

RESOLUTION

WHEREAS, Article VII, Section 1, subdivision (b), of the California Constitution mandates that civil service appointments and promotions shall be made under a general system based on merit, as ascertained by competitive examination; and

WHEREAS, pursuant to the provisions of Article VII, Section 3, of the California Constitution, the State Personnel Board (Board) is the entity that has been tasked with the authority to oversee and enforce the State civil service statutes; and

WHEREAS, regulations adopted by the Board are generally exempt from the Administrative Procedure Act (APA) (Gov. Code, §§ 18211, 18215, & 18216) and Board regulations concerning selection, examinations, and classification may be adopted by the Board without public notice or comment, although regulations related to selection and examinations shall be reasonably available to all interested parties. (Gov. Code, § 18213); and

WHEREAS, the subject matter of this rulemaking action relates to applications, transfers, and special assignments, and is thus exempt from the APA process, the Board found that a public comment period was appropriate. A 45-day public comment period was held from August 3, 2018, through September 17, 2018, and a public hearing was held on September 20, 2018. Based on comments received, a 15-day written public comment period was held from May 17, 2019, through May 31, 2019. Based on comments received during the 15-day public comment period, further amendments were made to the proposed regulations. Accordingly, a second 15-day written public comment period was held from November 21, 2019, through December 5, 2019; and

WHEREAS, the Board received comments during those comment periods and at the hearing, and as a result, those comments were reviewed and considered and certain modifications were made to the text of the proposed regulations.

IT IS RESOLVED AND ORDERED THAT:

The Board adopts the proposed regulations, as modified, to be the final text of regulations and approves these regulations be submitted to the Office of Administrative Law for filing with the Secretary of State.

The foregoing resolution was made and adopted by the State Personnel Board during its meeting on January 16, 2020, as reflected in the record of the meeting and Board minutes.



SUZANNE M. AMBROSE
Executive Officer