

**ITEM 15**  
**STAFF REPORT**  
**ADOPTION OF PROPOSED 2004 RULEMAKING CALENDAR**

---

**Executive Summary**

**Background**

Government Code section 11017.6 requires covered state agencies to prepare an annual rulemaking calendar for publication in the California Regulatory Notice Register. While the Commission is exempt from the Office of Administrative Law's (OAL) review and approval, it has traditionally submitted the calendar to keep the public informed of its rulemaking plans. The calendar is due to OAL on January 30.

**Proposed 2004 Rulemaking Calendar**

The attached proposed 2004 Rulemaking Calendar consists of three rulemakings:

- The first rulemaking would amend current regulations, if necessary, to implement the recommendations made by the State Auditor in the Bureau of State Audits Report on the *Peace Officers Procedural Bill of Rights* and *Animal Adoption* programs.
- The second rulemaking would amend current regulations to streamline the test claim and incorrect reduction claim processes, including electronic service of documents. These amendments will be based on a comprehensive review of the existing statutes and regulations that govern the Commission's business.
- The third rulemaking would amend current regulations to specify procedures for the appeal of Executive Director decisions.

Before noticing proposed regulatory actions, staff would convene workshops to review staff's proposals with affected state agencies and interested parties. This has been an effective strategy to minimize modifications to the original proposal.

Timeline – Rulemaking 1: Bureau of State Audits Recommendations

Date to OAL	October 5, 2004
Publication Date	October 15, 2004
Public Hearing/End Comment Period	November 29, 2004
Earliest Date for Adoption	January 2005
To OAL	February 2005

Timeline – Rulemaking 2: Streamline Processes

Date to OAL	November 30, 2004
Publication Date	December 10, 2004
Public Hearing/End Comment Period	January 24, 2005
Earliest Date for Adoption	March 2005
To OAL	April 2005

Timeline – Rulemaking 3: Appeals of Executive Director Decisions

Date to OAL	October 5, 2004
Publication Date	October 15, 2004
Public Hearing/End Comment Period	November 29, 2004
Earliest Date for Adoption	January 2005
To OAL	February 2005

**Staff Recommendation**

Staff recommends that the Commission adopt the Proposed 2004 Rulemaking Calendar for transmittal to the Office of Administrative Law.

**COMMISSION ON STATE MANDATES  
2004 RULEMAKING CALENDAR**

**SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2003**

Subject: <u>Not applicable.</u>		CCR Title & Sections Affected:		Statutes Being Implemented:			
Responsible Agency Unit:		Contact Person & Phone Number:		Projected Dates:			
				Notice:	Hearing:	Adoption:	To OAL:

COMMISSION ON STATE MANDATES  
2004 RULEMAKING CALENDAR

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2003**

**1. Pending 2003 Rulemaking**

Subject: Ethics orientation		CCR Title & Sections Affected: Title 2, Article 9.		Statutes Being Implemented: Government Code section 11146	
Responsible Agency Unit: Administration	Contact Person & Phone Number: Nancy Patton (916) 323-3562	Projected Dates:			
		Notice:	Hearing:	Adoption:	To OAL: January 2004

Subject: Statewide Cost Estimates		CCR Title & Sections Affected: Title 2, Articles 1, 3, 4, 7, and 8		Statutes Being Implemented: Government Code section 17500 and following	
Responsible Agency Unit: Administration	Contact Person & Phone Number: Nancy Patton (916) 323-3562	Projected Dates:			
		Notice:	Hearing:	Adoption:	To OAL: January 2004

**2. New Rulemaking**

Subject: Amend existing regulations to implement recommendations made by the Bureau of State Audits.		CCR Title & Sections Affected: Title 2, Articles 1 and 3		Statutes Being Implemented: Government Code section 17500 and following	
---	--	---	--	--	--

Responsible Agency Unit: Administration	Contact Person & Phone Number: Nancy Patton (916) 323-3562	Projected Dates:			
		Notice: October 5, 2004	Hearing: November 29, 2004	Adoption: January 2005	To OAL: February 2005

Subject: Amend existing regulations for consistency and clarity to streamline the process for test claims and incorrect reduction claims, including electronic service of documents.	CCR Title & Sections Affected: Title 2, Articles 1, 2, 3, 4, 4.5, 5, 6, 7, 8, and 8.5	Statutes Being Implemented: Government Code section 17500 and following	
---	--	--	--

Responsible Agency Unit: Executive	Contact Person & Phone Number: Paula Higashi (916) 323-3562	Projected Dates:			
		Notice: November 30, 2004	Hearing: January 24, 2005	Adoption: March 2005	To OAL: April 2005

Subject: Amend existing regulations to specify procedures for appeal of executive director decisions.	CCR Title & Sections Affected: Title 2, Article 1, section 1181	Statutes Being Implemented: Government Code section 17500 and following	
--	--	--	--

Responsible Agency Unit: Executive	Contact Person & Phone Number: Paula Higashi (916) 323-3562	Projected Dates:			
		Notice: November 30, 2004	Hearing: January 24, 2005	Adoption: March 2005	To OAL: April 2005