

NOTICE OF INTENTION
TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE
DEPARTMENT OF CONSERVATION

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NOTICE IS HEREBY GIVEN that the Department of Conservation (Department), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The Department proposes to amend its Conflict-of-Interest Code to include employee positions that involve making decisions or participating in making decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

These amendments delete position titles that are no longer in use and add position titles that involve making governmental decisions by (1) voting on a matter, (2) obligating or committing the Department, or (3) entering into contractual agreements for the Department. The amendments also add position titles that participate in the making of governmental decisions by (1) negotiating on behalf of the Department or (2) advising or making recommendations to the decision maker by (a) conducting research or (b) preparing reports, analyses or opinions.

With these amendments, the Department is moving away from listing designated positions according to organizational structure in favor of listing designated positions by classifications and series, irrespective of the work unit to which the positions are assigned. This will reduce the need to make sweeping changes to the conflict of interest code based only on branch/unit name changes and reorganizations. This approach has already been adopted by the Division of Recycling in the existing code. These amendments apply the concept to the entire Department.

These amendments also make other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than October 1, 2007, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than September 17, 2007, by contacting the Contact Person set forth below.

The Department has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Department has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.

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3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

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