

CONFLICT OF INTEREST CODE FOR THE
CALIFORNIA RICE COMMISSION

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the California Rice Commission.

Designated employees shall file statements of economic interests with their agency. Upon receipt of the statements of the members of the Commission, the agency shall make and retain copies and forward the originals of these statements to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency.

APPENDIX “A”

DESIGNATED POSITIONS

Persons occupying the following positions are “designated employees” and must declare all financial interests set forth in Appendix “B”.

1. Members of the Commission
2. Alternate Members of the Commission
3. Chief Executive Officer
4. General Counsel
5. Consultants¹

¹ Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description, a statement of the extent of disclosure requirements. The Chief Executive Officer’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

DESIGNATED POSITIONS

Set forth below is an explanation for the designations and the disclosure responsibilities of officers, employees, members or consultants of the Commission. Designated positions are required to disclose information set forth in Appendix "B" of the Conflict of Interest Code.

(1) Members and Alternate Members of the Commission.

Members of the Commission, and in their absence Alternate Members, have policy setting authority for the Commission as a whole, and approval authority of all contracts including those relating to the hiring of consultants. With the exception of the public Member, if any, all Members and Alternate Members must have the financial interests set forth in Food and Agricultural Code Sections 71057 or 71058.

(2) Chief Executive Officer.

The Chief Executive Officer is responsible for the administration of the day-to-day operation of the Commission, for purchasing decisions, for evaluation and recommendation of policy alternatives, and for the evaluation of and recommendations to the Commission regarding proposed contracts including those relating to the hiring of consultants.

(3) General Counsel.

The General Counsel is responsible for providing advise to Commission Members and Alternate Members and to the Chief Executive Officer regarding, among other things, policy decisions, contracts including those relating to the hiring of Consultants, and assessment collection matters.

(4) Consultants.

Consultants play an essential role in the operation of the Commission. Most of these are retained to provide services to the Commission in specialize fields and have little or no involvement in the policy or decision making process.

Should a Consultant be given policy or decision making authority, or be retained for purposes of making recommendations to the Commission regarding decisions affecting financial interests, that Consultant will be designated by the Chief Executive Officer and will be required to disclose the information set forth in Appendix "B" of the Conflict of Interest Code.

JOB DESCRIPTIONS

1. Commission Members/Alternate Members

The powers and duties of the Commission include the adoption, and amendment of all proper and necessary rules, regulations and orders relating to the administration of the Commission and the enforcement of the provisions of Food and Agricultural Code Sections 71000-71138, inclusive. The Commission shall also have the power to employ a person, to serve at the pleasure of the Commission, as President and Chief Executive Officer of the Commission and other personnel, including legal counsel that are necessary to carry out the purposes and objectives of the Commission. The Commission may establish offices, incur expenses and enter into any and all contracts and agreements. It must keep accurate books, records, and accounts of all its dealings and may engage in research, education, advertising and promotion, including cost sharing advertising, in order to develop, maintain and expand markets for California rice.

2. The Chief Executive Officer

The Chief Executive Officer shall be responsible for the proper administration of all actions and policies of the Commission. This person shall employ, establish appropriate titles, fix salaries within approved budgetary guidelines, provide supervision and when necessary, discharge other employees of the Commission after consultation with legal counsel. The Chief Executive Officer is responsible for the compilation and dissemination of industry information that will advance the purposes and objectives of the Commission and is to provide any and all assistance, counsel, and advice to the Commission and committees of the Commission that may be necessary for the proper execution of Commission responsibilities and duties.

3. General Counsel

Legal Counsel provides general legal advice concerning all policies and objectives of the Commission, including but not limited to contracts, personnel issues and assessment collection matters.

APPENDIX “B”

Designated positions in Appendix “A” must report:

1. Investments and business positions in any business entity which during the reporting period:
 - a. Was awarded a research contract or engaged in the delivery of the type of advertising or promotional services utilized by the California Rice Commission; or
 - b. Was a producer or handler of rice subject to the jurisdiction of the California Rice Commission

2. Interest in real property which during the reporting period:
 - a. Was acquired by, leased, or otherwise used by the California Rice Commission for any consideration and specific location of such property; or
 - b. Was owned by a business entity subject to an assessment of the California Rice Commission, provided, only the county in which such property is located and not its specific location must be reported; or
 - c. Was leased by a business entity subject to an assessment of the California Rice Commission, provided, only the county in which such property is located and not its specific location must be reported.

3. Each source of income directly related to rice production or handling, including brokerage service income, provided the income was furnished by, or on behalf of, any person or business entity furnishing real or personal property or services to the California Rice Commission as stated in paragraphs 1. and 2. Above or any gift from such person.