

## TITLE 16. BOARD OF REGISTERED ASTROLOGERS

[Notice published January 6, 2012]

### NOTICE OF PROPOSED RULEMAKING

The Board of Registered Astrologers ("Board") proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

#### PUBLIC HEARING

The Board will hold a public hearing starting at 10:00 a.m. on February 20, 2012, at the Auditorium of the Celestial Hall located at 555 Star Gazers Avenue, Celestial, California. The Auditorium is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Board requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

*Or, if you do not want to schedule a hearing, replace the paragraph above with the following paragraph:*

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by facsimile (FAX) at (915) 555-5556 or by e-mail to [nojones@bora.ca.gov](mailto:nojones@bora.ca.gov). The written comment period closes at **5:00 p.m. on February 20, 2012**. The Board will consider only comments received at the Board offices by that time. Submit comments to:

Nostradamus Jones, Director  
Board of Registered Astrologers  
555 Star Gazers Avenue, Suite 555  
Celestial, CA 99555

## AUTHORITY AND REFERENCE

Business Code section 7002 authorizes the Board to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific section 7006 of the Business Code.

## INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific the continuing education requirements for renewal of an astrologer's registration with the Board.

Business Code Section 7006 requires registered astrologers to obtain three units of continuing education courses per year as a condition for renewal of a registration. Business Code section 7002 authorizes the Board to adopt regulations to establish conditions for the registration of astrologers and to enforce and administer the Astrologers' License Law.

The regulations proposed in this rulemaking action would specify the number of hours of instruction required to obtain a unit of continuing education, would specify subject matter areas that must be covered annually, and would specify the minimum number of units required annually in each of the specified subject matter areas. It would also establish procedures for approval of continuing education courses and a procedure for checking on compliance with the continuing education requirements.

### Anticipated Benefits of the Proposed Regulation:

The broad objective of the regulation is to ensure that registered astrologers have an adequate amount and the right kind of continuing education. The specific benefits anticipated from the regulation is increased protection of the public from incompetent preparation and delivery of horoscopes, and from illegal or unethical business practices engaged in by astrologers.

*Determination of Inconsistency/Incompatibility with Existing State Regulations:*

The Board has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations that concern the continuing education of registered astrologers in California.

**IF APPLICABLE:** When the proposed action differs substantially from an existing comparable federal regulation or statute, briefly describe significant differences between proposed regulation and federal law(s) and include the full citation of the federal regulations or statutes.

**IF APPLICABLE:** When the regulation incorporates material by reference, the notice must identify incorporated material by the title and revision date or date of publication.

DISCLOSURES REGARDING THE PROPOSED ACTION

*The Board has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on a representative private person or businesses: The Board anticipates that the fees for approved classes will be \$10 to \$30 per class hour. Thus the range of direct costs that a representative private person or business will necessarily incur in reasonable compliance with the eighteen hour requirement is between \$180 to \$540 per year.

Statewide adverse economic impact directly affecting businesses and individuals: Although the proposed action *will* directly affect businesses statewide, including small businesses, the Board concludes that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, *will not* be significant.

Significant effect on housing costs: None.

### Results of the Economic Impact Analysis/Assessment

The Board concludes that it is (1) unlikely that the proposal will eliminate any jobs for astrologers or continuing education providers, (2) likely that the proposal will create an unknown number of jobs for providers of continuing education courses, (3) likely that the proposal will create an unknown number of new businesses providing continuing education for astrologers, and (4) unlikely that the proposal will eliminate any existing businesses.

Benefits of the Proposed Action: The proposed regulation will benefit California residents by protecting them from incompetent astrologers and ensuring that astrologers remain current and competent in their field. It is even possible that the proposal will make astrologers registered in California and providers of continuing education courses approved by the State of California more competitive with businesses in other states because of improvements to the image and public perception of California astrologers and the increased public's trust in services from astrologers who remain current in the field through continuing education.

**IF APPLICABLE:** If the regulation requires a "report [which] shall apply to businesses," then the rulemaking record must contain a statement such as the one which follows. If in the notice, the statement might read as follows:

"Business Reporting Requirement

The Board finds that it is necessary for the health, safety, or welfare of the people of this state that proposed section[s] [regulation section number or numbers], which require[s] a report, apply to businesses."

Small Business Determination : The Board has determined that the proposed regulations affect small business.

**IF APPLICABLE:** If the agency determines that the proposed regulation does not affect small business, the notice must (1) state that the regulation does not affect small business and (2) briefly explain the reason(s) it does not.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

## CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Nostradamus Jones, Director  
Board of Registered Astrologers  
555 Star Gazers Avenue, Suite 555  
Celestial, CA 99555  
Telephone: (915) 555-5555; ATSS 999-5555

The backup contact person for these inquiries is:

Crystal Ball, Regulations Coordinator  
Board of Registered Astrologers  
555 Star Gazers Avenue, Suite 555  
Celestial, CA 99555  
Telephone: (915) 555-5555; ATSS 999-5555

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Ms. Ball at the above address.

#### AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, the survey of astrologers who have voluntarily taken continuing education courses, and a draft small business impact study. Copies may be obtained by contacting Crystal Ball at the address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Crystal Ball at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Ball at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at [www.bora.ca.gov](http://www.bora.ca.gov).

\*\*\*\*\* END \*\*\*\*\*

SAMPLE ONLY