

**ITEM 1**  
**ELECTION OF OFFICERS**  
**AND**  
**LITIGATION SUBCOMMITTEE APPOINTMENTS**

Government Code Sections 17527 and 17528  
California Code of Regulations, Title 2, Section 1181.5

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**EXECUTIVE SUMMARY**  
**ELECTION OF OFFICERS**

**Background**

At the January 26, 2018 meeting, the Commission on State Mandates (Commission) elected Michael Cohen, Director of Finance, Chairperson of the Commission, and John Chiang, State Treasurer, 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 (Betty T. Yee)
- The Treasurer (Fiona Ma)
- The Director of Finance (Keely Bosler)
- The Director of the Office of Planning and Research (Kate Gordon)
- A public member with experience in public finance (Sarah Olsen)
- A county supervisor (Lee Adams)
- A city council member (Carmen Ramirez)

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.

## **LITIGATION SUBCOMMITTEE APPOINTMENTS**

### **Background**

Due to the departure of Members Richard Chivaro and Ken Alex, both positions on the Litigation Subcommittee of the Commission are currently vacant.

The Commission consists of seven members as follows:

- The Controller (Betty T. Yee)
- The Treasurer (Fiona Ma)
- The Director of Finance (Keely Bosler)
- The Director of the Office of Planning and Research (Kate Gordon)
- A public member with experience in public finance (Sarah Olsen)
- A county supervisor (Lee Adams)
- A city council member (Carmen Ramirez)

The following is the current membership of the Commission's Subcommittees:

- Personnel: Jacqueline Wong-Hernandez (Designee of the Director of Finance) and Sarah Olsen
- Litigation: Vacant and Vacant (Sarah Olsen Alternate)
- Legislation: Carmen Ramirez and Lee Adams (Sarah Olsen Alternate)

## **Statutory Authority**

State law allows the Commission on State Mandates to 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 to nominate themselves to serve upon approval of the Commission.

Staff further recommends that the chairperson conduct the elections for the two positions on the Litigation Subcommittee.