

8/19/69

Fourth Supplement to Memorandum 69-85

Subject: New Topic - Administrative Law and Procedure

Exhibit I (attached) is a letter from the Office of Administrative Procedure requesting that the Commission undertake the study of the Administrative Procedure Act. The Office of Administrative Procedure has not failed to make this study because it believes that improvements are not needed in the Act.

My recollection is that several years ago one of the interim committees made a study of the Administrative Procedure Act. The Committee retained a consultant whose ultimate conclusion was that the Act was in need of revision and that the Law Revision Commission should be directed to make such a study. One of the members of the Legislature discussed the matter with me and I told him we had a heavy agenda and would not be able to make such a study within the foreseeable future.

Respectfully submitted,

John H. DeMouilly  
Executive Secretary

DEPARTMENT OF GENERAL SERVICES

OFFICE OF ADMINISTRATIVE PROCEDURE



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Sacramento, California  
August 18, 1969

California Law Revision Commission  
School of Law  
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Attention: Mr. John H. DeMouilly

Dear Mr. DeMouilly:

Pursuant to our conversation of June 23, I wish to make a formal request to the California Law Revision Commission for a study of the Administrative Procedure Act.

It is provided in Government Code Section 11370.5, "The office is authorized and directed to study the subject of administrative law and procedure in all its aspects; to submit its suggestions to the various agencies in the interests of fairness, uniformity, and the expedition of business; and to report its recommendations to the Governor and Legislature at the commencement of each general session. All departments, agencies, officers and employees of the State shall give the office ready access to their records and full information and reasonable assistance in any matter of research requiring recourse to them or to data within their knowledge and control."

Due to the fact that the Office is now and has been understaffed, the Office has been unable to carry out this study as directed. It is therefore respectfully requested that the California Law Revision Commission undertake the study of the Administrative Procedure Act.

Very truly yours,

DONALD R. WAGNER  
Presiding Officer