

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

STATE OF CALIFORNIA

RONALD REAGAN, Governor

DEPARTMENT OF GENERAL SERVICES

OFFICE OF ADMINISTRATIVE PROCEDURE

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August 18, 1969

California Law Revision Commission
School of Law
Stanford University
Stanford, California 94305

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 Adminis-
trative 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, uni-
formity, and the expedition of business; and to
report its recommendations to the Governor and Legis-
lature 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,

A handwritten signature in dark ink, appearing to read "Donald R. Wagner".

DONALD R. WAGNER
Presiding Officer

DRW:bh