



LITTLE HOOVER COMMISSION

Governor's Reorganization Process

The governor has the authority to examine the organization of executive branch agencies and determine what changes may be necessary to promote more efficient and effective government services. The Legislature has granted the governor the authority to reorganize those functions whenever it is in the public interest.

The reorganization process provides for a streamlined public and legislative review of the proposal. The reorganization process can be used to consolidate, transfer or abolish programs and agencies. The process can be used to create new agencies, but the process cannot be used to create new functions.

The reorganization process is permitted in Article V, Section 6 of the California Constitution. The statutory authority is in Government Code Section 12080 et seq.

Role of the Little Hoover Commission

The Little Hoover Commission's role in the process is described in Government Code Section 8523. The law requires the governor to submit any reorganization plan to the Little Hoover Commission "at least 30 days prior" to submitting the plan to the Legislature. Before submitting the proposal to the Commission, the plan must be submitted to Legislative Counsel for drafting into bill language.

The Commission's role in the reorganization process is only advisory. The Commission reviews and submits a report to the governor and the Legislature within 30 days of the plan being submitted to the Legislature. In other words, the Commission typically has 60 days to review a plan and complete its report.

The Commission conducts one or more public hearings, providing a forum for affected agencies, constituencies and interest groups. In addition to invited witnesses, the Commission hears testimony from other interests or members of the public who would like to testify. The Commission also welcomes written comments.

The Commission assesses the plan based on its broad mandate to assist policy-makers in "promoting economy, efficiency and improved service in the transaction of the public business." The Commission makes a recommendation to the governor and the Legislature as to whether it believes the reorganization plan should go into effect. The Commission sometimes offers recommendations for how the plan could be strengthened or measures that should be taken if the plan is implemented.

The most recent reorganization plan was submitted in 2009 by Governor Arnold Schwarzenegger.

Role of the Legislature

A reorganization plan may be delivered to the Legislature at any time during a regular session. The Legislature, however, must have 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. 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.

Frequently Asked Questions

How much time does the Little Hoover Commission have to review a reorganization plan?

The statute states that a reorganization plan must be submitted to the Little Hoover Commission a "minimum of 30 days" prior to the plan being submitted to the Legislature. The Commission must submit a report to the governor and the Legislature within 30 days of the date on which the governor submits a plan to the Legislature. So the minimum amount of time for the Commission's review is 60 days; however, depending on when the governor submits the plan to the Legislature, the Commission could have additional time for review.

Can the Little Hoover Commission revise a reorganization plan?

No. The Little Hoover Commission's role is to review the reorganization plan and make recommendations to the governor and the Legislature on whether or not the reorganization plan should go into effect. In some cases, the Commission has identified ways the plan could be strengthened, either through administrative actions or subsequent legislation.

Does the Little Hoover Commission approve or reject a reorganization plan?

No. The Commission's role is advisory. Its conclusions or recommendations are not binding on the governor or the Legislature.

How can interested parties provide the Little Hoover Commission with information?

The Little Hoover Commission holds one or more public hearings on a reorganization plan, depending upon the size and scope of the plan. The Commission invites affected agencies, constituencies and interest groups to testify. Other interested parties may take advantage of the public comment period at the end of the hearing. Particularly for large and complex reorganization plans, the most effective approach for informing the Commission is to provide concise written comments. Correspondence can be mailed to the Little Hoover Commission at 925 L Street, Suite 805, Sacramento, CA 95814, faxed to 916-322-7709 or e-mailed to littlehoover@lhc.ca.gov.

How can interested parties get a copy of the Commission's report on a reorganization plan?

Reports are posted on the Commission's Web site at www.lhc.ca.gov the day they are distributed to the governor and the Legislature. Copies of the report may be ordered via the Web site or by calling 916-445-2125 for a fee of \$5 plus \$2.50 for postage.

About the Commission

The Little Hoover Commission is an independent state agency charged with reviewing executive branch agencies and programs for efficiency and effectiveness.

The 13-member Commission has nine public members: five appointed by the governor, two by the Senate Rules Committee and two by the speaker of the Assembly. The Commission membership also includes two senators and two members of the Assembly. The Commission is bipartisan by statute, and its members are not paid.

Over a typical year, the Commission conducts four to five comprehensive reviews of public agencies or policies and makes recommendations for improving performance.