



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
(916) 319-2800
FAX (916) 319-2810

Assembly
California Legislature
Committee on Rules
RICHARD S. GORDON
CHAIR

VICE CHAIR
SCOTT WILK
MEMBERS
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BILL QUIRK
SHIRLEY N. WEBER
KEN COOLEY (D-ALT.)
MARIE WALDRON (R-ALT.)

Thursday, January 23, 2014
8:50 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referra..)

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Administrative Item

2. Assembly Conflict of..)

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REFERRAL OF BILLS TO COMMITTEE

01/23/2014

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
AB 1453	V.A.
AB 1455	ED.
AB 1498	PUB. S.
AB 1501	TRANS.
AB 1502	HUM. S.
AB 1506	NAT. RES.
AB 1507	HEALTH
AB 1508	PUB. S.
AB 1509	V.A.
AB 1511	PUB. S.
AB 1512	PUB. S.
AB 1513	PUB. S.
AB 1514	W.,P. & W.
AB 1517	PUB. S.
AB 1518	V.A.
AB 1518	ED.
AB 1519	NAT. RES.
AB 1522	L. & E.
AB 1522	JUD.



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KEN COOLEY (D-ALT.)

Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 1/22/14
Re: Consent Bill Referrals

Since you received the preliminary list there have been no changes.



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**ADMINISTRATIVE ITEM:
Assembly Conflict of Interest Code**

Issue. Should the Assembly’s Conflict of Interest Code be amended to add six new classifications, delete two classifications, add one new disclosure category for limited disclosure, and make non-substantive changes?

Background. The Political Reform Act requires all state/local government agencies, including the Assembly and Senate, to maintain a Conflict of Interest Code (“Code”). The Code lists employee job classifications in the agency for duties that may involve participation in agency business that could have a financial impact on the economic interests of the employee. In addition to being subject to the general ethics rules applicable to all public employees, employees in classifications listed in the Code must file the annual Statement of Economic Interests (FPPC Form 700) and are subject to gift limits and restrictions on receipt of honoraria.

Reasons for Amending the Code. Various changes are necessary to comply with the laws and regulations governing Conflict of Interest Codes.

Technical Changes. Technical changes have been made to the cover page, and Government Code citations have been added. Appendix A previously described the disclosure categories. Appendix A now lists the designated classifications and their assigned disclosure categories. The categories are described at new Appendix B, which reflects three as opposed to two disclosure categories. Numeric symbols are used to describe the assigned disclosure categories; e.g., “1” instead of “A,” and so forth. The classifications are listed in alphabetical order, except the position of “Consultant under a Personal Services Contract/New Positions,” which is listed just above the description of the designation process. The classification of Sergeant Chief Deputy has been changed in title; to Deputy/Assistant Chief Sergeant-at-Arms and several positions have been moved from old Disclosure Category B to the listing of Designated Positions by alphabetical order. These include: Associate Information Systems Analyst; Facilities, Procurement and Supplies Officer; Facilities, Procurement and Supplies Specialist; Producer/Director (Television); and Reprographics Manager. Other minor technical changes are made to conform to FPPC’s standard conflict of interest code format.

Positions. Six new positions approved by the Assembly Rules Committee currently subject to full disclosure under the provisions of 2 Cal. Code Regs. Section 18734 are added. These positions are added with full disclosure under Category 1: Deputy Chief Consultant; Legislative Director I; Legislative Director II; Principal Field Representative; Scheduler/ Legislative Assistant; and Scheduler/Senior Assistant. Also, two positions not involved in government decisions are deleted. These are Press Aide and Operations Technician (Television).

New Category for Limited Disclosure: The FPPC staff recommended a separate disclosure category for employees who process travel. Therefore, there will be three disclosure categories instead of two: 1) Full Disclosure, 2) Reprographics and Technology/Television, and 3) Travel. The level of disclosure for the employees with limited disclosure will not change.

Process: The amendment process, which requires posting notice on the Assembly website and direct notification to all affected employees, has been completed and the final code amendments are submitted for the

Rules Committee's approval. Attached, with deletions shown in strikeout and additions shown in underscore, are the proposed changes to the Code.

Recommendation. The Assembly Rules Committee adopt the proposed amendments to its Conflict of Interest Code.

**CONFLICT OF INTEREST CODE FOR THE
ASSEMBLY RULES COMMITTEE**

The Political Reform Act, (Government Code Sections 81000, *et seq.*), requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, (2 Cal. Code of Regs. Section 18730), ~~which~~ that contains the terms of a standard conflict of interest code, which can be incorporated by reference, in an agency's code. After public notice and hearing, the standard code ~~and which~~ may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act ~~after public notice and hearings~~. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. ~~along~~ This regulation and with the attached Appendices, designating positions and establishing disclosure categories, Appendix in which officials and employees are designated and disclosure categories are set forth, ~~are hereby incorporated by reference and shall~~ constitute the conflict of interest code of the Assembly Rules Committee ("Assembly Rules").

~~Designated employees~~ Individuals holding designated positions shall file their statements of economic interests with the Fair Political Practices Commission, which will make the statements available for public inspection and reproduction. (Government Code § 81008.)

NOTE: Authority cited: Sections 81008, 87300, 87306, Government Code. Reference: Section 87302, Government Code.

APPENDIX A

~~Disclosure Categories~~

~~Category A~~

~~Designated employees assigned to Disclosure Category “A” report all interests in real property in the State of California, as well as investments, business positions and sources of income, including gifts, loans and travel payments~~

~~Category B~~

~~Designated employees assigned to Disclosure Category “B” shall report all investments, business positions and income, including gifts, loans and travel payments, from sources that are of the type which provide or contract with the Legislature or State of California to provide services, supplies or equipment to the Legislature.~~

Designated Employees

DESIGNATED POSITIONS

Those officers and employees of the Assembly classified as designated employees and their respective disclosure categories are as follows:

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
<u>Disclosure Category A:</u>	
Assembly Fellow	1
Assistant Chief Clerk	1
Assistant Clerk I	1
Assistant Clerk II	1
Assistant Fiscal Officer	1
Associate Consultant	1
Associate Information Systems Analyst	2
Chief Administrative Officer	1
Chief Clerk	1
Chief Consultant	1
Chief Counsel, Assembly Rules Committee	1
Chief Information Systems Officer	1
Chief of Staff	1
Chief Sergeant-at-Arms	1
Consultant under a Personal Services Contract*	
Committee Secretary I	1
Committee Secretary II	1
Deputy Administrative Officer	1
Deputy/Assistant Chief Sergeant-at-Arms	1
Deputy Chief Consultant	1
Deputy Director, Majority/Minority Consultants	1
Director, Majority/Minority Consultants	1

District Coordinator	1
Executive Secretary	1
<u>Facilities, Procurement and Supplies Officer</u>	<u>2</u>
<u>Facilities, Procurement and Supplies Specialist</u>	<u>2</u>
Field Representative	1
Fiscal Officer	1
Human Resources Consultant	1
Human Resources Director	1
Information Systems Consultant	1
Legislative Assistant	1
<u>Legislative Director I</u>	<u>1</u>
<u>Legislative Director II</u>	<u>1</u>
<u>Maintenance Engineer (Television)</u>	<u>2</u>
Press Aide	1
Press Secretary	1
Principal Assistant	1
<u>Principal Field Representative</u>	<u>1</u>
Principal Clerk I	1
Principal Clerk II	1
Principal Consultant	1
<u>Producer/Director (Television)</u>	<u>2</u>
<u>Reprographics Manager</u>	<u>2</u>
Sergeant Chief Deputy	1
<u>Scheduler/Legislative Assistant</u>	<u>1</u>
<u>Scheduler/Senior Assistant</u>	<u>1</u>
Senior Assistant	1
Senior Consultant	1
Senior Field Representative	1
Speaker's Legal Counsel	1
Speaker's/Minority Leader's Chief of Staff	1
Speaker's Policy Director	1
Speaker's Press Secretary	1
<u>Travel Coordinator</u>	<u>3</u>
<u>Consultant under a Personal Services Contract/ New Positions*</u>	<u>*</u>

~~*A Consultants/New Positions under a Personal Services Contract shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:~~

The ~~Executive~~ Chief Administrative Officer may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that ~~are~~ is limited in scope and thus is not required to fully comply with the disclosure regulations described in this section. Such ~~written~~ determination shall include a description of the consultant’s or new position’s duties and,

based upon that description, a statement of the extent of disclosure requirements. The ~~Executive Officer's~~ determination of the Chief Administrative Officer is a public record and shall be retained for public inspection in the same manner and location as this ~~Conflict of Interest~~ code. (Gov. Code § 81008.) Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

~~Disclosure Category B:~~

~~Associate Information Systems Analyst
Facilities, Procurement and Supplies Officer
Facilities, Procurement and Supplies Specialist
Maintenance Engineer (Television)
Operations Technician (Television)
Producer/Director (Television)
Travel Coordinator
Reprographics Manager~~

APPENDIX B
DISCLOSURE CATEGORIES

Category 1

Designated positions assigned to Disclosure Category “1” shall report all interests in real property in the State of California, as well as investments, business positions, and income, including receipt of gifts, loans and travel payments.

Category 2

Designated positions assigned to Disclosure Category “2” shall report all investments, business positions, and income, including receipt of gifts, loans and travel payments, from sources of the type that provide or contract with the Legislature or State of California to provide reprographic, technology, or television services, supplies, or equipment to the Legislature. Services may include web design and maintenance, technical support, and computer hardware or software support.

Category 3

Designated positions assigned to Disclosure Category “3” shall report all investments, business positions, and income, including receipt of gifts, loans, and travel payments, from sources of the type that contract with the Legislature or State of California to provide travel and related services to the Legislature, which includes coordination of air and ground transportation and lodging.