

ASSEMBLY BILL

No. 530

Introduced by Assembly Member Smyth

February 15, 2011

An act to amend Section 9147.7 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 530, as introduced, Smyth. Joint Sunset Review Committee: agency repeal.

Existing law establishes the Joint Sunset Review Committee to identify and eliminate waste, duplication, and inefficiency in government agencies by conducting a comprehensive analysis of every “eligible agency,” as defined, to determine if an agency scheduled for repeal is still necessary and cost effective.

This bill would make a technical, nonsubstantive change to that provision.

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

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

1 SECTION 1. Section 9147.7 of the Government Code is
2 amended to read:
3 9147.7. (a) For the purpose of this section, “eligible agency”
4 means ~~any~~ an agency, authority, board, bureau, commission,
5 conservancy, council, department, division, or office of state
6 government, however denominated, excluding an agency that is
7 constitutionally created or an agency related to postsecondary

1 education, for which a date for repeal has been established by
2 statute on or after January 1, 2011.

3 (b) The Joint Sunset Review Committee is hereby created to
4 identify and eliminate waste, duplication, and inefficiency in
5 government agencies. The purpose of the committee is to conduct
6 a comprehensive analysis over 15 years, and on a periodic basis
7 thereafter, of every eligible agency to determine if the agency is
8 still necessary and cost effective.

9 (c) Each eligible agency scheduled for repeal shall submit to
10 the committee, on or before December 1 prior to the year it is set
11 to be repealed, a complete agency report covering the entire period
12 since last reviewed, including, but not limited to, the following:

13 (1) The purpose and necessity of the agency.

14 (2) A description of the agency budget, priorities, and job
15 descriptions of employees of the agency.

16 (3) Any programs and projects under the direction of the agency.

17 (4) Measures of the success or failures of the agency and
18 justifications for the metrics used to evaluate successes and failures.

19 (5) Any recommendations of the agency for changes or
20 reorganization in order to better fulfill its purpose.

21 (d) The committee shall take public testimony and evaluate the
22 eligible agency prior to the date the agency is scheduled to be
23 repealed. An eligible agency shall be eliminated unless the
24 Legislature enacts a law to extend, consolidate, or reorganize the
25 eligible agency. No eligible agency shall be extended in perpetuity
26 unless specifically exempted from the provisions of this section.
27 The committee may recommend that the Legislature extend the
28 statutory sunset date for no more than one year to allow the
29 committee more time to evaluate the eligible agency.

30 (e) The committee shall be comprised of 10 members of the
31 Legislature. The Senate Committee on Rules shall appoint five
32 members of the Senate to the committee, not more than three of
33 whom shall be members of the same political party. The Speaker
34 of the Assembly shall appoint five members of the Assembly to
35 the committee, not more than three of whom shall be members of
36 the same political party. Members shall be appointed within 15
37 days after the commencement of the regular session. Each member
38 of the committee who is appointed by the Senate Committee on
39 Rules or the Speaker of the Assembly shall serve during that
40 committee member's term of office or until that committee member

1 no longer is a Member of the Senate or the Assembly, whichever
2 is applicable. A vacancy on the committee shall be filled in the
3 same manner as the original appointment. Three Assembly
4 Members and three Senators who are members of the committee
5 shall constitute a quorum for the conduct of committee business.
6 Members of the committee shall receive no compensation for their
7 work with the committee.

8 (f) The committee shall meet not later than 30 days after the
9 first day of the regular session to choose a chairperson and to
10 establish the schedule for eligible agency review provided for in
11 the statutes governing the eligible agencies. The chairperson of
12 the committee shall alternate every two years between a Member
13 of the Senate and a Member of the Assembly, and the vice
14 chairperson of the committee shall be a member of the opposite
15 house as the chairperson.

16 (g) This section shall not be construed to change the existing
17 jurisdiction of the budget or policy committees of the Legislature.