return to the community as a productive member of that community. Many of the persons served by these programs have been clients, or will be served, by the programs of the Departments of Social Welfare, Rehabilitation and others.

The Department of Employment and the Department of Industrial Relations have programs which parallel, and to some extent overlap, the programs previously mentioned. Federally funded training programs administered by these departments and by the Department of Human Resources Development are specifically directed to the training and job placement of individuals from poverty areas.

All of the departments included in this Agency, with the exception of Health Care Services and Human Resources, have long been existing departments of State Government. The Department of Health Care Services was in existence as the Office of Health Care Services. Components of the Department of Human Resources Development have functioned in isolation from each other.

Placing all the above-mentioned departments under a single Agency allows the elimination or reduction of overlap in a number of programs. This, along with some realignment of functions, reduces the possibility of programs working at cross purposes and strengthens departmental ability to work in a planned direction. In view of the consolidation, no additional funding is required as a result of this reorganization.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12801, 12803, 12804, 12850, 12851, 12852, 12853, 12854

A. DEPARTMENT OF CORRECTIONS

There is no reorganization or change in the objectives of this department except it is in the Human Relations Agency (formerly in the Youth and Adult Corrections Agency).

Explanatory Material:

This department aims at protecting the public and rehabilitating offenders through correctional, parole, community and research programs. It is included in the Human Relations Agency because it shares in that Agency's basic goal of helping people to self-sufficiency.

The duties and responsibilities of the Director of Corrections, such as those on the Board of Corrections Adult Authority and Correctional Industries Commission (Penal Code Sections 5075, 5085, 5087, 6025) are not changed.

Statutes Suspended:

None

Statutes Requiring Amendment:

Penal Code Section 6025

Government Code Sections 12800, 12801, 12804, 12850, 12851, 12852, 12853, 12854

B. DEPARTMENT OF MENTAL HYGIENE

There is no basic reorganization or change in the objectives of this Department, except the function of coordinating mental retardation programs is the responsibility of the Director of Mental Hygiene (Health and Safety Code, Section 38300).

Explanatory Material:

The Department of Mental Hygiene is responsible for providing mental health services and rehabilitation of

mentally ill or mentally retarded persons for whom no other treatment resources are available or suitable. The Department promotes and supports local community mental health services and conducts research, training and mental health education programs.

The coordination of mental retardation functions is transferred from the Secretary for Human Relations to the Director of Mental Hygiene in order to relieve the Secretary of direct administrative responsibilities. The Director heads the operating unit of government having the basic mental retardation responsibility. A saving of approximately \$25,000 will result from this reorganization.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12803

Health and Safety Code Section 38300

C. DEPARTMENT OF THE YOUTH AUTHORITY

There is no reorganization or change in the objectives of this Department except it is in the Human Relations Agency (formerly in Youth and Adult Corrections Agency).

Explanatory Material:

This Department helps provide for the public safety through its institutional rehabilitative and parole programs for persons committed to the Youth Authority by the courts. It carries on delinquency prevention activities and cooperative community efforts.

The Department is in the Human Relations Agency because it shares in that Agency's basic goal of helping people to self-sufficiency.

This assignment does not change the relationship of the department or its Director to the Youth Authority Board (Welfare and Institutions Code Sections 1710.5, 1711.3, 1711.4, 1711.5, 1723) or to the Board of Corrections (Penal Code Sections 6025, 6026).

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12801, 12804, 12850, 12851, 12852, 12853, 12854

D. DEPARTMENT OF PUBLIC HEALTH

There is no basic reorganization or change in the objectives of the Department.

Explanatory Material:

The Department, in cooperation with local health departments, is responsible for the prevention of disease and the provision of a healthful environment for the people of California.

The move of the atomic energy development function of the Office of Atomic Energy Development and Radiation Protection to the Resources Agency (explanatory material concerning this transfer is set forth under the description of the Office of Nuclear Energy, page 27) formalizes a working arrangement whereby the Department of Public Health retains the basic responsibility for radiation protection.

Pursuant to statute (Health and Safety Code Section 25600), it is "the policy of this State that the State Department of Public Health initiate and administer necessary programs of surveillance and control of those activities which could lead to the introduction of radioactive materials into the environment".

No additional funding is required as a result of this change.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12803

E. DEPARTMENT OF HEALTH CARE SERVICES

A Department of Health Care Services is established in the Human Relations Agency.

The Department is under the control of an Executive Officer known as the Director of Health Care Services. The Director is appointed by, and holds office at, the pleasure of the Governor. The appointment of the Director is subject to confirmation by the Senate. The annual salary of the Director shall be fixed by the Legislature.

The general powers and authorities of the Director are as defined in Sections 11151 through 11157 of the Government Code. The Director shall be the appointing authority for all officers and employees of the Department of Health Care Services.

The specific powers and duties relating to a State plan for medical care (Medi-Cal) of the Administrator of the Health and Welfare Agency under Chapters 7 and 8, Division 9, Welfare and Institutions Code (commencing with Section 14000) are transferred to the Director of Health Care Services.

Explanatory Material:

This Department is created because the scope of the Medi-Cal Program is of such magnitude it logically should attain departmental status. In keeping with the intent of freeing the Secretary for Human Relations from direct administrative duties, the Director of Health Care Services is charged with the appropriate administrative functions.

The positions in the new Department are the same positions as were in the Office of Health Care Services though the title of Director is new. No additional funding is required as a result of this reorganization.

The duties and responsibilities of the Director of Health Care Services appear to be comparable to those of the Directors enumerated in Government Code Section 11556, with compensation set by the Legislature at \$22,500 per annum.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 12800

Welfare and Institutions Code

Sections 14061, 14062, and 14100.1

F. DEPARTMENT OF REHABILITATION

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

This Department assists and encourages handicapped individuals to prepare for and engage in gainful employment to the extent of their capabilities and subsequently, to increase their social and economic well-being.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12803

G. DEPARTMENT OF SOCIAL WELFARE

There is no reorganization or change in the objectives of this Department.

Explanatory Material:

The programs of the Department of Social Welfare are directed to the conservation of human resources in California, support and maintenance of the needy, protection of the public against substandard facilities and

services for children and aged persons, and support of the community and local agency resources required to meet the needs of disadvantaged people.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12800, 12803

H. DEPARTMENT OF EMPLOYMENT

There is no reorganization or change in the objectives of this Department except it is in the Human Relations Agency.

Explanatory Material:

The Department of Employment is in the Human Relations Agency because it shares in the Agency goal of maintaining or restoring self-sufficiency to Californians through the Department's manpower assistance program and its income maintenance programs. It has a special interest in the disadvantaged citizens and its Federally funded training programs are specifically directed to the training and job placement of individuals from poverty areas.

Statutes Suspended:

None

Statutes Requiring Amendment:

Unemployment Insurance Code Section 301

I. DEPARTMENT OF INDUSTRIAL RELATIONS

There is no reorganization or change in the objectives of this Department except it is in the Human Relations Agency.

Explanatory Material:

The Department has programs designed to promote and develop the welfare of the wage earners of the State, to improve their working conditions, and advance their opportunities for profitable employment.

The Department of Industrial Relations is in the Human Relations Agency because it shares in the Agency goals. Its Federally funded training programs are specifically directed to the training and job placement of individuals from poverty areas.

Statutes Suspended:

None

Statutes Requiring Amendment:

Labor Code Sections 50, 53, 54

J. DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT

A Department of Human Resources Development is established in the Human Relations Agency.

The Department is under the control of an Executive Officer known as the Director of Human Resources Development. The Director is appointed by, and holds office at, the pleasure of the Governor. The appointment of the Director is subject to confirmation by the Senate. The annual salary of the Director shall be fixed by the Legislature.

General powers and authorities of the Director are as defined in Sections 11151 through 11157 of the Government Code. The Director shall be the appointing authority for all officers and employees of the Department of Human Resources Development except for the exempt appointees of the California Commission on Aging and the State Advisory Commission in Indian Affairs. Personnel of other departments who are assigned to Service Centers remain appointees of their respective directors.

Explanatory Material:

The Department is formed in order to respond more directly to the special needs of the "hard core" unemployed, of the disadvantaged and near disadvantaged, of the senior citizens, and of other groups with distinctive requirements. The consolidation of existing governmental units into the Department of Human Resources Development reduces potential duplication and brings independent or autonomous units into a program relationship for optimum effectiveness. The reorganization allows better fiscal coordination and provides an administrative framework wherein various Federal and State funds can be associated consistent with the block grant concept of Federal funding.

In 1967 the Legislature established the Job Training and Placement Council (Government Code Sections 12805, 12806, 12090) to examine the need for improved effectiveness and better coordination of job training and placement. The work of the Council is clearly associated with the goals of the Department of Human Resources Development. The Council terminates by statute in December 1968, therefore, it does not appear appropriate to include it in the Department. Administratively, the work of the Council and the Department is being coordinated.

In 1964, the State Office of Economic Opportunity was established in the Governor's Office pursuant to the U.S. Economic Opportunity Act. This plan does not reorganize or change the objectives of the Office of Economic Opportunity. However, the work of the Office and the Depart-

ment of Human Resources Development will be coordinated by administrative action. See page 48 for a description of the State Office of Economic Opportunity.

Staffing of the Department with a Director and his staff will be accomplished without additional costs. Funding of the office will be derived from savings made through combining several units of Government.

The duties and responsibilities of the Director of Human Resources Development appear to be comparable to those of the Directors enumerated in Government Code Section 11557, with compensation set by the Legislature at \$21,500 per annum.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 12803

Appropriate statutes to establish the Department in the Human Relations Agency and delineate the agencies in the Department.

Included in the Department of Human Resources Development are:

1. Service Center Program
2. California Commission on Aging
3. State Advisory Commission on Indian Affairs

1. *The Service Center Program* retains the same objectives and functions and is in the Department of Human Resources Development (formerly in the Governor's Office).

Explanatory Material:

The Service Center Program was authorized by the 2nd Extraordinary Session of the 1966 Legislature and was established in the Governor's Office by Executive Order 66-11 in July 1966.

The program is directed toward equalizing opportunities for the disadvantaged residents of areas of intensive poverty and assisting them in their efforts to achieve social and economic self-sufficiency.

This reorganization will result in more effective use of public resources and contribute to a coordinated approach to basic human problems.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

2. *The California Commission on Aging* is not reorganized or changed except it is in the Department of Human Resources Development (formerly in the Health and Welfare Agency).

Explanatory Material:

The Commission advises the Governor on action needed to meet the needs of older persons, consults with local communities on matters affecting the well being of older Californians, works for coordinated use of resources and serves as a clearing house on information relative to aging.

Including the Commission in the Department of Human Resources Development serves to reduce the span of control of the Secretary for Human Relations in that the Commission was formerly in the Administrator's Office and required his attention. The Commission will retain its functions and appointing authority for its confidential employee but staff services are to be provided by the Department of Human Resources Development.

Statutes Suspended:

None

Statutes Requiring Amendment:

Welfare and Institutions Code Sections 18300, 18303, 18305

3. *The State Advisory Commission on Indian Affairs* is not reorganized or changed except it is in the Department of Human Resources Development (formerly in the Governor's Office).

Explanatory Material:

The Commission advises the Governor and the Legislature on problems of American Indians living in California. Including the Commission in the Department of Human Resources Development brings the main concerns of the Commission into a departmental setting wherein solutions can be directly sought.

The Commission will retain its functions and the appointing authority for its confidential employee, will continue to report its findings to the Governor and to the Legislature, but staff services are to be provided to the Commission by the Department of Human Resources Development.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 8110

AGRICULTURE AND SERVICES

The Agriculture and Services Agency consists of the following:

- A. Department of Agriculture
- B. Department of General Services
- C. Department of Professional and Vocational Standards
- D. Department of Veterans Affairs
- E. Department of Commerce
- F. Public Employees' Retirement System
- G. State Teachers' Retirement System
- H. Franchise Tax Board
- I. State Fire Marshal

Explanatory Material:

During 1967 the interim organization of the Executive Branch has had a Cabinet Officer from Agriculture. This plan continues Agriculture as one of the four areas of major interest assigned a Cabinet Officer. The Cabinet Secretary for Agriculture and Services represents all units in his Agency to advantage.

The plan groups together with the Department of Agriculture several departments which are primarily administrative and service oriented—Department of General Services, the Franchise Tax Board, the Department of Veterans Affairs, and the Department of Professional and Vocational Standards. The plan also consolidates into a new Department of Commerce a number of offices and organizations which have been functioning independently in State Government.

Additionally, the Office of Consumer Counsel is transferred from the Governor's Office to the Agriculture and Services Agency. (See page 45.) This Office will be included in the staff of the Agriculture and Services Agency and will not be a part of any department.

The Department of Agriculture continues to have Cabinet representation, which has proven to be of value and in the public interest. The Executive Branch benefits from the improved coordination and communication resulting from a more equal balance of responsibility among the four members of the Governor's Cabinet.

Statutes Suspended:

None

Statutes Requiring Amendment:

Amend the Government Code to delineate the agencies included in the Agriculture and Services Agency.

A. DEPARTMENT OF AGRICULTURE

There is no change in the basic objectives of this Department. There is the following reorganization:

1. The Museum of Science and Industry is transferred to the Department of Commerce.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Department of Commerce, page 39.

Statutes Suspended:

None

Statutes Requiring Amendment:

Agriculture Code Section 20

B. DEPARTMENT OF GENERAL SERVICES

There is no reorganization or change in the objectives of this Department except it is in the Agriculture and Services Agency.

Explanatory Material:

This Department was established in 1963 to provide for the centralization of the services necessary for the operation of State Government.

The major responsibilities of the Department of General Services include planning, acquisition, leasing, construction, maintenance, and police protection of all State buildings and properties; purchasing; printing; architectural services; administrative hearings; and accounting services.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 14601

C. DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS

There is no reorganization or change in the objectives of this Department except it is in the Agriculture and Services Agency.

Explanatory Material:

The Department of Professional and Vocational Standards is charged with providing centralized administrative services to 34 boards and commissions which license persons and firms of demonstrated knowledge and abilities. These persons and firms provide services to the people of California through the practice of some 50 professions and vocations.

Statutes Suspended:

None

Statutes Requiring Amendment:

Business and Professions Code Section 100

D. DEPARTMENT OF VETERANS AFFAIRS

There is no reorganization or change in the objectives of this Department except it is in the Agriculture and Services Agency.

Explanatory Material:

The principal responsibilities of the Department of Veterans Affairs are to administer the State's programs pertaining to veterans benefits and to assist veterans in acquiring farms and homes under California's program of long-term low-interest financing. This program has been in existence since 1921 and has performed its service at no cost to the taxpayers of the State. The Department provides medical and hospital domiciliary care for aged and disabled veterans on a cooperative basis with the Federal Government.

Statutes Suspended:

None

Statutes Requiring Amendment:

Military and Veterans Code Section 63

E. DEPARTMENT OF COMMERCE

A Department of Commerce is established in the Agriculture and Services Agency.

The Department of Commerce is under the control of an Executive Officer known as the Director of Commerce. The Director of Commerce is appointed by and holds office at the pleasure of the Governor. The appointment of the Director is subject to confirmation by the Senate. The annual salary of the Director shall be fixed by the Legislature. The confidential appointment entitled the Director, pursuant to Article XXIV, Section 4(a), Subsection (5), of the Constitution, shall be the Deputy Director of the Department.

The general powers and authorities of the Director are defined in Sections 11151 through 11157 of the Government Code. The Director of Commerce shall be the appointing authority for all officers and employees of the Department of Commerce except for the San Francisco Port Authority and the Museum of Science and Industry and for exempt appointees of the other authorities included in the Department. The

head of the Office of Tourism and Visitor Services is appointed by the Governor. The Director coordinates the activities of the agencies in the Department.

Explanatory Material:

The Department will provide direction of the State's programs for the promotion of the economic growth of California in both domestic and foreign trade.

Each of the units included in the Department of Commerce was established to aid in the development of the economic growth of the State. The combining of their interrelated programs under a single department head will provide needed central direction to ensure coordination and avoid duplicating and parallel efforts.

Establishment of the Department of Commerce provides not only an administrative advantage to the executive branch of State Government, but it gives the private sector and local public sectors a single point of contact for working with the State on developmental programs for economic growth.

Staffing of the Department with a Director and his staff will be accomplished without additional costs. Funding of the office will be derived from savings made through combining these several units of Government.

The duties and responsibilities of the Director of the Department of Commerce appear to be comparable to those of the Directors enumerated in Government Code Section 11556, with compensation set by the Legislature at \$22,500 per annum.

Statutes Suspended:

None

Statutes Requiring Amendment:

Appropriate statutes to establish the Department in the Agriculture and Services Agency and delineate the agencies in the Department.

Included in the Department of Commerce are :

1. Division of Economic Development
2. Museum of Science and Industry
3. San Francisco Port Authority
4. Office of Tourism and Visitor Services
5. California World Trade Coordinating Council
6. San Francisco World Trade Authority
7. Southern California World Trade Authority

1. *The Division of Economic Development* is renamed from the Economic Development Agency and is in the Department of Commerce (formerly in the Department of Finance). The position of Commissioner of the Economic Development

Agency is abolished. The function and powers of the Agency and Commissioner are transferred to the Director of Commerce.

Explanatory Material:

The function of the Division of Economic Development for collecting economic and business data for the State, and disseminating the information to both the public and private sector to provide assistance in determining the State's economic status and measurement of its growth, applies to all business and industry segments which fall within the scope of the Director's responsibility. Therefore, all powers and functions reside with the Director of Commerce.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 13481, 13490, 11558.2

2. *The Museum of Science and Industry* is not reorganized or changed except it is in the Department of Commerce (formerly in the Department of Agriculture).

Explanatory Material:

The programs and exhibits of the Museum are directed toward informing and educating the public at large with the origins and nature of California science and industry. The facilities and activities of the Museum will provide a valuable adjunct to the Department of Commerce in publicizing the capabilities of the State's industry and the potential of new technologies for contributing to the economic growth of the State.

Statutes Suspended:

None

Statutes Requiring Amendment:

Agricultural Code Sections 3857 and 4101

3. *The San Francisco Port Authority* is not reorganized or changed except it is in the Department of Commerce (formerly unassigned to any agency or department).

Explanatory Material:

The authority, powers and operations of the Port Authority are unchanged. The Port of San Francisco houses the San Francisco World Trade Center, and its operations are a major element of California's world trade. Inclusion of the Port in the Department of Commerce will

enable the department director to coordinate the operations and relationships between the Port and World Trade Authorities. It will facilitate the collection of data from the Port's operations significant to the determination of the status of the State's economy and its economic growth. The Port will benefit from a closer association with the State's activities for fostering and promoting economic development.

Statutes Suspended:

None

Statutes Requiring Amendment:

Harbors and Navigation Code Section 1700

4. *Office of Tourism and Visitor Services* is not reorganized or changed except is in the Department of Commerce (formerly in the Governor's Office) and the appointing authority for all employees of the Office is the Director of Commerce, except the head of this Office is appointed by the Governor.

Explanatory Material:

The Office of Tourism and Visitor Services is concerned with assisting in the development of a specialized industry within the State's economy. Its activities are closely associated with the promotion of world trade and domestic business and industrial development. It works with many of the same business and industrial organizations and associations engaged in economic development as other components of the Department of Commerce. The requirements for continuing research and collection of data can be substantially fulfilled from the capability transferred to the Department of Commerce from the Economic Development Agency. The effectiveness of the State's assistance in the development of tourism will therefore be significantly increased without a commensurate increase in staff and expense.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 13891

5. *The California World Trade Coordinating Council* is not reorganized or changed except it is in the Department of Commerce (formerly unassigned to any agency or department).

Explanatory Material:

The World Trade Coordinating Council's authorities and functions are unchanged. The Council's responsibility

for assisting in the development of world trade, including international tourism and foreign industrial development in California, will be coordinated and integrated with the other components of economic development in the Department of Commerce. The Council will benefit from the economic research and business data collection capability resulting from the incorporation of the Economic Development Agency in the Department of Commerce.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 8330 and the
California World Trade Authorities Act

6. *The San Francisco World Trade Center Authority* is not reorganized or changed except it is in the Department of Commerce (formerly unassigned to any agency or department).

Explanatory Material:

The powers and functions of the Authority are unchanged. It operates the World Trade Center located at the Port of San Francisco, and participates and assists in the development of California's world trade. General policy for its operations is established by the World Trade Authority Coordinating Council. The Trade Center Authority works with many of the same business and industrial organizations and associations as other components of the Department of Commerce. Its effectiveness will therefore be improved by coordination and integration of its activities within the department.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 8335.1, 8340.2

7. *The Southern California World Trade Center Authority* is not reorganized or changed except it is in the Department of Commerce (formerly unassigned to any agency or department).

Explanatory Material:

The powers and functions of the Authority are unchanged. It was established to provide assistance to the Southern California area for development of that area's world trade potential. It will operate the World Trade Center library and World Trade Center when established. General policy for the Authority's activities are estab-

lished by the World Trade Authorities Coordinating Council. The Trade Center Authority works with many of the same business and industrial organizations and associations as other components of the Department of Commerce. Its effectiveness will therefore be improved by coordination and integration of its activities within the department.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 8435.1, 8440.2

F. PUBLIC EMPLOYEES' RETIREMENT SYSTEM

There is no reorganization or change in the objectives of this agency except it is in the Agriculture and Services Agency.

Explanatory Material:

The Public Employees' Retirement System administers three programs: a retirement program for State employees; for employees of 1,700 other public employers, for legislators, and for elected constitutional officers, except judges; and the Social Security coverage program for California State employees' basic health plans.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 20004, 20005 and 20100

G. TEACHERS' RETIREMENT SYSTEM

There is no reorganization or change in the objectives of this agency except it is in the Agriculture and Services Agency.

Explanatory Material:

The Teachers' Retirement System was created by the Legislature to provide a financially sound plan for the retirement, with adequate retirement allowances, of teachers in the public schools supported by the State, and other persons employed in connection with the schools. The Retirement System is managed by a nine member Teachers' Retirement Board.

Statutes Suspended:

None

Statutes Requiring Amendment:

Education Code Sections 13801 and 13851

H. FRANCHISE TAX BOARD

There is no reorganization or change in the objectives of this Board except it is in the Agriculture and Services Agency.

Explanatory Material:

This Board is responsible for the administration of the State's Personal Income Tax and the Bank and Corporation Tax Laws.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Section 15700

I. STATE FIRE MARSHAL

There is no reorganization or change in the objectives of this agency except it is in the Agriculture and Services Agency.

Explanatory Material:

The responsibility and objective of the State Fire Marshal are to protect the lives and property of California citizens from the effects of fire, panic, and explosion. This responsibility is fulfilled by the establishment and enforcement of regulations regarding fire, panic, and explosion safety.

A substantial percentage of the field enforcement is delegated to local fire officials. A coordinated program for administering State fire safety laws, rules, and regulations has been established between the Office of the State Fire Marshal and local city, county and district fire officials.

Statutes Suspended:

None

Statutes Requiring Amendment:

Health and Safety Code Section 13100

J. OFFICE OF CONSUMER COUNSEL

The Office of Consumer Counsel is transferred from the Governor's Office to the Agriculture and Services Agency.

Explanatory Material:

The Consumer Counsel's interests in agricultural, business and commercial practices which affect the public as consumers are closely associated with other units of this Agency concerned with promoting the economic growth of the State in an environment of public acceptance.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 12050-12057

INDEPENDENT AGENCIES IN THE GOVERNOR'S OFFICE

Article V of the Constitution of the State of California vests supreme executive power for State Government in the Office of the Governor. The Office of the Governor is composed of his personal staff, and has had a variety of independent offices attached for administrative purposes. These offices are:

- A. Office of Tourism and Visitor Services
- B. Office of Consumer Counsel
- C. Service Center Program
- D. Intergovernmental Council on Urban Growth
- E. State Office of Economic Opportunity
- F. California Disaster Office
- G. Military Department

A. OFFICE OF TOURISM AND VISITOR SERVICES

The Office of Tourism and Visitor Services is transferred to the Department of Commerce.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Department of Commerce, page 39.

B. OFFICE OF CONSUMER COUNSEL

The Office of Consumer Counsel is transferred to the Agriculture and Services Agency.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Agriculture and Services Agency, page 45.

C. SERVICE CENTER PROGRAM

The Service Center Program is transferred to the Department of Human Resources.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Department of Human Resources, page 35.

D. INTERGOVERNMENTAL COUNCIL ON URBAN GROWTH

The name of the Intergovernmental Council on Urban Growth is changed to the Council on Intergovernmental Relations. This Council is removed from the Governor's Office and established as a separate agency reporting directly to the Governor's Office. In addition there are the following reorganizations:

1. The only employee or staff person of the Council that the Governor shall appoint and remove is the Executive Secretary, who shall be the head of the agency. The Executive Secretary shall be the appointing authority for all other employees.

Explanatory Material:

The Intergovernmental Council on Urban Growth is composed of representatives of State, county, city, school boards, and public members. The name change to the Council on Intergovernmental Relations is to give a more descriptive title to the proper responsibility of this Council.

The Governor was authorized by Government Code Section 34205 to appoint the Executive Secretary and also the other members of the staff. Since the Council is being removed from the Governor's Office, the authority to appoint other persons besides the Council members and the Executive Secretary is being transferred to the Executive Secretary.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 34200, 34205

2. The functions of local planning assistance of the State Office of Planning (Government Code Sections 65012.1(c); 65013.2(e); 65017.1; 65017.2; 65017.3; 65018.1; 65018.2; 65018.3; and 65019.3) are transferred to the Council on Intergovernmental Relations.

Explanatory Material:

The relationship of intergovernmental actions is increasingly significant in the management of the State's affairs. An improved mechanism is needed to relate local, regional and Federal developments with overall State plans and programs. The consolidation of local planning functions with the Council on Intergovernmental Relations provides this mechanism together with the personnel resources to carry on the essential staff work. The functions of ad-

ministering Federal grant programs and providing assistance to local planning efforts will be carried on under the general guidance of the Council. Clearer alignment of important State planning functions with comprehensive policy development is thus possible. In addition to supplying much desired intergovernmental services, this reorganization will simplify the structure of State Government and identify a central forum for the resolution of major intergovernmental problems. No additional funds are required in this transfer.

Statutes Suspended:

None

Statutes Requiring Amendment:

Government Code Sections 65012.1(c); 65013.2(e); 65017.1; 65017.2; 65017.3; 65018.1; 65018.2; 65018.3; and 65019.3

E. THE STATE OFFICE OF ECONOMIC OPPORTUNITY

There is no reorganization or change in the objectives of this Office.

Explanatory Material:

The State Office of Economic Opportunity was established in the Governor's Office by Executive Authority in September 1964, pursuant to the U.S. Economic Opportunity Act. Its function is threefold: (1) to advise the Governor with regard to his responsibilities on the Federal War on Poverty (PL 88-452), (2) to provide technical assistance to local communities applying for antipoverity grants, and (3) to administer the State Migrant Master Plan.

The Office provides liaison with Federal, State, local government and private activities aimed at poverty prevention and reduction. As such, its activities will be closely coordinated with the work of the Department of Human Resources Development in order to produce an effective program. For a description of the Department of Human Resources Development see page 37.

F. CALIFORNIA DISASTER OFFICE

There is no reorganization or change in the objectives of this Office. It reports direct to the Governor's Office.

Explanatory Material:

The Disaster Office plans for and coordinates the use of State resources in all types of emergency situations (such as floods, major fires, riots and war caused disasters).

Recognizing the urgency of instant communication in emergency situations, the Disaster Office needs close liaison and communication with the Office of the Governor.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

G. MILITARY DEPARTMENT

There is no reorganization or change in the objective of this Department. It reports direct to the Governor's Office.

Explanatory Material:

The Military Department, which includes the Army National Guard and the Air National Guard, provides the military forces available to the Governor for handling emergencies within California.

Recognizing the urgency of instant communication in emergency situations, the Military Department needs close liaison and communication with the Office of the Governor.

Statutes Suspended:

None

Statutes Requiring Amendment:

None

FINANCE

There is no change in the basic objectives of the Department of Finance. The Director of this Department is the Governor's chief fiscal and policy advisor. There are the following reorganizations:

- A. The State Lands Commission and the Division of State Lands are transferred to the Department of Conservation.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Department of Conservation, page 24.

- B. The Economic Development Agency is transferred to the Department of Commerce.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Department of Commerce, page 39.

- C. The functions of the Local Planning Section in the State Planning Office (Government Code Sections 65012.1(c); 65013.2(e); 65017.1; 65017.2; 65017.3; 65018.1; 65018.2; 65018.3; and 65019.3) are transferred to the Council on Intergovernmental Relations.

Explanatory Material:

Material concerning this transfer is set forth under the description of the Council on Intergovernmental Relations, page 47.

GENERAL PROVISIONS

TRANSFER OF EMPLOYEES

In accordance with Government Code Sections 12073 and 19370, all employees serving in the state civil service, other than temporary employees, who are engaged in the performance of a function transferred to another agency, or engaged in the administration of a law, the administration of which is transferred to another agency by this Reorganization Plan, are transferred to the agency to which such function or administration is transferred. The personnel records of all transferred employees shall be transferred to the agency to which the employee is transferred. The status, positions, and rights of such persons shall not be affected by their transfer and shall continue to be retained by them pursuant to the State Civil Service Act, except as to positions the duties of which are vested in a position exempt from civil service. If any doubt arises as to where such employees are transferred, the Personnel Board shall determine where an employee is transferred.

Explanatory Material:

This provision is required by Government Code Section 12073(c) and (d).

TRANSFER OF PROPERTY

The property of any agency affected by this reorganization is transferred to the agency to which the function or administration has been transferred. If any doubt arises as to where such property is transferred, the Department of General Services shall determine where the property is transferred. The property of any agency which is abolished shall be transferred to the Department of General Services.

Explanatory Material:

This provision is required by Government Code Section 12073(d)

TRANSFER OF FUNDS

All unexpended balances of appropriations and other funds available for use in connection with any function or the administration of any law transferred by this Reorganization Plan

shall be transferred to the agency to which the function or administration has been transferred for use for the purpose for which the appropriation was originally made or the funds originally available. If there is any doubt as to where such balances and funds are transferred, the Department of Finance shall determine where such balances and funds are transferred.

Explanatory Material:

This provision is required by Government Code Section 12073(e)

TERMINATION OF AGENCIES ABOLISHED

The affairs of any agency abolished by this Reorganization Plan shall be terminated as rapidly as possible. Such termination shall be the responsibility of the following:

The Secretary for Business and Transportation shall be responsible for the termination of the affairs of the Department of Investment and the Board of Investment.

Explanatory Material:

This provision is required by Government Code Section 12073(f)