



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

July 20, 2021

Daniel Zlatnik
Attorney, CalRecycle
Department of Resources and Recycling and Recovery
1001 I Street
Sacramento, CA 95814

Re: **Request for Exemption from Conflict of Interest Code Requirement**
Our File No. E-21-004

Dear Mr. Zlatnik:

This is in response to your April 23, 2021, request on behalf of the Mattress Stewardship Advisory Committee (“Advisory Committee” or “AC”), a statutorily created advisory committee, and its members for an exemption from the requirement to file a Conflict of Interest Code pursuant to Government Code section 87300.

The exemption request is approved because the AC satisfies the criteria in the Commission's governing regulation. (Cal. Code Regs., tit. 2, § 18751, subd. (d)(1).) The AC has established that it has no “designated employees,” as it is an advisory body with unsalaried members and no designated staff. In addition, the AC will not acquire real property in the foreseeable future, has an annual operating budget of less than \$150,000, has no budget, and has no decisionmaking authority.

The AC's sole purpose is to consult with the mattress recycling organizations (MROs) during the development and implementation of used mattress recovery and recycling plans, annual reports and annual budgets, which the MRO then submits to the Department of Resources Recycling and Recovery (CalRecycle) for review and approval. Therefore, the AC need not develop a Conflict of Interest Code, and its members are not required to file Statements of Economic Interest related to their positions.

Please note that interested parties may submit a request that this approval be reconsidered by the Commission within 30 days after the exemption approval is posted to the Commission's website. The Commission Chair will consider the request and if, in the Chair's discretion, good cause exists for reconsideration, the Chair will schedule the matter for a hearing before the Commission. (Cal. Code Regs., tit. 2, § 18751, subd. (f).)

Upon being issued, an exemption remains in effect until the basis for the grant of exemption no longer exists or the expiration of two years, whichever occurs earlier. If the agency wishes to continue the exemption, it must submit an extension request. (Cal. Code Regs., tit. 2, § 18751, subd. (g).)



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If you have questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Galena West
Executive Director

By: Toren Lewis
Counsel, Legal Division

Cc: Cynthia Dunn (Cynthia.Dunn@CalRecycle.ca.gov)
Clark Williams (Clark.Williams@CalRecycle.ca.gov)
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