

**State of California
Office of Administrative Law**

In re:
State Personnel Board

Regulatory Action:

Title 02, California Code of Regulations

Adopt sections:

Amend sections: 548.42, 548.124

Repeal sections:

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

California Code of Regulations, Title 1,
Section 100

OAL Matter Number: 2015-0611-04

OAL Matter Type: Nonsubstantive (N)

This action by the State Personnel Board (Board) makes changes without regulatory effect pursuant to section 100, of Title 1 of the California Code of Regulations (CCR). The proposed amendments are intended to reflect the transfer of duties from the Board to the Department of Human Resources as set forth by the Governor's Reorganization Plan Number One and clean-up bill, Statutes 2013, Chapter 427, section 91 (AB 1062).

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, Title 1, section 100.

Date: July 16, 2015



Kevin D. Hull
Senior Attorney

For: DEBRA M. CORNEZ
Director

Original: Suzanne Ambrose
Copy: Jeanne Wolfe

STATE PERSONNEL BOARD

JUL 10 2015

Executive Office

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2015-0611-04N	
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED
 in the office of the Secretary of State
 of the State of California

JUL 16 2015

1:47 pm

2015 JUN 11 PM 3:19
 OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
 California State Personnel Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Rule 100 Changes		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input checked="" type="checkbox"/> Approved as Modified <i>Per agency</i> <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) <i>KN. 7/16/15</i> <i>GRP / changes the transfer of Authority from Board to Department</i>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	548.42 and 548.124
TITLE(S)	REPEAL
2	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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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 Jeanne Wolfe	TELEPHONE NUMBER 916-651-1043	FAX NUMBER (Optional) 916-653-1280	E-MAIL ADDRESS (Optional) jeanne.wolfe@spb.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>Suzanne Ambrose</i>	DATE 6/11/15
TYPED NAME AND TITLE OF SIGNATORY Suzanne Ambrose, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 16 2015

Office of Administrative Law



**Sections Affected: 548.42
Specific Language**

Amend section 548.42 to read as follows:

§ 548.42. Refusal to Examine or Approve Appointments.

The Department ~~executive officer~~ may refuse to examine or to approve appointments to the Career Executive Assignment category for any reason specified in Government Code Section 18935.

Note: Authority cited: Section 18701, Government Code. Reference: Sections 19889, 19889.2 and 19889.3, Government Code.



**Sections Affected: 548.124
Specific Language**

Amend section 548.124 to read as follows:

§ 548.124. Correction of Appointments.

When the Department ~~executive officer~~ determines that a Career Executive Assignment appointment is unlawful, the Department ~~executive officer~~ shall take corrective and remedial action in the same manner as provided for the general civil service as provided in § sections 266 and 266.1. An employee holding such a Career Executive Assignment appointment shall have the right to receive notice, to respond, and to appeal such corrective action pursuant to § sections 266.2 and 266.3.

Note: Authority cited: Section 18701, Government Code. Reference: Sections 19257 and 19257.5, Government Code.