

1 Repeal 2 Cal. Code Regs., Section 18308.3 to read:

2 **~~§ 18308.3. Authority of the Executive Director.~~**

3 ~~The Commission delegates to the Executive Director responsibility for the operations and~~
4 ~~management of the Agency in conformance with Commission established policy. The Executive~~
5 ~~Director is responsible for ensuring that the Commission is fully informed regarding the~~
6 ~~operations and management of the Agency.~~

7 ~~(a) The Executive Director acts as the CEO of the Agency.~~

8 ~~(1) The Executive Director, in consultation with the Budget & Personnel Committee,~~
9 ~~recommends the selection, submits annual evaluations and, when necessary, recommends the~~
10 ~~discipline or dismissal of the Division Chiefs, Legislative Director, and Communications~~
11 ~~Director for review and approval by the Commission.~~

12 ~~(2) Except as otherwise required by applicable statute, the Executive Director, in~~
13 ~~consultation with the Budget & Personnel Committee and Division Chiefs, hires, promotes and,~~
14 ~~when necessary, disciplines or dismisses other staff pursuant to Commission policies and~~
15 ~~procedures.~~

16 ~~(3) The Executive Director, in consultation with the Budget & Personnel Committee,~~
17 ~~prepares and submits to the Commission all office policies and procedures not in conflict with~~
18 ~~any statute, regulation, or applicable state employee collective bargaining contract.~~

19 ~~(4) In consultation with the Law & Policy Committee, the Executive Director proposes~~
20 ~~the short term and long term goals and priorities of the Agency for approval by the Commission.~~

21 ~~(5) The Executive Director receives and coordinates requests from commissioners~~
22 ~~regarding staff work and, in consultation with the Division Chiefs, prioritizes such requests, in~~
23 ~~accordance with Commission policy recommended by the Budget & Personnel Committee.~~

1 ~~(6) Subject to the limitations of Commission established policy, the Executive Director~~
2 ~~acts on behalf of and in the name of the Commission between meetings of the Commission,~~
3 ~~including certifying actions taken by the Commission. The Executive Director may not establish~~
4 ~~or revise policies, promulgate or amend rules or regulations, issue or revise Commission~~
5 ~~opinions, or approve or revise positions on legislation pursuant to this subdivision.~~

6 ~~(7) The Executive Director reports in writing each month to the Commission on actions~~
7 ~~taken on behalf of the Commission for its review and approval.~~

8 ~~(8) Pursuant to Commission established policy, the Executive Director ensures that the~~
9 ~~information provided to the Commission is comprehensive, timely, impartial and not unduly~~
10 ~~burdensome.~~

11 ~~(9) The Executive Director oversees the implementation of the short term and long term~~
12 ~~goals and priorities of the Commission and reports to the Commission in writing on achievement~~
13 ~~of its goals and priorities.~~

14 ~~(10) Pursuant to Commission established policy, the Executive Director exercises~~
15 ~~oversight over Commission staff with respect to their official duties to communicate with the~~
16 ~~public, the press, and government institutions to ensure that those communications are forthright,~~
17 ~~accurate, and do not disparage any Commissioner or staff member.~~

18 ~~(b) The Executive Director acts as the chief budgetary and administrative officer of the~~
19 ~~Agency.~~

20 ~~(1) In consultation with the Budget & Personnel Committee and Division Chiefs, the~~
21 ~~Executive Director prepares and submits an initial budget proposal, and any budget change~~
22 ~~proposals, to the Commission, subject to the criteria adopted pursuant to Regulation~~
23 ~~18308.1(a)(8).~~

1 ~~(2) Subject to the criteria adopted pursuant to Regulation 18308.1(a)(8), the Executive~~
2 ~~Director submits recommendations to the Budget & Personnel Committee at each stage of the~~
3 ~~budgetary process, including prior to the Agency's proposal to the Department of Finance (DOF),~~
4 ~~the DOF proposal to the Governor, and the Governor's proposed annual budget to the~~
5 ~~Legislature.~~

6 ~~(3) The Executive Director, in consultation with the Budget & Personnel Committee,~~
7 ~~reports monthly in writing to the Commission on the status of Commission finances.~~

8 ~~(4) The Executive Director, in consultation with the Budget & Personnel Committee,~~
9 ~~prepares, and submits budget change proposals, requests for deficit funding and other budgetary~~
10 ~~documents to the Department of Finance.~~

11 ~~(5) The Executive Director, in consultation with the Budget & Personnel Committee,~~
12 ~~approves all fiscal analyses prepared at the request of the Legislature, Legislative Analyst or~~
13 ~~Department of Finance.~~

14 ~~(6) The Executive Director retains final approval for all budgeted expenditures.~~

15 ~~(7) In accordance with Commission approved guidelines, the Executive Director~~
16 ~~authorizes unbudgeted expenditures, when deemed appropriate, up to \$25,000.~~

17 ~~(8) Reviews and approves Commissioner compensation and reimbursement requests in~~
18 ~~accordance with the policy on compensation and reimbursement of Commissioners.~~

19 ~~(e) The Executive Director acts in the name of the Commission with respect to the~~
20 ~~following statutory duties:~~

21 ~~(1) Reviews and approves conflict of interest codes other than the code of the~~
22 ~~Commission;~~

23 ~~(2) Reviews, approves, and signs subpoenas;~~

1 ~~(3) Executes oaths and affirmations.~~

2 Note: Authority cited: Section ~~83112, Government Code.~~ Reference: Sections ~~83108, 83111 and~~

3 ~~83117, Government Code.~~