

ITEM 1
ELECTION OF OFFICERS
AND

SUBCOMMITTEE APPOINTMENTS

Government Code Sections 17527 and 17528

California Code of Regulations, Title 2, Section 1181.5

EXECUTIVE SUMMARY

A. ELECTION OF OFFICERS

Background

At the January 27, 2023, meeting, the Commission on State Mandates (Commission) elected Joe Stephenshaw, Director of Finance, Chairperson of the Commission, and Malia Cohen, State Controller, Vice Chairperson.

Statutory Authority

State law requires the members to elect a chairperson and vice chairperson of the Commission on State Mandates. (Gov. Code, § 17528.)

Commission Regulations (Cal. Code Regs., tit. 2, § 1181.5)

Scheduling. The election of officers occurs at the January Commission meeting of each year, except that in the calendar year following the statewide election of constitutional officers, the election may be postponed.

Eligibility. Commission members, as defined by Government Code section 17525, are eligible to be officers. The Commission consists of seven members as follows:

- The Controller (Malia Cohen)
- The Treasurer (Fiona Ma)
- The Director of Finance (Joe Stephenshaw)
- The Director of the Office of Planning and Research (Samuel Assefa)
- A public member with experience in public finance (Vacant)
- A county supervisor (Lee Adams)
- A governing board member of a school district as defined in Government Code Section 17519 (Renee Nash)

Conduct of Election. The Commission's regulations do not describe an election procedure. However, the regulations specify that Robert's Rules of Order are the

Commission's default rules. Under Robert's Rules, there are two ways to hold the election:

1. Nominations may be made, and a vote taken. A nomination does not require a second.
2. A motion may be made to elect a member chairperson or vice chairperson. A motion requires a second.

Duties. The duties of the chairperson and vice chairperson are summarized below:

- Duties of Chairperson. The chairperson shall preside over all meetings of the Commission when present. The chairperson has all the rights and responsibilities of the other members, including the right to introduce motions or proposals and to speak and vote on them while presiding. The chairperson has the power to appoint one or more members of the Commission as a subcommittee to investigate and report to the Commission on any matter within the scope of the purposes of the Commission or to form advisory groups to assist the Commission or its subcommittees in fulfilling their purposes.
- Duties of Vice Chairperson. The vice chairperson shall preside over all meetings of the Commission at which the chairperson is not present. The vice chairperson has all the rights and responsibilities of the other members, including the right to introduce motions or proposals and to speak and vote on them while presiding.

Recommendation

Staff recommends that the current chairperson conduct the elections of chairperson and vice chairperson.

B. SUBCOMMITTEE APPOINTMENTS

Background

Due to the departure of member Sarah Olsen, one position on the Personnel subcommittee and one alternate position on the Legislation subcommittee of the Commission are currently vacant and need to be filled. This is an opportunity for members who wish to serve on a subcommittee to volunteer to do so and for those who would like to switch or discontinue their current roles on the subcommittees to do so.

The following was the membership of the Commission's Subcommittees for 2023:

- Personnel: Joe Stephenshaw (Director of the Department of Finance) and Sarah Olsen (Public Member)
- Legislation: Malia Cohen (State Controller) and Lee Adams (County Supervisor); Sarah Olsen (Public Member), Alternate
- Litigation: Spencer Walker (Designee of the State Treasurer) and Renee Nash (School District Board Member); and Malia Cohen (State Controller), Alternate

Statutory Authority

The Commission on State Mandates may authorize a committee composed of one or more members to hold hearings at any time and place it may deem proper. (Gov. Code, § 17527(c).)

Duties

The duties of the subcommittee members are to investigate and report to the Commission on any matter within the scope of the purposes of the Commission or to form advisory groups to assist the Commission or its subcommittees in fulfilling their purposes.

Nomination and Election Procedure

Any member may volunteer and nominate themselves to serve and, upon a vote of the Commission, may serve on a subcommittee of the Commission.

Conduct of Election. The Commission's regulations do not describe an election procedure. However, the regulations specify that Robert's Rules of Order are the Commission's default rules. Under Robert's Rules, there are two ways to hold the election:

1. Nominations may be made, and a vote taken. A nomination does not require a second.
2. A motion may be made to elect a member chairperson or vice chairperson. A motion requires a second.

Recommendation

Staff recommends that the members nominate themselves to continue to serve or to be newly appointed to the subcommittees upon approval of the Commission.

Staff further recommends that the chairperson conduct the elections for the positions on the Personnel, Legislation, and Litigation subcommittees.