

SUMMARY ANALYSIS OF AMENDED BILL

Author: Figueroa Analyst: Deborah Barrett Bill Number: SB 796
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: 05-31-05
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: Government Modernization, Efficiency, Accountability, And Transparency Act Of 2005/California Taxpayer's Performance Report Card

- DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.
- AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- FURTHER AMENDMENTS NECESSARY.
- DEPARTMENT POSITION CHANGED TO _____.
- REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED May 10, 2005 STILL APPLIES.
- OTHER – See comments below.

SUMMARY

This bill would do the following:

- Require links on state agency websites to assist taxpayers to participate in government activities and obtain better customer service; and
- Establish a task force to measure state agency performance on fulfilling the purpose for which they are established.

SUMMARY OF AMENDMENTS

The May 31, 2005, amendments added a title to a section of this bill, "California Taxpayers' Right To Customer Service," and added provisions that the requirements of that section would only apply to state agencies that currently have an Internet website.

The May 31, 2005, amendments added language that notices and bulletins required to be posted on the state agency websites related to regulatory actions are to be posted within 15 days before the meeting where the regulatory action is on the agenda. The amendments also clarified that a link to another existing website that contains the proposed regulation or statute is sufficient to meet the

Board Position:	Legislative Director	Date
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requirement to post regulations and statutes and that these provisions would only apply to state agencies that currently have an Internet Website.

The May 31, 2005, amendments added additional duties for the task force created under this section. The amendments require the task force to do the following:

- Adopt a strategic plan for the task force,
- Prioritize and identify the agencies to be reviewed initially and develop a schedule for subsequent reviews,
- Define performance measures and provide examples of what is and is not a performance measure to guide each agency in establishing its own performance measures,
- Make corrective action recommendations for those agencies where poor performance is a direct result of inadequate funding, authority, or resources,
- Use the "Government Performance Projects Grading the States" as a model, and
- As needed, enter into interagency agreements with the identified state agencies to provide resources and staffing for the task force.

The amendments also require the state agencies identified by the task force for review to reimburse the task force for all task force costs associated with the agency.

The May 31, 2005, amendments add fiscal costs to the department's operations and programs and are discussed in the "Implementation Concerns" below in this analysis. The remaining analysis of this bill as amended May 10, 2005, still applies.

POSITION

Pending.

IMPLEMENTATION CONCERNS

The department has identified the following implementation concerns. Department staff is available to work with the author's office to resolve these and other concerns that may be identified.

The Bagley-Keene Act requires notice of meetings and agendas, including those where regulations will be considered, no less than 10 days before the meeting. This bill, as amended May 31, 2005, would require notice and an agenda for regulatory matters to be posted on the Internet no less than 15 days before the meeting. Since regulations are frequently a part of the meetings of multi-member state bodies governed by Bagley-Keene such as the FTB, this bill would have the effect of revising the Bagley-Keene 10-day notice requirement to a 15-day notice requirement for those agencies. If the author intends to alter the Bagley-Keene requirements, express language to that effect revising Bagley-Keene should be added to this bill to prevent any confusion in complying with these requirements.

The May 31, 2005, amendments require the department to reimburse the task force for all costs incurred by the task force associated with the task force's review of the department. It is not clear what the costs would be nor does the bill specify what resources or staffing the department is expected to provide under contract to the task force for their review of the department. In order for the department to determine the fiscal impact of this bill, additional information is needed, such as

estimated time and amount of involvement of department staff. Additionally, an indication of what types of activities department staff would be involved in would assist in determining that the appropriate level of staff skill and experience are available to assist the task force.

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