

ITEM 1
LITIGATION SUBCOMMITTEE APPOINTMENT

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

EXECUTIVE SUMMARY

Background

Due to the reassignment of Member Jeannie Lee, one position on the Litigation Subcommittee of the Commission is currently vacant and needs to be filled.

The following is the membership of the Commission's Litigation Subcommittee for 2022 as of the January 28, 2022 meeting:

- Litigation: Spencer Walker (Designee of the State Treasurer) and Vacant; Renee Nash (School District Board Member), 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 be appointed to the Litigation Subcommittee upon approval of the Commission.

Staff further recommends that the chairperson conduct the election for the remaining position on the Litigation Subcommittee.