

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS Z-	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER 2013-0405-01 FP	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED
IN THE OFFICE OF

2013 APR 16 PM 1:19

Shirley Brown
SHIRLEY BROWN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY
Legislative Counsel Bureau

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict-of-Interest Code	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
	AMEND Ch. 2 (c/w Sec. 23000), Div. 8, Title 2, CCR
	REPEAL Title 2

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 30th day after SOS filing, per 1974 PRA
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input checked="" type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Christina Witt	TELEPHONE NUMBER (916) 341-8240	FAX NUMBER (Optional) (916) 341-8290	E-MAIL ADDRESS (Optional) Christina.Witt@lc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Jeffrey A. DeLand</i>	DATE 4/4/13
TYPED NAME AND TITLE OF SIGNATORY Jeffrey A. DeLand, Chief Deputy	

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ENDORSED APPROVED

APR 16 2013

Office of Administrative Law

AMEND T. 2, Div. 8, Ch. 2 to read:

~~CONFLICT OF INTEREST CODE FOR THE
LEGISLATIVE COUNSEL BUREAU~~

~~—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. Adm. Code Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Legislative Counsel Bureau.~~

~~—Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statement of the Legislative Counsel, the agency shall make and retain a copy and forward the original of this statement to the Fair Political Practices Commission.~~

APPENDIX

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Legislative Counsel	1
Chief Deputy Legislative Counsel	1
Principal Deputy Legislative Counsel II	1
Principal Deputy Legislative Counsel I	1
Deputy Legislative Counsel IV	1

Disclosure Categories

Category 1

~~— Designated employees assigned to this disclosure category shall report:~~

~~— All investments, interests in real property, and sources of income.~~

~~AUTHORITY: Gov. Code Sections 87300, 87304~~

~~REFERENCE: Gov. Code Section 87300, et seq.~~

~~COST STATEMENT: These are “no cost” regulations under Revenue and Taxation Code Section 2231 and State Administrative Manual Section 6052.1, and involve no costs or savings to local, state or federal government under Gov. Code Section 11421.~~

AMEND T. 2, Div. 8, Ch. 2 to read:

LEGISLATIVE COUNSEL BUREAU

CONFLICT-OF-INTEREST CODE

The Political Reform Act (Government Code Section 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 California Code of Regulations Section 18730) 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 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the **Legislative Counsel Bureau (Bureau).**

Individuals holding designated positions shall file their statements of economic interests with the **Bureau**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) Upon receipt of the statement for the Legislative Counsel, the **Bureau** shall make and retain copies and forward the original to the Fair Political Practices Commission. All other statements will be retained by the **Bureau.**

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

APPENDIX A

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
<u>Legislative Counsel</u>	<u>1</u>
<u>LEGAL BRANCH</u>	
<u>Chief Deputy Legislative Counsel</u>	<u>1</u>
<u>Principal Deputy Legislative Counsel II</u>	<u>2</u>
<u>Principal Deputy Legislative Counsel I</u>	<u>2</u>
<u>Deputy Legislative Counsel IV</u>	<u>2</u>
<u>Support Services Manager - Legal Office Administrator I</u>	<u>3</u>
<u>Supervising Librarian I</u>	<u>4</u>
<u>ADMINISTRATIVE BRANCH</u>	
<u>Chief Administrative Officer</u>	<u>1</u>
<u>Staff Services Manager I - Business Services Manager</u>	<u>3</u>
<u>Staff Services Analyst - General Procurement and Contract Officer</u>	<u>3</u>
<u>Training Officer II</u>	<u>4</u>
<u>LEGISLATIVE DATA CENTER</u>	
<u>Chief Deputy, Legislative Data Center - Enterprise Technology Branch</u>	<u>1</u>
<u>Chief Deputy, Legislative Data Center - Customer Service Branch</u>	<u>1</u>
<u>All Deputy Directors, CEA II</u>	<u>5</u>
<u>All Information Systems Managers</u>	<u>5</u>
<u>All Information Systems Supervisors I-IV</u>	<u>5</u>
<u>All Information Technology Specialists II - Contracts and Procurement Unit</u>	<u>5</u>
<u>All Information Technology Specialists I - Contracts and Procurement Unit</u>	<u>5</u>
<u>Consultants/New Positions</u>	<u>*</u>

*Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Legislative Counsel may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such 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 Legislative Counsel's determination 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 Sec. 81008.)

APPENDIX B

DISCLOSURE CATEGORIES

Disclosure Categories

1. Designated positions in this category shall disclose all interests in real property in the State of California, investments and business positions in business entities, and all sources of income, including receipt of gifts, loans and travel payments.
2. Designated positions in this category shall disclose all interests in real property, investments and business positions in business entities, and all income, including receipt of gifts, loans, and travel payments, to the extent that the interest in real property, the business entity in which the employee in the designated position holds an investment or business position, or the income or source of income is subject to legislation within the attorney's assigned scope of practice.
3. Designated positions in this category shall disclose all investments and business positions in business entities, and all income, including receipt of gifts, loans, and travel payments, from sources, that provide facilities, goods, equipment, vehicles, machinery, or services, including training and consulting, of the type utilized by the Bureau.
4. Designated positions in this category shall disclose all investments and business positions in business entities, and all income, including receipt of gifts, loans, and travel payments, from sources, that provide facilities, goods, equipment, vehicles, machinery, or services, including training and consulting, of the type utilized by the designated position's department of the Bureau.
5. Designated positions in this category shall disclose all investments and business positions in business entities, and income, including receipt of gifts, loans, and travel payments, from any source, that provide services, supplies, materials, or machinery involving the fields of telecommunications and information technology.

APPENDIX C

LEGISLATIVE COUNSEL BUREAU SCOPES OF PRACTICE: 2013

This document reflects the scopes of practice for the Legislative Counsel Bureau for the year 2013 in connection with the LCB Conflict of Interest Code. The persons identified are those attorneys within the Principal Deputy Legislative Counsel II, Principal Deputy Legislative Counsel I, and Deputy Legislative Counsel IV classifications who work in each scope of practice for the year 2013.

SCOPE OF PRACTICE A

Subject Areas: Air Resources, Fish and Game, Public Utilities, Water, Elementary and Secondary Education, Postsecondary Education, Harbors and Navigation, Hazardous Materials, Public Resources, Solid Waste, Food and Agriculture, Public Safety, Streets and Highways, Transportation

Attorneys: Thomas Kerbs, Romulo Lopez, Gerardo Partida, Patricia Rhodes, Bradley Webb, Mark Terry, William Chan, Eve Krotinger, L. Erik Lange

SCOPE OF PRACTICE B

Subject Areas: Alcoholic Beverage Control, Business, Military and Veterans, Public Contracts, Taxation, Unemployment Insurance, Housing and Community Development, Land Use, Local Government, State Government, Civil Law, Estates and Trusts, Financial Institutions, Private Employment, Public Contracts, Public Employment, Retirement

Attorneys: Kirk Louie, Janice Thurston, Baldev Heir, Sergio Carpio, Russell Holder, Lori Joseph, Lisa Plummer, Jessica Steele, Rachelle Weed

SCOPE OF PRACTICE C

Subject Areas: Courts, Family Law, Gaming, Juveniles, Criminal Law, Insurance, Healing Arts, Health Care Service Plans, Health Insurance, Professions and Vocations, Health and Care Facilities, Medi-Cal, Public Health, Public Social Services, Workers' Compensation, Prevailing Wage, Vehicles

Attorneys: Cindy Cardullo, Joe Ayala, Michael Kelly, Fred Messerer, Byron Damiani, Sheila Mohan, Sue-Ann Peterson, Felicia Lee

SCOPE OF PRACTICE D

Subject Areas: State Budget, Contracts, Elections, Legislative Procedure, Legislature, Litigation, Political Reform Act of 1974, Appointments, Civil Procedure

Attorneys: Robert Pratt, Aaron Silva, David Judson

SCOPE OF PRACTICE E

Subject Areas: Attorney Training

Attorneys: Jana Harrington

SCOPE OF PRACTICE F

Subject Areas: Formal legal opinions in any of the subject areas in Scopes of Practice A to D, inclusive

Attorneys: Amy Haydt, Lisa Goldkuhl, Will Moddelmog, Lara Bierman Nelson, Valerie Jones

This is the last page of the conflict-of-interest code for the **Legislative Counsel Bureau**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict-of-interest code for the **Legislative Counsel Bureau** was approved on March 12, 2013.

A handwritten signature in black ink, appearing to read "William J. Lenkett", written over a horizontal line.

William J. Lenkett
Senior Counsel, Legal Division
Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: