

Chapter 10. Hazardous Waste Management System: General**Article 1.5. Conflict of Interest Code****§66250. General Provisions.**

The Political Reform Act of 1974 (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 (FPPC) has adopted regulations (Title 2, California Code of Regulations section 18730 et seq.) which contain the terms of a standard conflict of interest code and which can be incorporated by reference into another agency's code. After public notice and hearing, section 18730 et seq. may be amended by the FPPC to conform to amendments in the Political Reform Act. The terms of section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This section and the following sections, which specify all the terms and procedures for a model conflict of interest code and set forth the conditions under which designated employees must disqualify themselves from influencing governmental decisions, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Toxic Substances Control (Department).

Designated employees shall file statements of economic interest by using instructions and forms prescribed by the FPPC with the person designated to perform this function for the Department. The original statement by the Director of the Department shall be sent to the FPPC and a copy retained by the Department's filing officer along with all other such statements.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

HISTORY

1. New article 1.5 (sections 66250-66250.2) and section filed 11-8-2001; operative 12-8-2001. Approved by Fair Political Practices Commission 10-2-2001 (Register 2001, No. 45).

§66250.1 Disclosure Categories.**Category 1**

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) All investments and sources of income, including gifts, loans and travel payments, from business or nonprofit entities that do business or receive income from any source within the State of California.
- (b) All interests in real property in California.
- (c) Any positions held in business entities that do business or receive income from any source within the State of California.

Category 2

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) All investments in business entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.
- (b) All interests in real property in California that are owned or operated by a business or nonprofit entity with activities subject to regulation or oversight by the Department or any real property within 2,000 feet of such property.
- (c) Any positions held in business entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment and income from those sources.
- (d) All sources of income, including gifts, loans and travel payments, from business or nonprofit entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.

Category 3

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) Any positions held in business entities that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.
- (b) Any source of income, including gifts, loans and travel payments, and investment in business entities that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

HISTORY

1. New section filed 11-8-2001; operative 12-8-2001. Approved by Fair Political Practices Commission 10-2-2001 (Register 2001, No. 45).
2. Amendment of section filed 6-10-2003; operative 6-10-2003. Approved by Fair Political Practices Commission 4-15-2003 (Register 2003, No. 24).
3. Amend filed 3-26-2004; operative 4-25-2004. Approved by Fair Political Practices Commission 2-9-

2004 (Register 2004, No. 13).

**§66250.2 Employee Designations.
DESIGNATED EMPLOYEES
BY POSITIONS**

**ASSIGNED DISCLOSURE
CATEGORIES**

Accounting Administrators I	2
Accounting Administrators II	2
Air Pollution Specialists	2
Assistant Chief Counsels	1
Assistant Laboratory Chief, Public Health Laboratory	2
Assistant Secretary/Cal/EPA	1
Associate Budget Analysts	2
Associate Environmental Planner	2
Associate Governmental Program Analysts (except in Legislation)	3
Associate Governmental Program Analysts in the Office of Legislation	1
Associate Industrial Hygienists	2
Associate Information Systems Analyst (Specialist)	3
Associate Management Auditors	2
Associate Programmer Analyst (Specialist)	3
Associate Toxicologist	2
Career Executive Assignments	1
Chief Counsel II, CEA	1
Chief Deputy Director, DTSC	1
Chief, Hazardous Material Laboratory	1
Consultants*	1
Criminal Investigators	2
Data Processing Managers I	3
Data Processing Managers II	3
Director, DTSC	1
Division Chiefs, DTSC	1
Environmental Biochemists	2
Exempt Appointments	1
Engineering Geologists	2
Hazardous Substances Scientists	2
Hazardous Substances Engineers	2
Health Program Management Auditors	2
Information Officers I	1
Information Officers II	1
Public Participation Specialists	2
Public Participation Supervisors	2
Public Health Chemists III (Specialists)	2
Public Health Chemists III (Supervisors)	2
Records Management Analysts	3
Research Scientists I	2
Research Scientists II	2
Research Scientists III	2
Research Scientists IV	2
Research Scientists V	2
Research Scientist Supervisors I	2
Research Scientist Supervisors II	2
Research Scientist Manager	2
Research Program Specialists II	2
Senior Hazardous Substances Engineers	2
Senior Engineering Geologists	2
Senior Hazardous Substances Scientists	2
Senior Industrial Hygienists	2
Senior Toxicologist	2
Supervising Industrial Hygienists	2
Senior Environmental Planners	2
Senior Programmer Analysts	3
Staff Chemists	2
Staff Counsels	1
Staff Counsel III (Specialists)	1
Staff Counsel III (Supervisors)	1
Staff Information Systems Analyst (Specialist)	3

Staff Information Systems Analyst (Supervisor)	3
Staff Management Auditors	2
Staff Programmer Analysts (Specialist)	3
Staff Services Management Auditors	2
Staff Services Analysts in the Office of Legislation	1
Staff Services Managers I	2
Staff Services Managers II	2
Staff Toxicologists (Specialist)	2
Supervising Chemists	2
Supervising Criminal Investigators I	2
Supervising Criminal Investigators II	2
Supervising Hazardous Substances Scientists I	2
Supervising Hazardous Substances Scientists II	2
Supervising Engineering Geologists	2
Supervising Hazardous Substances Engineers I	2
Supervising Hazardous Substances Engineers II	2
Supervising Toxicologists	2
Training Officers I	3

*With respect to consultants, the Director may determine in writing that a particular consultant, although in 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. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

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