

1 Repeal 2 Cal. Code Regs. Section 18707.4:

2 ~~§ 18707.4. Public Generally: Appointed Members of Boards and Commissions.~~

3 ~~(a) For the purposes of Government Code section 87103, the "public generally" exception~~
4 ~~applies to appointed members of boards and commissions who are appointed to represent a~~
5 ~~specific economic interest, as specified in section 87103(a) through (d), if all of the following~~
6 ~~apply:~~

7 ~~(1) The statute, ordinance, or other provision of law which creates or authorizes the~~
8 ~~creation of the board or commission contains a finding and declaration that the persons appointed~~
9 ~~to the board or commission are appointed to represent and further the interests of the specific~~
10 ~~economic interest.~~

11 ~~(2) The member is required to have the economic interest the member represents.~~

12 ~~(3) The board's or commission's decision does not have a reasonably foreseeable material~~
13 ~~financial effect on any other economic interest held by the member, other than the economic~~
14 ~~interest the member was appointed to represent.~~

15 ~~(4) The decision of the board or commission will financially affect the member's~~
16 ~~economic interest in a manner that is substantially the same or proportionately the same as the~~
17 ~~decision will financially affect a significant segment of the persons the member was appointed to~~
18 ~~represent. For purposes of this regulation, a significant segment constitutes fifty percent of the~~
19 ~~persons the member was appointed to represent.~~

20 ~~(b) In the absence of an express finding and declaration or requirement of the types~~
21 ~~described in 2 Cal. Code Regs. section 18707.4(a)(1) and (2), the "public generally" exception~~
22 ~~only applies if such a finding and declaration or requirement is implicit, taking into account the~~
23 ~~language of the statute, ordinance, or other provision of law creating or authorizing the creation~~

1 of the board or commission, the nature and purposes of the program, any applicable legislative
2 history, and any other relevant circumstance.

3 Note: Authority cited: Section 83112, Government Code. Reference: Section 87103,
4 Government Code.

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