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California Legislative History Research at the Hastings Law Library

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If you have ever had to do a California legislative history, you already know that collecting all of the relevant materials can be difficult. The older your law is, the harder it is to collect the material. If you want to compile an exhaustive legislative history containing every existing reference to your statute, you really must go to the State Archives in Sacramento. However, using materials at Hastings Law Library, you can locally compile a rough and ready legislative history.

If a bill makes it through the Assembly and the Senate, and the Governor either approves the bill or his veto is overridden, the bill is chaptered by the Secretary of State, and becomes state law. For each chaptered bill, the Governor's office retains a chaptered bill file. For each vetoed bill, the Governor's office retains a vetoed bill file. The Hastings Law Library recently acquired the Governor's Chaptered Bill Files (and vetoed bill files) from 1943 - 1966 and 1975-1990 on microfilm.

You can access the Chaptered Bill Files by using the chapter number from the history note for your statute in either West's or Deering's. The Chaptered Bill File will have the Legislative Counsel's report to the Governor, with an opinion as to the constitutionality of the bill. The Chaptered Bill File will have the enrolled bill reports. There is usually an enrolled bill report from the Legal Affairs Office, which discusses the background and purpose of the bill, list the proponents and opponents of the bill, and makes a recommendation to the Governor as to whether or not the bill should be signed. There may be an enrolled bill report from the affected agency, which will detail the history of the sponsorship and discuss any related bills, list the Senate and Assembly votes, and make specific findings about the bill's effect. The Chaptered Bill File usually has the author's letter to the Governor, which gives the author's version of the purpose of the bill and may discuss the history of the compromises made in reaching the version of the bill that is on the Governor's desk. There may be a third reading report, summarizing the legislation, stating the fiscal effect, discussing proponents and continued or removed opposition, and listing the arguments made in support or opposition, if any. None of these documents are usually that lengthy, but they may contain telling details. The Chaptered Bill File may contain correspondence from people interested in the bill's passage or defeat, or copies of committee analyses. The Hastings Law Library's collection of the Governor's Chaptered Bill Files is a rich source of legislative intent materials.

An important source of legislative intent may be found in the differing versions of the bill that became your statute. During the process of moving through Assembly and Senate committees, the statutory language you are interested in may have been added, deleted, or revised. If you need to know how to find the bill number for your statute, go to the Hastings Law Library's Research Guide web page at <http://www.uchastings.edu/library/ref/research.htm> and click on "Compiling a California Legislative History."

Once you know the bill number, Hastings has all versions of the bill available in microfiche for the years 1963, 1965, and 1967 to date, which are located in the Library Micrographics

Center. California bills (and related legislative history documents) from 1993 to date are also available on the Internet at <http://leginfo.public.ca.gov/bilinfo.html>.

Hearings and reports are an often overlooked source of legislative history. California hearings are fact-finding sessions, with witnesses testifying before the committee that schedules the hearings. Reports are studies made by Legislative Committees, Subcommittees, or Joint Committees; they contain findings, recommendations, and witness testimony. They are usually made at the request of either legislative body, by resolution or joint resolution. Hastings Law Library has an online searchable index of the California hearings and reports available in the Library. Go to the Library's main research guide page at <http://www.uchastings.edu/library/ref/researchdatabases.htm> and click on "California Hearings and Reports."

For early reviews of legislation, check in the *Pacific Law Journal*, which has a yearly review of code legislation (1970-1997), the *CEB Review of Selected Code Legislation* (1965-1969), and the *State Bar of California Journal* (1926-1981). Look in early issues of the *State Bar of California Journal* for information on pre-1960 statutes; these are a good source of information for years where there may not be many official documents.

The *Journal of the Assembly* and the *Journal of the Senate* contain committee and floor roll call votes and Governor's veto messages; they may contain legislator's letters of intent and Legislative Counsel's Opinions. For pre-1960s statutes, check the journal for an appendix: reports on passed or pending legislation were sometimes printed in these appendices. Hastings Law Library has almost all of the journals from 1851 forward. The *Journal of the Assembly* for most of the years from 1849 to 1993 are available online at <http://192.234.213.35/clerkarchive>. Click on "Journals", and then on the appropriate year. The document image on the screen does not look like it can be opened, but if you click on it, the document will open.

These sources are not exhaustive. There are other sources you can check at Hastings Law Library. Check our online research guide or come to the library and discuss your search with a reference librarian.

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