



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

October 7, 2020

Harllee Branch
Acting Chief Counsel
Department of Resources Recycling and Recovery (CalRecycle)
P.O. Box 4025
Sacramento, CA 95812-4025

Re: **Request for Exemption from Conflict of Interest Code Requirement**
Our File No. E-20-002

Dear Ms. Branch:

This is in response to your August 25, 2020 request on behalf of the Statewide Commission on Recycling Markets and Curbside Recycling (“Recycling Commission”), under charter authority to your agency, for an exemption from the requirement to file a conflict of interest code. (Gov. Code, § 87300.)

The exemption request is approved because the Recycling Commission satisfies the criteria in the Fair Political Practices Commission’s (the “Commission”) governing regulation. (Cal. Code Regs., tit. 2, § 18751, subd. (d)(1).) The Recycling Commission has established that it has no “designated employees” as it is an advisory body with unsalaried members and, additionally meets the criteria that it will not acquire real property in the foreseeable future, has an annual operating budget of less than \$150,000, has no independent budget and or funding, and has no decisionmaking authority. Its sole purpose is to research a topic and prepare a recommendation to the Legislature and feedback to CalRecycle, and it has no history of past recommendations being regularly accepted or adopted. Therefore, the Recycling Commission need not develop a conflict of interest code, and its members are not required to file a Statement of Economic Interest related to their position.

Please note that interested parties may submit a request that this approval be reconsidered by the Commission within 30 days after the exemption approval is posted to the Commission’s website. The Commission Chair will consider the request and if, in his discretion, good cause exists for reconsideration, he will schedule the matter for a hearing before the Commission. (Cal. Code Regs., tit. 2, § 18751, subd. (f).)

Upon being issued, an exemption remains in effect until the basis for the grant of exemption no longer exists or the expiration of two years, whichever occurs earlier. If the agency wishes to continue the exemption, it must submit an extension request. (Cal. Code Regs., tit. 2, § 18751, subd. (g).)

If you have questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Galena West
Executive Director

Zachary W. Norton

By: Zachary W. Norton
Senior Counsel, Legal Division

ZWN:aja