

# **Job Descriptions and Duty Definitions of Elected Officials' in the State of California**

# California Attorney General

## California Constitution: Section 13 – Attorney General

**Text of Section 13:** [http://ballotpedia.org/wiki/index.php/Article\\_V,\\_California\\_Constitution](http://ballotpedia.org/wiki/index.php/Article_V,_California_Constitution)

Subject to the powers and duties of the Governor, the Attorney General shall be the chief law officer of the State.

It shall be the duty of the Attorney General to see that the laws of the State are uniformly and adequately enforced.

The Attorney General shall have direct supervision over every district attorney and sheriff and over such other law enforcement officers as may be designated by law, in all matters pertaining to the duties of their respective offices, and may require any of said officers to make reports concerning the investigation, detection, prosecution, and punishment of crime in their respective jurisdictions as to the Attorney General may seem advisable.

Whenever in the opinion of the Attorney General any law of the State is not being adequately enforced in any county, it shall be the duty of the Attorney General to prosecute any violations of law of which the superior court shall have jurisdiction, and in such cases the Attorney General shall have all the powers of a district attorney.

When required by the public interest or directed by the Governor, the Attorney General shall assist any district attorney in the discharge of the duties of that office.

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It is the duty of the Attorney General to see that the laws of the state are uniformly and adequately enforced (California Constitution, Article V, Section 13). The Attorney General carries out responsibilities of the office through the California Department of Justice.

The Attorney General represents the people of California in civil and criminal matters before trial courts, appellate courts and the supreme courts of California and the United States. The Attorney General also serves as legal counsel to state officers and, with few exceptions, to state agencies, boards and commissions. Exceptions to the centralized legal work done on behalf of the state are listed in Section 11041 of the Government Code.

The Attorney General also assists district attorneys, local law enforcement, and federal and international criminal justice agencies in the administration of justice. To support California's law enforcement community, the Attorney General coordinates statewide narcotics enforcement efforts, participates in criminal investigations and provides forensic science services, identification and information services and telecommunication support.

In addition, the Attorney General establishes and operates projects and programs to protect Californians from fraudulent, unfair, and illegal activities that victimize consumers or threaten public safety. The Attorney General also enforces laws that safeguard the environment and natural resources.

Under the state Constitution, the Attorney General is elected to a four-year term in the same statewide election as the Governor, Lieutenant Governor, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction and Insurance Commissioner. In 1990, voters imposed a two-term limit on these statewide offices.

<http://ag.ca.gov/about.php>

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**From Ballotpedia** [http://ballotpedia.org/wiki/index.php/California\\_Attorney\\_General](http://ballotpedia.org/wiki/index.php/California_Attorney_General)

The **California Attorney General** is the State [Attorney General](#) of the government of the state of [California](#) in the USA. The officer's duty is to ensure that "the laws of the state are uniformly and adequately enforced" (California Constitution, Article V, Section 13.) The Attorney General carries out the responsibilities of the office through the California Department of Justice.

The Attorney General is elected to a four-year term, with a maximum of two terms. The election is held at the same statewide election as the [Governor](#), [Lieutenant Governor](#), Controller, [Secretary of State](#), [Treasurer](#), Superintendent of Public Instruction, and Insurance Commissioner. The current officeholder is [Jerry Brown](#).

## Duties

According to the [state's Constitution](#) and the California Government Code, the Attorney General:

- As the state's chief law officer, ensures that the laws of the state are uniformly and adequately enforced.<sup>[1]</sup>
- Heads the Department of Justice, which is responsible for providing state legal services and support for local law enforcement.
- Acts as the chief counsel in state litigation.
- Oversees law enforcement agencies, including District Attorneys and Sheriffs.

## Ballot Text and Legality

Before a ballot can be circulated, the language must first be approved by the Attorney General.

## Submitting the initiative language

This is done by submitting a written request that a title, summary of chief purpose and points of the proposed [initiative](#) measure be prepared (Section 9002). Submitting this draft will cost proponents \$200, which will be placed into a trust fund and returned in full only if the measure qualifies within 2 years after the summary has been issued. Otherwise the \$200 is put into a General Fund of the State.

At this time, proponents must also submit the following statement to the Attorney General:

"I, \_\_\_\_\_, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot. This statement shall be kept on file at the Attorney General's Office for not less than eight months after the certification of the results of the election for which the petition qualified or, if the measure did not qualify, eight months after the deadline for submission of the petition to elections officials."

## Preparing the text

When the fee is paid and the request is filed, the Attorney General prepares an official [ballot title](#) and summary for the [initiative](#) measure. A copy of the title and summary is provided to the [Secretary of State](#) within 15 days after receipt of the final version of a proposed initiative measure. If during the 15-day period the proponent(s) of the proposed initiative measure submits changes, other than technical, non-substantive amendments, to the initiative, the Attorney General shall provide a copy of the title and summary to the Secretary of State within 15 days after the changes are submitted. (Section 9004). If a [fiscal analysis](#) is required, additional time is allotted.

## Fiscal Estimate

If it is determined that a fiscal analysis is needed, the Department of Finance and the [Joint Legislative Budget Committee](#) are required to prepare an analysis within 25 working days from the date they receive the proposed initiative measure. The fiscal analysis includes either the estimate of the amount of any increase or decrease in revenues or costs to state or local governments, or any opinion as to whether or not a substantial net change in state or local finances would result, if the proposed initiative measure is adopted. If, in the opinion of the Department of Finance and the Joint Legislative Budget Committee, a reasonable estimate of the net impact of the proposed initiative measure cannot be prepared within the 25-working day period, the Department of Finance and the Joint Legislative Budget Committee shall, within the 25-working day period, give the Attorney General their opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative measure is adopted (Section 9005). The Attorney General is allowed 15 days after receipt of this fiscal analysis to complete the title and summary (Section 9004).

When the official title and summary is complete, the Attorney General sends it to the proponent(s), the Senate and the Assembly, and the Secretary of State. The Legislature may conduct public hearings on the proposed initiative measure but cannot amend it. (Sections 336, 9007)

## Official Summary Date

The official summary date is the date the title and summary is sent to the proponent(s) by the Attorney General and the date the Secretary of State uses to calculate calendar deadlines provided to the proponent(s) and elections officials. No petition may be circulated prior to the official summary date. (Section 336)

## Cost of preparation

The Office of the Attorney General of California says that it costs them about \$6,800 to prepare a ballot title and summary for each potential ballot proposition submitted to their office.

(↑ [Sacramento Bee](#), "It's not easy to get an initiative on California's ballot", December 28, 2009)

# **California Board of Equalization**

[http://www.boe.ca.gov/info/agency\\_history.htm](http://www.boe.ca.gov/info/agency_history.htm)

The Board of Equalization collects California state sales and use tax, as well as fuel, alcohol, and tobacco taxes and fees that provide revenue for state government and essential funding for counties, cities, and special districts.

The Board of Equalization is the only independently elected tax commission in the United States. The five-member board administers more than 30 taxes, including the sales and use tax, tobacco tax, fuel taxes, and timber yield taxes. The Board is the appeals body for these, and for state personal income taxes.

## **The Agency & its History**

Created in 1879 by a constitutional amendment, the BOE was initially charged with responsibility for ensuring that county property tax assessment practices were equal and uniform throughout the state.

Currently the tax programs administered by the BOE are concentrated in four general areas: [sales and use taxes](#), [property taxes](#), [special taxes](#) and the [tax appellate program](#).

In 2008-09, BOE-administered taxes and fees produced \$48.4 billion to provide essential services for the people of California.

BOE administered programs provided approximately 35 percent of the annual revenue for state government and \$8.5 billion in essential funding for counties, cities, and special districts.

BOE-administered revenues support hundreds of state and local government programs and services, including schools and colleges, hospitals and health care services, criminal justice, correctional, and social welfare programs, law enforcement, consumer services, natural resource management, and transportation and housing programs.

In addition to administering key state revenue programs, the BOE plays a critical role with regard to California property taxes. Further, it acts as the appellate body for franchise and income tax appeals.

- Primary duties of the Board of Equalization are described in the [Annual Report](#)
- [Revenue generating tax and fee programs](#) administered by the Board of Equalization  
<http://www.boe.ca.gov/pdf/pub156.pdf> - this is good
- [Organizational Chart](#)

## California State Controller

### Responsibilities of the Controller's Office

The State Controller is the Chief Fiscal Officer of California, the eighth largest economy in the world.

He helps administer two of the largest public pension funds in the nation and serves on 78 state boards and commissions. These are charged with duties ranging from protecting our coastline to helping build hospitals.

The Controller is the state's independent fiscal watchdog, providing sound fiscal control over more than \$100 billion in receipts and disbursements of public funds a year, offering fiscal guidance to local governments and uncovering fraud and abuse of taxpayer dollars.

### The State Controller's Functions

- Account for and control disbursement of all state funds.
- Determine legality and accuracy of every claim against the State.
- Issue warrants in payment of the State's bills including lottery prizes.
- Administer the Uniform State Payroll System.
- Audit and process all personnel and payroll transactions for state civil service; exempt employees; state university and college system employees.
- Responsible for auditing various state and local government programs.
- Inform the public of the State's financial condition.
- Administer the Unclaimed Property Law.
- Inform the public of financial transactions of city, county and district governments.
- Administer Property Tax Postponement Program.

[http://www.sco.ca.gov/eo\\_about\\_resp.html](http://www.sco.ca.gov/eo_about_resp.html)

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## California Controller

The **Controller of the State of California** is the chief financial officer of the government of California.

The Controller acts as the state's accountant and bookkeeper for all public funds, they administer the state payroll system and unclaimed property laws.

They also serve on 76 boards and one commission, including the Board of Equalization and the Franchise Tax Board.

The controller also conducts audits and reviews of state operations. The office performs a multitude of financial audits, compliance audits and attestations.

The areas of government audited and reviewed by the State Controller include California School Districts, the California State Lottery, Oil and Gas Lease Royalties, State Agencies, RDAs, and a multitude of local governments.

It is considered one of the premiere audit agencies of the State of California.

The State Controller is elected to a four-year term but is limited to two terms.

The current state controller is John Chiang.

[http://ballotpedia.org/wiki/index.php/California\\_Controller](http://ballotpedia.org/wiki/index.php/California_Controller)