



ENGROSSMENT*

TRI-INSTITUTE MEETINGS

Dorothy Thomson, one of the directors of LEGISLATIVE INTENT SERVICE, was fortunate enough to present a panel on regulations research, along with Les Chisholm, the Sacramento Regional Director of the Public Employment Relations Board, and Bill Gausewitz, Director, Office of Administrative Law, in Sacramento, CA on March 31st and April 1st at the Third All-California Joint Institute, which also celebrated the AALL Centennial. Dorothy's handouts are available on line at the Institute website and the State Library website. If anyone has any questions regarding the information offered on the panel's regulations research discussion, please contact Dorothy at: dthomson@legintent.com.

At this meeting, we were able to share with everyone our latest sample CD on Assembly Bill 1825 of 2004, regarding sexual harassment in the workplace. If you would like to receive this free sample research CD, please give us a call. We appreciated all of the visitors to our table and enjoyed catching up with all of our librarian friends.

BEVERLY HILLS BAR ASSOCIATION'S LEGISLATIVE DAY

We are pleased to be part of the Beverly Hills Bar Association's field trip to Sacramento in late April. We will be on hand to welcome the attendees and present a short discussion on legislative history during the first part of their busy legislative day.

RESEARCHERS ALWAYS ASK

Three questions regularly come up that we hope to address in this Spring issue of Engrossment:

What can LEGISLATIVE INTENT SERVICE provide that researchers [attorneys, paralegals, law librarians, law clerks, etc.] might not get from the state's website? We've found that there is not a lot of materials on this legislative website. The website currently begins in 1993, but California's legislative history can be traced to the mid-1800's. From 1993 forward, the most anyone can find at the website will be most of the analyses, every bill version, and a bill

history chronology. We provide additional documents as follows: unposted Legislative committees' analyses, all surviving legislative committees' analyses, these committees' legislative bill files, the author's and/or sponsor's legislative bill files, the Governor's post-enrollment bill file, and any other related legislative committee file generated on the bill. Also, not obvious at the website are the predecessor and competitor bills from which the language of interest to the researcher may have developed. We also look for relevant state agency reports and interim committee reports and studies that may have generated the bill or section language of interest.

Can I do my own legislative history research at local law libraries? Local law libraries contain the annotated code books, the Statutes at Large, Final Bill Histories and the Table of Sections Affected, and, in a few cases, the bills themselves. This does not include any committees' analyses, legislative bill files, Governor's files, or author/sponsor bill file materials. Because of our location next to the Capitol, we are able to search out file materials directly from the legislative committees, the State Archives, and the State Law Library, as well as any out-of-the-area facilities, such as Stanford, or the California State University or University of California campuses, for file materials lodged by the author or sponsor of a bill. When it comes to federal research, we are able to access local Congressional Depository libraries to obtain reports, bills, and Congressional Record materials, just to name a few. Law librarians may not have the time to assist you in tracing language of interest to you to the actual bills by which it was added or amended. This is a service we include, without charge, when we provide legislative history.

Will there be discussion of my language in the legislative history materials? We cannot promise that the Legislature discussed your particular section, subdivision, clause, phrase, word or sentence. We try to point out to you, in our objective report, discussion in the materials regarding your language. Even when we are unable to locate specific discussion regarding your language of interest, your own more careful review of the legislative history documents may reveal helpful discussion on the issue before you or the policies driving the enactment of the language that you may be able to apply to your own arguments regarding

*The process of comparing the printed bill to ensure it looks like the original and to verify that amendments have been correctly inserted

the specific language. This has been a proven successful strategy for the attorneys using the materials.

RESEARCHING LABOR REGULATIONS AND STATUTES JUST GOT A LITTLE EASIER

Over the last two years, we have acquired copies of the many files retained by the former Industrial Welfare Commission ["IWC"]. If you have any questions regarding wage orders related to rest periods, meals, overtime, exemptions, etc., you may wish to call us. Our collection ranges from 1913 forward and may include for each wage order: minutes of IWC meetings; agendas for IWC meetings and hearings; notice of public hearings, and transcripts; sometimes drafts of proposed wage order changes; in later years, sometimes the statement of basis; for the 2000 implementation of AB 60 of 1999 and October 2000 wage order revisions, we found thousands of pages of third party communications to the IWC. *Give us a call to see if we can help you with your Labor Code regulations or statutory research.*

WEBSITE RECONSTRUCTION DRAWS MANY VISITORS

One of the purposes of our reconstructed website (www.legintent.com) has been to make it as user friendly and informative as possible to assist anyone interested in learning about us or about researching legislative history, from the types of legislative research we perform to the use of the materials in court.

We include our over-700-cases Points and Authorities, which are available to read or print by everyone visiting the website. There is also a sample motion for taking judicial notice.

Another feature is the listing of 2005 "Notable Legislation," a useful research tool. We will be making this an annual publication, so look for the 2006 Notable Legislation late in the year. If you would like to read past issues of this Engrossment newsletter, we have them archived and available to read or print out for reading later.

We have created a "contact form" page with choices for contacting the attorneys or the business itself by email, telephone, fax or via the website.

If you would like to order research direct from the website, please visit **our store** located also at legintent.com.

RESEARCHING FEDERAL STATUTES

Federal statutes are enacted and amended by public laws. Our firm charges a research fee per public law being researched. For those who do not know, the first set of numbers in a public law (i.e., 108) is the Congressional Session. Congressional sessions are two years long, with each session divided into a first and a second session. The second set of numbers are unique to the legislation and in numerical order of enactment. Thus, for example, Public Law 108-187, is a public law from the 108th Congress enacting Senate Bill No. 877 of 2003, the "Can-Spam Act."

It is not uncommon for bills to fail in previous congressional sessions and be enacted into a new bill in later sessions. Thus, competitor, companion and predecessor bills must be researched thoroughly to provide complete legislative history. With this effort, we eventually are able to locate the genesis of the language of interest to the client. The types of public law materials we look for are the bills (enacting and failed), debates, committee reports, presidential papers, and background publications, just to name a few materials. We also include abstracts of hearings, published and unpublished, for the clients to review.

GOT FREE MCLE?

- **Appellate Procedural Considerations, or**
- **Legislative Intent, Research and History, or**
- **2005 Legislative Review**

To schedule your free 1 hour MCLE *at your location*, contact Maria Sanders (see below!).

CONTACT US!

Call *toll-free* at 1-800-666-1917

Or log on to our *website* at: www.legintent.com

Or send one of our staff attorneys an *email* at:

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*"We are professional legislative historians
at your service in the 21st Century"*

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