

ITEM 20
ADOPTION OF PROPOSED REGULATORY ACTION
APPEAL OF EXECUTIVE DIRECTOR DECISIONS
PROPOSED AMENDMENTS TO
CALIFORNIA CODE OF REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 1, SECTION 1181

EXECUTIVE SUMMARY

The purpose of this rulemaking is to implement Government Code section 17530 and establish procedures for appeal of Executive Director decisions.

The Notice of Proposed Rulemaking was mailed on July 1, 2005, which is 45 days prior to the close of the public comment period on August 15, 2005.¹ The proposed text was made available to the public from July 1, 2005, through August 15, 2005.² The County of Los Angeles and City of Newport Beach submitted written comments.³ On July 29, 2005, the County of Los Angeles requested a public hearing on the proposed rulemaking action. The hearing was held on August 24, 2005, at the offices of the Commission on State Mandates. Representatives of the City of Newport Beach and the County of Los Angeles provided oral testimony.⁴ Staff responded to the oral and written comments in the Final Statement of Reasons.⁵

Staff finds that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Staff Recommendation

Therefore, staff recommends that the Commission:

- Find that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.
- Adopt the proposed amendments to section 1181 of the California Code of Regulations, title 2, division 2, chapter 2.5, as originally proposed.
- Authorize staff to make any non-substantive, technical corrections requested by the Office of Administrative Law or Barclays Official California Code of Regulations prior to publication.

¹ Exhibit A.

² Exhibit B.

³ Exhibit D.

⁴ Exhibit E.

⁵ Exhibit F.

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

In the Matter of:

Amendments to California Code of
Regulations, Title 2, Division 2, Chapter 2.5,
Article 1, Section 1181.

No. 05-2

ADOPTION OF PROPOSED
REGULATORY ACTION

*Appeal of Executive Director
Decisions*

On September 27, 2005, at a duly noticed public hearing held in Room 126 of the State Capitol, Sacramento, California, the Commission on State Mandates adopted the proposed regulatory action after close of the public comment period:

PROPOSED REGULATORY ACTION. The Commission proposes to amend section 1181 of the California Code of Regulations, title 2, chapter 2.5, division 2.

AUTHORITY AND REFERENCE. Government Code section 17527, subdivision (g), authorizes the Commission to adopt the proposed regulations.

The purpose of this rulemaking is to implement Government Code section 17530 and establish procedures for appeal of Executive Director decisions.

Date: _____ By: _____
Paula Higashi, Executive Director

