

Statute Regarding DTSC Independent Review Panel

Health and Safety Code:

57014.

(a) There is within the Department of Toxic Substances Control an independent review panel, comprising three members, to review and make recommendations regarding improvements to the department's permitting, enforcement, public outreach, and fiscal management.

(b) The Speaker of the Assembly, the Senate Committee on Rules, and the Governor shall each appoint one person to the panel. One member of the panel shall be a community representative, one member of the panel shall have scientific experience related to toxic materials, and one member of the panel shall be a local government management expert.

(1) The Speaker of the Assembly shall appoint the panelist with scientific experience related to toxic materials.

(2) The Senate Committee on Rules shall appoint the panelist who is a community representative.

(3) The Governor shall appoint the panelist who is a local government management expert.

(4) The appointments shall be made within 90 days after the effective date of the act adding this section.

(c) The panel may advise the department on issues related to the department's reporting obligations.

(d) The panel shall make recommendations for improving the department's programs.

(e) The panel shall advise the department on compliance with Section 57007.

(f) The panel shall report to the Governor and the Legislature, consistent with Section 9795 of the Government Code, 90 days after the panel is initially appointed and every 90 days thereafter, on the department's progress in reducing permitting and enforcement backlogs, improving public outreach, and improving fiscal management.

(g) The department shall provide two support staff to the panel independent of the department. Each member of the panel shall receive per diem and shall be reimbursed for travel and other necessary expenses incurred in the performance of his or her duties under this section. The total amount of money expended for panel expenses pursuant to this paragraph shall not exceed fifty thousand dollars (\$50,000) per year.

(h) At the time of the submission of the Governor's 2016–17 annual budget to the Legislature, and at the time of each submission of the Governor's annual budget thereafter, the panel shall submit to the Legislature and the Governor recommendations pursuant to this section.

(i) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

(Added by Stats. 2015, Ch. 24, Sec. 15. Effective June 24, 2015. Repealed as of January 1, 2018, by its own provisions.)

Health and Safety Code:

57007.

(a) The agency, and the offices, boards, and departments within the agency, shall institute quality government programs to achieve increased levels of environmental protection and the public's satisfaction through improving the quality, efficiency, and cost-effectiveness of the state programs that implement and enforce state and federal environmental protection statutes. These programs shall be designed to increase the level of environmental protection while expediting decisionmaking and producing cost savings. The secretary shall create an advisory group comprised of state and local government, business, environmental, and consumer representatives experienced in quality management to provide guidance in that effort. The secretary shall develop a model quality management program that local agencies charged with implementing air quality, water quality, toxics, solid waste, and hazardous waste laws and regulations may use at their discretion.

(b) The agency, and each board, department, and office within the agency, shall submit a biennial report to the Governor and Legislature, no later than December 1 with respect to the previous two fiscal years, reporting on the extent to which these state agencies have attained their performance objectives, and on their continuous quality improvement efforts.

(c) Nothing in this section abrogates any collective bargaining agreement or interferes with any established employee rights.

(d) For purposes of this section, "quality government program" means all of the following:

(1) A process for obtaining the views of employees, the regulated community, the public, environmental organizations, and governmental officials with regard to the performance, vision, and needs of the agency implementing the quality government program.

(2) A process for developing measurable performance objectiveness using the views of the persons and organizations specified in paragraph (1).

(3) Processes for continually improving quality and for training agency personnel, using the information obtained from implementing paragraphs (1) and (2).

(Amended by Stats. 2004, Ch. 644, Sec. 24. Effective January 1, 2005.)

Government Code:

9795.

(a) (1) Any report required or requested by law to be submitted by a state or local agency to the Members of either house of the Legislature generally, shall instead be submitted as a printed copy to the Secretary of the Senate, as an electronic copy to the Chief Clerk of the Assembly, and as an electronic or printed copy to the Legislative Counsel. Each report shall include a summary of its contents, not to exceed one page in length. If the report is submitted by a state agency, that agency shall also provide an electronic copy of the summary directly to each member of the appropriate house or houses of the Legislature. Notice of receipt of the report shall also be recorded in the journal of the appropriate house or houses of the Legislature by the secretary or clerk of that house.

(2) In addition to and as part of the information made available to the public in electronic form pursuant to Section 10248, the Legislative Counsel shall make available a list of the reports submitted by state and local agencies, as specified in paragraph (1). If the Legislative Counsel receives a request from a member of the public for a report contained in the list, the Legislative Counsel is not required to provide a copy of the report and may refer the requester to the state or local agency, as the case may be, that authored the report, or to the California State Library as the final repository of public information.

(b) No report shall be distributed to a Member of the Legislature unless specifically requested by that Member.

(c) Compliance with subdivision (a) shall be deemed to be full compliance with subdivision (c) of Section 10242.5.

(d) A state agency report and summary subject to this section shall include an Internet Web site where the report can be downloaded and telephone number to call to order a hard copy of the report. A report submitted by a state agency subject to this section shall also be posted at the agency's Internet Web site.

(e) For purposes of this section, "report" includes any study or audit.

(Amended by Stats. 2013, Ch. 192, Sec. 1. Effective January 1, 2014.)