

**State of California
Office of Administrative Law**

In re:

California Gambling Control Commission

NOTICE OF APPROVAL OF REGULATORY
ACTION

Regulatory Action:

Government Code Section 11349.3

Title 4, California Code of Regulations

OAL File No. 2009-0402-01 S

Adopt sections: 12591

Amend sections:

Repeal sections:

California Gambling Control Commission proposed this action to adopt title 4, California Code of Regulations, section 12591 to designate Commission employees who will be subject to the statutory ban on specified activities, pursuant to Bus. & Prof. Code sec. 19981(a), for three years following separation from employment with the Commission.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 6/11/2009.

Date: 5/12/2009



Richard L. Smith
Staff Counsel

For: SUSAN LAPSLEY
Director

Original: Terri A. Cia
Copy: James Allen

REGULAR
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2008-1216-05	REGULATORY ACTION NUMBER 2009-0402-015	EMERGENCY NUMBER
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ENDORSED FILED
IN THE OFFICE OF

2009 MAY 12 PM 1:45

Debra Bowen
DEBRA BOWEN
 SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

2009 APR -2 PM 12:23
 OFFICE OF
 ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY California Gambling Control Commission	AGENCY FILE NUMBER (if any) CGCC-GCA-2008-05-R
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 08-11522	PUBLICATION DATE 12-26-2008	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Designation Pursuant to B&P Code § 19981, subdivision (b)(a)	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) n/a
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)				
<table border="1"> <tr> <td rowspan="3">SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</td> <td>ADOPT § 12591</td> </tr> <tr> <td>AMEND</td> </tr> <tr> <td>REPEAL</td> </tr> </table>	SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT § 12591	AMEND	REPEAL
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT § 12591		
		AMEND		
	REPEAL			
TITLE(S) 4				

3. TYPE OF FILING
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, 544 and Gov. Code §11347.1) n/a

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input checked="" type="checkbox"/> Effective 30th day after filing with Secretary of State <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON James Allen	TELEPHONE NUMBER (916) 263-4024	FAX NUMBER (Optional) (916) 263-0499	E-MAIL ADDRESS (Optional) Jallen@cgcc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Dean Shelton</i>	DATE 4-7-09
TYPED NAME AND TITLE OF SIGNATORY DEAN SHELTON, Chairman	

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ENDORSED APPROVED
MAY 12 2009
 Office of Administrative Law

CALIFORNIA GAMBLING CONTROL COMMISSION

CGCC-GCA-2008-05-R

ORDER OF ADOPTION

The California Gambling Control Commission hereby adopts the following changes in its regulations contained in Division 18 of Title 4 of the California Code of Regulations:

CHAPTER 11. CONFLICTS OF INTEREST-~~CODE~~.

§ 12591. Separation From Commission Employment; Prohibited Activities; Designation of Commission Employees.

(a) Pursuant to Business and Professions Code, section 19981, subdivision (a), designated Commission employees shall not, for a period of 3 years following separation from employment, engage in specified activities for compensation. The designated Commission employees subject to the provisions of subdivision (a) of section 19981 include, without regard for their duties and responsibilities:

- (1) All Deputy Directors.
- (2) The Chief Counsel.
- (3) All Staff Counsels.

(b) In addition to those Commission employees designated in subsection (a), the designated Commission employees subject to the provisions of subdivision (a) of section 19981 include the following if their duties and responsibilities involve activities related to administrative actions, or any action or proceeding related to the issuance, conditioning or revocation of any permit, license, or approval, where that employee makes recommendations or decisions affecting the outcome:

- (1) Supervising Management Auditor.
- (2) Staff Management Auditor.
- (3) Staff Services Management Auditor.
- (4) Staff Services Manager II.
- (5) Staff Services Manager I.
- (6) Associate Information System Analyst.
- (7) Associate Management Auditor.
- (8) Associate Governmental Program Analyst.

(9) Staff Services Analyst.

(10) Any employee whose classification is not listed and whose duties and responsibilities involve activities related to administrative actions, or any action or proceeding related to the issuance, conditioning or revocation of any permit, license, or approval, where that employee makes recommendations or decisions affecting the outcome.

Note: Authority cited: Sections 19840, 19841 and 19981 of the Business and Professions Code. Reference: Section 19981 of the Business and Professions Code.