



## COMMISSION ON CALIFORNIA STATE GOVERNMENT ORGANIZATION AND ECONOMY (LITTLE HOOVER COMMISSION)

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The Little Hoover Commission was created by the legislature in 1961 and became operational in the spring of 1962. (Government Code sections 8501 *et seq.*) Although considered to be within the executive branch of state government for budgetary purposes, the law states that "the Commission shall not be subject to the control or direction of any officer or employee of the executive branch except in connection with the appropriation of funds approved by the Legislature." (Government Code section 8502.)

Statute provides that no more than seven of the thirteen members of the Commission may be from the same political party. The Governor appoints five citizen members, and the legislature appoints four citizen members. The balance of the membership is comprised of two Senators and two Assemblymembers.

This unique formulation enables the Commission to be California's only truly independent watchdog agency. However, in spite of its statutory independence, the Commission remains a purely advisory entity only empowered to make recommendations.

The purpose and duties of the Commission are set forth in Government Code section 8521. The Code states: "It is the purpose of the Legislature in creating the Commission, to secure assistance for the Governor and itself in promoting economy, efficiency and improved service in the transaction of the public business in the various departments, agencies, and instrumentalities of the executive branch of the state government, and in making the operation of all state departments, agencies, and instrumentalities and all expenditures of public funds, more directly responsive to the wishes of the people as expressed by their elected representatives...."

The Commission seeks to achieve these ends by conducting studies and making recommendations as to the adoption of methods and procedures to reduce government expenditures, the elimination of functional and service duplication, the abolition of unnecessary services, programs and functions, the definition or redefinition of public officials' duties and responsibilities, and the reorganization

and or restructuring of state entities and programs. The Commission holds hearings about once a month on topics that come to its attention from citizens, legislators, and other sources.

### MAJOR PROJECTS:

**Transportation: Keeping California Moving** (January 1992). In 1988, the Little Hoover Commission reported on California's transportation system, warning that chronic funding shortfalls, slow project delivery, and a lack of policy direction threatened to cripple the state's future mobility. [8:3 CRLR 38] In this subsequent report, the Commission examined the actions the state has taken to improve its transportation system and revealed that, despite significant improvements, the state's transportation policy is plagued by a lack of leadership, inadequate planning, little cost/benefit analysis, ineffective high-speed train development, poor project management, and a deficient growth management program.

The report noted that voter approval of Propositions 108, 111, and 116 in June 1990 provided \$18.5 billion in new transportation revenue, formed a state consensus favoring multi-modal development, and established a growth management plan. However, the Commission found that a highway bias in the California Department of Transportation (Caltrans) and a lack of advocacy in the Governor's Cabinet hinder the state's efforts to develop a system encompassing a variety of transportation modes. According to the Commission, the Governor and the legislature should enact legislation to establish a new Transportation Agency to promote the efficient development of a multi-modal transportation system and require a management study to determine how Caltrans can be reorganized to promote the development of a multi-modal transportation system.

Next, the Commission noted that the state has not adopted an adequate long-term plan for its transportation system. Propositions 108 and 111, also known as the Transportation Blueprint for the 21st Century, represented the first long-term transportation plan adopted since 1958. However, the Commission predicted that the Blueprint's failure to address economic factors causing highway congestion will prevent it from ensuring long-term mobility improvement in California. The Commission recommended that Caltrans develop a transportation improvement plan that can promise improved mobility over the next twenty years. The plan should address the economic factors that perpetuate highway

congestion; establish priorities for the development of a statewide, multi-modal transportation system; and address how transportation costs can be distributed equitably among users of the system.

The Commission also found that the state does not adequately evaluate transportation alternatives based on cost-effectiveness, thus leading to unnecessary delay and expense for transportation projects. Further, the state has not been effective in developing a high-speed train system, thereby foregoing an alternative to auto and air travel. The Commission recommended that the Governor and the legislature enact legislation directing Caltrans to develop cost/benefit criteria that could be used by state, regional, and local transportation agencies in evaluating transportation options; requesting a franchise to build, operate, and finance a high-speed train system to include Sacramento, San Francisco, Fresno, Bakersfield, Los Angeles, and San Diego; and establishing a consortium that would guide development of the high-speed train system.

The report noted that Caltrans has frequently been "criticized for the complications and delays in their highway development process." These problems result, in part, from failure to assign project managers to major highway projects, thus leading to project delays and higher project costs. The Commission recommended that the Governor issue an executive order requiring Caltrans to reorganize its district operations to ensure that a project manager is assigned to every major project; "major projects" should be defined as emergency projects or projects that are the most cost-effective in moving people.

Finally, the Commission found that the Congestion Management Program (CMP), one of the most notable reforms established by Proposition 111, has several flaws that may prevent the linkage of transportation and land use planning. The CMP seeks to link local land use decisions to the capacity of transportation systems. While the program has helped bring together land use, air quality, and transportation decisionmakers, the Commission noted that it still needs improvements, which should include the following:

- coordination of the goals and functions of existing planning agencies to streamline the planning process;
- consistency between jurisdictions in the identification of principal arterials in CMPs and standardization of traffic forecast models;
- the establishment of strategies that



encourage local governments to prevent traffic congestion, in addition to the CMP's current requirement to mitigate traffic congestion after it occurs; and

—the establishment of mechanisms to minimize and resolve conflicts between jurisdictions within the CMP process.

The Commission concluded that the state still has far to go to improve its transportation system, noting that California cannot afford to be satisfied with the transportation achievements of the past few years. However, if all of its recommendations are implemented, the Commission predicted that the state can regain transportation leadership, provide for long-term mobility improvements, save money, speed up project delivery, and improve travel times.

**Mending Our Broken Children: Restructuring Foster Care in California** (April 1992) lists five findings and makes sixteen recommendations for reforms that would substantially improve the quality of life for California's foster children. Opining that it is generally best for children to remain with their natural families, the Commission found that California does not invest in "front-end" preventive services that seek to remove the problems, instead of the children, from families. Noting that an increasing number of children are being removed from their homes, the Commission also found that children are staying in the foster care system longer than was the case in previous years. In response to this condition, the Commission recommends that legislation be enacted to ensure that the state places a greater emphasis on placement prevention programs and associated family preservation services for those families whose problems do not stem from sexual or physical abuse; such programs should focus on ensuring the safety and well-being of the child, however, and not simply attempt to preserve families at any cost.

The Commission also found that inadequate training, support services, screening, and rates of reimbursement for the state's foster parents may result in foster children not receiving even the minimal necessities and may expose them to potentially abusive situations. Further, the Commission found a high attrition rate among foster parents, leading to an insufficient supply of qualified foster homes and an increased reliance on more costly types of placement facilities. The Commission made the following recommendations for dealing with these conditions:

—Legislation should be enacted to make training and a psychological evaluation prerequisites to the licensure of foster parents; such training should include basic

information on the goals and activities of foster care services and the rules, regulations, policies, and expectations of the county agency supervising the foster children.

—The state Department of Social Services (DSS) should provide the leadership necessary to encourage counties to maximize the use of federal Title IV-E funds for the purposes of training foster parents.

—The state should provide additional funding for the Foster Parent Training Program administered through California community colleges.

—Legislation should be enacted which increases the statewide basic foster care rates of reimbursement to adequately cover the costs of raising foster children; the increase could be established only to the extent reliance on group homes and foster family agencies can be reduced.

—The Governor and the legislature should aggressively lobby Congress and the President to enact federal legislation that would make all foster children eligible for AFDC-Foster Care.

Next, the Commission found that more attention should be devoted to the needs of ethnic minority children in foster care. Despite a state law requirement that foster children be placed with relatives or families of the same racial or ethnic background to preserve the children's cultural identities, the disproportionate share of ethnic minority children in foster care outnumbers the available "culturally competent" placement settings. In response to this imbalance, the Commission recommended that DSS reinstate funding for its Minority Home Recruitment Program and concentrate its recruitment efforts on ethnic minority foster parents. DSS should, to the extent possible, work with counties to utilize methods that have proven to be effective in particular areas and can be replicated. In addition, DSS should monitor counties' administration of the foster care program to ensure the counties are making placements in accordance with the law.

The Commission also found that the state's foster care system suffers from inadequate monitoring and oversight. Such problems include the counties' conflict of interest in performing both licensing and placement functions, and the lack of an independent reporting mechanism for complaints regarding the system. As a result, the state's decisionmakers are uninformed regarding the effectiveness of the present foster care program.

The Commission recommended that the state establish a statewide foster care ombudsman program which would utilize a network of volunteers and work in con-

junction with existing Court Appointed Special Advocate programs. The state should also enact legislation eliminating the ability of DSS to contract with counties to perform the licensing functions in the foster care system, thus making DSS solely responsible for those functions. DSS should also complete its development of foster care performance standards pursuant to SB 370 (Presley) (Chapter 1294, Statutes of 1989), and then monitor counties' adherence to the standards, while allowing counties discretion in how to meet them. Finally, the state should enact legislation requiring a bona fide longitudinal study of California's foster care system and its clients to determine the long-range effectiveness of the system.

Finally, the Commission found that counties lack sufficient interagency screening of children entering the foster care system. Despite the foster care system's goal to protect abused and neglected children, a "re-abuse" occurs when counties lack sufficient interagency coordination to protect the children from the trauma of being shuffled from agency to agency for multiple screenings. According to the Commission, children end up being traumatized by their situations at home and again by the system that supposedly is designed to protect them. The Commission found that counties which promote interagency coordination have more success in mitigating further trauma to the children and reducing duplication of effort.

The Commission recommended that the state enact legislation to establish the Child Development and Education Agency, as well as legislation to provide start-up funds for counties to establish systems that institute interagency coordination; such legislation should also allow counties flexibility in using those funds.

**Conflict of Interest Code Amendments.** At this writing, the Commission's proposed amendments to its conflict of interest code in Division 8, Title 2 of the California Code of Regulations, await review and approval by the Office of Administrative Law. [12:1 CRLR 33; 11:4 CRLR 50]

**Recent Hearings.** On March 18, the Commission held a public hearing on the need for more school facilities and how that need can be met economically and efficiently. The Commission also scheduled a May 20 hearing on various school fiscal issues, such as deficit spending by schools, the prospects for education funding in 1992-93, and steps taken by the state to increase fiscal oversight of local school districts.