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# STATUTORY LANGUAGE—

## Reorganization Plan No. 2 of 1970

As Required by Section 8523 of the Government Code

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*An act to amend Sections 23, 23.5, 23.6, 100, 101, 102, 107.5, 130, 150, 155, 158, 160, 160.5, 203, 204, 205, 400, 401, 402, 403, 404, 405, 460, 677, 1601, 1616, 1704, 2100, 2116, 2135, 2136, 2311, 2451.4, 2607, 2632, 2701, 2715, 2742, 2841, 2854, 2857, 2872, 2920, 2933, 3010, 3027, 3055, 3148, 3151, 4000, 4006, 4010, 4010.5, 4049.5, 4140, 4360, 4380, 4416, 4505, 4800, 4847, 4853, 5000, 5001, 5002, 5015, 5017, 5081.3, 5510, 5514, 5515, 5525, 5551, 5620, 5621, 5629, 5652, 6500, 6501, 6502, 6509, 6511, 6553, 6553.5, 6630, 6710, 6711, 6712, 6762, 6851, 6860, 6861, 6864, 6865, 6865.5, 6866, 6901, 6911, 6950, 7000.5, 7001, 7002, 7003, 7011, 7012, 7075, 7136, 7200, 7301, 7302, 7303, 7309, 7311, 7314, 7375, 7381, 7410, 7413, 7501, 7503, 7512, 7513, 7581, 7601, 7602, 7603, 7608, 7628, 7680, 7810, 7813, 7814, 7850, 8000, 8005, 8008, 8501, 8509, 8520, 8521, 8522, 8529, 8561, 8612, 8702, 8747, 8775.3, 9001, 9007, 9008, 9530, 9532, 9533.5, 9540.5, 9540.51, 9541, 9541.1, 9597, 9625, 9626, 9628, 9711, 9801, 9810, 9811, 9817, 9870, 9871, 9872,*

### LEGISLATIVE COUNSEL'S DIGEST

Executive reorganization: plan 2.

Amends, adds, repeals, various provisions, various codes.

Reduces Executive Reorganization Plan No. 2 of 1970 to statutory form without substantive change.

Specifically changes the name of the Department of Professional and Vocational Standards to the Department of Consumer Affairs and title of Director of Professional and Vocational Standards to Director of Consumer Affairs; transfers the Office of Consumer Counsel to Department of Consumer Affairs; abolishes the Collection Agency Licensing Bureau and the Bureau of Private Investigators and Adjusters and transfers the functions of those bureaus to a newly created Bureau of Collection and Investigative Services; changes the name of the Bureau of Electronic Repair Dealer Registration to the Bureau of Repair Services; transfers the authority to employ investigative, in-

9874, 9907, 9908, 9920, 9922, 9950, 9992, 17500.1, 17805, 17806, 17807, 18620, 18626, 18672, 19004, 19030, 19031, 19032, 19035.1, 19035.2, 19035.3, 19052, 19054, 19056, 19058, 19059, 19059.5, and 19206 of, to add Sections 159.5, 164, 6908, 7510, 7531, and 9949 to, and Chapter 8 (commencing with Section 470) to Division 1 of, and to repeal Sections 6908, 7510, 7531, 9949, and 9996 of, the Business and Professions Code, to amend Sections 11200, 11501, 11554, 12040, and 12804 of, and to repeal Article 5 (commencing with Section 12050) of Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, to amend Section 830.3 of the Penal Code, and to amend an initiative act entitled "An act to establish a board of osteopathic examiners, to provide for their appointment, and to prescribe their powers and duties; to regulate the examination of applicants, who are graduates of osteopathic schools, for any form of certificate to treat disease, injuries, deformities or other physical or mental conditions; to regulate the practice of those so licensed, who are graduates of osteopathic schools; to impose upon said board of osteopathic examiners all duties and functions, relating to graduates of osteopathic schools, holding or applying for any form of certificate or license, heretofore exercised and performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof" approved by electors November 7, 1922, by amending Section 1 thereof, relating to the reorganization of the executive branch of the California state government.

spectional, and auditing personnel from the different agencies in the Department of Professional and Vocational Standards to Department of Consumer Affairs; transfers all functions of any agency in the Department of Professional and Vocational Standards to determine the form and content of any license, certificate, permit or similar indicia of authority to the Director of Consumer Affairs, and provides for the appointment of a public member to replace one of the licensee members on the State Board of Accountancy, California State Board of Architectural Examiners, State Board of Landscape Architects, State Board of Barber Examiners, State Board of Registration for Professional Engineers, Collection Agency Advisory Board, Contractors' State License Board, State Board of Cosmetology, State Board of Funeral Directors and Embalmers, State Board of Registration for Geologists, Structural Pest Control Board, Cemetery Board, and California Advisory Board of Furniture and Bedding.

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

- 1 SECTION 1. Section 23 of the Business and Professions Code
- 2 is amended to read:
- 3 23. "Department," unless otherwise defined, refers to the
- 4 Department of Professional and Vocational Standards Consumer
- 5 Affairs.
- 6 Wherever the laws of this state refer to the Department of
- 7 Professional and Vocational Standards, the reference shall be
- 8 construed to be to the Department of Consumer Affairs.
- 9 SEC. 2. Section 23.5 of the Business and Professions Code
- 10 is amended to read:
- 11 23.5. "Director," unless otherwise defined, refers to the
- 12 Director of Professional and Vocational Standards Consumer
- 13 Affairs.
- 14 Wherever the laws of this state refer to the Director of Pro-
- 15 fessional and Vocational Standards, the reference shall be con-
- 16 strued to be to the Director of Consumer Affairs.
- 17 SEC. 3. Section 23.6 of the Business and Professions Code
- 18 is amended to read:
- 19 23.6. "Appointing power," unless otherwise defined, refers
- 20 to the Director of Professional and Vocational Standards Con-
- 21 sumer Affairs.
- 22 SEC. 4. Section 100 of the Business and Professions Code
- 23 is amended to read:
- 24 100. There is in the state government, in the Agriculture
- 25 and Services Agency, a Department of Professional and Voca-
- 26 tional Standards Consumer Affairs.
- 27 SEC. 5. Section 101 of the Business and Professions Code
- 28 is amended to read:
- 29 101. The department is comprised of:
- 30 (a) The Board of Dental Examiners of California.
- 31 (b) The Board of Medical Examiners of the State of Cali-
- 32 fornia.
- 33 (c) The State Board of Optometry.
- 34 (d) The California State Board of Pharmacy.
- 35 (e) The Board of Examiners in Veterinary Medicine.
- 36 (f) The State Board of Accountancy.
- 37 (g) The California State Board of Architectural Examiners.
- 38 (h) The State Board of Barber Examiners.
- 39 (i) The State Board of Registration for Civil and Profes-
- 40 sional Engineers.
- 41 (j) The Contractors' State License Board.
- 42 (k) The State Board of Cosmetology.
- 43 (l) The State Board of Funeral Directors and Embalmers.
- 44 (m) The Structural Pest Control Board.
- 45 (n) The Bureau of Furniture and Bedding Inspection.
- 46 (o) The California Board of Nursing Education and Nurse
- 47 Registration.
- 48 (p) The State Board of Dry Cleaners.
- 49 (q) The Board of Chiropractic Examiners.

- 1 (r) The Board of Social Work Examiners of the State of
- 2 California.
- 3 (s) The State Athletic Commission.
- 4 (t) The Cemetery Board.
- 5 (u) The State Board of Guide Dogs for the Blind.
- 6 (v) The Bureau of ~~Private Investigators and Adjusters Col-~~
- 7 ~~lection and Investigative Services.~~
- 8 (w) The Certified Shorthand Reporters Board.
- 9 (x) The Board of Vocational Nurse and Psychiatric Techni-
- 10 cian Examiners of the State of California.
- 11 (y) The California State Board of Landscape Architects.
- 12 ~~(z) The Collection Agency Licensing Bureau.~~
- 13 ~~(aa) (z) The Bureau of Electronic Repair Dealer Registra-~~
- 14 ~~tion Repair Services.~~
- 15 ~~(ab) (aa) The Bureau of Employment Agencies.~~
- 16 ~~(ac) (ab) The Board of Osteopathic Examiners.~~
- 17 ~~(ac) The Division of Investigation.~~

18 (ad) Any other boards, offices, or officers subject to its

19 jurisdiction by law.

20 SEC. 6. Section 102 of the Business and Professions Code

21 is amended to read:

22 102. Upon the request of any board regulating, licensing,

23 or controlling any professional or vocational occupation cre-

24 ated by an initiative act, the Director of ~~Professional and Vo-~~

25 ~~ccational Standards Consumer Affairs~~ may take over the duties

26 of the board under the same conditions and in the same man-

27 ner as provided in this code for other boards of like charac-

28 ter. Such boards shall pay a proportionate cost of the adminis-

29 tration of the department on the same basis as is charged other

30 boards included within the department. Upon request from

31 any such board which has adopted the provisions of Chapter 5

32 (*commencing with Section 11500*) of Part 1 of Division 3 of

33 Title 2 of the Government Code as rules of procedure in pro-

34 ceedings before it, the director shall assign hearing officers for

35 such proceedings in accordance with Section 110.5.

36 SEC. 7. Section 107.5 of the Business and Professions Code

37 is amended to read:

38 107.5. If any board in the department uses an official seal

39 pursuant to any provision of this code, the seal shall contain

40 the words "State of California" and "Department of ~~Profes-~~

41 ~~sional and Vocational Standards Consumer Affairs~~" in addi-

42 tion to the title of the board, and shall be in a form approved

43 by the director.

44 SEC. 8. Section 130 of the Business and Professions Code

45 is amended to read:

46 130. (a) Notwithstanding any other provision of law, as

47 the term of office of any member of an agency designated in

48 subdivision (b) of this section expires on or after the effec-

49 tive date of this section, the first appointment to such office

50 thereafter shall be for a term expiring on June 1st of the third

51 year following the year in which such previous term expired.

1 Thereafter, appointment to such office shall be for a term of

2 four years expiring on June 1st.

3 (b) Subdivision (a) of this section shall apply to the follow-

4 ing boards or committees:

- 5 (1) Board of Medical Examiners of the State of California
- 6 (2) Podiatry Examining Committee
- 7 (3) Physical Therapy Examining Committee
- 8 (4) California Board of Nursing Education and Nurse Reg-
- 9 istration
- 10 (5) Board of Vocational Nurse and Psychiatric Technician
- 11 Examiners of the State of California
- 12 (6) State Board of Optometry
- 13 (7) California State Board of Pharmacy
- 14 (8) Board of Examiners in Veterinary Medicine
- 15 (9) California State Board of Architectural Examiners
- 16 (10) Designers' Qualifications Advisory Committee
- 17 (11) California State Board of Landscape Architects
- 18 (12) State Board of Barber Examiners
- 19 (13) State Board of Registration for Professional **Engineers**
- 20 (14) Contractors' State License Board
- 21 (15) State Board of Cosmetology
- 22 (16) State Board of Guide Dogs for the Blind
- 23 (17) State Board of Funeral Directors and Embalmers
- 24 (18) Social Worker and Marriage Counselor Qualifications
- 25 Board of the State of California
- 26 (19) Structural Pest Control Board
- 27 (20) Cemetery Board
- 28 (21) ~~Advisory Board, Bureau of Electronic Repair Dealer~~
- 29 ~~Registration Repair Services Advisory Board~~
- 30 (22) Certified Shorthand Reporters Board
- 31 (23) State Board of Registration for Geologists
- 32 (24) State Athletic Commission
- 33 (25) California Advisory Board to the Bureau of Employ-
- 34 ment Agencies
- 35 (26) Board of Osteopathic Examiners of the State of Cali-
- 36 fornia

37 SEC. 9. Section 150 of the Business and Professions Code

38 is amended to read:

39 150. The department is under the control of a civil execu-

40 tive officer who is known as the Director of ~~Professional and~~

41 ~~Vocational Standards Consumer Affairs.~~

42 SEC. 10. Section 155 of the Business and Professions Code

43 is amended to read:

44 155. ~~The~~ In accordance with the provisions of Section

45 159.5, the director may employ such investigators, inspectors,

46 and deputies as are necessary properly to investigate and

47 prosecute all violations of any law, the enforcement of which is

48 charged to the department or to any board, agency or commis-

49 sion in the department.

50 SEC. 11. Section 158 of the Business and Professions Code

51 is amended to read:

1 158. With the approval of the Director of the Department  
2 of Professional and Vocational Standards Consumer Affairs,  
3 the boards and commissions comprising the department or sub-  
4 ject to its jurisdiction may make refunds to applicants who  
5 are found ineligible to take the examinations or whose creden-  
6 tials are insufficient to entitle them to certificates or licenses.

7 Notwithstanding any other provision of law any application  
8 fees, license fees or penalties imposed and collected illegally,  
9 by mistake, inadvertence, or error shall be refunded. Claims  
10 authorized by the department shall be filed with the State Con-  
11 troller, and the Controller shall draw his warrant against the  
12 fund of the agency in payment of such refund.

13 SEC. 12. Section 159.5 is added to the Business and Pro-  
14 fessions Code, to read:

15 159.5. There is in the department the Division of Investiga-  
16 tion. The division is in charge of a person with the title of  
17 Chief of the Division.

18 All positions for the personnel necessary to provide investi-  
19 gative, inspectional, and auditing services to the agencies in  
20 the department shall be in the division and such personnel  
21 shall be appointed by the director. However, if, pursuant to  
22 the Governor's Reorganization Plan No. 2 of the 1970 Regu-  
23 lar Session, any agency has any investigative, inspectional, or  
24 auditing positions of its own, the agency shall retain such  
25 positions until the director determines, after consultation with  
26 and consideration of the views of the particular agency con-  
27 cerned, that the positions should be transferred to the division  
28 in the interests of efficient, economical, and effective service  
29 to the public, at which time they shall be so transferred.

30 SEC. 13. Section 160 of the Business and Professions Code  
31 is amended to read:

32 160. The Chief and all investigators of the ~~division of in-~~  
33 ~~vestigation~~ *Division of Investigation* of the department have  
34 the authority of peace officers while engaged in exercising the  
35 powers granted or performing the duties imposed upon them  
36 or the division in investigating the laws administered by the  
37 various boards comprising the department or commencing di-  
38 rectly or indirectly any criminal prosecution arising from any  
39 investigation conducted under these laws. All persons herein  
40 referred to shall be deemed to be acting within the scope of  
41 employment with respect to all acts and matters in this section  
42 set forth.

43 SEC. 14. Section 160.5 of the Business and Professions  
44 Code is amended to read:

45 160.5. Inspectors of the Division of Investigation of the  
46 department shall perform the inspections authorized by the  
47 ~~boards agencies~~ within the department. The assignment of in-  
48 spectors shall be made by the ~~chief of the division~~ *Chief of the*  
49 *Division* with the approval of the director.

50 SEC. 15. Section 164 is added to the Business and Profes-  
51 sions Code, to read:

1 164. The form and content of any license, certificate, per-  
2 mit, or similar indicia of authority issued by any agency in the  
3 department, including any document evidencing renewal of a  
4 license, certificate, permit, or similar indicia of authority, shall  
5 be determined by the director after consultation with and con-  
6 sideration of the views of the agency concerned, except that  
7 supplies on hand on the first day after final adjournment of  
8 the 1970 Regular Session may be used until they are exhausted  
9 or until December 31, 1971, whichever is earlier.

10 SEC. 16. Section 203 of the Business and Professions Code  
11 is amended to read:

12 203. The amount of the warrant shall be remitted to the  
13 State Treasurer by the department for credit to the profes-  
14 sional and vocational standards' fund *Consumer Affairs Fund*.  
15 The department shall pay all of its necessary administrative  
16 expenses out of ~~this fund~~ *the Consumer Affairs Fund*.

17 SEC. 17. Section 204 of the Business and Professions Code  
18 is amended to read:

19 204. A sum, not to exceed 1 percent of the total amount  
20 appropriated for all of the boards herein mentioned may be  
21 withdrawn from the professional and vocational standards'  
22 ~~fund~~ *Consumer Affairs Fund* without at the time furnishing  
23 vouchers and itemized statements. This sum shall be used as a  
24 revolving fund where cash advances are necessary, and at the  
25 close of each biennium, or at any other time, upon demand of  
26 the Department of Finance, shall be accounted for and sub-  
27 stantiated by vouchers and itemized statements submitted to  
28 and audited by the State Controller.

29 SEC. 17.5. Section 205 of the Business and Professions  
30 Code is amended to read:

31 205. There is in the State Treasury the Professions and  
32 Vocations Fund. The fund shall consist of the following special  
33 funds:

- 34 Accountancy Fund.
- 35 California State Board of Architectural Examiners' Fund.
- 36 Athletic Commission Fund.
- 37 State Board of Barber Examiners' Fund.
- 38 Cemetery Fund.
- 39 Contractors' License Fund.
- 40 Board of Cosmetology's Contingent Fund.
- 41 State Dentistry Fund.
- 42 Dry Cleaners' Fund.
- 43 State Funeral Directors and Embalmers' Fund.
- 44 Bureau of Furniture and Bedding Inspection Fund.
- 45 State Board of Landscape Architects' Fund.
- 46 Contingent Fund of the Board of Medical Examiners.
- 47 Board of Nurse Examiners' Fund.
- 48 State Optometry Fund.
- 49 Pharmacy Board Contingent Fund.
- 50 Physical Therapy Fund.
- 51 Private Investigator and Adjuster Fund.
- 52 Professional Engineers' Fund.

1 ~~Professional and Vocational Standards~~ *Consumer Affairs*  
2 Fund.

3 Registered Social Workers' Fund.

4 Shorthand Reporters' Fund.

5 Structural Pest Control Fund.

6 Board of Veterinary Examiners' Contingent Fund.

7 Vocational Nurse Examiners' Fund.

8 For accounting and recordkeeping purposes, the Profes-  
9 sions and Vocations Fund shall be deemed to be a single  
10 special fund, and each of the several special funds therein  
11 shall constitute and be deemed to be a separate account in the  
12 Professions and Vocations Fund. Each such account or fund  
13 shall be available for expenditure only for such purposes as  
14 are now or may hereafter be provided by law.

15 SEC. 18. Section 400 of the Business and Professions Code  
16 is amended to read:

17 400. The Department of ~~Professional and Vocational~~  
18 ~~Standards~~ *Consumer Affairs* may, with the approval of the  
19 Department of General Services, purchase or otherwise acquire  
20 real property and may construct and equip buildings and  
21 make improvements thereon for its use and the use of the  
22 boards and commissions comprising the department or subject  
23 to its jurisdiction and for the use of other departments, boards  
24 and agencies of the state, irrespective of the funds from which  
25 appropriations are made for their support.

26 SEC. 19. Section 401 of the Business and Professions Code  
27 is amended to read:

28 401. When there is money in the fund of any board or  
29 commission comprising the Department of ~~Professional and~~  
30 ~~Vocational Standards~~ *Consumer Affairs* or subject to its juris-  
31 diction, which money, the Director of ~~Professional and Voca-~~  
32 ~~tional Standards~~ *Consumer Affairs* finds, is not required to  
33 meet any demand which has accrued or may accrue against the  
34 fund, the Controller, upon executive order of the Director of  
35 Finance, shall transfer the sum designated by the Director of  
36 ~~Professional and Vocational Standards~~ *Consumer Affairs* from  
37 the fund of the board or commission to the Department of  
38 ~~Professional and Vocational Standards~~ *Consumer Affairs*  
39 Fund to be used for the purposes of this chapter.

40 No money may be taken from the fund of any board or com-  
41 mission when it will interfere with the administrative duties  
42 imposed upon the board or commission. The unencumbered,  
43 unexpended money in the fund of any board in division  
44 number one of the department shall never be reduced to less  
45 than twenty-five thousand dollars (\$25,000) by any transfer  
46 ordered by the Director of ~~Professional and Vocational Stand-~~  
47 ~~ards~~ *Consumer Affairs* under this chapter.

48 SEC. 20. Section 402 of the Business and Professions Code  
49 is amended to read:

50 402. The Department of Finance, from funds at its disposal  
51 for office and housing facilities for any other department,

1 board, or agency, and any other department, board or agency,  
2 supported in whole or in part from the general fund or special  
3 funds, may transfer in the manner authorized by law any  
4 money appropriated or made available for their use or invest-  
5 ment to the ~~Department of Professional and Vocational Stand-~~  
6 ~~ards~~ *Consumer Affairs Fund* for expenditure by the De-  
7 partment of ~~Professional and Vocational Standards~~ *Consumer*  
8 *Affairs* for the purposes of this chapter.

9 SEC. 21. Section 403 of the Business and Professions Code  
10 is amended to read:

11 403. Any building constructed by the Department of ~~Pro-~~  
12 ~~fessional and Vocational Standards~~ *Consumer Affairs* under  
13 this chapter shall be subject to the supervision of the Depart-  
14 ment of ~~Professional and Vocational Standards~~ *Consumer Af-*  
15 *airs* in accordance with rules and regulations established by  
16 the Department of ~~Professional and Vocational Standards~~  
17 *Consumer Affairs* and the Department of General Services.

18 The Department of ~~Professional and Vocational Standards~~  
19 *Consumer Affairs* may, with the approval of the Department  
20 of General Services, rent the space therein to any other depart-  
21 ment and to any board or agency for such rentals and upon  
22 such terms and conditions as the Department of ~~Professional~~  
23 ~~and Vocational Standards~~ *Consumer Affairs* deems fit.

24 The costs of operation, maintenance, repairs, and other rea-  
25 sonable and necessary expenses shall be paid from rentals.  
26 Thereafter, from such net rentals there shall be returned to  
27 the General Fund of the state and to such other funds from  
28 which contributions were made to the cost of the facilities,  
29 amounts commensurate with the financial requirements of the  
30 various funds from which contributions were made; the re-  
31 turnable amounts to be determined by the Department of ~~Pro-~~  
32 ~~fessional and Vocational Standards~~ *Consumer Affairs*, with the  
33 approval of the Department of General Services, and not to  
34 exceed the amount of the original contributions from the re-  
35 spective funds; provided, however, that interest may be paid  
36 on the contributions in the manner and amount determined  
37 by the Department of ~~Professional and Vocational Standards~~  
38 *Consumer Affairs* with the approval of the Director of General  
39 Services.

40 SEC. 22. Section 404 of the Business and Professions Code  
41 is amended to read:

42 404. The Department of ~~Professional and Vocational~~  
43 ~~Standards~~ *Consumer Affairs* and the Department of General  
44 Services may establish rules and regulations for the adminis-  
45 tration of any building constructed under this chapter.

46 SEC. 23. Section 405 of the Business and Professions Code  
47 is amended to read:

48 405. Rentals received under Section 403 shall be deposited  
49 in and disbursed pursuant to ~~said that~~ section from the ~~Pro-~~  
50 ~~fessional and Vocational Standards~~ *Consumer Affairs* Fund.  
51 On July 1, 1953, the unexpended balance of any such rentals  
52 on deposit in the Special Deposit Fund shall, on order of the

1 State Controller, be transferred to the Professional and Voca-  
2 tional Standards Fund.

3 SEC. 24. Section 460 of the Business and Professions Code  
4 is amended to read:

5 460. No city or county shall prohibit a person, authorized  
6 by one of the agencies in the Department of Professional and  
7 Vocational Standards Consumer Affairs by a license, certifi-  
8 cate, or other such means to engage in a particular business,  
9 from engaging in that business, occupation, or profession or  
10 any portion thereof. Nothing in this section shall prohibit  
11 any city or county or city and county from levying a business  
12 license tax solely for revenue purposes nor any city or county  
13 from levying a license tax solely for the purpose of covering  
14 the cost of regulation.

15 SEC. 25. Chapter 8 (commencing with Section 470) is  
16 added to Division 1 of the Business and Professions Code,  
17 to read:

#### 18 CHAPTER 8. CONSUMER COUNSEL

19  
20 470. There is, in the Department of Consumer Affairs in  
21 the Agriculture and Services Agency, the Office of Consumer  
22 Counsel.

23 The Office of Consumer Counsel succeeds to and is vested  
24 with all the duties, powers, purposes, responsibilities, and ju-  
25 risdiction vested in the Consumer Counsel in the office of the  
26 Governor.

27 The Office of Consumer Counsel is under the control of an  
28 executive officer known as the Consumer Counsel, who shall  
29 be appointed by the Governor, subject to confirmation by the  
30 Senate, and shall serve at his pleasure.

31 471. The Office of Consumer Counsel may use the unex-  
32 pended balances of funds available for use by the Consumer  
33 Counsel in the office of the Governor in connection with the  
34 performance of the functions of the Consumer Counsel in  
35 the office of the Governor that are vested by Section 470 in  
36 the Office of the Consumer Counsel. Such funds shall be used  
37 by the Office of the Consumer Counsel only for the purposes  
38 for which they were originally appropriated or otherwise  
39 made available to the Consumer Counsel in the office of the  
40 Governor.

41 472. The Office of Consumer Counsel shall have the pos-  
42 session and control of all records, papers, offices, equipment,  
43 supplies, moneys, funds, appropriations, land and other prop-  
44 erty, real or personal, held for the benefit or use of the Con-  
45 sumer Counsel in the office of the Governor in the performance  
46 of the duties, powers, purposes, responsibilities, and jurisdic-  
47 tion of the Consumer Counsel that are vested in the Office of  
48 Consumer Counsel by Section 470.

49 473. The Consumer Counsel shall receive a salary as pro-  
50 vided for by Chapter 6 (commencing with Section 11550) of  
51 Part 1 of Division 3 of Title 2 of this code.

1 474. The Governor may also appoint and fix the salaries  
2 of such assistants and employees for the Consumer Counsel  
3 as the Governor may deem necessary. Such salaries shall be  
4 fixed as nearly as possible to conform to the salaries  
5 established by the State Personnel Board for classes of posi-  
6 tions in the state civil service involving comparable duties and  
7 responsibilities.

8 475. The Consumer Counsel, through the Secretary of the  
9 Agriculture and Services Agency, shall advise the Governor  
10 as to all matters affecting the interests of the people as con-  
11 sumers. The Consumer Counsel, through the Secretary of the  
12 Agriculture and Services Agency, shall recommend to the  
13 Governor and to the Legislature the enactment of such legis-  
14 lation as he deems necessary to protect and promote the in-  
15 terests of the people as consumers.

16 476. The Consumer Counsel in carrying out his functions  
17 under Section 475, shall make such studies as he deems neces-  
18 sary, or as directed by the Governor or the Secretary of the  
19 Agriculture and Services Agency, and may render reports  
20 thereon from time to time to the people of the state.

21 477. In carrying out the provisions of this chapter, the  
22 Consumer Counsel, with the approval of the Secretary of the  
23 Agriculture and Services Agency, may:

24 (a) Appear before governmental commissions, departments,  
25 and agencies to represent and be heard on behalf of con-  
26 sumers' interests.

27 (b) Cooperate and contract with public and private agen-  
28 cies for the obtaining of statistical surveys, printing, economic  
29 information, and such similar services as may be necessary and  
30 proper.

31 (c) Do such other acts as may be incidental to the exercise  
32 of his powers and functions as conferred by this chapter.

33 478. Each agency, officer, and employee of the state shall  
34 cooperate with the Consumer Counsel in carrying out his  
35 functions under this chapter.

36 479. The Governor, by executive order, may create such  
37 advisory committees as he deems necessary to assist the Con-  
38 sumer Counsel in carrying out his functions under this chap-  
39 ter. The Governor shall appoint the members thereof and they  
40 shall serve at his pleasure. The committees shall be under the  
41 direction of the Consumer Counsel. The members of such ad-  
42 visory committees shall receive no compensation for their  
43 services except that they shall receive their actual and neces-  
44 sary expenses incurred in the discharge of their duties.

45 SEC. 26. Section 677 of the Business and Professions Code  
46 is amended to read:

47 677. Every person, firm, association, partnership, or cor-  
48 poration subject to the provisions of this article shall main-  
49 tain records for at least three years, which records shall be  
50 open to inspection by investigators of the Board of Nurse  
51 Examiners and the Board of Vocational Nurse Examiners Di-

vision of Investigation of the department and by peace officers acting in their official capacity.

The records shall include the names and address of the persons admitted to the course of instruction and a copy of any written contract signed by such a person or, if no contract is signed, a copy of the written notice given to such person.

A correspondence school whose home office is located outside of this state need maintain the foregoing records only for persons residing in this state.

SEC. 27. Section 1601 of the Business and Professions Code is amended to read:

1601. There is in the Department of Professional and Vocational Standards Consumer Affairs a Board of Dental Examiners of California in which the administration of this chapter is vested. The board consists of seven practicing dentists and one public member.

SEC. 28. Section 1616 of the Business and Professions Code is amended to read:

1616. ~~The Except as provided by Section 159.5, the~~ board shall have full power to employ all necessary clerical and other assistants and appoint its own attorney, prescribe his duties and fix his compensation. Members and employees of the board shall be entitled to other necessary traveling expenses.

SEC. 29. Section 1704 of the Business and Professions Code is amended to read:

1704. Any inspector of the board who has been duly appointed and sworn, when acting under the direction of the board or an officer thereof in the performance of his duties as an inspector, ~~and an inspector of the department's Division of Investigation when engaged on behalf of the board in the performance of his duties as an inspector,~~ has all powers and authority of a peace officer of the State of California.

SEC. 30. Section 2100 of the Business and Professions Code is amended to read:

2100. There is in the Department of Professional and Vocational Standards Consumer Affairs a Board of Medical Examiners of the State of California which consists of 11 members who shall be appointed by the Governor, one of whom shall be a public member.

SEC. 31. Section 2116 of the Business and Professions Code is amended to read:

2116. The board may prosecute all persons guilty of violating the provisions of this chapter.

It may employ inspectors, special agents, and investigators, any such clerical assistance as it may deem necessary to carry into effect the provisions of this chapter. The board may fix the compensation to be paid for such service and may incur such other expenses as it may deem necessary.

The Attorney General shall act as the legal counsel for the board and his services shall be a charge against it.

SEC. 32. Section 2135 of the Business and Professions Code is amended to read:

2135. The board shall issue two forms of certificates ~~under its seal and signed by two members of the board. These certificates shall be designated as:~~

(a) Physician's and surgeon's certificate.

(b) Certificate to practice podiatry.

The physician's and surgeon's certificate may also be issued as a reciprocity certificate.

SEC. 33. Section 2136 of the Business and Professions Code is amended to read:

2136. All certificates issued shall state the extent and character of the practice which is permitted; ~~and shall be in the form prescribed by the board.~~

SEC. 34. Section 2311 of the Business and Professions Code is amended to read:

2311. ~~All Except as otherwise required by the director pursuant to Section 164,~~ certificates issued pursuant to this article shall be marked reciprocity certificate.

SEC. 35. Section 2451.4 of the Business and Professions Code is amended to read:

2451.4. (a) On and after January 1, 1969 no certificates or renewals of certificates to practice "chiroprody" will be issued by the board. In place of such term the board shall use the words "podiatry" or "podiatrist" and shall not use the words "chiroprody" or "chiroprodist." In the case of all applications for renewals of unexpired, expired, or suspended certificates or licenses pursuant to Article 15 (commencing with Section 2450) of Chapter 5 of Division 2, and upon the submission, by the podiatrist, of his existing certificate or license, or an appropriate affidavit as to the loss, mutilation or destruction thereof, together with the application for renewal thereof, the board shall issue a new certificate or license to such podiatrist which shall be identical to the previous certificate or license, except in the following respects:

(1) The words "podiatry" or "podiatrist" shall be used in all places instead of the words "chiroprody" or "chiroprodist."

(2) If the name of the academic institution from which the podiatrist has graduated and received a degree or diploma has changed, the new name of such academic institution shall be inserted in place and instead of the name on the previous certificate or license.

(3) If the academic institution from which the podiatrist has graduated and received a degree or diploma issues degrees or diplomas of "Doctor of Podiatric Medicine," then upon submission of such proof as the board may require that the podiatrist has been awarded such degree or diploma, the term or suffix "DPM" shall be inserted instead of the term or suffix in the previous certificate or license, notwithstanding any provisions to the contrary in Section 2398.

(4) If a graduate from an approved academic institution, which is no longer in existence, receives a degree or diploma

of "Doctor of Podiatric Medicine" from any other approved academic institution, then upon submission of such proof as the board may require that the podiatrist has been awarded such degree or diploma, the term or suffix "DPM" shall be inserted instead of the term or suffix in the previous certificate or license, notwithstanding any provisions to the contrary in Section 2398.

(5) Any such certificate or license shall, at the bottom thereof, state the date upon which it is issued in the following manner: "This Certificate to Practice Podiatry is issued on the \_\_\_\_\_ day of \_\_\_\_\_ and replaces the original certificate issued \_\_\_\_\_."

No action or proceeding commenced before the operative date of this section and no rights given by any certificate issued before the effective date of this section shall be affected by the enactment of this section, but all procedures hereafter taken, and all rights resulting from any such certificates, shall hereafter conform to, and be exercised according to, the provisions of this section as far as possible.

(b) *Nothing in this section shall limit the authority of the director, pursuant to Section 164, to determine the form and content of the certificates referred to in this section; except that the director shall not have the authority to require that any certificate contain the terms "chiropody" or "chiropodist."*

SEC. 36. Section 2607 of the Business and Professions Code is amended to read:

2607. The board may employ, subject to law, such ~~inspectors, special agents, investigators,~~ clerical assistants and, *except as provided in Section 159.5,* other employees as it may deem necessary to carry out its powers and duties.

SEC. 37. Section 2632 of the Business and Professions Code is amended to read:

2632. All licenses for the practice of physical therapy in this state shall be issued by the board and all applications for such licenses shall be filed with the board. *The Except as otherwise required by the director pursuant to Section 164,* the license issued by the board shall describe the licensee as a "Registered Physical Therapist licensed by the Board of Medical Examiners."

Each application shall be accompanied by the application fee prescribed by Section 2462, shall be signed by the applicant, and shall contain a statement under oath of the facts entitling the applicant to receive a license without examination or to take an examination.

SEC. 38. Section 2701 of the Business and Professions Code is amended to read:

2701. The Board of Nurse Examiners of the State of California, consisting of six members, is continued in existence in the Department of ~~Professional and Vocational Standards~~ *Consumer Affairs* as the California Board of Nursing Education and Nurse Registration.

Within the meaning of this chapter, board, or the board, refers to the California Board of Nursing Education and Nurse Registration. Any reference in state law to the Board of Nurse Examiners of the State of California shall be construed to refer to the California Board of Nursing Education and Nurse Registration.

SEC. 39. Section 2715 of the Business and Professions Code is amended to read:

2715. The board shall prosecute all persons guilty of violating the provisions of this chapter.

*The Except as provided by Section 159.5,* the board, in accordance with the provisions of the civil service law, may employ such personnel as it deems necessary to carry into effect the provisions of this chapter.

The board shall have and use a seal bearing the name "California Board of Nursing Education and Nurse Registration." The board may adopt, amend, or repeal, in accordance with the provisions of Chapter 4.5 (*commencing with Section 11371*), Part 1, Division 3, Title 2 of the Government Code, such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of this chapter.

SEC. 40. Section 2742 of the Business and Professions Code is amended to read:

2742. The board shall issue a license to each applicant who passes the examination. The form of the license shall be determined ~~by the board~~ *in accordance with Section 164.*

SEC. 41. Section 2841 of the Business and Professions Code is amended to read:

2841. There is hereby created in the Department of ~~Professional and Vocational Standards~~ *Consumer Affairs* a Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California, consisting of 11 members.

Within the meaning of this chapter, board, or the board, refers to the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California.

SEC. 42. Section 2854 of the Business and Professions Code is amended to read:

2854. The board shall prosecute all persons guilty of violating the provisions of this chapter.

It may employ ~~inspectors, special agents, investigators and~~ such clerical assistance as it may deem necessary to carry into effect the provisions of this chapter. The board may fix the compensation to be paid for such services and may incur such other expenses as it may deem necessary.

The board may adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of this chapter. Such rules and regulations shall be adopted in accordance with the provisions of the Administrative Procedure Act.

SEC. 43. Section 2857 of the Business and Professions Code is amended to read:

1 2857. The board shall issue a license ~~under its seal and~~  
2 ~~signed by the executive secretary.~~ Such license shall be desig-  
3 nated as licensed vocational nurse license.

4 SEC. 44. Section 2872 of the Business and Professions Code  
5 is amended to read:

6 2872. The board shall issue a license to each applicant who  
7 passes the examination. The form of the license shall be deter-  
8 mined ~~by the board in accordance with Section 164.~~

9 SEC. 45. Section 2920 of the Business and Professions Code  
10 is amended to read:

11 2920. The present Psychology Examining Committee of the  
12 Board of Medical Examiners of the Department of Profes-  
13 sional and Vocational Standards ~~Consumer Affairs~~ shall ad-  
14 minister the provisions of this chapter. The committee shall  
15 consist of eight members appointed by the Governor, one of  
16 whom shall be a public member.

17 SEC. 46. Section 2933 of the Business and Professions Code  
18 is amended to read:

19 2933. ~~The Except as provided by Section 159.5, the~~ board  
20 shall employ and shall make available to the committee within  
21 the limits of the funds received by the board all personnel nec-  
22 essary to carry out the provisions of this chapter. The board  
23 shall make all expenditures to carry out the provisions of this  
24 chapter. The board may accept contributions to effectuate the  
25 purposes of this chapter.

26 SEC. 47. Section 3010 of the Business and Professions Code  
27 is amended to read:

28 3010. There is in the Department of Professional and Vo-  
29 cational Standards ~~Consumer Affairs~~ a State Board of Optom-  
30 etry in which the enforcement of this chapter is vested. The  
31 board consists of six members appointed by the Governor, one  
32 of whom shall be a public member.

33 Four members of the board shall constitute a quorum.

34 SEC. 48. Section 3027 of the Business and Professions Code  
35 is amended to read:

36 3027. ~~The Except as provided by Section 159.5, the~~ board  
37 may employ agents and inspectors to secure evidence of, and  
38 report on, and prosecute to conviction all violations of this  
39 chapter and may employ other necessary assistance in the car-  
40 rying out of the provisions of this chapter.

41 The Attorney General shall act as the legal counsel for the  
42 board and his services shall be a charge against it.

43 SEC. 49. Section 3055 of the Business and Professions Code  
44 is amended to read:

45 3055. (a) All applicants, without discrimination, who satis-  
46 factorily pass the examination, shall thereupon be registered in  
47 the board's register of optometrists and a certificate of regis-  
48 tration shall be issued to each one ~~under the seal and signature~~  
49 ~~of the members of the board.~~ The certificate shall continue  
50 in effect through the date provided in Section 3146 which next  
51 occurs after its issuance, when it shall expire unless it is re-  
52 newed in the manner provided in that section.

1 (b) Following the effective date of the amendment made to  
2 this section at the 1968 Regular Session and upon receipt of  
3 such application for the same as the board may prescribe, a  
4 certificate of registration shall be issued to every person who  
5 has satisfactorily passed the examination during 1963, 1964,  
6 1965, 1966, 1967, or 1968 but who has not, as a condition  
7 precedent to the issuance of such certificate, paid the initial  
8 certificate fee required by this section and prescribed by this  
9 chapter under the provisions of the Statutes of 1961, Chapter  
10 366, provided that:

11 (1) No fact, circumstance, or condition exists which, if the  
12 certificate were issued, would justify its revocation or suspen-  
13 sion.

14 (2) No initial certificate fee required by this section and  
15 prescribed by this chapter under the provisions of the Statutes  
16 of 1961, Chapter 366, prior to the effective date of the amend-  
17 ment made to this section at the 1968 Regular Session shall be  
18 refunded if paid.

19 (3) Such application for a certificate of registration by such  
20 person shall, except as otherwise provided herein, be filed with  
21 the board prior to the time that such person engages in the  
22 practice of optometry in this state and not later than on or  
23 before December 31, 1969.

24 (4) If such person is serving in the armed forces of the  
25 United States, he may file his application either while still  
26 actively engaged in such service or not later than one year  
27 from the date of his discharge from active service or return  
28 to inactive military status, but he shall not engage in the prac-  
29 tice of optometry in this state other than in active military  
30 service without first applying to the board for a certificate of  
31 registration.

32 SEC. 50. Section 3148 of the Business and Professions Code  
33 is amended to read:

34 3148. From each fee for the renewal of a certificate of reg-  
35 istration for the renewal periods ending on January 31, 1962,  
36 and on January 31, 1963, respectively, there shall be paid the  
37 sum of eight dollars (\$8), and from each fee for the renewal  
38 of a certificate of registration for each biennial renewal period  
39 thereafter, there shall be paid the sum of sixteen dollars (\$16)  
40 by the Director of the Department of Professional and Voca-  
41 tional Standards ~~Consumer Affairs~~ to the University of Cali-  
42 fornia.

43 This sum shall be used at and by the University of Cali-  
44 fornia solely for the advancement of optometrical research  
45 and the maintenance and support of the department at the  
46 university in which the science of optometry is taught.

47 The balance of each renewal fee shall be paid into the op-  
48 tometry fund ~~Optometry Fund.~~

49 SEC. 51. Section 3151 of the Business and Professions Code  
50 is amended to read:

51 3151. The Director of Professional and Vocational Stand-  
52 ards ~~Consumer Affairs~~ shall, within 30 days prior to each

1 general session of the Legislature, submit to the Governor a  
2 full and true report of transactions under this chapter during  
3 the current biennium, including a complete statement of re-  
4 cepts and expenditures during that period.

5 In addition, the Director of ~~Professional and Vocational~~  
6 ~~Standards Consumer Affairs~~, within 10 days after the begin-  
7 ning of each month, shall report to the State Controller all  
8 collections and receipts for the preceding month, and at the  
9 same time shall pay them into the Optometry Fund in the  
10 State Treasury.

11 SEC. 52. Section 4000 of the Business and Professions Code  
12 is amended to read:

13 4000. There is in the Department of ~~Professional and Vo-~~  
14 ~~ational Standards Consumer Affairs~~ a California State Board  
15 of Pharmacy in which the administration and enforcement of  
16 this chapter is vested. The board consists of eight members  
17 who shall be appointed by the Governor.

18 SEC. 53. Section 4006 of the Business and Professions  
19 Code is amended to read:

20 4006. The executive secretary shall give receipts for all  
21 money received by him and pay it to the Department of ~~Pro-~~  
22 ~~fessional and Vocational Standards Consumer Affairs~~, taking  
23 its receipt therefor. Besides the duties required by this chap-  
24 ter, the executive secretary shall perform such other duties  
25 pertaining to his office as may be required of him by the board.

26 SEC. 54. Section 4010 of the Business and Professions  
27 Code is amended to read:

28 4010. *The Except as provided by Section 159.5, the board*  
29 *may employ inspectors of pharmacy. The members of the board*  
30 *and inspectors of pharmacy, whether such inspectors are em-*  
31 *ployed by the board or are in the department's Division of In-*  
32 *vestigation, may inspect, during business hours, all pharm-*  
33 *acies, dispensaries, stores or places in which drugs or poisons*  
34 *are compounded, dispensed or sold. Inspectors of pharmacy,*  
35 *except inspectors of pharmacy who are in the employ of the*  
36 *board on July 15, 1955, whose principal duties are the inspec-*  
37 *tion of pharmacies, and premises operated or conducted by a*  
38 *wholesaler, shall be registered pharmacists.*

39 SEC. 55. Section 4010.5 of the Business and Professions  
40 Code is amended to read:

41 4010.5. (a) The supervising pharmacy inspector and any  
42 pharmacy inspector employed by the board *or the department's*  
43 *Division of Investigation* shall have the authority, as a public  
44 officer, to arrest, without a warrant, any person whenever such  
45 officer has reasonable cause to believe that the person to be  
46 arrested has, in his presence, violated any provision of this  
47 chapter or of Division 10.5 (commencing with Section 11901)  
48 of the Health and Safety Code, the violation of which is de-  
49 clared to be a public offense. If such violation is a felony, or  
50 if the arresting officer has reasonable cause to believe that the  
51 person to be arrested has violated any such provision which is

1 declared to be a felony, although no felony has in fact been  
2 committed, he may make an arrest although the violation or  
3 suspected violation did not occur in his presence.

4 In any case in which an arrest authorized by this subdivi-  
5 sion is made for an offense declared to be a misdemeanor, and  
6 the person arrested does not demand to be taken before a mag-  
7 istrate, the arresting inspector may, instead of taking such  
8 person before a magistrate, follow the procedure prescribed by  
9 Chapter 5C (commencing with Section 853.6) of Title 3 of  
10 Part 2 of the Penal Code. The provisions of such chapter shall  
11 thereafter apply with reference to any proceeding based upon  
12 the issuance of a citation pursuant to this authority.

13 (b) There shall be no civil liability on the part of, and no  
14 cause of action shall arise against, any person, acting pursuant  
15 to subdivision (a) and within the scope of his authority, for  
16 false arrest or false imprisonment arising out of any arrest  
17 which is lawful, or which the arresting officer, at the time of  
18 such arrest, had reasonable cause to believe was lawful. No such  
19 inspector shall be deemed an aggressor or lose his right to self-  
20 defense by the use of reasonable force to effect the arrest or to  
21 prevent escape or to overcome resistance.

22 (c) Any such inspector may serve all processes and notices  
23 throughout the state.

24 SEC. 56. Section 4049.5 of the Business and Professions  
25 Code is amended to read:

26 4049.5. "Authorized officers of the law" means legally em-  
27 powered peace officers, ~~and~~ inspectors of the State Board of  
28 Pharmacy *or the department's Division of Investigation*, and  
29 inspectors of the State Bureau of Food and Drug Inspection.

30 SEC. 57. Section 4140 of the Business and Professions Code  
31 is amended to read:

32 4140. The board may, upon written application, on a form  
33 furnished by the board, and in its discretion, issue a permit to  
34 any person, permitting and authorizing such person to sell and  
35 dispense hypodermic syringes and hypodermic needles for the  
36 purposes and uses specified ~~in said permit~~ *by the board*.

37 SEC. 58. Section 4360 of the Business and Professions Code  
38 is amended to read:

39 4360. A person whose certificate, license, permit, registra-  
40 tion or exemption has been revoked or suspended for more  
41 than one year, may petition the board to reinstate the certifi-  
42 cate, license, permit, registration or exemption after a period  
43 of not less than one year has elapsed from the date of the  
44 revocation or suspension.

45 The petition shall state such facts as may be required by  
46 the board. The petition shall be accompanied by two or more  
47 verified recommendations from holders of certificates, licenses,  
48 permits, registrations or exemptions issued by the board to  
49 which the petition is addressed and by two or more recommen-  
50 dations from citizens each having personal knowledge of the  
51 activities of the petitioner since the disciplinary penalty was

1 imposed. The petition shall be heard at the next regular meet-  
2 ing of the board, held not earlier than 30 days after the peti-  
3 tion was filed. The hearing may be continued from time to  
4 time as the board finds necessary. No petition shall be consid-  
5 ered while the petitioner is under sentence for any criminal  
6 offense, including any period during which he is on probation  
7 or parole.

8 In determining whether the disciplinary penalty should be  
9 set aside and the terms and conditions, if any, which should  
10 be imposed if the disciplinary penalty is set aside, the board  
11 may investigate and consider all activities of the petitioner  
12 since the disciplinary action was taken against him, the offense  
13 for which he was disciplined, his activity during the time his  
14 certificate, license, permit, registration or exemption was in  
15 good standing, and his general reputation for truth, profes-  
16 sional ability and good character. The affirmative vote of at  
17 least five members of the board is necessary to set aside a  
18 penalty and to restore a certificate, license, permit, registra-  
19 tion or exemption with or without terms, conditions and re-  
20 strictions. The board may grant or deny, without a hearing or  
21 argument, any petition filed pursuant to this section, where  
22 the petitioner has been afforded a hearing upon any petition  
23 filed pursuant to this section within a period of two years im-  
24 mediately preceding the filing of such petition.

25 The executive secretary shall enter in his records of the  
26 case all actions of the board in setting aside a disciplinary  
27 penalty under this section, and he shall certify notices to the  
28 Department of Professional and Vocational Standards Con-  
29 sumer Affairs. The Department of Professional and Vocational  
30 Standards Consumer Affairs shall make such changes on its  
31 records as may be necessary.

32 SEC. 59. Section 4380 of the Business and Professions Code  
33 is amended to read:

34 4380. At any time, when in its judgment it appears advis-  
35 able, the board may deputize one of its members; ~~or any other~~  
36 ~~competent person~~, to investigate any suspected violation of any  
37 of the provisions of this chapter. If the result of such investi-  
38 gation seems to the board to justify such action, the board  
39 shall cause the prosecution of any person violating any of the  
40 provisions of this chapter.

41 SEC. 60. Section 4416 of the Business and Professions Code  
42 is amended to read:

43 4416. The amount of fees and penalties prescribed by this  
44 chapter, except as otherwise provided, is that fixed by the  
45 following schedule:

46 (a) The fee for a permit to conduct a pharmacy shall be  
47 fixed by the board at an amount not to exceed fifty dollars  
48 (\$50) for each pharmacy.

49 (b) The annual fee for renewal of the permit to conduct  
50 a pharmacy shall be fixed by the board at an amount not  
51 to exceed fifty dollars (\$50) for each pharmacy.

1 (c) The annual fee for a permit for a general dealer in  
2 a rural district shall be fixed by the board at an amount not  
3 to exceed five dollars (\$5).

4 (d) The fee for any applicant for registration shall be  
5 fixed by the board at an amount not to exceed seventy-five  
6 dollars (\$75).

7 (e) The additional fee for the issuance of a certificate to  
8 any licentiate, who is found by the board on examination to  
9 be entitled to a certificate, shall be fixed by the board at an  
10 amount not to exceed twenty-five dollars (\$25), except that,  
11 if the certificate is issued less than one year before the next  
12 succeeding regular renewal date, the fee shall not exceed  
13 fifteen dollars (\$15). The board may, by regulation, provide  
14 for the waiver or refund of the additional fee for the issu-  
15 ance of a certificate where the certificate is issued less than  
16 45 days before the next succeeding regular renewal date.

17 (f) The fee for the reissuance of a certificate shall be fixed  
18 by the board at an amount not to exceed fifteen dollars (\$15).

19 (g) Except as otherwise provided in this subdivision, the  
20 renewal fee for a registered pharmacist may be fixed by the  
21 board as follows:

22 (1) For the renewal period beginning on July 1, 1962, and  
23 ending on October 31, 1963, at an amount not to exceed ten  
24 dollars (\$10).

25 (2) For the renewal period beginning on November 1, 1963,  
26 and ending on October 31, 1965, and for each biennial renewal  
27 period thereafter, at an amount not to exceed fifty dollars  
28 (\$50).

29 (h) The fee for a wholesaler shall be fixed by the board at  
30 an amount not to exceed two hundred dollars (\$200).

31 (i) The fee for a hypodermic license shall be fixed by the  
32 board at an amount not to exceed five dollars (\$5).

33 (j) The fee for renewal of a hypnotic license shall be fixed  
34 by the board at an amount not to exceed twenty dollars (\$20).  
35 The fee for original issuance of the license shall be fixed by  
36 the board at an amount not to exceed twenty-five dollars (\$25)  
37 if the license is issued not less than one year before the next  
38 succeeding regular renewal date, and at an amount not to  
39 exceed fifteen dollars (\$15) if the license is issued less than  
40 one year before the next succeeding regular renewal date. The  
41 board may, by regulation, provide for the waiver or refund of  
42 the fee for original issuance of the license where the license  
43 is issued less than 45 days before the next succeeding regular  
44 renewal date.

45 (k) The penalty for failure to pay any renewal fee may be  
46 fixed by the board at an amount not to exceed the sum of  
47 ten dollars (\$10) for each year of delinquency.

48 (l) The fee for the reissuance of any permit, license, or  
49 certificate, or renewal thereof, except as provided by subdivi-  
50 sion (f), which has been lost or destroyed or which must be  
51 reissued because of a change in the information appearing  
52 thereon is five dollars (\$5).

(m) The fee for an application for exemption under Section 4050.6 shall be fixed by the board at an amount not to exceed twenty-five dollars (\$25). Such fee shall be paid at the time the application is filed and shall not be refunded. If, after investigation or examination of the person or persons upon the basis of whose qualifications the exemption is sought, the board finds that the applicant is entitled to the exemption, it shall issue to him, upon payment of an additional fee fixed by the board at an amount not to exceed twenty-five dollars (\$25), a certificate of exemption ~~naming the person or persons upon the basis of whose qualifications the exemption is granted~~. Such certificate shall be renewed annually on or before the 31st day of December upon payment of a renewal fee fixed by the board at an amount not to exceed twenty-five dollars (\$25).

(n) The fee for registration under Section 4084.5 shall be fixed by the board at an amount not to exceed ten dollars (\$10).

(o) The fee for an out-of-state drug distributor's license issued pursuant to Section 4084.6 shall be fixed by the board at an amount not to exceed the reasonable costs of the board for the issuance of such license, which in no event shall exceed two hundred dollars (\$200).

SEC. 61. Section 4505 of the Business and Professions Code is amended to read:

4505. *The Except as provided by Section 159.5, the board may employ whatever personnel is necessary for the administration of this chapter and shall appoint an advisory committee composed of a psychiatric nurse educator, a psychiatrist educator, a public health nurse educator, a licensed psychologist, a dean of curriculum of the junior college system, a psychiatric hospital administrator, a licensed psychiatric technician, and two members of the public at large. Each member of the advisory committee shall serve without compensation, except that he shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties.*

SEC. 62. Section 4800 of the Business and Professions Code is amended to read:

4800. There is in the Department of ~~Professional and Vocational Standards Consumer Affairs~~ a Board of Examiners in Veterinary Medicine in which the administration of this chapter is vested. The board consists of six members appointed by the Governor, one of whom shall be a public member.

SEC. 63. Section 4847 of the Business and Professions Code is amended to read:

4847. The board shall number consecutively all applications received, note upon each the disposition made of it, and preserve the same for reference. ~~It shall also number consecutively all licenses issued.~~

SEC. 64. Section 4853 of the Business and Professions Code is amended to read:

4853. All premises where veterinary medicine, veterinary dentistry, or veterinary surgery is being practiced shall be registered with the board. The *certificate of registration* shall be on a form prescribed ~~by the board in accordance with Section 164~~.

Every application for registration of veterinary premises shall set forth in the application the name of the responsible managing licensee who is to act for and on behalf of the licensed premises. Substitution of the responsible managing licensee may be accomplished by application to the board providing the person substituted qualifies by presenting satisfactory evidence that he possesses a valid, unexpired, and unrevoked license as provided by this chapter and providing further that no circumvention of the law is contemplated by such substitution.

The board shall withhold registration of veterinary premises:

(a) When it has been adjudicated in an administrative hearing that the licensee operator has failed to keep such premises and all equipment therein in a clean and sanitary condition.

(b) When the licensee operator has, under proceedings conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, his license revoked or suspended.

SEC. 65. Section 5000 of the Business and Professions Code is amended to read:

5000. There is in the Department of ~~Professional and Vocational Standards Consumer Affairs~~ a State Board of Accountancy, which consists of eight members appointed by the Governor, ~~five~~ four of whom shall be certified public accountants, two of whom shall be public accountants, and ~~one~~ two of whom shall be ~~a public member~~ members who shall not be ~~a licensee~~ *licentiates* of the board or registered by the board. The board has the powers and duties conferred by this chapter.

The appointment of the two public accountants to membership on the board, authorized by the amendment made to this section at the 1959 Regular Session of the Legislature, shall be made as the terms of the members of the board in office at the effective date of the amendment to this section expire.

The Governor shall, on or before January 1, 1962, appoint the first public member of the board, and his term shall expire on November 26, 1962.

*The Governor shall appoint the additional public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill any vacancy occurring in the office of a certified public accountant member whose term expires November 26, 1972. If a vacancy occurs in more than one of such offices simultane-*

ously, the Governor shall determine which of those offices shall be filled by appointment of the additional public member.

SEC. 66. Section 5001 of the Business and Professions Code is amended to read:

5001. Each member of the board, except the public member members, shall be actively engaged in the practice of public accountancy and shall have been so engaged for a period of not less than five years preceding the date of his appointment. Each member shall be a citizen of the United States and a resident of this state for at least five years next preceding his appointment, and shall be of good character. Within 30 days after their appointment, the members of the board shall take and subscribe to the oath of office as prescribed by the Government Code and shall file the same with the Secretary of State.

SEC. 67. Section 5002 of the Business and Professions Code is amended to read:

5002. ~~Members~~ Each member shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors his successor or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs.

Vacancies occurring shall be filled by appointment for the unexpired term of a person licensed in the same capacity as the person being replaced. No person shall serve more than two terms consecutively. The Governor shall remove from the board any member, except the a public member, whose permit to practice has become void, revoked or suspended. The Governor may, after hearing, remove any member of the board for neglect of duty or other just cause.

SEC. 68. Section 5015 of the Business and Professions Code is amended to read:

5015. The board may employ clerks, examiners, and, except as provided by Section 159.5, other assistants in the performance of its duties, and pay salaries and necessary expenses.

SEC. 69. Section 5017 of the Business and Professions Code is amended to read:

5017. All meetings of the board shall be open and public, except that the board may hold executive sessions to deliberate on the decision to be reached upon the evidence introduced in a proceeding conducted in accordance with Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, of the Government Code.

The members of the board who are certified public accountants and the public member members may hold executive sessions to prepare, approve, grade or administer examinations. Only the certified public accountants and the public member members shall have jurisdiction or vote over these functions of preparing, approving, grading or administering examinations in executive session as provided for in Section 11126 of the Government Code.

SEC. 70. Section 5081.3 of the Business and Professions Code is amended to read:

5081.3. The certified public accountant members of the board and the public member members may require an applicant for admission to the examination for a certified public accountant certificate to appear in person to determine if his qualifications are as prescribed in this chapter and the rules of the board as adopted hereunder.

SEC. 71. Section 5510 of the Business and Professions Code is amended to read:

5510. There is in the Department of Professional and Vocational Standards Consumer Affairs a California State Board of Architectural Examiners which consists of nine members appointed by the Governor.

SEC. 72. Section 5514 of the Business and Professions Code is amended to read:

5514. The membership of the board shall be composed of nine members, six of whom shall be architects, two one of whom shall be a building designers designer, and one two of whom shall be a public member members.

The six architect members of the board shall be selected from architects in good standing who have been licensed and in practice in this state for at least eight years at the time of appointment, three of whom shall be resident and in practice in southern California and three of whom shall be resident and in practice in northern or central California.

The two building designer members member of the board shall be selected from among building designers who have been engaged as principals in the business of building design for at least eight years in the state; one of whom shall be a resident and in practice in Southern California and one of whom shall be a resident and in practice in Northern or Central California.

The public member members of the board shall not be a licentiate licentiates of the board.

The members member of the board who are is a registered building designers designer shall not act or vote on applicants for certification who are other than registered building designers.

The members of the board in office on the effective date of the amendment made to this section at the 1963 Regular Session may continue in office until the expiration of their terms.

SEC. 73. Section 5515 of the Business and Professions Code is amended to read:

5515. The terms of the members of the state board in office when the amendment to this section takes effect shall expire as follows: two members, January 15, 1942; four members, January 15, 1943; three members, January 15, 1944; one member, January 15, 1945.

Appointments to fill the vacancies arising by reason of the expiration of term of office shall be filled as follows: For vacancies occurring January 15, 1942, one person shall be appointed;

1 for vacancies occurring January 15, 1943, two persons shall be  
2 appointed; for vacancies occurring January 15, 1944, one per-  
3 son shall be appointed; and for vacancies occurring January  
4 15, 1945, one person shall be appointed. Thereafter there shall  
5 be as many appointments as there are vacancies. Every person  
6 appointed after January 15, 1942, shall serve for four years  
7 and until the appointment and qualification of his successor or  
8 until ~~six months~~ *one year* shall have elapsed since the expira-  
9 tion of the term for which he was appointed, whichever first  
10 occurs.

11 The Governor shall, on or before January 1, 1962, appoint  
12 the first public member of the board, and his term shall expire  
13 on January 15, 1964.

14 No person shall serve as a member of the board for more  
15 than three consecutive terms, but this provision shall not apply  
16 to any member in office at the time this provision takes effect.

17 Vacancies occurring prior to the expiration of the term shall  
18 be filled by appointment for the unexpired term.

19 The Governor shall, on or before January 1, 1964, appoint  
20 the architect member and the building designer members pro-  
21 vided for at the 1963 Regular Session of the Legislature. Their  
22 terms of office shall expire as follows: the architect member,  
23 January 15, 1965; one building designer member, January 15,  
24 1966; and one building designer member, January 15, 1967.  
25 Thereafter, each member shall serve for four years and until  
26 the appointment and qualification of his successor or until ~~six~~  
27 *months one year* shall have elapsed since the expiration of the  
28 term for which he was appointed, whichever first occurs.

29 *The Governor shall appoint the additional public member*  
30 *provided for by the Governor's Reorganization Plan No. 2 sub-*  
31 *mitted to the Legislature at the 1970 Regular Session to fill*  
32 *the vacancy created by the expiration of the term of office of*  
33 *the building designer member whose term expires January 15,*  
34 *1971. The first appointment shall be for a term expiring June*  
35 *1, 1974. Each appointment thereafter shall be for a four-year*  
36 *term expiring on June 1 of the fourth year following the year*  
37 *in which the previous term expired.*

38 SEC. 74. Section 5525 of the Business and Professions Code  
39 is amended to read:

40 5525. The board may prosecute all persons guilty of violat-  
41 ing the provisions of this chapter. ~~The Except as provided in~~  
42 *Section 159.5, the board may employ inspectors, special agents,*  
43 *investigators, and such clerical assistants as it may deem nec-*  
44 *essary to carry into effect the provisions of this chapter. It*  
45 *may also fix the compensation to be paid for such services and*  
46 *incur such additional expense as may be deemed necessary.*

47 SEC. 75. Section 5551 of the Business and Professions Code  
48 is amended to read:

49 5551. If the applicant's examination is satisfactory, and if  
50 no charges of deception resorted to in obtaining the certificate,  
51 or any other violation of the provisions of this chapter have  
52 been filed with the board, upon the payment of the certificate

1 fee fixed by this chapter, the secretary shall issue a certificate  
2 to the applicant; ~~signed by the president and the secretary,~~  
3 ~~sealed with the seal of the board, and shall show showing that~~  
4 ~~the person named therein passed the examination and is en-~~  
5 ~~titled to practice architecture in this state, in accordance with~~  
6 ~~the provisions of this chapter.~~

7 SEC. 76. Section 5620 of the Business and Professions Code  
8 is amended to read:

9 5620. There ~~shall be~~ *is* in the Department of ~~Professional~~  
10 ~~and Vocational Standards Consumer Affairs~~ a California State  
11 Board of Landscape Architects, which shall consist of six mem-  
12 bers appointed by the Governor. The membership of the board  
13 shall at all times consist of ~~at least~~ two members who are resi-  
14 dents of, and practice landscape architecture in southern Cali-  
15 fornia and ~~at least~~ two members who are residents of, and  
16 practice landscape architecture in northern California. ~~Five~~  
17 ~~Four~~ members of the board shall be licensed to practice land-  
18 scape architecture in this state. The ~~sixth member~~ *other two*  
19 ~~shall be a public member members~~ who shall not be a ~~licentiate~~  
20 ~~licentiates~~ of the board.

21 SEC. 77. Section 5621 of the Business and Professions Code  
22 is amended to read:

23 5621. The terms of the members of the board first ap-  
24 pointed shall expire as follows: One member January 15, 1954,  
25 two members January 15, 1955, two members January 15, 1956.  
26 The Governor shall, within 90 days after January 15, 1962,  
27 appoint the first public member of the board, and his term  
28 shall expire on January 15, 1965. Thereafter appointments  
29 shall be for a four-year term. Each member shall hold office  
30 until the appointment and qualification of his successor or  
31 until ~~six months~~ *one year* shall have elapsed since the expira-  
32 tion of the term for which he was appointed, whichever first  
33 occurs. Vacancies occurring prior to the expiration of the term  
34 shall be filled by appointment for the unexpired term.

35 No person shall serve as a member of the board for more  
36 than three consecutive terms, but this provision shall not apply  
37 to any member in office at the time this provision takes effect.

38 *The Governor shall appoint the additional public member*  
39 *provided for by the Governor's Reorganization Plan No. 2*  
40 *submitted to the Legislature at the 1970 Regular Session to fill*  
41 *the vacancy created by the expiration of the term of office of*  
42 *the landscape architect member from southern California*  
43 *whose term expires January 15, 1971. The first appointment*  
44 *shall be for a term expiring June 1, 1974. Each appointment*  
45 *thereafter shall be for a four-year term expiring on June 1 of*  
46 *the fourth year following the year in which the previous term*  
47 *expired.*

48 SEC. 78. Section 5629 of the Business and Professions Code  
49 is amended to read:

50 5629. The board shall prosecute all persons guilty of vio-  
51 lating the provisions of this chapter. ~~The Except as provided~~  
52 *in Section 159.5, the board may employ such inspectors, special*

agents, investigators and clerical assistance as it may deem necessary to carry into effect the provisions of this chapter. It may fix the compensation to be paid for such services and incur such additional expense as may be deemed necessary.

SEC. 79. Section 5652 of the Business and Professions Code is amended to read:

5652. If the applicant's examination is satisfactory, and if the board shall find that the applicant is of good moral character, upon the payment of the certificate fee fixed by this chapter, the secretary shall issue a certificate to the applicant, signed by the president and the secretary, sealed with the seal of the board, showing that the person named therein passed the examination and is entitled to practice landscape architecture in this state, in accordance with the provisions of this chapter.

SEC. 80. Section 6500 of the Business and Professions Code is amended to read:

6500. There is in the Department of Professional and Vocational Standards Consumer Affairs a State Board of Barber Examiners, which consists of five members appointed by the Governor, one two of whom shall be a public member members and four three of whom shall be qualified as provided in Section 6501.

SEC. 81. Section 6501 of the Business and Professions Code is amended to read:

6501. Each member, except the a public member, shall be a practical barber who has engaged in the practice of barbering in this state for at least five years immediately prior to his appointment. One member of the board shall be a journeyman barber and one member shall be a barber employing one or more journeyman barbers. Nothing in this section shall make ineligible for appointment to said board of one person who has been a registered barber in this state for at least five years immediately prior to his appointment and whose work as organizer, or officer, of an organization directly affecting the welfare of the barber business, prevents his continuous practice as a barber.

The public member members shall not be a licensee licensees of the board.

SEC. 82. Section 6502 of the Business and Professions Code is amended to read:

6502. Members of the board shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors or until six months one year shall have elapsed since the expiration of the term for which they were appointed, whichever first occurs. No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not apply to any member in office at the time this provision takes effect.

The terms of the members of the board in office when this chapter takes effect shall expire as follows: one member, January 15, 1941; one member, January 15, 1942; one member,

January 15, 1943. The terms shall expire in the same relative order as to each member as the term for which he holds office before this chapter takes effect.

The Governor shall, on or before January 1, 1962, appoint the persons to fill the offices created by the Legislature at the 1961 Regular Session, and their terms shall expire on January 15, 1964.

Vacancies shall be filled by appointment for the unexpired term.

The Governor may remove a member for cause.

*The Governor shall appoint the additional public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill the vacancy created by the expiration of the term of office of the barber member whose term expires January 15, 1971. The first appointment shall be for a term expiring June 1, 1974. Each appointment thereafter shall be for a four-year term expiring June 1 of the fourth year following the year in which the previous term expires. The persons so appointed shall not receive a salary, but shall receive the per diem compensation and reimbursement as the other public member.*

SEC. 83. Section 6509 of the Business and Professions Code is amended to read:

6509. For the purpose of enforcing this chapter, any member of the board, except the public member, or, except as provided by Section 159.5, its agents or assistants may enter into and inspect any barbershop or college at any time during business hours or at any time when the practice of barbering or instruction in such practice is being carried on.

SEC. 84. Section 6511 of the Business and Professions Code is amended to read:

6511. The board shall have authority to employ such investigators, clerks and, except as provided by Section 159.5, other assistance as it may deem necessary to carry out the provisions of this chapter.

SEC. 85. Section 6553 of the Business and Professions Code is amended to read:

6553. Any member of the board, or, except as provided by Section 159.5, any employee of the board designated by the board for that purpose, shall at all reasonable hours have access to all places where barbering is being carried on, for the purpose of administering this article.

SEC. 86. Section 6553.5 of the Business and Professions Code is amended to read:

6553.5. Any member of the board, or, except as provided by Section 159.5, any employee of the board designated by the board for that purpose, may inspect all books, papers, records or documents in any place within the state, for the purpose of ascertaining facts to enable the board to administer this article.

SEC. 87. Section 6630 of the Business and Professions Code is amended to read:

6630. A duplicate certificate will be issued upon the filing of a statement covering the loss of a certificate, verified by the oath of the applicant, and submitting two signed photographs, and upon the payment of a fee of one dollar (\$1) for the issuance of the certificate. ~~Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof, and bear the same number as the certificate in lieu of which it is issued.~~

SEC. 88. Section 6710 of the Business and Professions Code is amended to read:

6710. There is in the Department of Professional and Vocational Standards Consumer Affairs a State Board of Registration for Professional Engineers, which consists of nine members appointed by the Governor.

SEC. 89. Section 6711 of the Business and Professions Code is amended to read:

6711. Each member of the board shall be a citizen of the United States. ~~Seven~~ Six members shall be registered under this chapter, one member shall be licensed under the Land Surveyors' Act (commencing with Section 8700 of this code), and ~~one member~~ two members shall be a public member members who is ~~are~~ not registered under this act or licensed under the Land Surveyors' Act. Each member, except the a public member, shall have at least 12 years active experience and shall be of good standing in his profession. Each member shall be at least 30 years of age, and shall have been a resident of this state for at least five years immediately preceding his appointment.

SEC. 90. Section 6712 of the Business and Professions Code is amended to read:

6712. Members of the State Board of Registration for Professional Engineers in office when this act takes effect shall continue as members of the State Board of Registration for Professional Engineers without change in their terms so that the terms of said members presently in office shall expire as follows: the term of one member, January 15, 1952; the term of two members, January 15, 1953; the term of two members, January 15, 1954, and the term of two members, January 15, 1955. Thereafter, all appointments to said board shall be for a term of four years, and vacancies shall be filled by appointment for the unexpired term. Each such member appointed to fill a new term or vacancy shall be a registered professional engineer in the same branch as his predecessor.

The term of the first land surveyor member shall expire January 15, 1960. Thereafter all such appointments shall be for a term of four years, and vacancies shall be filled by appointment for the unexpired term.

The Governor shall, on or before January 1, 1962, appoint the first public member of the board, and his term shall expire January 15, 1965. Thereafter all such appointments shall be for a term of four years, and vacancies shall be filled by appointment for the unexpired term.

Each member shall hold office until the appointment and qualification of his successor or until ~~six months~~ one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs. No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not apply to any member in office on September 7, 1955.

The Governor shall appoint the additional public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill the vacancy created by the expiration of the term of office of the civil engineer member whose term expires January 15, 1971. The first appointment shall be for a term expiring June 1, 1974. Each appointment thereafter shall be for a four-year term expiring June 1 of the fourth year following the year in which the previous term expired. Any vacancy during a term expiring after January 15, 1971, shall be filled by appointment for the unexpired term.

SEC. 91. Section 6762 of the Business and Professions Code is amended to read:

6762. Any applicant who has passed the examination and has otherwise qualified hereunder as a professional engineer, upon payment of the registration fee fixed by this chapter, shall have a certificate of registration issued to him as a professional engineer in the particular branch for which he is found qualified.

Certificates of registration for professional engineers shall bear the signatures or the facsimile signatures of the president and the secretary and shall be issued under the seal of the board.

SEC. 92. Section 6851 of the Business and Professions Code is amended to read:

6851. (a) "Person" includes firm, partnership, association or corporation.

(b) "Department" means the Department of Professional and Vocational Standards Consumer Affairs.

(c) "Director" means the Director of Professional and Vocational Standards Consumer Affairs.

(d) "Bureau" means the Collection Agency Licensing Bureau Bureau of Collection and Investigative Services.

(e) "Chief" means the Chief of the Collection Agency Licensing Bureau Collection and Investigative Services.

(f) "Board" means the Advisory Board, Collection Agency Licensing Bureau Advisory Board.

(g) "Manager" means a qualified person.

SEC. 93. Section 6860 of the Business and Professions Code is amended to read:

6860. There is in the Department of Professional and Vocational Standards a Collection Agency Licensing Bureau Consumer Affairs a Bureau of Collection and Investigative Services. The Bureau of Collection and Investigative Services succeeds to and is vested with all the duties, powers, purposes,

responsibilities, and jurisdiction vested in the Collection Agency Licensing Bureau. The bureau is under the supervision and control of the director. The director shall administer and enforce the provisions of this chapter.

The Governor shall appoint, subject to confirmation by the Senate, a chief of the bureau at a salary to be fixed and determined by the director with the approval of the Director of Finance in accordance with Section 12080.3 of the Government Code. The chief shall serve under the direction and supervision of the director.

Before a chief is appointed the Governor shall give due consideration to any person or persons recommended by the board.

Every power and duty granted to or imposed upon the director under this chapter may be delegated to the chief except that the director may not delegate authority to adopt or otherwise act upon any proposed decision of a hearing officer after a hearing under the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. The chief may delegate any power or duty granted to or imposed upon him under this chapter to the assistant chief or to any inspection, investigation or auditing personnel of the bureau.

SEC. 94. Section 6861 of the Business and Professions Code is amended to read:

6861. The director, in accordance with the State Civil Service Act and Section 159.5, may appoint and fix the compensation of such clerical, inspection, investigation, and auditing personnel, as well as an assistant chief, as may be necessary to carry out the provisions of this chapter. All such personnel shall perform their respective duties under the supervision and direction of the chief.

All personnel shall be paid for services rendered from the Collection Agency Fund.

SEC. 95. Section 6864 of the Business and Professions Code is amended to read:

6864. The chief shall keep in his office in a suitable record provided for the purpose all applications for licenses, accompanying certificates, statements and documents and all bonds required to be filed under this chapter. The record shall state whether or not a license has been issued under the application and bond, and if revoked the date of filing the order of revocation, and if reinstated the date of filing the order of reinstatement. The chief shall keep a list of all persons, whose licenses have been revoked. In the record all licenses issued shall be indicated by their serial numbers as well as by the name and address of the licensee.

The chief shall adopt a seal for his own use. The seal shall have the words "Collection Agency Licensing Bureau Bureau of Collection and Investigative Services, State of California" thereon and shall otherwise comply with Section 107.5. The care and custody of the seal shall be in the office of the chief.

SEC. 96. Section 6865 of the Business and Professions Code is amended to read:

6865. There is in the Collection Agency Licensing Bureau a The California Advisory Board of Collection Agencies, which consists of six members appointed by the Governor is continued in existence as the Collection Agency Advisory Board in the Bureau of Collection and Investigative Services.

SEC. 97. Section 6865.5 of the Business and Professions Code is amended to read:

6865.5. Of the six members of the Collection Agency Advisory Board, ~~five~~ four members shall have been actively engaged in business as a licensed collector or manager of a licensed collection agency in this state for a minimum period of five consecutive years immediately preceding ~~his~~ their appointment and shall continue in good standing in such capacity during ~~his~~ their term of office. ~~One member~~ Two members shall be a public member members, who may be a customer customers of a licensee but shall not be a licensee licensees, or engage in any business or profession in which any part of the fees, compensation or revenue thereof is derived from any licensee.

SEC. 98. Section 6866 of the Business and Professions Code is amended to read:

6866. Each member of the board shall be appointed for a term of four years and shall hold office until the appointment and qualification of his successor or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs.

The terms of the members first appointed shall expire as follows: one member, June 30, 1960; one member, June 30, 1961; one member, June 30, 1962; and two members, June 30, 1963.

Vacancies occurring in the membership of the board for any cause shall be filled by appointment for the balance of the unexpired term.

No member shall serve more than two terms of office.

The Governor shall appoint the additional public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill any vacancy occurring in the office of a member of the board whose term expires June 30, 1971. If a vacancy occurs in more than one of such offices simultaneously, the Governor shall determine the office to be filled by the appointment of the additional public member.

SEC. 99. Section 6901 of the Business and Professions Code is amended to read:

6901. A licensee may file a new bond with the chief at any time. A new bond filed under this section may be filed by registered or certified mail with a request for a return receipt and shall be addressed to the chief at Sacramento. A return receipt signed by an employee of the Department of Profes-

sional and Vocational Standards Consumer Affairs shall be prima facie evidence of the filing of such bond.

SEC. 100. Section 6908 of the Business and Professions Code is repealed.

6908. The license, when issued, shall state:

(a) The name of the licensee; if copartners, the names of all the partners; and if a corporation the name shall be followed by the words "a corporation."

(b) The name under which the licensee is to operate.

(c) The location by street and number, city, county and state where the licensee is to carry on business.

(d) The number and the date of the license.

The license shall further state that it is issued pursuant to this chapter and the rules and regulations established under it, and that the licensee is duly authorized under this chapter.

SEC. 101. Section 6908 is added to the Business and Professions Code, to read:

6908. The form and content of the license shall be determined by the director in accordance with Section 164.

SEC. 102. Section 6911 of the Business and Professions Code is amended to read:

6911. The license is not transferable and is effectual until the first day of July next ensuing the date thereof and so long thereafter as continued in effect in accordance with Article 11, unless sooner revoked or canceled.

In the event of the loss or destruction of a license, the licensee may file with the chief an affidavit explaining the loss or destruction and pay the duplicate license fee prescribed. Thereupon the chief shall issue a duplicate license bearing the same date and number of the replaced license, and shall bear in conspicuous type the word "duplicate."

SEC. 103. Section 6950 of the Business and Professions Code is amended to read:

6950. A licensee desiring a continuation of his license shall, on or before the 30th day of June of each year, file with the chief a request for a continuation on such forms as may be designated by the chief. The request shall be accompanied by the continuation fee.

The chief shall, on or before the first day of June of each year mail to each licensee, addressed to him at his last known address, a form for continuation of license and a notice that the continuation fee is due and payable, stating the amount thereof, and that if the fee is not paid by the 30th day of June, the license shall be automatically revoked.

The chief shall issue a continuation license to the licensee which shall be dated the first day of July of the year of issuance thereof and shall bear in conspicuous type the word "continuation" and the date to and including which the license is continued the form and content of which shall be determined in accordance with Section 164.

In the event a licensee fails to request a continuation of his license within the time fixed, the license is automatically re-

voked, but may be reinstated within 30 days of the date of revocation upon compliance with the rules and regulations established hereunder and upon application of the licensee and upon the payment of the delinquency and reinstatement fees provided by this chapter. Reinstatement of a revoked license shall not prohibit the bringing of disciplinary proceedings for any act committed during the period such license is revoked.

SEC. 104. Section 7000.5 of the Business and Professions Code is amended to read:

7000.5. There is in the Department of Professional and Vocational Standards Consumer Affairs a Contractors' State License Board, which consists of nine members appointed by the Governor.

SEC. 105. Section 7001 of the Business and Professions Code is amended to read:

7001. All members of the board, except the public member members, shall be contractors actively engaged in the contracting business, have been so engaged for a period of not less than five years preceding the date of their appointment and shall so continue in the contracting business during the term of their office. No one, except the a public member, shall be eligible for appointment who does not at the time hold an unexpired license to operate as a contractor.

The public member members shall not be a licensee licensees of the board.

SEC. 106. Section 7002 of the Business and Professions Code is amended to read:

7002. One member of the board shall be a general engineering contractor, three two members shall be general building contractors, four members shall be specialty contractors, and one member two members shall be a public member members.

For the purposes of construing this article, a general engineering contractor is a contractor whose principal contracting business is in connection with fixed works for any or all of the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, railroads, highways, tunnels, airports and airways, sewerage and bridges; a general building contractor is a contractor whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter and inclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof; a specialty contractor is a contractor whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

This does not include anyone who merely furnishes materials or supplies under Section 7045 without fabricating them into, or consuming them in the performance of the work of the general building contractor.

1 Each member of the board, except ~~the~~ a public member,  
2 shall be of recognized standing in his branch of the contracting  
3 business. Each member of the board shall be at least 30 years  
4 of age and of good character.

5 Each member of the board shall have been a citizen and resi-  
6 dent of the State of California for at least five years next  
7 preceding his appointment.

8 SEC. 107. Section 7003 of the Business and Professions  
9 Code is amended to read:

10 7003. The terms of the members of the board in office when  
11 this chapter takes effect shall expire as follows: one general  
12 building contractor and one specialty contractor, January 15,  
13 1940; one general building contractor and one specialty con-  
14 tractor, January 15, 1941; one general building contractor and  
15 one specialty contractor, January 15, 1942; the general engi-  
16 neering contractor, January 15, 1943.

17 The Governor shall, on or before January 1, 1962, appoint  
18 the first public member of the board, and his term shall expire  
19 on January 15, 1963.

20 The Governor shall, on or before January 1, 1964, appoint  
21 the specialty contractor member provided for at the 1963 Reg-  
22 ular Session, and his term shall expire on January 15, 1966.

23 ~~Appointments~~ *Except as otherwise provided, an appoint-*  
24 *ment to fill a vacancy caused by the expiration of the term of*  
25 *office shall be for a term of four years and shall be filled, ex-*  
26 *cept for a vacancy in the term of the a public member, by a*  
27 *member from the same branch of the contracting business as*  
28 *was the branch of the member whose term has expired. A*  
29 *vacancy in the term of the a public member shall be filled by*  
30 *another public member. Each member shall hold office until*  
31 *the appointment and qualifications qualification of his suc-*  
32 *cessor or until six months one year shall have elapsed since the*  
33 *expiration of the term for which he was appointed, whichever*  
34 *first occurs.*

35 Vacancies occurring in the membership of the board for any  
36 cause shall be filled by appointment for the balance of the  
37 unexpired term.

38 No person shall serve as a member of the board for more  
39 than three consecutive terms, but this provision shall not apply  
40 to any member in office at the time this provision takes effect.

41 *The Governor shall appoint the additional public member*  
42 *provided for by the Governor's Reorganization Plan No. 2 sub-*  
43 *mitted to the Legislature at the 1970 Regular Session to fill*  
44 *any vacancy occurring in the office of the general building*  
45 *contractor member of the board whose term expires January*  
46 *15, 1972. An appointment to fill any vacancy on the board in*  
47 *that office occurring prior to January 15, 1972, shall be for a*  
48 *term expiring January 15, 1972. An appointment to fill any*  
49 *vacancy on the board in that office occurring after January*  
50 *15, 1972, but prior to June 1, 1975, shall be for a term ex-*  
51 *piring June 1, 1975. An appointment to fill a vacancy on the*  
52 *board in that office occurring after June 1, 1975, shall be for*

1 *a four-year term expiring on June 1 of the fourth year follow-*  
2 *ing the year in which the previous term expired.*

3 SEC. 108. Section 7011 of the Business and Professions  
4 Code is amended to read:

5 7011. The board by and with the approval of the director  
6 shall appoint a registrar of contractors and fix his compensa-  
7 tion.

8 The registrar shall be the executive officer and secretary of  
9 the board and shall carry out all of the administrative duties  
10 as provided in this chapter and as delegated to him by the  
11 board.

12 For the purpose of administration of this chapter, there  
13 may be appointed a deputy registrar, a chief reviewing and  
14 hearing officer and, *subject to the provisions of Section 159.5,*  
15 such other assistants and subordinates as may be necessary.

16 Appointments shall be made in accordance with the provi-  
17 sions of civil service laws.

18 SEC. 109. Section 7012 of the Business and Professions  
19 Code is amended to read:

20 7012. The registrar, with the approval of the board and  
21 the director, may, when funds are available, cooperate in the  
22 enforcement of governmental legislation relating to the con-  
23 struction industry, and, *except as provided by Section 159.5,*  
24 shall appoint such assistants as may be necessary therefor.

25 SEC. 110. Section 7075 of the Business and Professions  
26 Code is amended to read:

27 7075. The license shall be signed by the licensee and by the  
28 person qualifying on behalf of an individual or firm as re-  
29 ferred to in Section 7068.1, shall be nontransferable and shall  
30 be displayed in the licensee's main office or chief place of  
31 business. Satisfactory evidence of the possession of his license  
32 and the current renewal thereof shall be exhibited by the  
33 licensee upon demand.

34 SEC. 111. Section 7136 of the Business and Professions  
35 Code is amended to read:

36 7136. The director shall designate a sum not to exceed  
37 10 percent of the total income of the Contractors' License  
38 Board for each fiscal year to be transferred to the professional  
39 and vocational standards fund Consumer Affairs Fund as the  
40 board's share of the cost of administration of the department.

41 SEC. 112. Section 7200 of the Business and Professions  
42 Code is amended to read:

43 7200. There is in the Department of Professional and Voca-  
44 tional Standards Consumer Affairs a State Board of Guide  
45 Dogs for the Blind in whom enforcement of this chapter is  
46 vested. The board shall consist of seven members appointed by  
47 the Governor. One member shall be the superintendent of the  
48 California School for the Blind, and one the head of the Bu-  
49 reau of Vocational Rehabilitation of the State Department of  
50 Education. The remaining members shall be persons who have  
51 shown a particular interest in dealing with the problems of the

1 blind, and at least two of them shall be blind persons who use  
2 guide dogs.

3 SEC. 113. Section 7301 of the Business and Professions  
4 Code is amended to read:

5 7301. There is in the Department of Professional and Vo-  
6 cational Standards Consumer Affairs a State Board of Cosme-  
7 tology, which consists of seven members appointed by the Gov-  
8 ernor, ~~one two~~ of whom shall be a public member members.

9 Wherever in this chapter, "board" is used it refers to the  
10 State Board of Cosmetology.

11 SEC. 114. Section 7302 of the Business and Professions  
12 Code is amended to read:

13 7302. A person appointed as a member of the board:

14 (a) With the exception of ~~the a~~ a public member, shall be  
15 registered as a cosmetologist under this chapter, or participate  
16 actively in the management of a school of cosmetology or elec-  
17 trology as the owner of, or as a member of a partnership or  
18 officer of a corporation which owns, such school.

19 (b) With the exception of ~~the a~~ a public member, shall be, at  
20 the time of appointment, either actually engaged in conduct-  
21 ing a cosmetological establishment, or actually engaged in the  
22 practice of cosmetology or electrology.

23 (c) Shall be of good moral character.

24 (d) Shall not be connected, directly or indirectly, in the  
25 wholesale business of the manufacture, rental, sale or distri-  
26 bution of cosmetological appliances or supplies.

27 (e) With the exception of ~~the a~~ a public member, shall have  
28 had at least five years experience in the actual practice of  
29 cosmetology, or electrology, in this state immediately prior  
30 to the appointment. A person shall be considered to be en-  
31 gaged in the actual practice of cosmetology or electrology  
32 within the meaning of this subdivision if he participates ac-  
33 tively in the management of a school of cosmetology or elec-  
34 trology as the owner of, or as a member of a partnership or  
35 officer of a corporation which owns, such school.

36 (f) Shall be at least 25 years of age.

37 The public member members shall not be a ~~licentiate~~ licenti-  
38 ates of the board.

39 SEC. 115. Section 7303 of the Business and Professions  
40 Code is amended to read:

41 7303. The terms of the members of the board in office when  
42 the amendment made to this section at the 1961 Regular Ses-  
43 sion of the Legislature takes effect shall expire as follows:  
44 two members, January 15, 1962, one member January 15,  
45 1963, one member January 15, 1964, one member January  
46 15, 1965. Such terms shall expire in the same relative order as  
47 to each member as the term for which he holds office at the  
48 time said amendment takes effect. The term of the additional  
49 licensee member and the public member provided for by the  
50 amendment made to Section 7301 of this code at the 1961 Reg-  
51 ular Session of the Legislature shall expire on January 15,  
52 1964, and January 15, 1965, respectively. Thereafter members

1 of the board shall be appointed for a term of four years and  
2 shall hold office until the appointment and qualifications of  
3 their successors or until ~~six months~~ one year shall have elapsed  
4 since the expiration of the term for which they were appointed,  
5 whichever first occurs. No member shall serve as a member of  
6 the board for more than two consecutive terms.

7 Vacancies occurring shall be filled by appointment within 60  
8 days, and vacancies occurring during a term shall be filled for  
9 the unexpired term.

10 *The Governor shall appoint the additional public member*  
11 *provided for by the Governor's Reorganization Plan No. 2*  
12 *submitted to the Legislature at the 1970 Regular Session to*  
13 *fill the vacancy created by the expiration of the term of office*  
14 *of the member of the board whose term expires January 15,*  
15 *1971. The first appointment shall be for a term expiring June*  
16 *1, 1974. Each appointment thereafter shall be for a four-year*  
17 *term expiring June 1 of the fourth year following the year*  
18 *in which the previous term expires.*

19 SEC. 116. Section 7309 of the Business and Professions  
20 Code is amended to read:

21 7309. Any investigation, inquiry, hearing or proceeding,  
22 which the board may hold or undertake, may be held or under-  
23 taken by or before one or more members of the board, and the  
24 finding or order of the member or members constitutes the  
25 finding or order of the board when approved or confirmed  
26 by it.

27 No investigation, inquiry, hearing or proceeding shall be  
28 held or undertaken by only one member of the board or by  
29 less than the entire membership of the board without the pre-  
30 vious written authorization of the board.

31 No investigation, inquiry, hearing or proceeding shall be  
32 held or undertaken by or before ~~the a~~ a public member only.

33 SEC. 117. Section 7311 of the Business and Professions  
34 Code is amended to read:

35 7311. The board may adopt such rules governing sanitary  
36 conditions, and precautions to be employed as are reasonably  
37 necessary to prevent the creating or spreading of infectious or  
38 contagious diseases in cosmetological establishments, schools of  
39 cosmetology, in the practice of a cosmetologist, and in any  
40 branch of cosmetology. Such rules shall be adopted in accord-  
41 ance with the provisions of the Administrative Procedure Act,  
42 and shall be submitted to the Department of Public Health,  
43 and approved by such department prior to transmission to the  
44 Department of Professional and Vocational Standards Con-  
45 sumer Affairs for filing with the Secretary of State. A copy  
46 of all such rules shall be furnished to each licensee.

47 SEC. 118. Section 7314 of the Business and Professions  
48 Code is amended to read:

49 7314. The director may, in accordance with the State Civil  
50 Service Act, whenever in his judgment it is necessary, *and*  
51 *subject to the provisions of Section 159.5*, employ examiners,  
52 inspectors, investigators, assistants, deputies and clerks and

1 fix their compensation, which compensation and all reasonable  
2 expenses incurred by the board, shall not be paid from the  
3 general revenue funds of the state.

4 An examiner in any branch of cosmetology except elec-  
5 trology shall hold a current, valid license as a cosmetology  
6 instructor at the time of his appointment and an examiner in  
7 electrology shall hold a current valid license as an electrology  
8 instructor at the time of his appointment.

9 SEC. 119. Section 7375 of the Business and Professions  
10 Code is amended to read:

11 ~~7375. Every~~ *The form and content of every* certificate of  
12 registration and every license; issued by the board shall ~~spec-~~  
13 ~~ify the occupation or occupations which the certificate and li-~~  
14 ~~ense entitle the holder to practice be determined in accordance~~  
15 ~~with Section 164.~~

16 SEC. 120. Section 7381 of the Business and Professions  
17 Code is amended to read:

18 7381. Any person, firm or corporation desiring to operate  
19 a cosmetological establishment shall make an application to  
20 the board for a certificate of registration and license, accom-  
21 panied by the registration fee prescribed by this chapter.  
22 The applicant, if an individual, or each officer, director,  
23 and partner, if the applicant is other than an individual, shall  
24 possess good character. A certificate issued pursuant to this  
25 section shall authorize the operation of the establishment only  
26 at the location ~~shown on the certificate for which the certificate~~  
27 ~~is issued.~~ Operation of the establishment at any other location  
28 shall be unlawful unless a certificate for the new location has  
29 been obtained upon compliance with the provisions of this sec-  
30 tion applicable to the issuance of a certificate in the first in-  
31 stance.

32 SEC. 121. Section 7410 of the Business and Professions  
33 Code is amended to read:

34 7410. ~~Every~~ *The form and content of a* license; issued by  
35 the board; shall be signed by the president and attested by the  
36 ~~secretary and shall bear the impress of the board's seal deter-~~  
37 ~~mined in accordance with Section 164.~~

38 SEC. 122. Section 7413 of the Business and Professions  
39 Code is amended to read:

40 7413. A duplicate license shall be issued upon the filing of  
41 a statement explaining the loss verified by the oath of the  
42 applicant, and accompanied by a fee of one dollar (\$1). ~~Each~~  
43 ~~duplicate license shall have the word "DUPLICATE" stamped~~  
44 ~~across its face and bear the same date and show the number~~  
45 ~~of the original license.~~

46 SEC. 123. Section 7501 of the Business and Professions  
47 Code is amended to read:

48 7501. As used in this chapter, "director" means the Di-  
49 rector of Professional and Vocational Standards Consumer  
50 Affairs, unless the context indicates otherwise.

51 SEC. 124. Section 7503 of the Business and Professions  
52 Code is amended to read:

1 7503. As used in this chapter, "bureau" means the Bureau  
2 of Private Investigators and Adjusters *Collection and Investi-*  
3 *gative Services.*

4 SEC. 125. Section 7510 of the Business and Professions  
5 Code is repealed.

6 7510. There is in the Department of Professional and  
7 Vocational Standards a Bureau of Private Investigators and  
8 Adjusters under the supervision and control of the director.

9 SEC. 126. Section 7510 is added to the Business and Pro-  
10 fessions Code, to read:

11 7510. The Bureau of Collection and Investigative Services  
12 succeeds to and is vested with all the duties, powers, purposes,  
13 responsibilities, and jurisdiction vested in the Bureau of Pri-  
14 vate Investigators and Adjusters.

15 SEC. 127. Section 7512 of the Business and Professions  
16 Code is amended to read:

17 7512. The governor may appoint a chief of the bureau, at  
18 a salary to be fixed and determined by the director with the  
19 approval of the Director of Finance. The chief shall serve un-  
20 der the direction and supervision of the director.

21 The director may, in accordance with the State Civil Service  
22 Act and subject to the provisions of Section 159.5, appoint and  
23 fix the compensation of such inspectors, investigators, and  
24 other personnel as may be necessary for the administration  
25 and enforcement of this chapter.

26 SEC. 128. Section 7513 of the Business and Professions  
27 Code is amended to read:

28 7513. Every power and duty granted to or imposed upon  
29 the director may be exercised by any other officer or employee  
30 of the Department of Professional and Vocational Standards  
31 Consumer Affairs authorized by the director, but the director  
32 shall have the supervision of and the responsibility for all pow-  
33 ers and duties exercised by such officers and employees.

34 SEC. 129. Section 7531 of the Business and Professions  
35 Code is repealed.

36 7531. The license, when issued, shall be in such form as  
37 may be determined by the director and shall include:

- 38 (a) The name of the licensee.
- 39 (b) The name under which the licensee is to operate.
- 40 (c) The number and date of the license.

41 SEC. 130. Section 7531 is added to the Business and Pro-  
42 fessions Code, to read:

43 7531. The form and content of the license shall be deter-  
44 mined by the director in accordance with Section 164.

45 SEC. 131. Section 7581 of the Business and Professions  
46 Code is amended to read:

47 7581. The Department of Professional and Vocational  
48 Standards Consumer Affairs shall receive and account for all  
49 money derived from the operation of this chapter and, at the  
50 end of each month, shall report such money to the State Con-  
51 troller and shall pay it to the State Treasurer, who shall keep

1 the money in a separate fund known as the Private Investiga-  
2 tor and Adjuster Fund. The Private Detective Fund is hereby  
3 abolished and the unexpended balance remaining in this fund  
4 on the effective date of this chapter shall, on order of the State  
5 Controller, be transferred to the Private Investigator and Ad-  
6 juster Fund. All money in the Private Investigator and Ad-  
7 juster Fund shall be expended in accordance with law by the  
8 bureau for the purpose of carrying out the provisions of this  
9 chapter.

10 SEC. 132. Section 7601 of the Business and Professions  
11 Code is amended to read:

12 7601. There is in the Department of Professional and Voca-  
13 tional Standards Consumer Affairs a State Board of Funeral  
14 Directors and Embalmers which consists of six members ap-  
15 pointed by the Governor, ~~one~~ two of whom shall be a public  
16 member members.

17 SEC. 133. Section 7602 of the Business and Professions  
18 Code is amended to read:

19 7602. Members of the board, except the public member  
20 members, shall only be appointed from persons who are li-  
21 censed as funeral directors or embalmers and who have had a  
22 minimum of five consecutive years' experience in funeral di-  
23 recting or embalming immediately preceding their appoint-  
24 ment. Members of the board, including the public member  
25 members, shall not be financially interested, directly or indi-  
26 rectly, in any institution engaged in embalming or funeral  
27 directing instruction and shall not be members of the faculty  
28 of such an institution.

29 The public member members shall not be a licentiate licen-  
30 tates of the board.

31 SEC. 134. Section 7603 of the Business and Professions  
32 Code is amended to read:

33 7603. Members of the board shall be appointed for a term  
34 of four years and they shall hold office until the appointment  
35 and qualification of their successors or until ~~six months~~ one  
36 year shall have elapsed since the expiration of the term for  
37 which they were appointed, whichever first occurs. No person  
38 shall serve as a member of the board for more than three con-  
39 secutive terms, but this provision shall not apply to any mem-  
40 ber in office at the time this provision takes effect.

41 The terms of the members of the board in office when this  
42 chapter takes effect shall expire as follows: one member, Jan-  
43 uary 15, 1940; two members, January 15, 1941; one member,  
44 January 15, 1942; and one member, January 15, 1943. The  
45 terms shall expire in the same relative order as to each mem-  
46 ber as the terms for which he holds office before this chapter  
47 takes effect.

48 The Governor shall, on or before January 1, 1962, appoint  
49 the first public member of the board, and his term shall expire  
50 on January 15, 1964.

51 Vacancies occurring shall be filled by appointment for the  
52 unexpired term.

1 The Governor shall appoint the additional public member  
2 provided for by the Governor's Reorganization Plan No. 2  
3 submitted to the Legislature at the 1970 Regular Session to fill  
4 the vacancy created by the expiration of the term of office of  
5 the member of the board whose term expires January 15, 1971.  
6 The first appointment shall be for a term expiring June 1  
7 1974. Each appointment thereafter shall be for a four-year  
8 term expiring June 1 of the fourth year following the year in  
9 which the previous term expired.

10 SEC. 135. Section 7608 of the Business and Professions  
11 Code is amended to read:

12 7608. The Director of Professional and Vocational Stand-  
13 ards Consumer Affairs may employ and appoint all employees  
14 necessary properly to administer the work of the board and  
15 the work of the department, in accordance with civil service  
16 regulations.

17 Upon recommendation of the board, and with the approval  
18 of the Director of Finance, and, subject to the provisions of  
19 Section 159.5, the Director of Professional and Vocational  
20 Standards Consumer Affairs shall employ investigators and  
21 attorneys to assist the board in prosecuting violations of this  
22 chapter, whose compensation and expenses shall be payable  
23 only out of the State Funeral Directors and Embalmers Fund.

24 SEC. 136. Section 7628 of the Business and Professions  
25 Code is amended to read:

26 7628. Any funeral director desiring to change his place  
27 of business shall apply therefor on forms furnished by the  
28 board and be accompanied by a fee fixed by this chapter.

29 The application shall be granted by the executive secretary  
30 upon the filing with the board of a favorable report, approved  
31 by the executive secretary, from a board member, except the a  
32 public member, or inspector concerning the physical status or  
33 plans and specifications of the proposed funeral establish-  
34 ment to the effect that it conforms to the requirements of  
35 this article. Every application so granted shall be submitted  
36 for approval at the next meeting of the board after the issu-  
37 ance thereof and no application for change of place of busi-  
38 ness shall become permanent until approved by the board.

39 SEC. 137. Section 7680 of the Business and Professions  
40 Code is amended to read:

41 7680. Every license issued shall -

42 (a) Specify the name of the licensee.

43 (b) Be signed by the licensee.

44 (c) Be displayed conspicuously in the place of business  
45 or employment of the licensee.

46 The form and content of every license issued shall be de-  
47 termined in accordance with Section 164.

48 SEC. 138. Section 7810 of the Business and Professions  
49 Code is amended to read:

50 7810. The State Board of Registration for Geologists is  
51 within the department and is subject to the jurisdiction of the  
52 department. The board shall consist of seven members ap-

1 pointed by the Governor, ~~one~~ two of whom shall be a public  
2 ~~member members~~ and ~~six~~ five of whom shall be geologists.

3 SEC. 139. Section 7813 of the Business and Professions  
4 Code is amended to read:

5 7813. The ~~six~~ five geologist members of the board shall be  
6 appointed by administrative districts as follows:

7 (a) One member from each of Administrative Districts 1,  
8 2, 3 ~~and~~, 4, ~~and~~ 5.

9 (b) ~~Two members from Administrative District 5.~~  
10 ~~As~~

11 *Except as otherwise provided in Section 7814, as each geolo-*  
12 *gist member's term expires, his place shall be filled by the ap-*  
13 *pointment of a registered geologist whose principal office for*  
14 *the practice of geology is in the same administrative district*  
15 *as the person in the expiring term.*

16 The public members of the board may reside anywhere in  
17 the state.

18 SEC. 140. Section 7814 of the Business and Professions  
19 Code is amended to read:

20 7814. The terms of the members of the board first ap-  
21 pointed shall expire as follows: three members, January 1,  
22 1970; three members, January 1, 1971; and three members,  
23 January 1, 1972. Thereafter appointments shall be for a  
24 four-year term. Each member shall hold office until the ap-  
25 pointment and qualification of his successor or until ~~six months~~  
26 *one year* shall have elapsed since the expiration of the term for  
27 which he was appointed, whichever first occurs. Vacancies oc-  
28 ccurring prior to the expiration of the term shall be filled by  
29 appointment for the unexpired term.

30 No person shall serve as a member of the board for more  
31 than two consecutive terms.

32 *The Governor shall appoint the additional public member*  
33 *provided for by the Governor's Reorganization Plan No. 2 sub-*  
34 *mitted to the Legislature at the 1970 Regular Session to fill*  
35 *the vacancy created by the expiration of the term of office of*  
36 *the geologist member from Administrative District No. 5 whose*  
37 *term expires January 1, 1971. The first appointment shall be*  
38 *for a term expiring June 1, 1974. Each appointment there-*  
39 *after shall be for a four-year term expiring June 1 of the*  
40 *fourth year following the year in which the previous term ex-*  
41 *pired.*

42 SEC. 141. Section 7850 of the Business and Professions  
43 Code is amended to read:

44 7850. Any applicant who has passed the examination and  
45 has otherwise qualified hereunder as a geologist, upon payment  
46 of the registration fee fixed by this chapter shall have a certifi-  
47 cate of registration issued to him as a geologist.

48 ~~A certificate of registration for a geologist shall be signed~~  
49 ~~by the president and secretary and issued under the seal of~~  
50 ~~the board.~~

51 SEC. 142. Section 8000 of the Business and Professions  
52 Code is amended to read:

1 8000. There is in the Department of Professional and Voca-  
2 tional Standards Consumer Affairs a Certified Shorthand Re-  
3 porters Board, which consists of five members appointed by  
4 the Governor, two of whom shall be active members of the  
5 State Bar of California and three of whom shall be holders of  
6 certificates issued under this chapter who have been actively  
7 engaged as shorthand reporters within this state for at least  
8 five years immediately preceding their appointment.

9 SEC. 143. Section 8005 of the Business and Professions  
10 Code is amended to read:

11 8005. The Certified Shorthand Reporters Board is charged  
12 with the executive functions necessary for effectuating the  
13 purposes of this chapter. It may appoint such committees as  
14 it deems necessary or proper. The board may appoint, pre-  
15 scribe the duties, and fix the salary of an executive secretary,  
16 who may be employed on a part-time basis. ~~The Except as pro-~~  
17 ~~vided by Section 159.5, the board may also employ such other~~  
18 ~~employees as may be necessary, subject to civil service and~~  
19 ~~other provisions of law.~~

20 SEC. 144. Section 8008 of the Business and Professions  
21 Code is amended to read:

22 8008. The board also has the following powers and duties:  
23 (a) To adopt a seal ~~which shall be affixed to all certificates~~  
24 ~~issued by the board.~~

25 (b) By affirmative vote of at least four members of the  
26 board, to suspend or revoke a certificate, for any cause specified  
27 in this chapter.

28 (c) To charge and collect from all applicants for certificates  
29 the fees provided for in this chapter.

30 (d) To require the renewal of all such certificates and  
31 to collect therefor the renewal fee prescribed by this chap-  
32 ter or such lesser amount as may be fixed by the board.

33 (e) To issue subpoenas, to administer oaths, and to take tes-  
34 timony concerning any matter within the jurisdiction of the  
35 board.

36 SEC. 145. Section 8501 of the Business and Professions  
37 Code is amended to read:

38 8501. "Director" refers to the Director of the Department  
39 of Professional and Vocational Standards Consumer Affairs.

40 SEC. 146. Section 8509 of the Business and Professions  
41 Code is amended to read:

42 8509. "Branch office" is any fixed place of business in  
43 addition to the location of business ~~stipulated in for which~~ the  
44 license of an operator is issued, where records are kept, mail  
45 received, statements rendered, money is collected, or requests  
46 are received for service or bids, or information is given per-  
47 taining to the practice of pest control, other than governmental  
48 offices.

49 SEC. 147. Section 8520 of the Business and Professions  
50 Code is amended to read:

51 8520. There is in the Department of Professional and Vo-  
52 cational Standards Consumer Affairs a Structural Pest Con-

1 trol Board, which consists of six members appointed by the  
2 Governor.

3 Subject to the jurisdiction conferred upon the director by  
4 Division 1 (*commencing with Section 100*) of this code, the  
5 board is vested with the power to and shall administer the  
6 provisions of this chapter.

7 SEC. 148. Section 8521 of the Business and Professions  
8 Code is amended to read:

9 8521. The board is composed of six members, ~~five~~ *four* of  
10 whom shall be, and shall have been for a period of not less  
11 than five years preceding the date of their appointment, op-  
12 erators licensed under this chapter actively engaged in the  
13 business of pest control and who are residents of this state,  
14 and ~~one two public member members~~ who shall not be a ~~licen-~~  
15 ~~tiate licentiates~~ of the board.

16 SEC. 149. Section 8522 of the Business and Professions  
17 Code is amended to read:

18 8522. Members of the board shall be appointed by the  
19 Governor for a term of four years, subject to removal by him  
20 at his pleasure.

21 The terms of the members of the board in office when this  
22 chapter takes effect shall expire as follows:

23 Two members, January 15, 1942; one member, January 15,  
24 1943; one member, January 15, 1944; and one member, Janu-  
25 ary 15, 1945.

26 The terms shall expire in the same relative order as to each  
27 member as the terms for which he holds office before this  
28 chapter takes effect.

29 The Governor shall, on or before January 1, 1962, appoint  
30 the first public member of the board, and his term shall expire  
31 on January 15, 1965.

32 Vacancies shall be filled by the Governor for the unexpired  
33 term.

34 Each member shall hold office until the appointment and  
35 qualification of his successor or until ~~six months~~ *one year* shall  
36 have elapsed since the expiration of the term for which he was  
37 appointed, whichever first occurs. No person shall serve as a  
38 member of the board for more than three consecutive terms,  
39 but this provision shall not apply to any member in office at  
40 the time this provision takes effect.

41 *The Governor shall appoint the additional public member*  
42 *provided for by the Governor's Reorganization Plan No. 2*  
43 *submitted to the Legislature at the 1970 Regular Session to*  
44 *fill the vacancy created by the expiration of the term of office*  
45 *of the member whose term expires January 15, 1971. The first*  
46 *appointment shall be for a term expiring June 1, 1974. Each*  
47 *appointment thereafter shall be for a four-year term expiring*  
48 *June 1 of the fourth year following the year in which the*  
49 *previous term expires.*

50 SEC. 150. Section 8529 of the Business and Professions  
51 Code is amended to read:

1 8529. The registrar with the approval of the board and of  
2 the director, and, subject to the provisions of the State Civil  
3 Service Act and Section 159.5, may appoint and fix the com-  
4 pensation of such other assistants as may be necessary.

5 SEC. 151. Section 8561 of the Business and Professions  
6 Code is amended to read:

7 8561. Any person may apply for an operator's license;  
8 however, an individual applicant must be 21 years of age or  
9 over.

10 (a) If the applicant is an individual, he shall possess the  
11 qualifications and be examined as hereinafter prescribed. If  
12 such individual qualifies for an operator's license, as herein  
13 prescribed, the board shall issue to him an operator's license.

14 (b) If the applicant is a partnership, it shall designate a  
15 partner to be the qualified partner for the partnership entity  
16 or an employee designated as its responsible natural person,  
17 and such partner or responsible natural person shall possess  
18 the qualifications and be examined as hereinafter prescribed.  
19 If such partner or responsible natural person so qualifies in  
20 the same manner as an operator as herein prescribed, the board  
21 shall issue an operator's license to the partnership; ~~naming~~  
22 ~~therein the partner or responsible natural person qualified to~~  
23 ~~act as operator for the partnership~~. Such partner or responsi-  
24 ble natural person may engage in pest control on behalf of the  
25 partnership only, so long as he remains in such capacity for  
26 the partnership, but he may become associated with another  
27 partnership, or with a firm or corporation, in a capacity other  
28 than a qualifying partner, responsible natural person or quali-  
29 fying officer.

30 (c) If the applicant is an association or corporation, it shall  
31 designate an officer thereof or a responsible natural person em-  
32 ployed or to be employed by it to be the qualified officer or  
33 responsible natural person for the association or corporation  
34 entity. Such officer or responsible natural person shall possess  
35 the qualifications and be examined as hereinafter prescribed.  
36 If such officer or responsible natural person so qualifies in the  
37 same manner as an operator as herein prescribed, the board  
38 shall issue an operator's license to the association or corpora-  
39 tion, as the case may be; ~~naming therein the officer or respon-~~  
40 ~~sible natural person qualified to act as operator for the associ-~~  
41 ~~ation or corporation~~. Such officer or responsible natural person  
42 may engage in pest control on behalf of the association or  
43 corporation only so long as he remains in such capacity for the  
44 association or corporation, but he may become associated with  
45 another association or corporation, or with a firm or partner-  
46 ship, in a capacity other than as a qualifying officer, respon-  
47 sible natural person, or partner.

48 SEC. 152. Section 8612 of the Business and Professions  
49 Code is amended to read:

50 8612. The licenses of operators shall be prominently dis-  
51 played in the office of the operator, and no license issued here-  
52 under shall authorize the licensee to do business except from

1 the location stipulated in for which the license was issued.  
2 Each operator having a branch office or more than one branch  
3 office shall be required to display his branch office registration  
4 prominently in each branch office maintained by him.

5 When an operator opens a branch office he shall notify the  
6 registrar in writing on a form prescribed by the board and  
7 issued by the registrar in accordance with rules and regula-  
8 tions adopted by the board, together with the fee for a branch  
9 office prescribed by this chapter.

10 SEC. 153. Section 8702 of the Business and Professions  
11 Code is amended to read:

12 8702. "Director" refers to the Director of Professional and  
13 Vocational Standards Consumer Affairs.

14 SEC. 154. Section 8747 of the Business and Professions  
15 Code is amended to read:

16 8747. Any applicant who has passed the examination pre-  
17 scribed by the board, upon payment of the license fee fixed  
18 by this chapter, which fee shall be retained for the board,  
19 shall have a suitable license issued to him.

20 The license shall be signed by the president and the secretary  
21 and shall authorize him to practice as a land surveyor.

22 SEC. 155. Section 8775.3 of the Business and Professions  
23 Code is amended to read:

24 8775.3. Persons holding a certificate of exemption under  
25 the provisions of Section 8730.6, as that section read on Janu-  
26 ary 1, 1965, shall be issued a photogrammetric surveyor license  
27 as herein prescribed, without examination or fee; provided  
28 such certificate is presented and surrendered to the board prior  
29 to January 1, 1966.

30 Each person so registering shall be issued a suitable license  
31 bearing the signatures of the president and secretary of the  
32 board, which license shall entitle the holder thereof to practice  
33 under this article as a photogrammetric surveyor.

34 All such licenses shall be renewable upon payment of the  
35 fee fixed by the board for which a renewal certificate shall be  
36 issued. Photogrammetric surveyor license fees shall be the same  
37 as those prescribed for land surveyor's licensing; and the  
38 provisions of this chapter relating to revenue, and with respect  
39 to disciplinary proceedings, shall similarly apply.

40 SEC. 156. Section 9001 of the Business and Professions  
41 Code is amended to read:

42 9001. There is in the Department of Professional and Vo-  
43 cational Standards Consumer Affairs a Social Worker and  
44 Marriage Counselor Qualifications Board of the State of Cali-  
45 fornia, which consists of nine members appointed by the Gov-  
46 ernor with the advice and consent of the Senate.

47 SEC. 157. Section 9007 of the Business and Professions  
48 Code is amended to read:

49 9007. With the approval of the Director of Professional and  
50 Vocational Standards Consumer Affairs, the board shall fix  
51 the salary of the executive secretary.

1 SEC. 158. Section 9008 of the Business and Professions  
2 Code is amended to read:

3 9008. Subject to the State Civil Service Act and Section  
4 159.5, the board may employ such clerical, technical and other  
5 assistants as it deems necessary, within budget limitations.

6 SEC. 159. Section 9530 of the Business and Professions  
7 Code is amended to read:

8 9530. There is in the Department of Professional and Vo-  
9 cational Standards, Consumer Affairs the State Board of Dry  
10 Cleaners, which consists of seven members appointed by the  
11 Governor and confirmed by the Senate. The seven members of  
12 the board shall consist of two public members and five persons  
13 licensed or registered by the board. All board member licensees  
14 or registered persons shall have been actively engaged in the  
15 drycleaning industry for at least three years and after Janu-  
16 ary 1, 1972, shall have been actively engaged in the dryclean-  
17 ing industry for at least five years. It is desirable that members  
18 from the drycleaning industry be so selected that there shall  
19 be a geographical balance.

20 Each member of the board shall receive a per diem and  
21 expenses as provided in Section 103.

22 SEC. 160. Section 9532 of the Business and Professions  
23 Code is amended to read:

24 9532. The board shall enforce and administer the provi-  
25 sions of this chapter subject to the powers conferred upon the  
26 director by this code. The board shall have power to employ  
27 an executive secretary and, except as provided by Section  
28 159.5, such other administrative, technical and clerical employ-  
29 ees as may be reasonably necessary for the administration of  
30 this chapter. The board shall elect officers, providing the office  
31 of president shall be for a term not to exceed one year and no  
32 member shall succeed himself as president of the board. The  
33 board shall adopt and use a common seal for the authentication  
34 of its orders and records.

35 SEC. 161. Section 9533.5 of the Business and Professions  
36 Code is amended to read:

37 9533.5. For the purpose of enforcing this chapter, any  
38 member of the board or any employee of the board designated  
39 for that purpose inspector or investigator of the department's  
40 Division of Investigation may enter and inspect any clothes  
41 cleaning establishment, dyeing plant, spotting and pressing  
42 shop or store, press shop or store, drycleaning agency, hat ren-  
43 ovating establishment, fur renovating establishment, or school  
44 or college of cleaning and/or dyeing, spotting or pressing  
45 during customary business hours or at any time when such  
46 establishment, plant, shop, store, or agency is in operation. The  
47 owner, lessee, manager, or operator thereof shall permit the  
48 members of the board or their designated representatives per-  
49 sons designated in this section to enter and make inspections at  
50 the time and for the purpose stated in this section.

51 SEC. 162. Section 9540.5 of the Business and Professions  
52 Code is amended to read:

9540.5. The board shall issue ~~four (4)~~ forms of licenses, designated as follows the following licenses :

- (1) Shop license.
- (2) Clothes cleaning establishment license.
- (3) Clothes dyeing establishment license.
- (4) School or college license.

SEC. 163. Section 9540.51 of the Business and Professions Code is amended to read :

9540.51. The board shall issue a shop license to the owner of each spotting and pressing shop or store, each press shop or store, drycleaning agency, each fur renovating shop or store, each hat renovating shop or store, and each leather renovating shop or store, who complies with the law and rules and regulations of the board.

Shop licenses shall be divided into six classes and the class of each license shall be designated on the license as follows the following classes :

1. Class No. 1 license means spotting *Spotting* and pressing shop license.
2. Class No. 2 license means dry *Dry* cleaning agency license.
3. Class No. 3 license means hat *Hat* renovator license.
4. Class No. 4 license means fur *Fur* renovator license.
5. Class No. 5 license means leather *Leather* garment renovator license.
6. Class No. 6 license means press *Press* shop license.

SEC. 164. Section 9541 of the Business and Professions Code is amended to read :

9541. Any applicant who fails to pass the investigation and examination shall be eligible to apply for reexamination after notification of his failure to pass the examination upon filing a new application and payment of the prescribed fee. Each license shall contain the following :

1. The name of the licensee.
2. If the licensee is a plant, spotting and pressing shop or store, press shop or store, a dry cleaning agency, a hat renovating establishment, a fur renovating establishment, or a private school or college and which is or will be operated under a fictitious firm name, such fictitious firm name and the name and address of the principal place of business of each individual owner interested therein shall appear on the license.

If any licensee operates a branch store or shop under any fictitious firm name, there shall appear on the license issued for the branch store or shop such fictitious name and address of the principal place of business of each individual owner interested therein.

If a corporation or co-operative establishment, the names and addresses of the president, secretary and managing officer only shall appear on the license.

3. Designation of the street and number of the premises in or upon which the licensee is or will be located.

SEC. 165. Section 9541.1 of the Business and Professions Code is amended to read :

9541.1. Every licensee shall sign his original or duplicate license and cause it cause his original or duplicate license to be posted in a conspicuous place, within reading distance of the consuming public, upon the premises owned or operated by such licensee.

SEC. 166. Section 9597 of the Business and Professions Code is amended to read :

9597. The holder of any license or registration certificate shall submit it for inspection upon the request of the board or an employee thereof or of an inspector or investigator of the department's Division of Investigation, the State Fire Marshal, or any Deputy State Fire Marshal.

SEC. 167. Section 9625 of the Business and Professions Code is amended to read :

9625. There is in the department a cemetery board which consists of six members, including two members representing the public at large. The terms of the members first appointed shall expire: one, January 15, 1950; one, January 15, 1951; one, January 15, 1952; and two, January 15, 1953. The Governor shall, on or before January 1, 1962, appoint the first public member of the board, and his term shall expire on January 15, 1964. Thereafter appointments shall be for a four-year term. The members shall be appointed by the Governor and confirmed by the Senate.

The additional public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session shall be appointed to fill the vacancy created by the expiration of the term of office of the member whose term expires January 15, 1971. The first appointment shall be for a term expiring June 1, 1974. Each appointment thereafter shall be for a four-year term expiring June 1 of the fourth year following the year in which the previous term expired.

SEC. 168. Section 9626 of the Business and Professions Code is amended to read :

9626. Members of the board, except the public member members, shall be appointed only from persons who have had, immediately preceding their appointment, a minimum of five consecutive years' experience in this state in the active administrative management of a cemetery corporation or as a member of the board of directors thereof for this period and shall at the time of their appointment have the actual and full authority of a president, general manager, or executive vice president. The five-year consecutive period shall be exclusive of time spent in the armed services. They shall hold office only as long as they continue in such active, actual and authoritative capacity.

The public member members appointed by the Governor shall not be a licensee licentiates of the board. In addition, a public or lay member shall not have been at any time within

1 **five years immediately preceding his appointment, nor shall**  
2 **he be during his term of office, any of the following:**

3 (a) Engaged in, or a stockholder or legal counsel for any  
4 person, firm, or corporation which is engaged in, any business  
5 or activity which a cemetery authority may engage in under  
6 Section 7020 of the Health and Safety Code, whether or not  
7 such business or activity is incidental to or independent from a  
8 cemetery business.

9 (b) **Engaged in any of the pursuits covered by Part 2**  
10 **(commencing with Section 8125) or Part 4 (commencing with**  
11 **Section 8890) of Division 8 of the Health and Safety Code.**

12 SEC. 169. Section 9628 of the Business and Professions  
13 Code is amended to read:

14 9628. The board shall elect annually a chairman and vice  
15 chairman and such other officers as it shall determine from  
16 among its members. Subject to the provisions of Section 154  
17 Sections 154 and 159.5, the board may employ, fix the salaries  
18 of and prescribe the duties of, two **administrative assistants**  
19 **and such clerical, technical and other employees as are neces-**  
20 **sary in the carrying out of its duties.**

21 SEC. 170. Section 9711 of the Business and Professions  
22 Code is amended to read:

23 9711. Every licensed **cemetery broker shall have and**  
24 **maintain a definite place of business in this state which shall**  
25 **serve as his office for the transaction of business.**

26 No cemetery license authorizes the licensee to do business  
27 except from the location ~~stipulated in for which~~ the cemetery  
28 ~~license was issued.~~

29 Notice in writing shall be given the board of change of busi-  
30 ness location of a cemetery broker, whereupon the board shall  
31 issue a new cemetery license for the unexpired period. The  
32 change or abandonment of business location without notifica-  
33 tion to the board shall automatically cancel the license thereto-  
34 fore issued.

35 SEC. 172. Section 9801 of the Business and Professions  
36 Code is amended to read:

37 9801. The following terms as used in this chapter have the  
38 meaning expressed in this section:

39 (a) "Person" includes firm, partnership, association or  
40 corporation.

41 (b) "Department" means the Department of Professional  
42 ~~and Vocational Standards Consumer Affairs.~~

43 (c) "Director" means the Director of Professional and Vo-  
44 ~~ational Standards Consumer Affairs.~~

45 (d) "Bureau" means the Bureau of ~~Electronic Repair~~  
46 ~~Dealer Registration Repair Services.~~

47 (e) "Chief" means the Chief of the ~~Bureau of Electronic~~  
48 ~~Repair Dealer Registration Repair Services.~~

49 (f) "Board" means the ~~Repair Services Advisory Board;~~  
50 ~~Bureau of Electronic Repair Dealer Registration.~~

51 (g) "Service dealer" means a person who, for compensa-  
52 tion, engages in the business of repairing, servicing, or main-

1 taining television, radio, tape recorders, or phonograph equip-  
2 ment normally used or sold for use in the home.

3 (h) "Complainant" means the customer of a service dealer  
4 who has complained to the director concerning such service  
5 dealer.

6 SEC. 173. Section 9810 of the Business and Professions  
7 Code is amended to read:

8 9810. There is in the Department of Professional and Vo-  
9 ~~ational Standards Consumer Affairs~~ a Bureau of ~~Electronic~~  
10 ~~Repair Dealer Registration Services~~, under the supervision  
11 and control of the director. The director shall administer and  
12 enforce the provisions of this chapter.

13 The Governor shall appoint, subject to confirmation by the  
14 Senate, a chief of the bureau at a salary to be fixed and deter-  
15 mined by the director with the approval of the Director of  
16 Finance. The chief shall serve under the direction and super-  
17 vision of the director and at the pleasure of the Governor.

18 Before a chief is appointed, the Governor shall give due  
19 consideration to any person or persons recommended by the  
20 board.

21 Every power granted to or duty imposed upon the director  
22 under this chapter may be exercised or performed in the name  
23 of the director by a deputy or assistant director or by the  
24 chief, subject to such conditions and limitations as the director  
25 may prescribe.

26 *Wherever the laws of this state refer to the Bureau of Elec-*  
27 *tronic Repair Dealer Registration, the reference shall be con-*  
28 *strued to be to the Bureau of Repair Services.*

29 SEC. 174. Section 9811 of the Business and Professions  
30 Code is amended to read:

31 9811. The director, in accordance with the State Civil  
32 Service Act and Section 159.5, may appoint and fix the com-  
33 pensation of such clerical, inspection, investigation, and  
34 auditing personnel as well as an assistant chief, as may be nec-  
35 essary to carry out the provisions of this chapter. All such  
36 personnel shall perform their respective duties under the  
37 supervision and the direction of the chief.

38 SEC. 175. Section 9817 of the Business and Professions  
39 Code is amended to read:

40 9817. There is in the bureau an ~~advisory board which a~~  
41 ~~Repair Services Advisory Board.~~ It consists of five members  
42 appointed by the Governor subject to confirmation by the Sen-  
43 ate.

44 SEC. 176. Section 9870 of the Business and Professions  
45 Code is amended to read:

46 9870. All fees collected pursuant to this chapter shall be  
47 paid into the State Treasury to the credit of the ~~Electronic~~  
48 ~~Repair Dealer Registration Repair Services~~ Fund, which fund  
49 is hereby created.

50 SEC. 177. Section 9871 of the Business and Professions  
51 Code is amended to read:

1 9871. The director shall report to the State Controller at  
2 the beginning of each month, for the month preceding, the  
3 amount and source of all revenue received by the bureau pur-  
4 suant to this chapter, and at that time shall pay the entire  
5 amount thereof into the State Treasury for credit to the ~~Elec-~~  
6 ~~tronic Repair Dealer Registration Repair Services~~ Fund.

7 Sec. 178. Section 9872 of the Business and Professions  
8 Code is amended to read:

9 9872. The money in the ~~Electronic Repair Dealer Registra-~~  
10 ~~tion Repair Services~~ Fund necessary for the administration of  
11 this chapter is hereby continuously appropriated for such pur-  
12 poses. Money in excess of a year and a half's operating cost  
13 shall be transferred to the General Fund from the ~~Electronic~~  
14 ~~Repair Dealer Registration Repair Services~~ Fund.

15 Sec. 179. Section 9874 of the Business and Professions  
16 Code is amended to read:

17 9874. All salaries, expenses, or costs incurred or sustained  
18 pursuant to this chapter shall be payable only out of the ~~Elec-~~  
19 ~~tronic Repair Dealer Registration Repair Services~~ Fund.

20 Sec. 180. Section 9907 of the Business and Professions  
21 Code is amended to read:

22 9907. As used in this chapter, "department" means the  
23 Department of Professional and Vocational Standards ~~Con-~~  
24 ~~sumer Affairs~~.

25 Sec. 181. Section 9908 of the Business and Professions  
26 Code is amended to read:

27 9908. As used in this chapter, "director" means the direc-  
28 tor of Professional and Vocational Standards ~~Consumer Af-~~  
29 ~~fairs~~.

30 Sec. 182. Section 9920 of the Business and Professions  
31 Code is amended to read:

32 9920. There is in the Department of Professional and Vo-  
33 ~~cational Standards Consumer Affairs~~ a Bureau of Employment  
34 Agencies under the supervision and control of the Chief of the  
35 Bureau of Employment Agencies.

36 Sec. 183. Section 9922 of the Business and Professions  
37 Code is amended to read:

38 9922. In accordance with the State Civil Service Act, and  
39 Section 159.5, the director may appoint and fix the compen-  
40 sation of such inspectors, investigators and other personnel as  
41 may be necessary for the administration of this chapter.

42 Sec. 184. Section 9949 of the Business and Professions  
43 Code is repealed.

44 9949. A license when issued shall designate:

- 45 (a) The name of the licensee.
- 46 (b) The number and date of issuance of the license.
- 47 (c) The name of the qualified examinee or examinees.
- 48 (d) The category of license, if the bureau establishes cate-
- 49 gories as provided for in Section 9941.
- 50 (e) In addition, the employment agency license shall desig-
- 51 nate:

- 1 (1) The city, street and number of the premises in which
- 2 the employment agency is authorized to carry on its business.

3 Sec. 185. Section 9949 is added to the Business and Profes-  
4 sions Code, to read:

5 9949. The form and content of a license shall be determined  
6 in accordance with Section 164.

7 Sec. 186. Section 9950 of the Business and Professions  
8 Code is amended to read:

9 9950. The license shall protect only the person or persons  
10 to whom it is issued and only those places designated in the  
11 license for which it is issued. No license shall be issued, trans-  
12 ferred or assigned to any person unless written consent is ob-  
13 tained from the bureau.

14 In the case of a corporation or partnership, a license shall be  
15 valid only as long as the person or persons qualifying for the  
16 license are active and bona fide shareholders in the corporation,  
17 or partners in the case of a partnership. If the person or per-  
18 sons qualifying for the license cease for any reason whatsoever  
19 to be connected with the corporation or partnership, such cor-  
20 poration or partnership shall have 90 days to qualify a person  
21 for such license, and if it fails to do so such license shall after  
22 notice and hearing be suspended until such time as a person  
23 qualifies for such license. A corporation or partnership whose  
24 license is suspended pursuant to this section shall not carry on  
25 the business of an employment agency during the period of  
26 such suspension.

27 Sec. 187. Section 9992 of the Business and Professions  
28 Code is amended to read:

29 9992. Upon receipt of a complaint, or upon its own motion,  
30 the bureau shall ascertain whether or not the accused licensee  
31 has been guilty of an act or omission constituting a ground  
32 for disciplinary action and may make or cause to be made such  
33 investigation as it deems necessary in order to ascertain this  
34 fact. All inspections and investigations are to be performed  
35 by personnel assigned by the director of the department's  
36 Division of Investigation.

37 Sec. 188. Section 9996 of the Business and Professions  
38 Code is repealed.

39 9996. The unencumbered balance of all money available  
40 for expenditure by the Department of Industrial Relations,  
41 Division of Labor Law Enforcement, in carrying out any func-  
42 tions transferred to the Department of Professional and Voca-  
43 tional Standards by this chapter shall be made available  
44 for the support and maintenance of the Department of Pro-  
45 fessional and Vocational Standards in carrying out those  
46 functions, and all books, documents, records and property of  
47 the Department of Industrial Relations, Division of Labor Law  
48 Enforcement, relating to such functions shall be transferred to  
49 the Department of Professional and Vocational Standards.

50 Sec. 189. Section 17500.1 of the Business and Professions  
51 Code is amended to read:

1 17500.1. No state board or commission within the Depart-  
2 ment of Professional and Vocational Standards Consumer  
3 Affairs shall enact any rule or regulation which shall restrict  
4 or prohibit advertising by any commercial or professional per-  
5 son, firm, partnership or corporation which does not violate  
6 the provisions of Section 17500 of the Business and Professions  
7 Code. Any existing rules or regulations conflicting with this  
8 section are hereby repealed.

9 The provisions of this section do not apply to any rules  
10 or regulations heretofore or hereafter formulated pursuant to  
11 Section 6076 of this code.

12 SEC. 190. Section 17805 of the Business and Professions  
13 Code is amended to read:

14 17805. The board shall issue an appropriate license within  
15 the fields referred to in Section 17801 in such form as the  
16 board may deem appropriate to every applicant who qualifies  
17 under the chapter. *The form and content of the license shall*  
18 *be determined in accordance with Section 164.*

19 SEC. 191. Section 17806 of the Business and Professions  
20 Code is amended to read:

21 17806. The board may adopt such rules and regulations  
22 as may be necessary to enable it to carry into effect the pro-  
23 visions of this chapter. Such rules and regulations shall be  
24 adopted in accordance with Chapter 4.5 (commencing with  
25 Section 11371) of Part 1 of Division 3 of Title 2 of the Gov-  
26 ernment Code.

27 Any rules and regulations adopted by the Director of Pro-  
28 fessional and Vocational Standards Consumer Affairs for mar-  
29 riage, family and child counselors, which are in effect on the  
30 effective date of the amendment made to this section at the  
31 1968 Regular Session of the Legislature, shall remain in effect  
32 until the board adopts new rules and regulations or incor-  
33 porates the director's rules and regulations into the board's  
34 rules and regulations.

35 SEC. 192. Section 17807 of the Business and Professions  
36 Code is amended to read:

37 17807. *The Except as provided by Section 159.5, the board*  
38 *may employ whatever additional personnel is necessary to*  
39 *carry out the provisions of this chapter.*

40 SEC. 193. Section 18620 of the Business and Professions  
41 Code is amended to read:

42 18620. There shall be in the Department of Professional  
43 and Vocational Standards Consumer Affairs the State Athletic  
44 Commission, which consists of five members appointed by the  
45 Governor.

46 The State Athletic Commission succeeds to and is vested with  
47 the duties, powers, purposes, responsibilities and jurisdiction  
48 of the Division of Athletics and of the officers and employees  
49 of said division.

50 SEC. 194. Section 18626 of the Business and Professions  
51 Code is amended to read:

1 18626. The commission shall appoint an executive officer  
2 and fix his compensation. The executive officer shall carry out  
3 the duties prescribed by this chapter and such additional duties  
4 as may be delegated by the commission. *The Except as pro-*  
5 *vided by Section 159.5, the commission may employ such other*  
6 *personnel as may be necessary for the administration of this*  
7 *chapter.*

8 SEC. 195. Section 18672 of the Business and Professions  
9 Code is amended to read:

10 18672. *The Except as provided in Section 164, the com-*  
11 *mission has the sole direction, management, and control of*  
12 *and jurisdiction over all licenses issued to any person who*  
13 *participates in boxing contests, sparring or wrestling matches,*  
14 *or wrestling exhibitions.*

15 SEC. 196. Section 19004 of the Business and Professions  
16 Code is amended to read:

17 19004. (a) "Bureau" refers to the Bureau of Furniture  
18 and Bedding Inspection.

19 (b) "Chief" refers to the chief of the bureau.

20 (c) "Inspector" refers to an inspector of the bureau de-  
21 partment's Division of Investigation.

22 (d) "Director" refers to the Director of Professional and  
23 Vocational Standards Consumer Affairs.

24 (e) "Department" refers to the Department of Profes-  
25 sional and Vocational Standards Consumer Affairs.

26 (f) "Board" refers to the California Advisory Board of  
27 Furniture and Bedding.

28 SEC. 197. Section 19030 of the Business and Professions  
29 Code is amended to read:

30 19030. There is in the Department of Professional and  
31 Vocational Standards Consumer Affairs a Bureau of Furniture  
32 and Bedding Inspection under the supervision and control of  
33 the Chief of the Bureau of Furniture and Bedding Inspection.

34 SEC. 198. Section 19031 of the Business and Professions  
35 Code is amended to read:

36 19031. The chief shall be appointed by the Governor and  
37 shall serve at his pleasure. His compensation shall be fixed by  
38 the Director of Professional and Vocational Standards Con-  
39 sumer Affairs in accordance with law.

40 The duty of enforcing and administering this chapter is  
41 vested in the chief and he is responsible to the director there-  
42 for.

43 SEC. 199. Section 19032 of the Business and Professions  
44 Code is amended to read:

45 19032. In accordance with the State Civil Service Act and  
46 subject to Section 159.5, the director may appoint and fix the  
47 compensation of such inspectors, investigators and other per-  
48 sonnel as may be necessary for the administration of this  
49 chapter.

50 SEC. 200. Section 19035.1 of the Business and Professions  
51 Code is amended to read:

1 19035.1. One member of the board shall be a bedding man-  
2 ufacturer, one member shall be an upholstered-furniture man-  
3 ufacturer, two members shall be retailers, ~~one member shall be~~  
4 ~~a supply dealer~~, one member shall be a sterilizer, and ~~one mem-~~  
5 ~~ber~~ *two members* shall represent the public at large. All of the  
6 members, except the ~~member~~ *members* representing the public  
7 at large, shall have been actively engaged and licensed as a  
8 manufacturer, custom upholsterer, retailer, ~~supply dealer~~, or  
9 sterilizer, as the case may be, for a period of not less than five  
10 years immediately preceding the date of their appointment  
11 and shall continue to be so engaged and licensed during the  
12 terms of their office.

13 SEC. 201. Section 19035.2 of the Business and Professions  
14 Code is amended to read:

15 19035.2. Each member of the board shall have been a citi-  
16 zen and a resident of the State of California for at least five  
17 years immediately preceding his appointment, and shall be at  
18 least 30 years of age and of good character.

19 Each member of the board, other than ~~the~~ *a* member repre-  
20 senting the public at large, shall be of recognized standing in  
21 his branch of the furniture and bedding industry in the State  
22 of California.

23 SEC. 202. Section 19035.3 of the Business and Professions  
24 Code is amended to read:

25 19035.3. ~~Members~~ *Each member* of the board shall be ap-  
26 pointed for a term of four years and ~~they~~ shall hold office until  
27 the appointment and qualification of ~~their successors~~ *his suc-*  
28 *cessor or until one year shall have elapsed since the expiration*  
29 *of his term, whichever first occurs.*

30 The terms of the members first appointed to the board shall  
31 expire as follows: the sterilizer, June 30, 1956; the supply  
32 dealer and the member representing the public at large, June  
33 30, 1957; one manufacturer and one retailer, June 30, 1958;  
34 one manufacturer and one retailer, June 30, 1959.

35 The Governor shall appoint the upholstered-furniture manu-  
36 facturer authorized by the amendment made to Section 19035.1  
37 at the 1961 Regular Session of the Legislature to the vacancy  
38 occurring on the board on June 30, 1962 in the membership  
39 of a manufacturer.

40 Vacancies occurring in the membership of the board for any  
41 cause shall be filled by appointment for the balance of the un-  
42 expired term.

43 Each member appointed to the board, except the member  
44 appointed to represent the public at large, shall be from the  
45 same branch of the furniture and bedding industry as his  
46 predecessor.

47 No member shall serve more than two consecutive terms of  
48 office.

49 *The Governor shall appoint the additional public member*  
50 *provided for by the Governor's Reorganization Plan No. 2*  
51 *submitted to the Legislature at the 1970 Regular Session to*

1 *fill any vacancy occurring in the office of the supply dealer*  
2 *member whose term expires June 30, 1973.*

3 SEC. 203. Section 19052 of the Business and Professions  
4 Code is amended to read:

5 19052. Every custom upholsterer, unless he holds a furni-  
6 ture manufacturer's license, shall hold a custom upholsterer's  
7 license ~~bearing a registry number assigned by the bureau.~~

8 Persons holding a valid furniture repairer's license on the  
9 effective date of the amendment made to this section at the  
10 1968 Regular Session of the Legislature, may operate under  
11 such license until the renewal date thereof at which time the  
12 bureau shall issue a custom upholsterer's license, if the person  
13 is entitled to have his license renewed.

14 SEC. 204. Section 19054 of the Business and Professions  
15 Code is amended to read:

16 19054. Every upholstered furniture manufacturer shall  
17 hold a furniture manufacturer's license, ~~bearing a registry~~  
18 ~~number assigned or approved by the bureau.~~

19 SEC. 205. Section 19056 of the Business and Professions  
20 Code is amended to read:

21 19056. Every bedding renovator, unless he holds a bedding  
22 manufacturer's license, shall hold a bedding renovator's li-  
23 cense, ~~bearing a registry number assigned by the bureau.~~

24 SEC. 206. Section 19058 of the Business and Professions  
25 Code is amended to read:

26 19058. Every bedding manufacturer shall hold a bedding  
27 manufacturer's license, ~~bearing a registry number assigned or~~  
28 ~~approved by the bureau.~~

29 SEC. 207. Section 19059 of the Business and Professions  
30 Code is amended to read:

31 19059. Every supply dealer, unless he holds an upholstered  
32 furniture manufacturer's license or a bedding manufacturer's  
33 license, shall hold a supply dealer's license ~~bearing a registry~~  
34 ~~number assigned or approved by the bureau.~~

35 SEC. 208. Section 19059.5 of the Business and Professions  
36 Code is amended to read:

37 19059.5. Every sterilizer shall hold a sterilizer's license  
38 ~~bearing a registry number assigned by the bureau.~~

39 SEC. 209. Section 19206 of the Business and Professions  
40 Code is amended to read:

41 19206. No person shall interfere with, obstruct or otherwise  
42 hinder any inspector of the bureau *or of the department's Di-*  
43 *vision of Investigation* in the performance of his duties. The  
44 chief, his deputies, and assistants, and all inspectors in the  
45 performance of their official duties, shall have the same powers  
46 as are possessed by peace officers in this state.

47 SEC. 210. Section 11200 of the Government Code is  
48 amended to read:

49 11200. The Governor, upon recommendation of the director  
50 of the following state departments, may appoint not to exceed  
51 two chief deputies for the Directors of the Departments of  
52 Finance, Public Works, General Services, and Mental Hygiene,

1 and not to exceed one chief deputy for the Directors of the De-  
2 partments of Social Welfare, Agriculture, Insurance, Employ-  
3 ment, Motor Vehicles, Professional and Vocational Standards  
4 *Consumer Affairs*, and Water Resources.

5 The deputies provided for in this section shall be in addition  
6 to those authorized by any other law.

7 SEC. 211. Section 11501 of the Government Code is  
8 amended to read:

9 11501. (a) The procedure of any agency shall be conducted  
10 pursuant to the provisions of this chapter only as to those  
11 functions to which this chapter is made applicable by the stat-  
12 utes relating to the particular agency.

13 (b) The enumerated agencies referred to in Section 11500  
14 are:

15 Board of Dental Examiners of California.  
16 Board of Medical Examiners of the State of California and  
17 the district review committees.

18 Board of Osteopathic Examiners of the State of California.

19 California Board of Nursing Education and Nurse Regis-  
20 tration.

21 State Board of Optometry.

22 California State Board of Pharmacy.

23 State Department of Public Health.

24 State Board of Public Health.

25 Board of Examiners in Veterinary Medicine.

26 State Board of Accountancy.

27 California State Board of Architectural Examiners.

28 State Board of Barber Examiners.

29 State Board of Registration for Civil and Professional En-  
30 gineers.

31 Registrar of Contractors.

32 State Board of Cosmetology.

33 State Board of Funeral Directors and Embalmers.

34 Structural Pest Control Board.

35 Yacht and Ship Brokers Commission.

36 Director of Professional and Vocational Standards Con-  
37 sumer Affairs.

38 Collection Agency Licensing Bureau of Collection and In-  
39 vestigative Services.

40 State Fire Marshal.

41 State Geologist.

42 Director of Agriculture.

43 Labor Commissioner.

44 Real Estate Commissioner.

45 Commissioner of Corporations.

46 Department of Social Welfare.

47 Social Welfare Board.

48 Department of Mental Hygiene.

49 Board of Pilot Commissioners for the Bays of San Fran-  
50 cisco, San Pablo and Suisun.

51 Board of Pilot Commissioners for Humboldt Bay and Bar.

52 Board of Pilot Commissioners for the Harbor of San Diego.

1 Fish and Game Commission.

2 State Board of Education.

3 Insurance Commissioner.

4 Savings and Loan Commissioner.

5 State Board of Dry Cleaners.

6 Board of Social Work Examiners of the State of California.

7 State Board of Chiropractic Examiners.

8 State Board of Guide Dogs for the Blind.

9 Division of Aeronautics.

10 Board of Administration, State Employees' Retirement Sys-  
11 tem.

12 Department of Motor Vehicles.

13 Bureau of Furniture and Bedding Inspection.

14 Cemetery Board.

15 Department of Conservation.

16 Department of Water Resources acting pursuant to Section  
17 414 of the Water Code.

18 Board of Vocational Nurse Examiners of the State of Cali-  
19 fornia.

20 Certified Shorthand Reporters Board.

21 Bureau of Private Investigators and Adjusters Repair Serv-  
22 ices.

23 California State Board of Landscape Architects.

24 Department of Alcoholic Beverage Control.

25 California Horse Racing Board.

26 School districts under Section 13444 of the Education Code.

27 State Fair Employment Practice Commission.

28 SEC. 212. Section 11554 of the Government Code is  
29 amended to read:

30 11554. An annual salary of twenty-seven thousand five  
31 hundred dollars (\$27,500) shall be paid to each of the follow-  
32 ing:

33 (a) Director of Conservation

34 (b) Director of Fish and Game

35 (c) Executive Officer, Franchise Tax Board

36 (d) Director of Parks and Recreation

37 (e) Director of Rehabilitation

38 (f) Director of Veterans Affairs

39 (g) Director of Commerce

40 (h) Director of Professional and Vocational Standards Con-  
41 sumer Affairs

42 (i) Members of the Unemployment Insurance Appeals  
43 Board

44 (j) Deputy Director of the Department of Justice

45 (k) State Architect.

46 SEC. 213. Section 12040 of the Government Code is  
47 amended to read:

48 12040. There is in the state government the Governor's  
49 Council. It consists of the following:

50 (1) Director of Agriculture

51 (2) Director of Alcoholic Beverage Control

52 (3) Director of Corrections

- 1 (4) Director of the Disaster Office
- 2 (5) Director of Education
- 3 (6) Director of Employment
- 4 (7) Director of Finance
- 5 (8) Director of Fish and Game
- 6 (9) Director of Industrial Relations
- 7 (10) Director of Mental Hygiene
- 8 (11) Director of Motor Vehicles
- 9 (12) Director of Conservation
- 10 (13) Director of Parks and Recreation
- 11 (14) Director of Professional and Vocational Standards

12 *Consumer Affairs*

- 13 (15) Director of Public Health
- 14 (16) Director of Public Works
- 15 (17) Director of Social Welfare
- 16 (18) Director of Veterans Affairs
- 17 (19) Director of Water Resources
- 18 (20) Director of the Youth Authority
- 19 (21) Adjutant General
- 20 (22) Commissioner of the California Highway Patrol
- 21 (23) Director of General Services
- 22 (24) State Fire Marshal.

23 SEC. 214. Article 5 (commencing with Section 12050) of  
24 Chapter 1 of Part 2 of Division 3 of Title 2 of the Government  
25 Code is repealed.

26 SEC. 215. Section 12804 of the Government Code is  
27 amended to read:

28 12804. The Youth and Adult Corrections Agency is hereby  
29 renamed the Agriculture and Services Agency.

30 The Agriculture and Services Agency consists of the follow-  
31 ing: the Department of Agriculture; the Department of Com-  
32 merce; the Department of General Services; the Department  
33 of Veterans Affairs; the Department of Professional and Voca-  
34 tional Standards *Consumer Affairs*; the Franchise Tax Board;  
35 the Public Employees' Retirement System; the Office of Con-  
36 sumer Counsel; the State Fire Marshal; and the State Teach-  
37 ers' Retirement System.

38 The Department of Corrections and the Department of the  
39 Youth Authority are hereby transferred from the Youth and  
40 Adult Corrections Agency to the Human Relations Agency.

41 SEC. 216. Section 830.3 of the Penal Code is amended to  
42 read:

43 830.3. (a) The Deputy Director and the Assistant Direc-  
44 tor of the Department of Justice, the Chief, Assistant Chief,  
45 and special agents of the Bureau of Criminal Identification  
46 and Investigation, the Chief, Assistant Chief, and narcotics  
47 agents of the Bureau of Narcotic Enforcement, and such in-  
48 vestigators who are so designated by the Attorney General,  
49 are peace officers.

50 The authority of any such peace officer extends to any place  
51 in the state as to a public offense committed or which there is  
52 probable cause to believe has been committed within the state.

1 (b) Any inspector or investigator regularly employed and  
2 paid as such in the office of a district attorney is a peace  
3 officer.

4 The authority of any such peace officer extends to any place  
5 in the state:

6 (1) As to any public offense committed, or which there is  
7 probable cause to believe has been committed, within the  
8 county which employs him; or

9 (2) Where he has the prior consent of the chief of police,  
10 or person authorized by him to give such consent, if the place  
11 is within a city or of the sheriff, or person authorized by him  
12 to give such consent, if the place is within a county; or

13 (3) As to any public offense committed or which there is  
14 probable cause to believe has been committed in his presence,  
15 and with respect to which there is immediate danger to per-  
16 son or property, or of the escape of the perpetrator of such  
17 offense.

18 (c) The Director of the Department of Alcoholic Beverage  
19 Control and persons employed by such department for the en-  
20 forcement of the provisions of Division 9 (commencing with  
21 Section 23000) of the Business and Professions Code are peace  
22 officers; provided, that the primary duty of any such peace  
23 officer shall be the enforcement of the laws relating to alcoholic  
24 beverages, as that duty is set forth in Section 25755 of the  
25 Business and Professions Code. Any such peace officer is  
26 further authorized to enforce any penal provision of law while,  
27 in the course of his employment, he is in, on, or about any  
28 premises licensed pursuant to the Alcoholic Beverage Control  
29 Act.

30 (d) The Chief and investigators of the Division of In-  
31 vestigation of the Department of Professional and Vocational  
32 Standards *Consumer Affairs* are peace officers; provided, that  
33 the primary duty of any such peace officer shall be the enforce-  
34 ment of the law as that duty is set forth in Section 160 of  
35 the Business and Professions Code.

36 (e) Members of the Wildlife Protection Branch of the De-  
37 partment of Fish and Game deputized pursuant to Section  
38 856 of the Fish and Game Code, deputies appointed pursuant  
39 to Section 851 of such code, and county fish and game wardens  
40 appointed pursuant to Section 875 of such code are peace of-  
41 ficers; provided, that the primary duty of deputized members  
42 of the Wildlife Protection Branch, and the exclusive duty, ex-  
43 cept as provided in Section 1509.7 of the Military and Veterans  
44 Code, of any other peace officer listed in this subdivision, shall  
45 be the enforcement of the provisions of the Fish and Game  
46 Code, as such duties are set forth in Sections 856, 851 and 878,  
47 respectively, of such code.

48 (f) The State Forester and such employees or classes of  
49 employees of the Division of Forestry of the Department of  
50 Conservation and voluntary fire wardens as are designated  
51 by him pursuant to Section 4156 of the Public Resources  
52 Code are peace officers; provided, that the primary duty of

1 any such peace officer shall be the enforcement of the law as  
2 that duty is set forth in Section 4156 of such code.

3 (g) Officers and employees of the Department of Motor  
4 Vehicles designated in Section 1655 of the Vehicle Code are  
5 peace officers; provided, that the primary duty of any such  
6 peace officer shall be the enforcement of the law as that duty  
7 is set forth in Section 1655 of such code.

8 (h) The secretary, chief investigator, and racetrack inves-  
9 tigators of the California Horse Racing Board are peace  
10 officers; provided, that the primary duty of any such peace  
11 officer shall be the enforcement of the provisions of Chapter 4  
12 (commencing with Section 19400) of Division 8 of the Business  
13 and Professions Code and Chapter 10 (commencing with Sec-  
14 tion 330) of Title 9 of Part 1 of the Penal Code. Any such  
15 peace officer is further authorized to enforce any penal pro-  
16 vision of law while, in the course of his employment, he is  
17 in, on, or about any horseracing enclosure licensed pursuant  
18 to the Horse Racing Law.

19 (i) Police officers of a regional park district, appointed or  
20 employed pursuant to Section 5561 of the Public Resources  
21 Code, and officers and employees of the Department of Parks  
22 and Recreation designated by the director pursuant to Sec-  
23 tion 5008 of such code are peace officers; provided, that the  
24 primary duty of any such peace officer shall be the enforcement  
25 of the law as such duties are set forth in Sections 5561 and  
26 5008, respectively, of such code.

27 (j) Members of the University of California police depart-  
28 ment appointed pursuant to Section 23501 of the Education  
29 Code are peace officers; provided, that the primary duty of any  
30 such peace officer shall be the enforcement of the law as that  
31 duty is set forth in Section 23501 of the Education Code.

32 (k) Policemen of the San Francisco Port Authority are  
33 peace officers; provided, that the primary duty of any such  
34 peace officer shall be the enforcement of the laws relating to  
35 the San Francisco Harbor, as that duty is set forth in Part 1  
36 (commencing with Section 1690) of Division 6 of the Harbors  
37 and Navigation Code.

38 (l) The State Fire Marshal and assistant or deputy state  
39 fire marshals appointed pursuant to Section 13103 of the  
40 Health and Safety Code are peace officers; provided that the  
41 primary duty of any such peace officer shall be the enforce-  
42 ment of the law as that duty is set forth in Section 13104  
43 of such code.

44 (m) Members of an arson-investigating unit, regularly em-  
45 ployed and paid as such, of a fire protection agency of the  
46 state, of a county, city, or district, and members of a fire  
47 department of a local agency regularly paid and employed  
48 as such, are peace officers; provided, that the primary duty  
49 of arson investigators shall be the detection and apprehension  
50 of persons who have violated or who are suspected of having  
51 violated any fire law, and the exclusive duty, except as pro-  
52 vided in Section 1509.7 of the Military and Veterans Code, of

1 fire department members other than arson investigators when  
2 acting as peace officers shall be the enforcement of laws re-  
3 lating to fire prevention and fire suppression. Notwithstanding  
4 the provisions of Section 171c, 171d, 12027, or 12031, members  
5 of fire departments other than arson investigators are not peace  
6 officers for purposes of such sections except when designated  
7 as peace officers for such purposes by local ordinance or, if the  
8 local agency is not authorized to act by ordinance, by resolu-  
9 tion.

10 (n) The Chief and such inspectors of the Bureau of Food  
11 and Drug Inspections as are designated by him pursuant to  
12 subdivision (a) of Section 216 of the Health and Safety Code  
13 are peace officers; provided, that the exclusive duty of any  
14 such peace officer shall be the enforcement of the law as that  
15 duty is set forth in Section 216 of such code.

16 (o) Persons designated by a local agency as park rangers,  
17 and regularly employed and paid as such, are peace officers;  
18 provided, that the primary duty of any such peace officer shall  
19 be the protection of park property and preservation of the  
20 peace therein. Notwithstanding the provisions of Section 171c,  
21 171d, 12027, or 12031, such park rangers are not peace officers  
22 for purposes of such sections except when designated as peace  
23 officers for such purposes by local ordinance or, if the local  
24 agency is not authorized to act by ordinance, by resolution.

25 (p) The authority of any peace officer listed in subdivisions  
26 (c) through (o), inclusive, extends to any place in the state;  
27 provided, that except as otherwise provided in this section,  
28 Section 830.6, or Section 1509.7 of the Military and Veterans  
29 Code, any such peace officer shall be deemed a peace officer  
30 only for purposes of his primary duty, and shall not act as a  
31 peace officer in enforcing any other law except:

32 (1) When in pursuit of any offender or suspected offender;  
33 or

34 (2) To make arrests for crimes committed, or which there  
35 is probable cause to believe have been committed, in his pres-  
36 ence while he is in the course of his employment; or

37 (3) When, while in uniform, such officer is requested, as  
38 a peace officer, to render such assistance as is appropriate  
39 under the circumstances to the person making such request,  
40 or to act upon his complaint, in the event that no peace  
41 officer otherwise authorized to act in such circumstances is  
42 apparently and immediately available and capable of render-  
43 ing such assistance or taking such action.

44 SEC. 217. Section 1 of the act cited in the title is amended  
45 to read:

46 Section 1. A self-sustaining Board of Osteopathic Exam-  
47 iners to consist of five members and to be known as the "Board  
48 of Osteopathic Examiners of the State of California" is  
49 hereby created and established. The Governor shall appoint  
50 the members of the board, each of whom shall have been a  
51 citizen of this state for at least five years next preceding his  
52 appointment. Each of the members shall be appointed from

1 among persons who are graduates of osteopathic schools who  
2 hold unrevoked licenses or certificates to practice in this state.  
3 The Governor shall fill by appointment all vacancies on the  
4 board. The term of office of each member shall be three years;  
5 provided, that of the first board appointed, one shall be ap-  
6 pointed for one year, two for two years, and two for three  
7 years, and that thereafter all appointments shall be for three  
8 years, except that appointments to fill vacancies shall be for  
9 the unexpired term only. The Governor shall have power to  
10 remove from office any member of the board for neglect of  
11 duty, for incompetency, or for unprofessional conduct. Each  
12 member of the board shall, before entering upon the duties of  
13 his office, take the constitutional oath of office. All fees col-  
14 lected on behalf of the Board of Osteopathic Examiners and  
15 all receipts of every kind and nature, shall be reported at the  
16 beginning of each month for the month preceding, to the State  
17 Controller and at the same time the entire amount must be  
18 paid into the State Treasury and shall be credited to a fund  
19 to be known as the Board of Osteopathic Examiners Con-  
20 tingent Fund, which fund is hereby created. Such contingent  
21 fund shall be for the use of the Board of Osteopathic Exam-  
22 iners and out of it and not otherwise shall be paid all expenses  
23 of the board. Each member of the board shall receive a per  
24 diem and expenses as provided in Section 103, provided the  
25 fees and other receipts of the board are sufficient to meet this  
26 expense.

27 The Governor shall appoint the members of said board  
28 within 30 days after this act takes effect. The board shall be  
29 organized within 60 days after the appointment of its mem-  
30 bers by the Governor by electing from its number a presi-  
31 dent, vice president and a secretary who shall also be the  
32 treasurer, who shall hold their respective positions during the  
33 pleasure of the board. The board shall hold one meeting, an-  
34 nually beginning on the second Tuesday in January in the  
35 City of Sacramento with power of adjournment from time to  
36 time until its business is concluded. Special meetings of the  
37 board may be held at such time and place as the board may  
38 designate. Notice of each regular or special meeting shall be  
39 given twice a week for two weeks next preceding each meet-  
40 ing in one daily paper published in the City of San Francisco,  
41 one published in the City of Sacramento, and one published in  
42 the City of Los Angeles which notice shall also specify the  
43 time and place of holding the examination of applicants. The  
44 secretary of the board upon an authorization from the presi-  
45 dent of the board, or the chairman of the committee may call  
46 meetings of any duly appointed committee of the board at a  
47 specified time and place and it shall not be necessary to adver-  
48 tise such committee meetings. The board shall receive through  
49 its secretary applications for certificates to be issued by said  
50 board and shall, on or before the first day of January in each  
51 year transmit to the Governor a full report of all its proceed-  
52 ings together with a report of its receipts and disbursements.

1 The office of the board shall be in the City of Sacramento.  
2 Suboffices may be established in Los Angeles and San Fran-  
3 cisco and such records as may be necessary may be transferred  
4 temporarily to such suboffices. Legal proceedings against the  
5 board may be instituted in any one of said three cities.

6 The board may from time to time adopt such rules as may  
7 be necessary to enable it to carry into effect the provisions of  
8 this act. It shall require the affirmative vote of three members  
9 of said board to carry any motion or resolution, to adopt any  
10 rules, pass any measure or to authorize the issuance or the  
11 revocation of any certificate. Any member of the board may  
12 administer oaths in all matters pertaining to the duties of the  
13 board and the board shall have authority to take evidence in  
14 any matter cognizable by it. The board shall keep an official  
15 record of its proceedings, a part of which record shall consist  
16 of a register of all applicants for certificates under this act  
17 together with the action of the board upon each application.

18 The board shall have the power to employ legal counsel to  
19 advise and assist it in connection with all matters cognizable  
20 by the board or in connection with any litigation or legal pro-  
21 ceedings instituted by or against said board and may also em-  
22 ploy ~~inspectors, special agents and investigators,~~ and such  
23 clerical assistance as it may deem necessary to carry into  
24 effect the provisions of this act. The board may fix the compen-  
25 sation to be paid for such services and may incur such other  
26 expense as it may deem necessary; provided, however, that all  
27 of such expense shall be payable only from the said fund here-  
28 inbefore provided for and to be known as the Board of Osteo-  
29 pathic Examiners Contingent Fund.

30 Every applicant for any form of certificate shall pay to the  
31 secretary-treasurer of the board the fees prescribed by law.  
32 Every licentiate, or certificate holder, subject to the jurisdic-  
33 tion of this board, shall on or before the first day of January  
34 of each year pay to the secretary-treasurer the annual tax and  
35 registration fee prescribed by law.

HEALTH  
REORGANIZATION MESSAGE  
of  
RONALD REAGAN  
*Governor of California*



Transmitted to the  
**CALIFORNIA LEGISLATURE**  
Wednesday, March 4, 1970

## Governor's Message on New Department of Health

There is considerable evidence that the traditional concepts of health and health care service are no longer appropriate.

Rapid advances in technology and science, the development of increasingly complex equipment and procedures, the growing demands for more and better health services—all of these are substantially modifying yesterday's methods of providing medical care.

If the State of California is to be not only responsive but also a leader in the area of health and health care, it must consider these major trends—some of which have significant organizational implications:

1. There is, and will continue to be, an *increasing demand* for personal health services.
2. *Rapid changes* are occurring in both the science and technology of medical care, resulting in new and more sophisticated equipment, facilities, technical procedures, and types of medical and paramedical manpower.
3. *Specialization* is continuing to increase.
4. Growing numbers of physicians are organizing into some form of *combined medical practice*, varying from informal relationships of individual practitioners to formal incorporated groups.
5. The health industry is experiencing an *enormous growth*. In fiscal year 1969, expenditures for health in the United States approached \$60 billion.

This represents 6.7 percent of the gross national product. We spend a greater portion of our national resources on health care than does any other nation and this figure is expected to rise to \$85 billion by 1975. Since 1966, the cost of health care has been climbing at an annual national average of 7 percent and yet, because of inadequacies and inefficiencies in the present system, there is a serious question as to whether we are receiving proportionate increased benefits for the increased expenditures.

We feel these increases both as consumers—in steadily rising health insurance premiums and sub-

stantial increases in daily hospital charges—and as taxpayers—Medi-Cal now costs more than \$1 billion a year in federal, state and local California dollars.

6. The ratio of *paramedical personnel* to physicians is increasing significantly. Since the turn of the century, the ratio has changed from one-to-one to twelve-to-one.
7. There is growing interest in the development of easily accessible *neighborhood health centers*, sometimes associated with a larger facility, to meet the need for ambulatory medical care.
8. *Systems to cover the costs of medical care*, including both private health insurance and public medical care programs, are serving an increasingly large percentage of the population.
9. There is a growing *interrelationship and interdependency* between health services and social services.
10. There is a trend toward the expansion of *community-based health programs*.
11. As evidence of *environmental deterioration* accumulates, the public is becoming increasingly motivated to take corrective action.
12. Planning for health is moving away from a categorical disease control approach to a *comprehensive health planning approach*.

From even a brief review of these trends, it is apparent that the entire field of health is undergoing major changes. One consequence of these changes is that public jurisdictions have had to modify their roles significantly and, consequently, their health organizations and programs.

Over the past years, a vast array of new health programs and approaches have been spawned. In most cases, these have not emerged as integral parts of a rational system; rather, they have been limited efforts to deal with specific problems often reflecting little appreciation of the impact on other health programs and services.

State departments responsible for carrying out the programs have attempted to adapt themselves to the numerous changes. Despite the departments' best efforts, how-

ever, the State now finds that its organization of health programs is seriously deficient. In some cases, such as mental retardation and alcoholism, it is difficult to establish accountability for program results because of fragmentation of program responsibility. In other cases, such as licensing of health facilities, there is a lack of consistency in setting and enforcing standards, public confusion concerning requirements, and duplication of effort.

Most important, the State lacks an adequate mechanism for assessing total health needs, establishing goals and priorities, and allocating resources effectively.

### SPECIFIC GOALS

The State of California, in its laws relating to health, has indicated a broad legislative intent regarding "preservation of the public health and safety". To carry out this intent, the State should adopt the following specific health goals and move aggressively to achieve them:

1. *Identify health needs and develop programs* to meet them, giving consideration to relative priorities and effectiveness.
2. Promote an *environment* that will contribute to human health and well-being.
3. Assure the *availability of comprehensive health services* for all Californians, utilizing both public and private health resources.
4. Assure that *quality standards* for health programs and services are established and maintained.
5. Assist in *coordinating the activities of health agencies*—State and local, public and private—along with medical schools, hospitals, and private practitioners, in providing health services.
6. Promote the *development of new knowledge* on the causes and cures of illness and on the means of delivering health services to the public.
7. Help all the State's citizens to understand the essentials of *positive personal health* and the effective use of available health services.

In an effort to meet these goals—to meet the health needs of the public and to stay ahead of future trends—I am submitting this Reorganization Plan.

### NEW DEPARTMENT OF HEALTH

*I am establishing a new Department of Health in the Human Relations Agency.* It will be responsible for administering most of the State's health programs. In addition, it will include certain other programs which, because of their close relationship to health, can achieve better results as part of a Department of Health.

I do not intend to consolidate all health and health-related activities into a single department. For example, I see no advantage in transferring into a health organization the health related activities of the Air Resources Board—such as monitoring air pollution. These medical functions are an integral part of the basic program of those departments.

Specifically, I propose to include in this new department, all of the functions of the existing Departments of Health Care Services, Mental Hygiene, and Public Health. In addition, the two Neuropsychiatric Institutes, responsible for teaching and research in the field of psychiatry, will be transferred to the University of California. I *also* intend to transfer to the Department of Health, the following functions from existing departments:

Ten healing arts licensing boards from Professional and Vocational Standards; certain health-related functions from Social Welfare; and the alcoholism program from Rehabilitation.

What will these changes in the organization of State health programs mean to the citizens of California? We expect the new Department of Health to play a major role in two areas of vital importance to all of us, namely, *finding ways to curb the rapidly rising costs of medical care and encouraging changes in the health care delivery system that will make it more efficient, effective, economical, and more available to all Californians.*

### MEDI-CAL

One of the responsibilities of the new Department of Health will be to *administer the Medi-Cal program.* As

the largest single purchaser of medical care in California, the State has an opportunity to write into its agreements with the providers of service certain provisions that will help to cut medical costs. I fully support the idea of private health insurance. I am convinced, however, that the providers of medical care must be encouraged to develop less costly alternative forms of care. It is our intent to use our Medi-Cal purchasing power to encourage the development of more appropriate and economical health services, to the ultimate benefit of all Californians.

## HEALTH MANPOWER

One of the other reasons for the rapidly rising costs of medical care is the shortage of health manpower. When Congress passed legislation creating the Medicare and Medicaid programs, it had the effect of increasing substantially the effective demand for medical care without providing for a comparable increase in the supply of health manpower. While the State of California has done a great deal to train, and to encourage the private sector to train, persons for health professions we must intensify our efforts in this area.

I expect the new Department of Health to assume a leadership role in assessing the expanding need for health manpower, in stimulating both public and private training institutions to meet the need, and in achieving the optimum utilization of physicians and ancillary medical personnel.

## COMPREHENSIVE HEALTH PLANNING

Much of the growth in the health industry has been uncoordinated and wasteful of scarce health resources. Hospitals feel that they must provide all the latest and most sophisticated treatments, despite the cost or need. In some cases, for example, this has resulted in the installation of expensive radiation therapy equipment or cardiac services in several hospitals in a given area when one such installation would be enough to meet the need. I expect the new Department of Health, through its comprehensive health planning, to work cooperatively with public and private providers of health services to identify and thereby avoid wasteful duplication of costly services

and to insure that facilities and services are placed where the needs are greatest.

While much of our concern with health services revolves around the mounting cost, we are also concerned about the need to make services more available and accessible to the public. The fragmentation of health services has created serious difficulties for the consumer. Even a cursory review of directories of health and welfare services available in medium-sized California counties reveals that a person seeking assistance is confronted by a confusing array of public and voluntary agencies. As a result, he finds himself being shuffled from one agency to the next during the course of what, for him, should be a continuum of care linking together preventive, diagnostic, treatment, and rehabilitative services. The result in all too many instances is that coordination is left to the consumer.

This fragmentation of services at the local level results, in part, at least, from the failure to coordinate these services at the State level. There is nothing in this Plan that requires local agencies to reorganize their health and related services. We are hopeful, however, that improved coordination at the State level will encourage local agencies to integrate their services in such a way that they are easier for the consumer to use. It is doubtful whether such changes at the local delivery level will occur until the State puts its own house in order.

In discussing some of the problems related to the present health care delivery system, I do not want to leave the impression that I am overly critical of the medical profession. Forward-looking physicians and hospital administrators share our concern about rising costs and inefficiencies within the system. Our best chance of finding viable answers to these problems is through a cooperative effort in which the State and the private sector, working as partners, tackle these difficult and complex problems.

## ADVISORY HEALTH COUNCIL

In carrying out his responsibilities, the Director of the Department of Health will be assisted in formulating policies and programs by a new *Advisory Health Council*. The State Board of Public Health, the Health Review and Program Council and the Health Planning Council will be phased out which will allow the new Council to assume

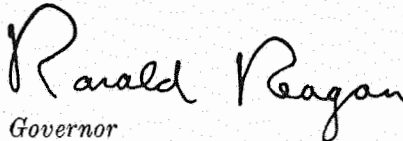
these new functions in an orderly way. Representation of various groups on the Advisory Health Council will be basically the same as that which now exists for the Health Planning Council.

In the past, some of the steps that we are now preparing to take in creating a Department of Health have been unavailable to us because of the single state agency requirement imposed as a condition of Federal funding. However, this requirement has been made more flexible as a result of passage by Congress in 1968 of the Intergovernmental Cooperation Act. We have been assured by representatives of the Federal Department of Health, Education, and Welfare that their policy is to assist states in moving toward more efficient and effective organizational arrangements, and that they will be receptive to waivers of "single state agency" requirements that may presently impede such reforms.

### SUMMARY

*Establishment of a Department of Health is not a panacea for all the State's problems related to health.* It will, however, improve substantially our ability to solve these problems. It will permit us to do a more effective job of evaluating total health needs and developing programs to meet them. It will stimulate the setting of goals and priorities and the rational allocation of resources. It will provide an organization capable of assuming leadership in such areas as health manpower and comprehensive health planning. It will permit the consolidation or coordination of programs that are now fragmented. It will enable us to fix responsibility and accountability for program results. It will foster the coordination of health and social services at both the State and local level, with a consequent improvement in service to the public. And it will provide an atmosphere that encourages innovation in such fields as the health care delivery system.

The State has a vital role to play in meeting the health needs of the people of California. Creation of a Department of Health is an essential first step if the State is to fulfill this role. I urge your support of the Plan.

  
Governor

# REORGANIZATION OF THE EXECUTIVE BRANCH OF CALIFORNIA STATE GOVERNMENT

## Reorganization Plan No. 1 of 1969

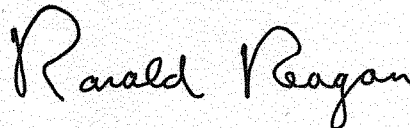
March 5, 1969

HON. ED REINECKE, *President*  
*and Members of the Senate*

HON. BOB MONAGAN, *Speaker*  
*and Members of the Assembly*

Pursuant to Section 12080.2 of the Government Code, I  
hereby transmit Reorganization Plan No. 1 of 1969.

Respectfully,

A handwritten signature in dark ink, reading "Ronald Reagan". The signature is written in a cursive, flowing style with a large initial "R".

RONALD REAGAN  
*Governor*

## REORGANIZATION PLAN NO. 1 OF 1969

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## GOVERNOR'S MESSAGE

In accordance with Section 12080.2 of the Government Code, I am submitting Reorganization Plan No. 1 of 1969 for review by the Legislature. It is also being reviewed by the Commission on California State Government Organization and Economy. I have found each reorganization action included in this Plan to be in the public interest.

The actions proposed in this Plan will increase efficiency, save the taxpayers money, eliminate unnecessary units of the Executive Branch, and consolidate like functions to increase coordination and decrease overlap and duplication.

This is by no means all of the reorganizations I am proposing. In my message of March 5, 1969, I outlined this and several other major and necessary changes. This Plan is an important element in the continuing process of updating our State Government. With your support I am sure this Plan will prove to be a constructive first step in modernizing the maze of boards and commissions we find in State Government.

## REORGANIZATION ACTIONS

1. The Program Advisory Committee to the Consumer Counsel is eliminated. The statutory authority providing for the creation of such a committee is rescinded.

### **Explanatory Material:**

The function of this Committee, program and policy advice to the Consumer Counsel, is now being performed voluntarily by the private sector at no expense to the State. The statutory language authorizing the establishment of this Committee by Executive Order is no longer needed.

### *Statutes Suspended:*

Government Code Section 12057

### *Statutory Amendments and Additions:*

None

2. The United Spanish War Veterans Commission is eliminated.

### **Explanatory Material:**

This Commission of five members appointed by the Governor was created in 1957 to assist in the maintenance of California as an active unit of the National Encampment of the United Spanish War Veterans. Inasmuch as funding was not provided in 1968-69, it is apparent that State funding is no longer needed. Private organizations can support this activity. This saves the General Fund \$3,600.

### *Statutes Suspended:*

Chapter 4 (commencing with Section 1300) of Division 6 of the Military and Veterans Code

### *Statutory Amendments and Additions:*

None

3. The Television Advisory Committee and the position of Television Coordinator are eliminated and the functions, authorities and responsibilities transferred to the Department of General Services.

**Explanatory Material:**

The Committee provides advice and guidance to the Television Coordinator in the performance of his duties as the primary coordinator of the activities of the various public and nonprofit agencies concerned with television for educational purposes. It has been determined that the Coordinator's functions can be absorbed by the Department of General Services with a resultant savings to the General Fund of \$50,322. Advice and guidance are necessary in this field and will be obtained on an ad hoc basis at no expense to the State.

*Statutes Suspended:*

Article 8.5 (commencing with Section 8871) of Chapter 6, Division 7, Part 2 of the Education Code

*Statutory Amendments and Additions:*

Government Code Sections 14656, 14716, 14716.1, 14716.2, and 14716.3

4. The Capitol Building and Planning Commission is eliminated and its functions, authorities and responsibilities transferred to the Department of General Services.

**Explanatory Material:**

The primary functions of this Commission are to establish a master plan for the orderly development of future State buildings in the Capitol area of the City of Sacramento and the County of Sacramento and to formulate and carry out a long-range master plan for improvement of the Capitol Mall. These functions can be absorbed by the Department of General Services with advice and counsel obtained when specific problems need resolution. This will be on an ad hoc basis at no expenses to the State with a resultant savings to the General Fund of \$2,250.

*Statutes Suspended:*

Chapter 2.8 (commencing with Section 8160) of Division 1 of Title 2 of the Government Code

*Statutory Amendments and Additions:*

Government Code Sections 8160-8169.5 and 14657

5. The statutory authority for the Governor to appoint a Technical Advisory Committee to advise the Director of Commerce is eliminated. The California World Trade Authority is renamed the California Industry and World Trade Commission and its membership is changed to fifteen members appointed by and serving at the Governor's pleasure.

**Explanatory Material:**

The Economic Development Agency has been consolidated into the Department of Commerce and the technical advisory functions needed can be provided by the California Industry and World Trade Commission.

To carry out more accurately the purposes of the Department of Commerce, the California World Trade Authority should be renamed to the California Industry and World Trade Commission. Fifteen members will provide a broad perspective on the complex geographic, industrial, business and world trade activities of our State.

*Statutory Amendments and Additions:*

Government Code Sections 8320, 8321, 8350-8353, 8356-8360, 8370-8373, 8380-8387, and 8400-8402

**6. The Districts Securities Commission is eliminated and its functions, authorities and responsibilities transferred to the Department of Corporations.**

**Explanatory Material:**

This Commission regulates some long-term debts of certain water districts as described in the Water Code. These are primarily irrigation districts, water districts and water storage districts; there are approximately 265 such districts. However some 2,000 more districts apparently have the choice of whether to have their bonds certified by this Commission and have not found this to be necessary or desirable. Examples of such districts are drainage districts, public utility districts and reclamation districts.

The general financial activities of the Department of Corporations are very similar to those performed by the Commission in a specialized field.

The Department of Corporations can absorb the activities of the Districts Securities Commission without increasing its budget. This will permit lowering the fees charged the various water districts by the Commission. These savings can be passed on to the consumer.

**Statutes Suspended:**

Water Code Sections 20015-20023.

**Statutory Amendments and Additions:**

Water Code Sections 20000, 20001, 20003, 20004, 20024-20033, 20040-20048, 20051-20053, 20061, 20080-20087, 20100-20104, and 20106.

**7. The Office of Atomic Energy Development and Radiation Protection is eliminated and its functions, authorities and responsibilities transferred to the Resources Agency.**

**Explanatory Material:**

This Office performs liaison and coordination between the State of California, the Federal Government and other states relating to nuclear energy development. The radiation protection functions of this Office are now performed in the Department of Public Health.

It has been determined that the Resources Agency can absorb the functions of this Office with a resultant savings to the General Fund of \$45,988.

**Statutes Suspended:**

Health and Safety Code Section 25730.

**Statutory Amendments and Additions:**

Health and Safety Code Sections 25730, 25730.2, 25731-25739, 25771, 25805, 25810, and 25812.

**8. The Departmental Coordinating Committee on Atomic Energy Development and Radiation Protection is eliminated.**

**Explanatory Material:**

This Committee is composed of the heads of various State agencies with the function of coordinating the programs and activities of such agencies in matters pertaining to atomic energy development and radiation protection. The Committee has not met for several years and has accomplished the function it was intended to perform. It is no longer needed. Any coordination needed in the future will be obtained through the Governor's Cabinet.

**Statutes Suspended:**

Article 5 (commencing with Section 25750) of Chapter 7.5 of Division 20 of the Health and Safety Code

**Statutory Amendments and Additions:**

None

**9. The Advisory Council on Atomic Energy Development and Radiation Protection is eliminated.**

**Explanatory Material:**

This Council was established to evaluate the programs of the various State agencies and to make recommendations to the Governor regarding State policy in the field of atomic energy development and radiation protection.

The Council has been relatively inactive and it is unnecessary to continue it on a statutory basis. If evaluation and policy recommendations become necessary, they can be obtained on an ad hoc basis at no cost to the State. The expenditures of this Council have been part of the budget appropriation for the Office of Nuclear Energy and are included in the projected \$45,988 saving brought about by elimination of that Office.

*Statutes Suspended:*

Article 6 (commencing with Section 25760) of Chapter 7.5 of Division 20 of the Health and Safety Code

*Statutory Amendments and Additions:*

None

**10. The Colorado River Boundary Commission is eliminated.**

**Explanatory Material:**

As the result of the work of this Commission a common boundary line with respect to the Colorado River has been established between California and Arizona and a compact ratified by both states and the Congress of the United States. This completes the primary objective of the Commission, and it is no longer necessary.

*Statutes Suspended:*

Chapter 1693 of the Statutes of 1953

*Statutory Amendments and Additions:*

None

**11. The California-Nevada Interstate Compact Commission is eliminated effective when the compact has been ratified by the Congress of the United States or January 1, 1971, whichever occurs earlier.**

**Explanatory Material:**

This Commission has negotiated an interstate compact with Nevada relative to the distribution and use of the waters of Lake Tahoe and the Truckee, Carson and

Walker Rivers. Upon completion of ratification by the two states and the Congress, the Commission will have no further function. There is ample time between now and January 1, 1971, to accomplish these actions. There will be a resultant savings to the General Fund of \$15,600.

*Statutes Suspended:*

Chapter 2.6 (commencing with Section 8130) of Division 1 of Title 2 of the Government Code

*Statutory Amendments and Additions:*

None

**12. The Goose Lake Compact Commission is eliminated effective when the compact has been ratified by the Congress of the United States or January 1, 1971, whichever occurs earlier.**

**Explanatory Material:**

This Commission has negotiated with a similar Oregon commission and with the Federal Government to establish an interstate compact to protect water use and distribution of the water resources of the Goose Lake Basin. Upon completion of ratification by both states and the Congress, the Commission will have no further function. There is ample time between now and January 1, 1971, to accomplish this.

*Statutes Suspended:*

Chapter 31 (commencing with Section 8220) of Division 1 of Title 2 of the Government Code

*Statutory Amendments and Additions:*

None

**13. The Governor's Council is eliminated.**

**Explanatory Material:**

The Governor's Council has grown so large and cumbersome with its present membership of sixty-one that it is no longer an effective management tool.

The Governor has established a working Cabinet which serves the purposes for which the Governor's Council was established many years ago. While there is no direct appropriation to the Council a great amount of valuable top-level time will be put to more productive use by eliminating the Council.

*Statutes Suspended:*

Government Code Sections 12040 and 12041

*Statutory Amendments and Additions:*

None

14. The Board of Pilot Commissioners and the Pilotage Rate Committee, for the Bays of San Francisco, San Pablo and Suisun are eliminated effective January 1, 1971.

**Explanatory Material:**

The Board of Pilot Commissioners licenses persons qualified to pilot vessels on San Francisco, San Pablo, and Suisun Bays. The Pilotage Rate Committee recommends pilotage rates to the Legislature.

The 1969-70 proposed expenditures for the purposes of the Board and the Committee are \$27,472 from the Pilot Commissioner's Special Fund.

These are functions which should be handled at the local level and are not appropriate State activities. Ample time for local assumption of responsibility is provided by making elimination effective January 1, 1971.

*Statutes Suspended:*

Division 5 (commencing with Section 1100) of the Harbors and Navigation Code

*Statutory Amendments and Additions:*

None

15. The Board of Pilot Commissioners for Humboldt Bay and Bar is eliminated effective January 1, 1971.

**Explanatory Material:**

This Board licenses pilots who operate vessels on Humboldt Bay. This Board is self-supporting.

These are not State functions and should be performed at the local level. The January 1, 1971, date provides ample time for local assumption of responsibility.

*Statutes Suspended:*

Division 5 (commencing with Section 1100) of the Harbors and Navigation Code

*Statutory Amendments and Additions:*

None

16. The Board of Pilot Commissioners for the Harbor of San Diego is eliminated effective January 1, 1971.

**Explanatory Material:**

This Board licenses pilots who operate vessels on San Diego Bay and establishes a fair price for their services. There are four bar pilots currently licensed to assist vessels on this bay.

The General Fund provides \$1,200 per year for support of this Board.

These are not State functions and should be performed at the local level. The January 1, 1971, date provides ample time for local assumption of responsibility.

*Statutes Suspended:*

Division 5 (commencing with Section 1100) of the Harbors and Navigation Code

*Statutory Amendments and Additions:*

None

**17. The Board of Harbor Commissioners for Humboldt Bay is eliminated effective January 1, 1971.**

**Explanatory Material:**

This Board is responsible for keeping records of the activities on Humboldt Bay and Eureka Harbor and for liaison with the U.S. Army Corps of Engineers who provide maintenance of the navigable channels. The General Fund provides \$2,940 for the support of this Board.

These are not State functions and should be performed at the local level. The January 1, 1971, date provides ample time for local assumption of responsibility.

**Statutes Suspended:**

Part 3 (commencing with Section 3800) of Division 6 of the Harbors and Navigation Code

**Statutory Amendments and Additions:**

None

**18. The Planning Advisory Committee is eliminated, its appellate functions related to zoning ordinances are deleted, its local planning assistance functions, authorities and responsibilities transferred to the Council on Intergovernmental Relations, and its other functions, authorities and responsibilities transferred to the State Planning Officer.**

**Explanatory Material:**

This Committee has provided guidance to the State Office of Planning with primary emphasis on the local planning assistance program. The Governor's Reorganization Plan No. 1 of 1968 transferred the local planning functions of the State Office of Planning to the Council on Intergovernmental Relations. Advice and guidance relative to the local planning assistance program is now being provided by the Council. Therefore, the Planning Advisory Committee is no longer needed.

The Planning Advisory Committee, when active, required approximately \$7,000 support from the General Fund. Its functions are being performed elsewhere, and this money is not requested in the Governor's Budget.

**Statutes Suspended:**

Government Code Section 53093, Article 10 (commencing with Section 65020) of Chapter 1.5 of Title 7 of the Government Code

**Statutory Amendments and Additions:**

Government Code Sections 34207 and 65013.3  
Harbors and Navigation Code Section 3000.7

**19. The State Soil Conservation Advisory Board is eliminated.**

**Explanatory Material:**

This Board assists and advises the State Soil Conservation Commission. The members of the Board are available for consultation whenever the Commission wishes and need not be statutorily established as a formal State board.

**Statutes Suspended:**

Public Resources Code Section 9066

**Statutory Amendments and Additions:**

None

**20. The Public Library Development Board is eliminated.**

**Explanatory Material:**

The Public Library Services Act, Chapter 1802, Statutes of 1963, provided for the improvement of locally financed free public libraries throughout the State by means of incentive grants to public library systems. This is an annual grant of State funds of \$800,000 at the present level. Approximately three-quarters goes out to the local libraries on a per capita basis, and the remaining quarter is granted to help develop library systems. The program is administered by the State Librarian with the advice of this Board.

In the early stages of developing this program, it was valuable to have the Board to reconcile various conflicting interests. However, the program is now stabilized and three-quarters of the grant is on a fixed formula basis. The

remainder can be administered by the State Librarian without the necessity for a statutory board. In the event advice is needed it can be obtained on an ad hoc basis with no expense to the State.

This Board has served its purpose and should be eliminated. There will be a resultant savings to the General Fund of approximately \$400 per year.

*Statutes Suspended:*

Education Code Sections 27115-27116.3

*Statutory Amendments and Additions:*

None

**21. The Commission on Manpower, Automation and Technology is eliminated.**

**Explanatory Material:**

This Commission has been inactive and has received no funds in the last two years. In 1966-67 the Department of Employment Contingent Fund provided \$19,852 for the Commission. Since there has been no demonstrated need for its continuance, and it has been inactive for two years, the Commission should not remain as a statutory unit of State Government. The responsibilities of the new Human Resources Development Department and the Job Training and Development Services Advisory Board cover the major areas of concern in the field formerly assigned to this Commission.

*Statutes Suspended:*

Division 1.5 (commencing with Section 160) of the Labor Code

*Statutory Amendments and Additions:*

None

**22. The State Manpower Advisory Committee is eliminated.**

**Explanatory Material:**

This Committee is composed of certain members of the Commission on Manpower, Automation and Technology representing statutorily designated fields. The Committee's function is to cooperate with and assist the National Manpower Advisory Committee. The responsibilities of the new Human Resources Development Department and the Job Training and Development Services Advisory Board cover the major problems which have been the concern of this Committee. The new department and its Board will, of course, cooperate with any unit of the Federal Government whenever this is necessary and desirable. Therefore the Committee is no longer needed.

*Statutes Suspended:*

Division 1.5 (commencing with Section 160) of the Labor Code

*Statutory Amendments and Additions:*

Unemployment Insurance Code Section 10104

**23. The Advisory Hospital Council is eliminated and its functions, authorities and responsibilities transferred to the Health Planning Council.**

**Explanatory Material:**

The Advisory Hospital Council has primary responsibility for allocation of Federal funds relative to hospital construction. The Health Planning Council was created to provide comprehensive State health planning in response to enactment of Public Law 89-749; its responsibilities are broader than those of the Advisory Hospital Council. There is thus some overlap and duplication of effort. The Health Planning Council can assume the functions of the Advisory Hospital Council and therefore the latter Council is no longer needed. There will be a resultant savings to the General Fund of \$525.

*Statutes Suspended:*

Health and Safety Code Section 431.2

*Statutory Amendments and Additions:*

Health and Safety Code Section 431.6

24. The State Advisory Council (Department of Employment) is eliminated and its functions, authorities and responsibilities transferred to the Job Training and Development Services Advisory Board.

**Explanatory Material:**

This Council's function is to advise the Director of Employment on all matters pertaining to employment and unemployment. In conformity with Chapter 1460 of 1968, the Department of Employment will become part of the new Human Resources Development Department at a date to be determined by the Administration but not later than January 1, 1970. The Job Training and Development Services Advisory Board in the new department has functions parallel to those of the State Advisory Council. Therefore the Council is no longer needed because the Job Training and Development Services Advisory Board can assume its functions, and this will eliminate duplication of effort and possible conflicts. The Unemployment Administration Fund provides \$20,046 and the Unemployment Compensation Disability Fund \$3,156 for support of this Council.

*Statutes Suspended:*

Article 2 (commencing with Section 355) of Chapter 2, Part 1, Division 1 of the Unemployment Insurance Code.

*Statutory Amendments and Additions:*

Unemployment Insurance Code Sections 10105, 10106, and 10107

25. The Cannery Inspection Board is eliminated and its functions, authorities and responsibilities transferred to the Department of Public Health.

**Explanatory Material:**

The function of this Board is to work with the Department of Public Health and the State Board of Public Health in protecting the public with respect to canned foods. The Department and the State Board of Public Health can assume this responsibility without the need for a separate statutory board. If special expertise is needed, it can be obtained on an ad hoc basis at no expense to the State.

*Statutes Suspended:*

Article 2 (commencing with Section 28380) of Chapter 8 of Division 21 of the Health and Safety Code, and Health and Safety Code Sections 28401 and 28441.

*Statutory Amendments and Additions:*

Health and Safety Code Sections 28380-28385, 28400, 28402, 28403, and 28433

26. The Narcotic Rehabilitation Advisory Council is eliminated.

**Explanatory Material:**

This Council's function is to act as an advisory group in matters of narcotic rehabilitation with special reference to the California Rehabilitation Center. However, the new Inter-Agency Drug Abuse Council, formed under the auspices of the California Medical Association, can perform this function, and therefore the Narcotic Rehabilitation Advisory Council is no longer necessary.

*Statutes Suspended:*

Welfare and Institutions Code Section 3004

*Statutory Amendments and Additions:*

None

**27. The Coordinating Council on Alcohol Problems is eliminated.**

**Explanatory Material:**

This Council, consisting of directors of State departments or other State agencies, is assigned to review, assess, and promote optional use of local, state and federal resources applicable to alcohol problems. The members are available on call as needed, coordination is provided through the Governor's Cabinet, and thus a formal statutory Council is not needed. The cost to the General Fund has been approximately \$500 per year.

**Statutes Suspended:**

Health and Safety Code Section 427.8

**Statutory Amendments and Additions:**

None

**28. The California Delinquency Prevention Commission is eliminated and its functions, authorities and responsibilities transferred to the Governor's Advisory Committee on Children and Youth.**

**Explanatory Material:**

The function of this Commission is the prevention or reduction of delinquency among youths. The Governor's Advisory Committee on Children and Youth is concerned with all problems of children and youth and can assume the Commission's functions thereby removing the possibility of duplication and conflict.

There will be a resultant savings to the General Fund of \$5,500.

**Statutes Suspended:**

None

**Statutory Amendments and Additions:**

Welfare and Institutions Code Section 1752.5

**29. The New Car Dealers Policy and Appeals Board is eliminated.**

**Explanatory Material:**

This Board was established in 1967 by Chapter 1397. The functions of this Board are to prescribe rules and regulations relating to licensing of new car dealers, to hear and consider appeals from actions arising out of the decisions by the Department of Motor Vehicles, and to consider any matter concerning the activities or practices of any person applying for or holding a license as a new car dealer pursuant to specified laws. Judicial reviews may be sought with respect to orders of this Board. The Board has met regularly during the past year and has not taken actions giving evidence of the need for continuance as a statutory formal State unit. Elimination of this Board will save the Department of Motor Vehicles \$66,356.

**Statutes Suspended:**

Chapter 5 (commencing with Section 3000) of Division 2 of the Vehicle Code and Vehicle Code Section 11723

**Statutory Amendments and Additions:**

None

**30. The Marine Research Committee is eliminated and its functions, authorities and responsibilities transferred to the Fish and Game Commission.**

**Explanatory Material:**

The Fish and Game Commission can assume the responsibilities of this Committee and thus there is no need for continuing the Committee as a statutory entity.

**Statutes Suspended:**

Article 2 (commencing with Section 725) of Chapter 1, Division 2 of the Fish and Game Code

**Statutory Amendments and Additions:**

Article 9 (commencing with Section 8085) is added to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code and Section 222 of the Fish and Game Code

31. The Governor and Lieutenant Governor are removed from the California Toll Bridge Authority and replaced with two public members appointed at the pleasure of the Governor.

**Explanatory Material:**

Attendance at the California Toll Bridge Authority meetings represent a time-consuming addition to the Governor's and Lieutenant Governor's duties, and, in many cases, such meetings are necessary only because of the formalities required in bond proceedings. The proposed reorganization would relieve these constitutional officers of those duties while still retaining the stature of the Toll Bridge Authority as a responsible body with bonding powers.

There will be no resultant savings and no increase in operating costs.

**Statutes Suspended:**

None

**Statutory Amendments and Additions:**

Streets and Highways Code Section 30050

## GENERAL PROVISIONS

This Reorganization Plan is effective on the date specified by Government Code Section 12080.5. The agencies, officers and employees affected by this Plan shall continue to perform their existing functions for sixty days following the effective date of this Reorganization Plan and during this period shall plan for the necessary changes. The reorganization changes herein provided shall take place on the sixty-first day after the effective date of this Plan except as otherwise provided in this Plan.

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 12080.2 and 12080.3(g)), and the statutes requiring amendment. To facilitate understanding and reference, the explanatory material immediately follows the reorganization to which it is applicable.

## TRANSFER OF EMPLOYEES

In accordance with Government Code Sections 12080.3 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 12080.3(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 12080.3(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. All unexpended balances of appropriations and other funds for functions eliminated by this Reorganization Plan shall revert to the fund from which appropriated as determined by the Department of Finance.

**Explanatory Material:**

This provision is required by Government Code Section 12080.3(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 Governor's Cabinet.

**Explanatory Material:**

This provision is required by Government Code Section 12080.3(f).

# REORGANIZATION OF THE EXECUTIVE BRANCH OF CALIFORNIA STATE GOVERNMENT

## Reorganization Plan No. 2 of 1969

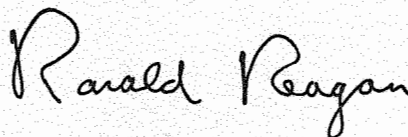
March 5, 1969

HON. ED REINECKE, *President and  
Members of the Senate*

HON. BOB MONAGAN, *Speaker and  
Members of the Assembly*

Pursuant to Section 12080.2 of the Government Code, I  
hereby transmit Reorganization Plan No. 2 of 1969.

Respectfully,

A handwritten signature in dark ink, reading "Ronald Reagan". The signature is written in a cursive, flowing style with a large initial "R".

RONALD REAGAN  
Governor

## REORGANIZATION PLAN NO. 2 OF 1969

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## GOVERNOR'S MESSAGE

In accordance with Section 12080.2 of the Government Code, I am submitting Reorganization Plan No. 2 of 1969 for review by the Legislature. It is also being reviewed by the Commission on California State Government Organization and Economy. I have found each reorganization action included in this Plan to be in the public interest.

The actions proposed in this Plan will provide a coordinated approach to harnessing and conserving the last great untapped resource of California—the ocean. This will assure the orderly development and continuing administration of a comprehensive coastal area plan to guide the many decisions which affect the use of California's coastline.

This is by no means all of the reorganizations I am proposing. In my message of March 5, 1969, I outlined this and several other major and necessary changes. This Plan is an important element in the continuing process of updating our State Government.

## REORGANIZATION ACTIONS

1. The Name of the Department of Harbors and Watercraft is Changed to Department of Navigation and Ocean Development and Its Primary Emphasis Changed to Ocean-Oriented Activities.

### **Explanatory Material:**

Several agencies are now concerned with ocean-oriented activities without primary responsibility assigned to one department. The last great untapped resource available to the people of California is the ocean, and a coordinated effort is needed to explore the conservation and economic benefits available.

### *Statutes Suspended:*

None

### *Statutory Amendments and Additions:*

Government Code Sections 11557 and 12805; Harbors and Navigation Code Sections 32, 33, 37, 50, 50.2, 80, 85, 85.2, 651; Penal Code Section 830.4

2. The Name of the Harbors and Watercraft Commission Is Changed to Navigation and Ocean Development Commission and Membership Requirements Shall Be Based Solely on Geographic Representation and Experience and Background Consistent With the Function of the Commission.

### **Explanatory Materials:**

This Commission will be advisory to the new Department of Navigation and Ocean Development and the name should reflect this. The primary requisite for membership should be geographical location as related to major oceanographic activities.

### *Statutes Suspended:*

None

### *Statutory Amendments and Additions:*

Harbors and Navigation Code Sections 31, 37, 50.2, 80, 80.2, 80.4, 85.2, 651

**3. The Boat Registration and Transfer Functions, Authorities and Responsibilities of the Department of Harbors and Watercraft Are Transferred to the Department of Motor Vehicles.**

**Explanatory Material:**

The Department of Motor Vehicles can handle the boat registration and transfer functions. Instantaneous information will be available to the new Department of Navigation and Ocean Development. Only one central file in the Department of Motor Vehicles will be necessary.

**Statutes Suspended:**

Article 2 (commencing with Section 680), Article 3 (commencing with Section 700), Article 4 (commencing with Section 750) of Chapter 5 of Division 3 of the Harbors and Navigation Code

**Statutory Amendments and Additions:**

Code of Civil Procedure Section 689(b), Uniform Commercial Code Sections 9302 and 10102, add Vehicle Code provisions incorporating the Articles listed above

**4. The Boating Facility Planning and Design Functions, Authorities and Responsibilities of the Department of Parks and Recreation and the Office of Architecture and Construction are Transferred to the New Department of Navigation and Development.**

**Explanatory Material:**

Boating facility planning and design functions are now handled in the Department of Harbors and Watercraft, the Department of Parks and Recreation and the Office of Architecture and Construction. This change will consolidate these functions within one department with the primary responsibility for harbor planning and ocean resource development. This will be done without the necessity for additional funding.

**Statutes Suspended:**

None

**Statutory Amendments and Additions:**

Harbors and Navigation Code Section 85.2, Water Code Section 11910

**5. The Beach Erosion Control Functions, Authorities and Responsibilities of the Department of Water Resources are Transferred to the New Department of Navigation and Ocean Development.**

**Explanatory Material:**

An integral part of ocean resource planning is the control of beach erosion. As a state with the greatest beach resources in the world, California must have a coordinated approach to this problem. Placing this function in the new Department will provide such coordination.

**Statutes Suspended:**

Article 5 (commencing with Section 330) of Division 1 of Chapter 2.5 of the Water Code

**Statutory Amendments and Additions:**

Add Harbors and Navigation Code provisions incorporating the Article listed above

**6. The Nonmineral Management Functions, Authorities and Responsibilities of All State Tidelands and Submerged Lands Lying Below Such Tidelands, and Swamp and Overflow Lands Affected by Tides, Including Any Such Lands Granted to a Local Agency, Currently Within the Jurisdiction of the State Lands Commission and the Division of State Lands Are Transferred to the New Department of Navigation and Ocean Development.**

**Explanatory Material:**

The management of tidelands and submerged lands lying below such tidelands are an integral part of managing the total coastal ocean environment. The new Department of Navigation and Ocean Development is the primary agency to coordinate all State ocean-oriented activities and thus is given the responsibility for tidelands and submerged lands lying below such tidelands. The responsibilities of other state agencies with regard to such lands remains unchanged except they have been asked to coordinate with the new Department of Navigation and Ocean Development.

**Statutes Suspended:**

Chapter 4 (commencing with Section 6301) of Part 1 of Division 6 of the Public Resources Code (to the extent relating to tidelands and submerged lands lying below such tidelands)

*Statutory Amendments and Additions:*

Public Resources Code Sections within Chapters 3 (commencing with Section 6201) and 4 (commencing with Section 6301) of Part 1, Chapter 1 (commencing with Section 6501) of Part 2, Article 9 (commencing with Section 7991) of Chapter 4 and Chapter 2 (commencing with Section 7501) of Part 3, of Division 6.

Chapter 138 of Statutes of 1964 (First Extraordinary Session) (i.e., functions of the State Lands Commission with respect to Long Beach tidelands) Add Harbors and Navigation Code Sections to incorporate the Public Resources Code provisions listed under Statutes Suspended

**GENERAL PROVISIONS**

This Reorganization Plan is effective on the date specified by Government Code Section 12080.5. The agencies, officers and employees affected by this Plan shall continue to perform their existing functions for sixty days following the effective date of this Reorganization Plan and during this period shall plan for the necessary changes. The reorganization changes herein provided shall take place on the sixty-first day after the effective date of this Plan except as otherwise provided in this Plan.

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 12080.2 and 12080.3(g)), and the statutes requiring amendment. To facilitate understanding and reference, the explanatory material immediately follows the reorganization to which it is applicable.

**TRANSFER OF EMPLOYEES**

In accordance with Government Code Sections 12080.3 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 12080.3(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 12080.3(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. All unexpended balances of appropriations and other funds for functions eliminated by this Reorganization Plan shall revert to the fund from which appropriated as determined by the Department of Finance.

#### **Explanatory Material:**

This provision is required by Government Code Section 12080.3(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 Governor's Cabinet.

#### **Explanatory Material:**

This provision is required by Government Code Section 12080.3(f).

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# REORGANIZATION OF THE EXECUTIVE BRANCH OF CALIFORNIA STATE GOVERNMENT

## REORGANIZATION PLAN NO. 3 OF 1969

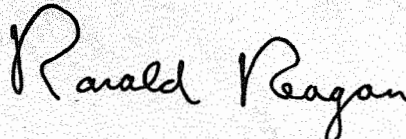
March 5, 1969

HON. ED REINECKE, President  
and Members of the Senate

HON. BOB MONAGAN, Speaker  
and Members of the Assembly

Pursuant to Section 12080.2 of the Government Code, I  
hereby transmit Reorganization Plan No. 3 of 1969.

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. 3 OF 1969

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## GOVERNOR'S MESSAGE

In accordance with Section 12080.2 of the Government Code, I am submitting Reorganization Plan No. 3 of 1969 for review by the Legislature. It is also being reviewed by the Commission on California State Government Organization and Economy. This plan relates solely to the Department of Professional and Vocational Standards. I have found each reorganization action included in this Plan to be in the public interest.

The actions proposed in this Plan will increase efficiency, save the taxpayers money, provide more effective management of the Executive Branch and more particularly of the boards, bureaus, committees and commissions of the Department of Professional and Vocational Standards and will promote the expeditious administration of the public business.

This plan constitutes one of several important changes in the continuing process of updating our State Government. With your support I am certain that this Plan will prove to be a constructive step in streamlining and making more efficient the operation of the several boards, bureaus, committees and commissions within the Department of Professional and Vocational Standards.

## REORGANIZATION ACTIONS

1. The name of the Department of Professional and Vocational Standards is changed to the Department of Business and Professional Licensing.

### **Explanatory Material:**

The name change is more descriptive of the functions of the department and should help to solve the continuing problem the public faces in attempting to identify the appropriate agency.

### *Statutes Suspended:*

None

### *Statutes Requiring Amendment:*

Business and Professions Code Sections 23, 23.6, 24, 100, 102, 150, 205, 400, 401, 402, 403, 404, 405, 1601, 2100, 2701, 2841, 2920, 3010, 3148, 3151, 4000, 4006, 4800, 5000, 5510, 5620, 6500, 6710, 6851, 6860, 6901, 7000.5, 7136, 7200, 7301, 7311, 7501, 7510, 7513, 7544.22, 7581, 7601, 7608, 8000, 8501, 8520, 8702, 9001, 9007, 9015, 9530, 9801, 9907, 9908, 9920, 9996, 17500.1, 17806, 18620, 19004, 19030, 19031.

Government Code Sections 11200, 11501, 11557, 12040.

2. The Director, or a Deputy Director designated by him, shall be entitled to attend all meetings, including executive sessions, of the boards, bureaus, committees and commissions within the department and shall receive timely notice of such meetings. The department representative shall not be entitled to vote on any matter and shall not be counted for quorum purposes.

### **Explanatory Material:**

The attendance of the Director or his Deputy at meetings will improve efficiency by providing more effective communication between the department and its constituent agencies. The authority of the agencies is not disturbed since neither membership nor voting rights are granted.

### *Statutes Suspended:*

None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 108, 1608, 1610, 2106, 2107, 2130.5, 2604, 2709, 2710, 2848, 2849, 2927, 3017, 4007, 4808, 5016, 5017, 5522, 5627, 6505, 6716, 6867, 7006, 7008.5, 7206, 7306, 7605, 7647, 8003, 8523, 8560, 9004, 9009, 9534.5, 9629, 9821, 9931, 18623, 19035.5

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii).

3. The title of the principal executive officer of each board, bureau, committee, or commission in the department is "Executive Officer."

**Explanatory Material:**

There are several titles such as Registrar, Executive Secretary, Executive Officer, Chief, etc., presently used to designate the principal executive officer of each board, bureau, committee or commission. Standardization of the title to "Executive Officer" will help to eliminate the present confusion.

*Statutes Suspended:*

None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 2708, 2788, 2847, 2857, 4004, 4005, 4006, 4012, 4050.6, 4052.3, 4081, 4091, 4094, 4360, 4410, 4411, 4805, 4806, 5518, 5521, 5523, 5551, 5624, 5626, 5627, 5650, 5652, 5657, 6503, 6504, 6552, 6714, 6715, 6762, 6786, 6851, 6860, 6861, 6862, 6863, 6864, 6867, 6867.5, 6868.5, 6875, 6876, 6876.1, 6881, 6885, 6886, 6886.1, 6888, 6889, 6890, 6891, 6892, 6893, 6894, 6894.2, 6894.3, 6894.4, 6894.8, 6895, 6900, 6900.1, 6901, 6902, 6905, 6906, 6906.2, 6911, 6912, 6913, 6913.1, 6914, 6922, 6925, 6949, 6950, 6955, 7011, 7012, 7013, 7015, 7065, 7065.1, 7044, 7067, 7067.5, 7068.2, 7068.3, 7071.3, 7071.5, 7071.6, 7071.8, 7071.9, 7071.10, 7071.11, 7072, 7073, 7074, 7074.5, 7076, 7076.5, 7080, 7081, 7082, 7084, 7090, 7090.5, 7091, 7095, 7100, 7102, 7106.5, 7111, 7124.1, 7125, 7145, 7305, 7410, 7412, 7512, 7605, 7628, 7663, 7687, 8005, 8020, 8022, 8503, 8527, 8528, 8531, 8531.5, 8532, 8533, 8534, 8535, 8562, 8564, 8571, 8610, 8612, 8613, 8657, 8697.3, 8697.4, 8711, 8712, 8747, 8753, 8793, 9005, 9006, 9007, 9011, 9532, 9801, 9810,

9811, 9824, 9825, 9908.5, 9920, 9921, 9923, 9924, 9932, 9934, 19004, 19030, 19031, 19033, 19034, 19035.6, 19035.8, 19127, 19127.5, 19127.6, 19170, 19170.5, 19171.6, 19200, 19200.5, 19201, 19203, 19206, 19207, 19208

4. The titles of the officers of the boards, bureaus, committees and commissions within the department shall be "Chairman," "Vice-chairman" and "Secretary." No board, bureau, committee or commission member shall have the title of "Treasurer."

**Explanatory Material:**

At the present time the titles of officers of the various boards, bureaus, committees, and commissions vary in designation without apparent reason. The standardization of titles will assure uniformity of designation and thus eliminate confusion. Board members do not perform the fiscal functions generally associated with the office of Treasurer. The use of this non-descriptive title is therefore misleading and should be eliminated.

*Statutes Suspended:*

None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1606, 1608, 2105, 2108, 2108.5, 2114, 2117, 2284, 2285, 2374, 2375, 2376.5, 2432, 2604, 2707, 2846, 3014, 3017, 4004, 4804, 5003, 5004, 5005, 5007, 5016, 5133, 5518, 5551, 5624, 6503, 6716, 6762, 7006, 7203, 7305, 7410, 7605, 8003, 8523, 8747, 9532, 9821, 9931, 18624, 19035.5

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii)

5. Five (5) years of licensure in California immediately prior to appointment in the field regulated by any board, bureau, committee or commission, is established as a standard qualification for appointment as a licensed member of such board, bureau, committee, or commission, and any conflicting requirements are eliminated. Age requirements imposed as a qualification for appointment of licensed board members are eliminated.

**Explanatory Material:**

Various periods of experience as a licensee are now required as a qualification for appointment as a licensed board member, with no justifiable reason for the differences, thereby creating additional matters to be checked and verified by the Governor's Office during the appointment process. Age requirements are similarly varied. However, if 5 years of licensure in California is required as a qualification for appointment, an age requirement is unnecessary.

*Statutes Suspended:*  
None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 2100, 2702, 2842, 2923, 3011, 4001, 4801, 5514, 5517, 5620, 6501, 6711, 7001, 7002, 7302, 7602, 8521, 9002, 9530, 9821, 18624, 19035.2

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii).

6. California residence and U.S. citizenship are established as standard requirements for appointment to any board, bureau, committee or commission. Any other residency or citizenship requirements are eliminated except that the residency requirements of the District Review Committees within the jurisdiction of the Board of Medical Examiners of the State of California are not affected.

**Explanatory Material:**

At present, residence and citizenship requirements for appointment vary widely. There does not appear to be a valid reason for restrictive conditions other than California residency or U.S. citizenship except in the case of the District Review Committees of the Board of Medical Examiners, whose members must be familiar with standards of professional competence in the district they represent. The standardization of residency and citizenship requirements will effect uniformity in the statutes and lighten the burden of the appointments process.

*Statutes Suspended:*  
None.

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1602, 2100, 2127, 2603, 2923, 3011, 4001, 4801, 5001, 5514, 5517, 5620, 6501, 6711, 6865.5, 7002, 7200, 7201, 7302, 7602, 8000, 8521, 9002, 9530, 9626, 9821, 9928, 18621, 19035.2.

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii).

7. Good moral character is established as the standard character qualification for appointment to any board, bureau, committee, or commission within the department and any conflicting character requirements are eliminated. In addition, good standing in the profession or field regulated by any board, bureau, committee, or commission within the department is required as a standard qualification for appointment as a licensed member of such board, bureau, committee, or commission.

**Explanatory Material:**

Present requirements, as they relate to the character and good standing of persons appointed as licensed and non-licensed members, are varied or non-existent. Standardization is desirable to eliminate confusion, treat like matters uniformly, and eliminate unnecessary burdens on the appointment process.

*Statutes Suspended:*  
None.

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1602, 2100, 2127, 2603, 2702, 2842, 2923, 3011, 4001, 4801, 5001, 5514, 5517, 5620, 6501, 6711, 6865.5, 7002, 7200, 7201, 7602, 8000, 8521, 9002, 9530, 9626, 9821, 9928, 18621, 19035.2.

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii).

8. With the exception of the members of District Review Committees of the Board of Medical Examiners, the requirement that members of boards, bureaus, committees and commissions be appointed from particular geographical areas or political districts within the state is eliminated. A standard requirement that there be broad geographical representation throughout the state is substituted.

**Explanatory Material:**

A small number of statutes require that certain board members be appointed from particular geographical areas or political districts within the state. This requirement is unduly restrictive and unnecessarily hampers the selection of the most highly qualified persons. The requirement of broad geographical representation throughout the state will achieve the desired result, without the present disadvantage. Members of District Review Committees of the Board of Medical Examiners are excluded, since they hear disciplinary proceedings involving physicians and surgeons and must be familiar with standards of professional competency within the district they represent.

*Statutes Suspended:*

None.

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1602, 2100, 2127, 2603, 2702, 2842, 2923, 3011, 4001, 4801, 5001, 5002, 5514, 5517, 5620, 6501, 6711, 6865.5, 7002, 7200, 7201, 7302, 7602, 8000, 8521, 9002, 9530, 9626, 9821, 9928, 18621, 19035.2.

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii).

9. The title "public member" used to designate any non-licensed member of any board, bureau, committee, or commission within this department is changed to "non-licensed public member."

**Explanatory Material:**

Many agencies within the department have one or more public or lay members who are not licensed or certificated by the agency on which they serve. Since all members are

public members in the sense that they are charged with the protection of the public interest, the term, "non-licensed public member" more adequately conveys to the public that members so designated are not licensed or regulated by the agency on which they serve.

*Statutes Suspended:*

None.

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1601, 1602, 1603, 2100, 2101, 2102, 2126, 2127, 2128, 2603, 2604, 2702, 2703, 2920, 2922, 2923, 3010, 3011, 3013, 4001, 4002, 4800, 4801, 4802, 5000, 5001, 5002, 5017, 5514, 5620, 6500, 6501, 6509, 6711, 6865.5, 7001, 7002, 7301, 7302, 7303, 7309, 7309.7, 7601, 7602, 7603, 7628, 8521, 8522, 9002, 9530, 9625, 9626, 9820, 9927, 9928, 19035.1, 19035.3.

10. Each board, bureau, committee, and commission within the department shall conduct an annual election of officers within 90 days after the date fixed by statute for the expiration of terms of office on such board, bureau, committee, or commission.

**Explanatory Material:**

A standard election requirement will facilitate coordination and communication between the department and its constituent agencies and will eliminate broken terms of office due to member turnover, which disrupt the work and efficiency of the agencies.

*Statutes Suspended:*

None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 1606, 2105, 2130.5, 2604, 2707, 2848, 2925, 3014, 4004, 4007, 4808, 5004, 5518, 5624, 6503, 6716, 6867, 7006, 7203, 7305, 7605, 8003, 8523, 9004, 9532, 9629, 9821, 9931, 18624, 19035.5.

Section 1, Osteopathic Act, an initiative measure approved by the electors November 7, 1922, (Stats. 1923, p xciii)

11. The director is authorized, in cooperation with each board, bureau, committee, or commission concerned, to determine the format of original certificates, licenses, permits, and similar indicia of authority issued by such agencies. Existing supplies may be used until exhausted, but such use may not extend beyond December 31, 1970.

**Explanatory Material:**

Standardization of the format of original certificates, licenses and permits will more fully utilize data processing capabilities and thereby eliminate such costly procedures as hand lettering of certificates and/or licenses. The utilization of such capabilities will be in conformity with the stated aims of the Administration in lowering the cost of government while maintaining services to the public.

*Statutes Suspended:*

None

*Statutes Requiring Amendment:*

Business and Professions Code Sections 2136, 2732.1, 2872, 3055, 4848, 5070, 5080, 5551, 5558, 5652, 6534.4, 6549, 6550.5, 6756, 6762, 6763, 6767, 6767.5, 6908, 7072, 7373, 7374, 7375, 7410, 7680, 8020, 8560, 8562, 8747, 8748, 9540, 9540.5, 9949, 17805, 18627, 19049.

**GENERAL PROVISIONS**

This Reorganization Plan is effective on the date specified by Government Code Section 12080.5. The agencies, officers and employees affected by this Plan shall continue to perform their existing functions for sixty days following the effective date of this Reorganization Plan and during this period shall plan for the necessary changes. The reorganization changes herein provided shall take place on the sixty-first day after the effective date of this Plan except as otherwise provided in this Plan.

Set forth herein is a description of the several items of reorganization of the Department of Professional and Vocational Standards, explanatory material relating to each item, a statement of the statutes that are suspended (required by Government Code Sections 12080.2 and 12080.3(g)), and a statement of the statutes requiring amendment. To facilitate understanding and reference, the explanatory material immediately follows the item of reorganization to which it is applicable.

**TRANSFER OF EMPLOYEES**

NONE

**Explanatory Material:**

Reference Government Code Section 12080.3 (c) and (d).

**TRANSFER OF PROPERTY**

NONE

**Explanatory Material:**

Reference Government Code Section 12080.3 (d).

**TRANSFER OF FUNDS**

NONE

**Explanatory Material:**

Reference Government Code Section 12080.3 (e).

**TERMINATION OF AGENCIES ABOLISHED**

NONE

**Explanatory Material:**

Reference Government Code Section 12080.3 (f).

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## REORGANIZATION OF THE EXECUTIVE BRANCH OF CALIFORNIA STATE GOVERNMENT

Reorganization Plan No. 1 of 1968

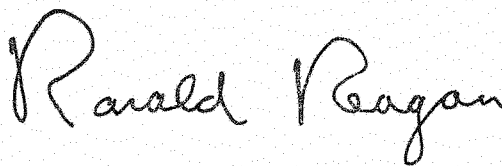
February 1, 1968

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 decisions 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 juris-

diction 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 Agriculture. 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 number 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 devel-

opment 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 are existing department heads.

*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 33). 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 spe-

cial 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, page 33.

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 30) 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 Department of Human Resources Development will be coordinated by administrative action. See page 52 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 49). 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 44.

*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 it 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 established 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 Corporate 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 45.

### 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, pages 40 and 49.

### 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 38.

### 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 administering 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(c); 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 antipoverty 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 26.

- 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 44.

- 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 51.

## 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 admin-

istration 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:

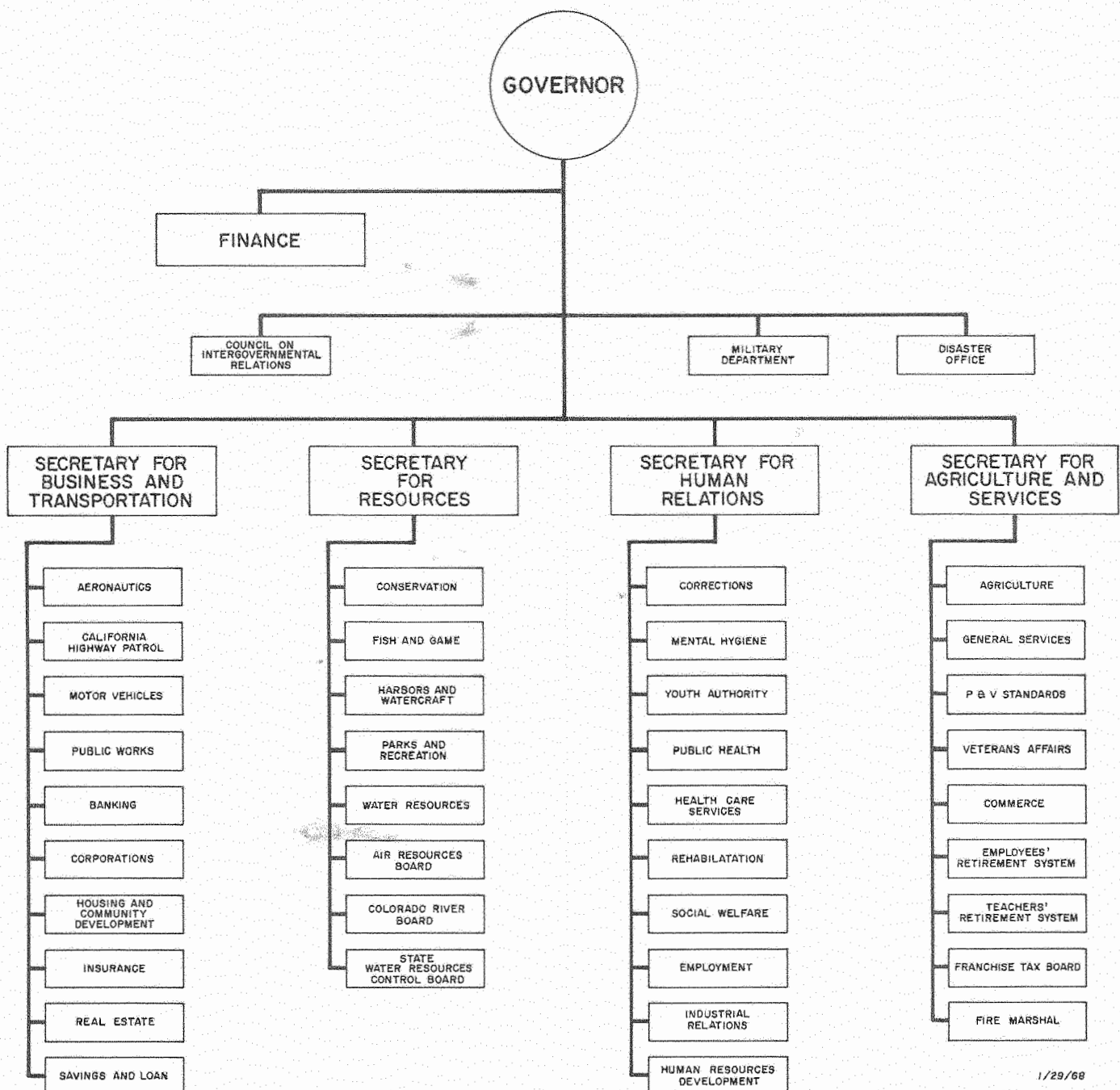
The Secretary for Business and Transportation shall be responsible for the termination of the affairs of the Department of Investment and the Board of Investment.

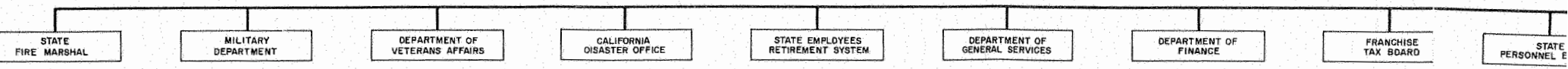
**Explanatory Material:**

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

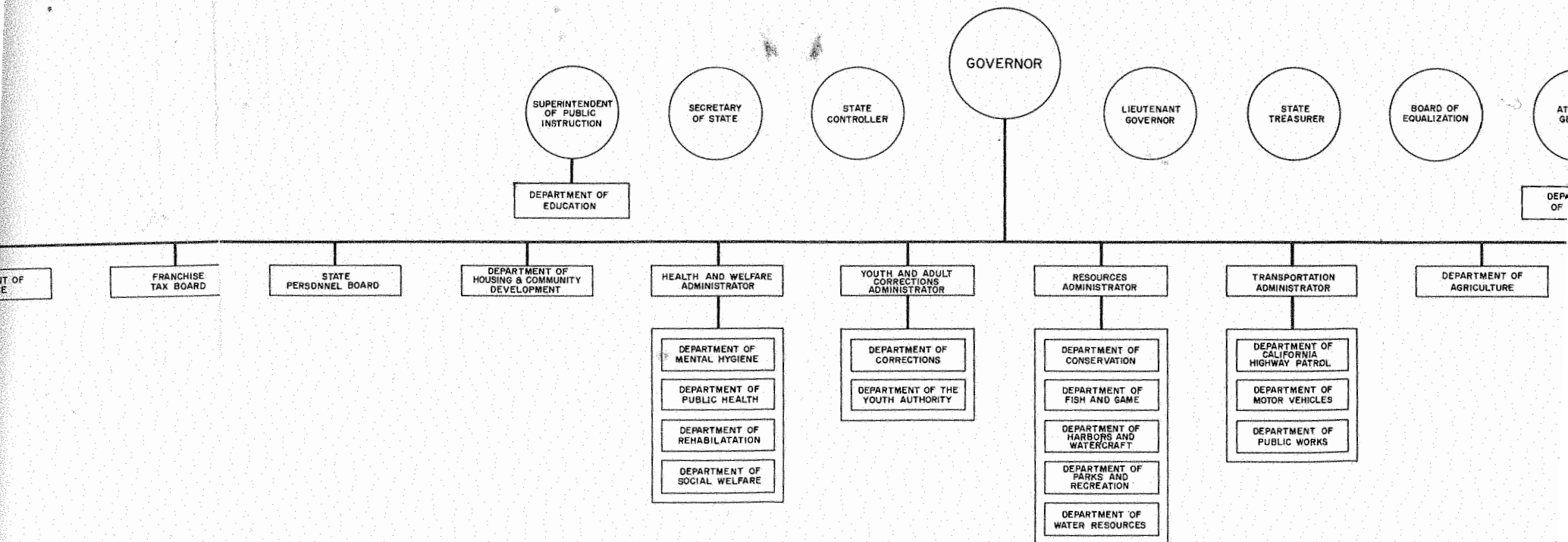
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# REORGANIZATION PLAN NO. 1 OF 1968, CALIFORNIA





# STATUTORY ORGANIZATION -- 1966, CALIFORNIA



BOARD OF  
EQUALIZATION

ATTORNEY  
GENERAL

DEPARTMENT  
OF JUSTICE

DEPARTMENT OF  
AGRICULTURE

DEPARTMENT OF  
EMPLOYMENT

DEPARTMENT OF  
DUSTRIAL RELATIONS

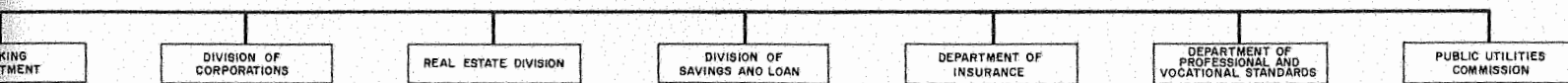
DEPARTMENT OF  
ALCOHOLIC BEVERAGE  
CONTROL

BANKING  
DEPARTMENT

DIVISION OF  
CORPORATIONS

REAL ESTATE DIVISION

DIVISION OF  
SAVINGS AND LOAN



## STATUTORY ORGANIZATION -- 1966, CALIFORNIA

