

15-Day Notice of Modifications to the Amended Conflict of Interest Code
of the
Native American Heritage Commission

On February 27, 2015, the Native American Heritage Commission (NAHC) published a Notice of Intention to Amend the Conflict of Interest Code of the Native American Heritage Commission in the California Regulatory Notice Register No. Z2015-0213-03. The Conflict of Interest Code designates positions to file a Statement of Economic Interests (Form 700) and assigns disclosure categories specifying the types of interests to be reported. The Form 700 is a public document intended to alert public officials and members of the public of financial interests that may create a conflict of interest.

The Fair Political Practices Commission (FPPC) had a 45-day comment period for the Amended Conflict of Interest Code and the NAHC held a public hearing on it on April 17, 2015. After the public hearing, the FPPC provided the NAHC with revised language to the Appendix B Disclosure Categories of the Conflict of Interest Code. The new language for the disclosure categories that was provided by the FPPC is shown in Appendix B of the Conflict of Interest Code by underlined (new language) and ~~strikeout~~ (deleted language).

Pursuant to Title 2 of the California Code of Regulations, Section 18750(d), the NAHC may, without further notice or hearing, adopt these changes to the language after the text of the changes have been made available to the public for at least 15 days prior to adoption.

For your review, attached is the Amended Conflict of Interest Code including Appendix A and Appendix B with the proposed revisions to Appendix B provided by the FPPC. The additional text is shown in underlined text and the deleted text is shown in ~~strikeout~~ text. Anyone interested in presenting written comments concerning the modifications to the Amended Conflict of Interest Code may do so by sending your comments to the Native American Heritage Commission, Attention Terrie L. Robinson, at Terrie.Robinson@nahc.ca.gov or by mail to the Native American Heritage Commission, 1550 Harbor Blvd., Suite 100, West Sacramento, CA 95691.

All written comments pertaining to these changes, regardless of the method of transmittal, must be received by 5:00 pm on October 29, 2015.

NATIVE AMERICAN HERITAGE COMMISSION

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 Native American Heritage Commission (Commission)**.

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

AUTHORITY: Government Code sections 87300, 87306 and 19990.

REFERENCE: Government Code Sections 87300-87302, 87306.

**NATIVE AMERICAN HERITAGE COMMISSION
CONFLICT-OF-INTEREST CODE**

Appendix A

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Commission Members	Full 1
Executive Secretary	Full 1
Environmental Scientist	Full
<u>General Counsel</u>	<u>1</u>
<u>Consultants/New Positions*</u>	

* Consultants/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 Executive Secretary 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 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 Secretary'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 § 81008.)

Appendix B

Disclosure Category 1

Interest in real property in the State of California, and investments and business positions in business entities, and all sources of income (including receipt of gifts, loans and travel payments) from sources

- which engage in the acquisition, disposal or development of real property such sources include developers and landowners of commercial or residential property.
- that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, or the type utilized by the Commission.
- that appear before or participate in other types of proceedings formally or informally with the Commission.