

GRP Process

The California Constitution authorizes the Legislature to delegate to the Governor the authority to assign and reorganize functions among executive branch officers, agencies and their employees. That authority does not extend to elected officers or the agencies they administer (CA Constitution, Section 6, Article 5). The Legislature has specified the process for reorganizing executive branch functions and has placed limits on that authority (Government Code 12080 et. seq).

Reorganizations take the form of a Governor's Reorganization Plan, or GRP. The GRP authority provided by the Legislature is intended to enable the Governor to promote improved strategies for:

- executing the law,
- managing state government,
- reducing expenditures,
- increasing efficiency,
- improving coordination among agencies and functions,
- reducing the number of agencies, and
- eliminating duplication and overlap among agencies.

To achieve those goals, the Governor is authorized to use a GRP to transfer functions among state agencies, eliminate functions or entire agencies, consolidate operations or specific functions, and establish new entities to perform the functions of an existing entity.

The Government Code specifies that a GRP shall not have the effect of:

- Extending the authority of an agency or a function beyond the period authorized by law.
- Authorizing any agency to exercise any function which is not expressly authorized by law.
- Increasing the term of an office beyond that provided by law, or
- Abolishing any agency created by the California Constitution or transferring to the jurisdiction and control of any other agency any function conferred by the California Constitution on an agency created by that Constitution.

A reorganization plan may be delivered to the Legislature at any time during a regular session, provided the Legislature has at least 60 calendar days of a continuous session to consider the plan. The governor's plan becomes effective on the 61st day after it has been given to the Legislature unless either the Senate or the Assembly adopts by majority vote a resolution rejecting the plan.

Under the Government Code, the Governor must provide a copy of the GRP to the Little Hoover Commission at least 30 days prior to submitting it to the Legislature. The Commission must review the plan and submit a report to the Legislature within 30 days of the plan being transmitted to the Legislature. The role of the Little Hoover Commission is advisory only.

Upon receipt of a reorganization plan, the Rules Committee of the Senate and the Speaker of the Assembly shall refer the plan to a standing committee of their respective houses for study and a

report. Such report shall be made at least 10 days prior to the end of the 60-day period following receipt of the plan and may include the committee's recommendation with respect to a resolution.

A resolution, by floor motion, may only be made following a committee report, or at any time during the last 10 days prior to the end of the 60-day period following the GRPs transmittal.

Following the effective date of a GRP,

CA Constitution. Sub division b, Section 8, article IV. (b) The Legislature may make no law except by statute and may enact no statute except by bill. No bill may be passed unless it is read by title on 3 days in each house except that the house may dispense with this requirement by rollcall vote entered in the journal, two thirds of the membership concurring. No bill may be passed until the bill with amendments has been printed and distributed to the members. No bill may be passed unless, by rollcall vote entered in the journal, a majority of the membership of each house concurs.

Actual statutory language to enact the reorganization is processed in the following year, but the reorganization is effective even without the statutes being on the books.

12080.3.

Each reorganization plan transmitted by the Governor under this article:

- (a) May change the name of any agency affected by a reorganization and the title of its head, and shall designate the name of any agency resulting from a reorganization and the title of its head.
- (b) May include provisions, in accordance with Article VII of the California Constitution, for the appointment of the head and one or more other officers of any agency, including an agency resulting from a consolidation or other type of reorganization, if the Governor finds, and in his or her message transmitting the plan declares, that by reason of a reorganization made by the plan the provisions are in the public interest. The head may be an individual or a commission or board

with two or more members. In any case, the appointment of the agency head shall be subject to confirmation by the Senate. The term of office of any appointee, if any is provided, shall be fixed at not more than four years. The Legislature shall fix the compensation of all department heads and officers who are not subject to Article VII of the California Constitution.

Article 4, Section 1: SEC. 1.

The legislative power of this State is vested in the California Legislature which consists of the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum.

Let the measure take effect with no action.

Pass a resolution supporting the adoption of the plan.

Pass a resolution rejecting the plan.

Allow the GRP to take effect, implement separate legislation to modify or otherwise complement the components of the GRP.

Past Reorganization Plans and Legislative Response

Governor's Reorganization Plan on human resources (Brown, 2011). Proposal to consolidate functions of the Department of Personnel Administration and State Personnel Board into a new California Department of Human Resources.

Legislative Action: Under implementation, SB 1308.

Governor's Reorganization Plan to consolidate information technology functions. (Schwarzenegger, 2009). Proposal to consolidate state information technology functions under the Office of the State Chief Information Officer.

Legislative action: Plan went into effect.

Governor's Reorganization Plan to create a California Department of Energy.

(Schwarzenegger, 2005). Proposal to consolidation of the functions of several departments, commissions and offices that implement state energy programs into a new department.

Legislative action: Rejected.

Governor's Reorganization Plan to create a Department of Technology Services (Schwarzenegger 2005). Proposal to consolidate two general purpose data centers and its telecommunications unit into a new Department of Technology Services.

Legislative action: Plan went into effect.

Governor's Reorganization Plan to establish the California Department of Corrections and Rehabilitation (Schwarzenegger 2005). Proposal to consolidate and rename the Youth and Adult Correctional Agency (YACA) and its related departments, board and one commission, into a new cabinet level agency, the California Department of Corrections and Rehabilitation (CDCR).

Legislative action: Plan went into effect.

Governor's Reorganization Plan to consolidate or eliminate boards and commissions (Schwarzenegger, 2005). Withdrawn by the Governor.

Governor's Reorganization Plan on labor and workforce programs (Davis 2002).

Proposal to establish the Labor and Workforce Development Agency to include EDD, Department of Industrial Relations, the Workforce Investment Board and the Agricultural Labor Relations Board.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on general government (Wilson, 1998). Proposal to establish the Department of Managed Care, abolish the Department of Corporations and expand the role and rename the Department of Financial Institutions.

Legislative action: Rejected

Governor's Reorganization Plan on forestry and fire protection (Wilson, 1995).
Proposal to merge the Office of State Fire Marshal with the Department of Forestry and Fire Protection.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on energy agencies (Wilson, 1995). Proposal to reorganize the California Energy Commission and related governmental functions.

Legislative action: Rejected.

Governor's Reorganization Plan on state law enforcement functions (Wilson, 1995).

Proposal to merge the State Police with the California Highway Patrol.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on environmental agencies and functions (Wilson, 1991). A proposal to create an Environmental Protection Agency and transfer several departments and functions into the new agency.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on waste management (Deukmejian, 1985).

Proposal to create a cabinet-level Department of Waste Management.

Legislative action: Rejected.

Governor's Reorganization Plan on waste management entities (Deukmejian 1985).

Proposal to create a Department of Waste Management, a State Waste Commission and three Regional Waste Boards.

Legislative action: Rejected.

Governor's Reorganization Plan on human resources functions (Deukmejian, 1984).

Proposal to transfer certain civil service position classification function from the State Personnel Board to the Department of Personnel Administration.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on personnel functions (Brown, 1981). Proposal to establish the California Department of Personnel Administration.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on housing (Brown 1980). Proposal to transfer licensing and regulation of mobile home industry from DMV to the Department of Housing and Community Development.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on corrections (Brown, 1979). Proposal to create the Youth and Adult Correctional Agency and consolidate correctional programs into the new agency.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on state personnel functions (Brown 1979). Proposal to create a central agency on personnel.
Legislative action: Rejected.

Governor's Reorganization Plan on employment functions (Brown, 1979). Proposal to transfer and rename the Fair Employment Practices Commission and transfer, rename and elevate the Division of Fair Employment Practices from the Department of Industrial Relations to the State and Consumer Services Agency.
Legislative action: Plan went into effect.

Governor's Reorganization Plan on industrial relations and safety. (Brown, 1978). Proposal to abolish the Division of Industrial Safety and the Occupational Health Branch in the Department of Health and consolidate functions in a new Division of Occupational Safety and Health Administration in the Department of Industrial Relations.
Legislative action: Plan went into effect

Governor's Reorganization Plan on drug related entities (Governor Brown, 1977). Proposal to abolish the Office of Narcotics and Drug Abuse and transfer functions to the Health Department's Division of Substance Abuse and create an Advisory Council on Narcotics and Drug Abuse.
Legislative action: Plan went into effect.

Governor's Reorganization Plan on the alcohol related programs (Governor Brown, 1975). Proposal to merge the Office of Alcoholism with the Department of Alcoholic Beverage Control (ABC) and move the ABC into the Health and Welfare Agency.
Legislative action: Rejected.

Governor's Reorganization Plan on environmental agencies (Governor Brown, 1976). Proposal establish an Environmental Quality Agency and consolidate all air, water quality and solid waste programs into the new agency.
Legislative action: Was not submitted to the Legislature.

Governor's Reorganization Plan on labor law enforcement (Brown 1975). Proposal to consolidate the Divisions of Labor Law Enforcement and Industrial Welfare into a Division of Labor Standards Enforcement.
Legislative action: Plan went into effect.

Governor's Reorganization Plan on environmental agencies (Brown 1975). Proposal to create a new Environmental Quality Agency and consolidate all air, water quality and solid waste programs into the new agency.
Legislative action: Was not submitted to the Legislature.

Governor's Reorganization Plan on natural resources (Reagan, 1971). Proposal to rename the Resources Agency to Environment and Resources Agency and create a Department of Environmental Protection within the agency.

Legislative action: Rejected.

Governor's Reorganization Plan on State Board of Dry Cleaners (Reagan, 1971).

Proposal to abolish the State Board of Dry Cleaners.

Legislative action: Rejected.

Governor's Reorganization Plan on water quality control boards (Reagan, 1971).

Proposal to rename water quality control boards.

Legislative action: Rejected.

Governor's Reorganization Plan on consumer affairs (Reagan, 1970). Proposal to rename the Department of Professional and Vocational Standards to Department of Consumer Affairs.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on Department of Health (Reagan, 1970). Proposal to establish a single state Department of Health within the Human Relations Agency to administer Medi-Cal and consolidate functions from numerous health-related departments.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on vocational entities (Reagan, 1969). Proposal to change staff titles and organization names in the Department of Professional and Vocational Standards.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on harbors and waterways (Reagan 1969). Proposal to rename the Department of Harbors & Waterways to Department of Navigation & Ocean Development and rename the Harbors and Watercraft Commission to Navigation and Ocean Development Commission.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on general government (Reagan, 1969). Proposal to eliminate 32 boards, commissions, committees and advisory councils, transferring some functions to other departments and reconfigure the membership of several other government entities.

Legislative action: Plan went into effect.

Governor's Reorganization Plan on general government (Reagan, 1968). Proposal to establish four agencies in the executive branch: Business & Transportation, Resources, Human Relations, Agriculture and Services.

Legislative action: Plan went into effect.