



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY: Inland Empire Health Plan JPA
Inland Empire Health Access
California Exposition and
State Fair

A written comment period has been established commencing on **January 18, 2013** and closing on **March 4, 2013**. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **March 4, 2013**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COSTS TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission

should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY: Fall River Joint Unified School District

A written comment period has been established commencing on **January 18, 2013** and closing on **March 4, 2013**. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **March 4, 2013**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

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Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

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Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the au-

thority vested by sections 200, 202, 205, 220, 1050, 1053.1, 1055.1 and 7380 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 220, 240, 713, 1050, 1053.1, 1055.1, 7149.8, 7380, 7381, and 7382 of said Code, proposes to amend sections 1.74 and 701, Title 14, California Code of Regulations, relating to sport fishing report card requirements and fees.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Under current regulations (Section 1.74, Title 14, CCR) recreational anglers are required to fill out report cards when fishing for salmon in the Klamath–Trinity River System and Smith River, and for steelhead trout, white sturgeon, red abalone and California spiny lobster. Report cards are valid during the open fishing season for a calendar year and are required to be returned to the Department at the address specified on the card by January 31 of the following year. Current regulations specify procedures to replace lost report cards and stipulate that any person who fails to return his report card by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

Current fees for sport fishing forms and report cards are specified in Section 701, Title 14, CCR.

The proposed regulatory changes will enact a non-reporting fee to recover the increased costs of management of lobster due to non-reporting of report cards; adjust the duration of the lobster report card and timing of reporting to match the lobster season; modify replacement procedures for lobster, steelhead, and salmon report cards; simplify reporting procedures; and update regulatory language to make it consistent with new procedures made possible through the implementation of the Automatic License Data System (ALDS). The following is a summary of changes proposed to sections 1.74 and 701, Title 14, CCR.

- Require a non-return fee of \$20.00 to be applied at the time of purchase of a lobster report card for any individual who fails to return his lobster report card from the previous season by the deadline.
- Specify that lobster report cards shall be valid for the duration of the lobster fishing season and the deadline for the return of lobster report cards will be April 30 following the season for which the report card was valid.
- Update replacement report card procedures for lobster, steelhead and salmon report cards. Any person who loses his lobster, steelhead or salmon report card must provide a written affidavit to the

Department that contains the following information:

- A statement confirming that the originally issued report card cannot be recovered.
- A statement of the cardholder’s best recollection of the prior catch records that were entered on the report card that was lost.
- A statement describing the factual circumstances surrounding the loss of the card.
- Simplify and clarify return and reporting procedures. Report cards sent by mail and not received by the Department will be assumed not returned and the individual will be required to report his report card as lost.

Editorial changes are also proposed to improve the clarity and consistency of the regulations.

The proposed regulations will benefit the environment in the sustainable management of California’s sport fishing resources which in turn will benefit the health and welfare of California residents by encouraging outdoor exercise, consumption of nutritious food, intergenerational activities, and environmental awareness.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to adopt sport fishing regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 6, 2013 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mt. Shasta Hatchery Museum #3 North Old Stage Road, Mount Shasta, California, on Wednesday, March 6, 2013 at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before February 24, 2013 at the address given below, or by fax at (916) 653–5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on March 4, 2013. All comments must be received no later than March 6, 2013, at the hearing in Mount Shasta, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~–underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are

on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Craig Shuman, Commission Marine Advisor, (916) 215-9694, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of

California businesses to compete with businesses in other states.

Economic impacts of fishing are attributable largely to fishing effort, fishing opportunity, and fishing success. The proposed regulations would not alter fishing effort, fishing opportunity, or fishing success. Over time, the enhanced management efforts are expected to improve fishing success.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

The Commission anticipates benefits to the environment through the sustainable management of California's sport fishing resources.

The Commission anticipates benefits to the health and welfare of California residents. Increased data to inform improved fisheries management is anticipated to increase outdoor recreational activities and encourage the consumption of fresh locally caught seafood.

The Commission does not anticipate any non-monetary benefits to worker safety.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the propose action.

The proposed fee assessed to anglers who fail to return their lobster report card is fully preventable and avoidable should an angler report or return his report card by the due date. In addition, if an angler did not return his report card by the due date, he has the option to wait a season and then be eligible to purchase a lobster report card without the additional fee.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, 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.

TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter “Board”) is proposing to repeal regulations described in the Informative Digest below. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Chiropractic Examiners (board) at its office no later than 5:00 p.m. on March 4, 2013.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office no later than 15 days before the close of the written comment period.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 1000–4(b) and 1000–10(a), of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii) and section 1057 of the Business and Professions Code; and to implement, interpret or make specific section 1000–4(b) of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii); section 1054 of the Business and Professions Code (BPC); and section 13409 of the California Corporations Code, the board is considering changes to Title 16, Division 4, of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This proposal would repeal California Code of Regulations (CCR) section 367.7 — Name of Corporation. Business and Professions Code (BPC) section 1000–4(b) (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii) authorizes the board to adopt regulations as they may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public. Additionally, CCR section 367.1 allows the Board to amend, modify, revise, supplement, repeal or make other changes by appropriate action in the future to the “Chiropractic Corporation Rules”.

CCR section 367.7 cites the requirements for naming a chiropractic corporation almost verbatim to BPC section 1054, but provides an additional limitation with the phrase, “. . . , shall contain **and be restricted to. . .**”. The restriction imposed by this phrase places stronger limitations on names for chiropractic corporations than for non-corporate chiropractic businesses. The board does not believe that this restriction serves a practical purpose in protecting the public. Further, BPC section 1054 sufficiently prescribes the requirements for creating a chiropractic corporate name and can stand alone without further clarification in regulation.

POLICY STATEMENT OVERVIEW/ANTICIPATED BENEFITS OF PROPOSAL

Repealing this regulatory section will provide chiropractic corporations with similar business name requirements as their non-corporate competitors and will provide consistency for the board’s licensing unit in the performance of its work in reviewing and approving business names.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

The Board has evaluated this regulatory proposal and it is not inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that this regulatory proposal would not affect small businesses because this proposal repeals a duplicative and more restrictive section in regulation regarding the selection of a chiropractic corporation name. This proposal will only affect those persons applying to the Board of Chiropractic Examiners as a chiropractic corporation and does not impose any additional requirements on licensees or their place of employment.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or

new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

This regulatory proposal would benefit the board by streamlining the licensing requirements for naming a chiropractic corporation for consistency with non-corporate chiropractic businesses and eliminate duplication within the law.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements in writing relevant to the above determinations to the address provided above.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all the information upon which the proposal is based, may be obtained upon written request from:

Dixie Van Allen, Program Analyst
2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
(916) 263–5329
Fax (916) 263–5369
dixie.vanallen@CHIRO.ca.gov

AVAILABILITY AND LOCATION OF THE FINAL
STATEMENT OF REASONS AND
RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site, www.chiro.ca.gov.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Name: Dixie Van Allen, Program Analyst
 Address: 2525 Natomas Park Drive, Suite 260
 Sacramento, California 95833
 Telephone: (916) 263-5329
 Fax: (916) 263-5369
 E-mail: dixie.vanallen@CHIRO.ca.gov

The backup contact person is:

Name: Robert Puleo
 Address: 2525 Natomas Park Drive, Suite 260
 Sacramento, California 95833
 Telephone: (916) 263-5355
 Fax: (916) 263-5369
 E-mail: chiro.info@chiro.ca.gov

Web Site Address: Materials regarding this proposal can be found at www.chiro.ca.gov.

TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter "Board") is proposing to add regulations described in the Informative Digest below. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Chiropractic Examiners at its office no later than 5:00 p.m. on March 4, 2013.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office no later than 15 days before the close of the written comment period.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact per-

son and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 1000-4(b), 1000-4(e) and 1000-10 of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii); sections 27, 104, 475 and 1003 of the Business and Professions Code and sections 11514 and 11522 of the Government Code and to implement, interpret or make specific sections 1000-4, 1000-5, 1000-7, 1000-10, 1000-12 and 1000-15 of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii); sections 104, 136, 141, 475, and 480 of the Business and Professions Code; section 30403 of Title 17 of the Administrative Code and section 25568.1 of the California Health and Safety Code; the board is considering changes to Title 16, Division 4, of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Chiropractic Initiative Act Section 1000-4(b) authorizes the board to adopt regulations as they may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public.

This proposal would make regulatory changes to enhance the board's enforcement and administrative processes by defining terms in regulation, establishing reporting and disclosure requirements, and amending regulations specific to its disciplinary guidelines and applicant requirements. These changes would increase the Board's enforcement authority and access to critical information for use in investigations to improve efficiency in enforcement processes and procedures for enhanced consumer protection.

The Board is proposing to make the following changes:

1. Amend Section 303.

This proposal would amend section 303 to include a requirement for all licensees to file a proper and current physical practice address, and where appropriate, each and every satellite office. This section would also require licensees who do not have a practice address to file a proper and current residence address. The address provided shall be public information unless an alternate address, a post office box number, is submitted in addition to the physical practice or residence address. This section would further require licensees to report every change of address, in writing and mailed or faxed to the

Board, within 30 days after each change, giving both the old and new address.

2. Amend Section 304.

This proposal would amend section 304 to expand the board's authority to take disciplinary action or deny a license for any disciplinary action taken against a licensee by another licensing entity or authority of this state or an agency of the federal government or province thereof, or the United States Military or a foreign government or any other jurisdiction. Any disciplinary action taken against a licensee by entities listed in this section shall constitute unprofessional conduct.

3. Amend Section 306.3

This proposal would amend section 306.3 to consider a licensee's failure to allow an inspection of the chiropractic office premises as unprofessional conduct.

4. Amend Section 308.

This proposal would amend section 308 to define the use of a pocket license and establish display requirements for pocket and wall licenses. This proposal would make technical changes to the title "Doctor of Chiropractic" for consistency throughout the regulations.

5. Amend Section 312.

This proposal would amend section 312 to clearly define an unlicensed individual providing treatment in a chiropractic office, the requirements of the chiropractor prior to referring a patient to an unlicensed individual, the scope of practice and level of supervision required for an unlicensed individual and prohibited acts by an unlicensed individual. A penalty of unprofessional conduct was added for any violation of this section.

6. Amend Section 314.

This proposal would amend section 314 to broaden a licensee's requirements for reporting violations to include all statutes governing the practice of chiropractic.

7. Add Section 317.2.

This section would prohibit the inclusion of gag clauses in civil agreements arising from disputes related to the chiropractor's practice and define a violation of this section as unprofessional conduct.

8. Add Section 317.3.

This section would set forth licensee reporting requirements for indictments, felony charges and convictions and define a failure to comply with these requirements as unprofessional conduct.

9. Add Section 321.1.

This section would establish the Board's authority to require applicants suspected of impairment due to a mental or physical illness to be examined for competency and grant the Board authority to deny applicants based on the results of such examination. This section would direct the Board to pay the full cost of the ex-

amination. Lastly this section would establish consequences for non-compliance.

10. Add Section 384.1.

This section would establish factors that the Board may consider as evidence of rehabilitative or corrective measures taken by a licensee who petitions the Board for reinstatement of a license, reduction of penalty or early termination of probation. This section incorporates the Petition for Reinstatement, Petition for Early Termination of Probation and the Petition for Reduction of Penalty forms by reference.

11. Add Section 390.7.

This section would mandate the Board to revoke a license for any act of sexual contact as defined in subdivision (c) of Section 729 of the Business and Professions Code. This section would also prohibit a proposed decision from containing a stay of the revocation.

12. Add Section 390.8.

This section would require the Board to take specified administrative and disciplinary actions against individuals who are required to register as a sex offender. This section would also define exemptions to these requirements.

**POLICY STATEMENT
OVERVIEW/ANTICIPATED BENEFITS
OF PROPOSAL**

The health and safety of chiropractic patients will be strengthened through this proposal by setting stricter standards for discipline of applicants and licensees who have administrative and/or criminal violations. Additionally, clarification of license posting requirements and duties and supervision of unlicensed individuals working in chiropractic offices will ensure that consumers receive treatment, as outlined in this proposal, by a licensed chiropractic professional.

**CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS**

The Board has evaluated this regulatory proposal and it is not inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

Effect on Small Business:

The Board has determined that this regulatory proposal would not affect small businesses because this proposal would primarily affect licensees and applicants who have had discipline taken against them either administratively or criminally. This proposal would further clarify license posting requirements and the scope and supervision of unlicensed individuals working in a chiropractic office, but would not mandate any measures that would have a significant fiscal impact upon businesses.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulations:

The health and safety of chiropractic patients will be strengthened through this proposal by setting stricter standards for discipline of applicants and licensees who have administrative and/or criminal violations. Additionally, clarification of license posting requirements and duties and supervision of unlicensed individuals working in chiropractic offices will ensure that consumers receive treatment, as outlined in this proposal, by a licensed chiropractic professional.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise

been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, 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.

Any interested person may present statements in writing relevant to the above determinations to the address provided above.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all the information, upon which the proposal is based, may be obtained upon written request from:

Dixie Van Allen, Program Analyst
2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
(916) 263–5329
Fax (916) 263–5369
dixie.vanallen@CHIRO.ca.gov

AVAILABILITY AND LOCATION OF THE FINAL
STATEMENT OF REASONS AND
RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site, www.chiro.ca.gov.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Name: Dixie Van Allen, Program Analyst
Address: 2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
Telephone: (916) 263–5329
Fax: (916) 263–5369
E-mail: dixie.vanallen@CHIRO.ca.gov

The backup contact person is:

Name: Robert Puleo
Address: 2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
Telephone: (916) 263-5355
Fax: (916) 263-5369
E-mail: chiro.info@chiro.ca.gov

Web Site Address: Materials regarding this proposal can be found at www.chiro.ca.gov.

TITLE 18. FRANCHISE TAX BOARD

As required by Government Code section 11346.4, this is notice that a public hearing has been scheduled at 1:00 p.m., on Wednesday, March 27, 2013, at the Franchise Tax Board, 9646 Butterfield Way, Town Center, Valley Quail Room, Sacramento, California, to consider the adoption of California Code of Regulations, title 18, section 19266, pertaining to the framework for the Franchise Tax Board and financial institutions doing business in California to implement and administer the Financial Institutions Record Match (FIRM) system established under Revenue and Taxation Code section 19266 (the FIRM statute).

An employee of the Franchise Tax Board will conduct the hearing. Government Code section 15702, subdivision (b), provides for consideration by the three-member Franchise Tax Board of any proposed regulatory action, if any person makes such a request in writing. If a written request is received, the three-member Franchise Tax Board will consider the proposed regulatory action prior to adoption.

Interested persons are invited to present comments, written or oral, concerning the proposed regulatory action. It is requested, but not required, that persons who make oral comments at the hearing also submit a written copy of their comments at the hearing.

WRITTEN COMMENT PERIOD

Written comments will be accepted until 5:00 p.m., March 27, 2013. All relevant matters presented will be considered before the proposed regulatory action is taken. Comments should be submitted to the agency officer named below.

AUTHORITY & REFERENCE

Revenue and Taxation Code section 19503 authorizes the Franchise Tax Board to prescribe regulations necessary for the enforcement of Part 10 (commencing

with section 17001), Part 10.2 (commencing with section 18401), Part 10.7 (commencing with section 21001) and Part 11 (commencing with section 23001). Revenue and Taxation Code section 19266, subdivision (a)(2), specifically requires that the Franchise Tax Board adopt this regulation to implement the FIRM system.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The FIRM statute was enacted March 24, 2011 (Stats. 2011, ch. 14, § 4). Pursuant to Revenue and Taxation Code sections 19266 and 19560.5, the Franchise Tax Board is authorized to match Franchise Tax Board tax and non-tax debtor files referred to the Franchise Tax Board for collection (collectively, “delinquent debtor files”) against accounts held at financial institutions (banks, credit unions, insurance and brokerage companies) doing business in California.

Revenue and Taxation Code section 19266 was amended June 27, 2012 (Stats. 2012, ch. 37, § 2) (the “FIRM amendment”). The FIRM amendment is effective and operative January 1, 2013, and provides for the following: (a) expands the FIRM program to the Employment Development Department (“EDD”) and Board of Equalization (“BOE”); (b) provides for the submission of information by EDD and BOE to the Franchise Tax Board relating to delinquent tax debtors (as defined in the FIRM statute) to be used for data matching purposes under the FIRM program; and (c) requires reimbursement by EDD and BOE to the Franchise Tax Board for its costs in the implementation and administration of data collection under this portion of the FIRM program.

Revenue & Taxation Code section 19266 specifically requires the Franchise Tax Board to promulgate rules or regulations necessary to implement the provisions of this new law, including the following:

- A structure by which financial institutions shall receive from the Franchise Tax Board the delinquent debtor files to match against its own list of account holders.
- An optional structure by which financial institutions without the technical ability to process the data exchange may forward a list of their account holders to the Franchise Tax Board, and then the Franchise Tax Board will match that list against the delinquent debtor files.
- Authority for the Franchise Tax Board to temporarily exempt a financial institution from

FIRM participation if the Franchise Tax Board determines that the financial institution's participation would not generate sufficient revenue to be cost effective.

- A process by which financial institutions may be temporarily suspended from FIRM participation if the financial institution is undercapitalized, significantly undercapitalized, or critically undercapitalized as defined by Federal Deposit Insurance Corporation regulations or National Credit Union Administration regulations.

The Franchise Tax Board has not adopted regulations under this section. The proposed regulation is designed to implement this section, thereby aiding in the tax and non-tax collection function as anticipated by Revenue and Taxation Code section 19266. The enactment of the FIRM amendment has no impact on the text or scope of the proposed regulation that was approved by the three-member Franchise Tax Board at its December 1, 2011 meeting.

IS THERE AN EXISTING, COMPARABLE FEDERAL STATUTE OR REGULATION

There is no existing, comparable federal statute or regulation.

ANTICIPATED BENEFITS FROM THE PROPOSED REGULATION

Nonmonetary and monetary benefits of the FIRM statute and the proposed regulation are as follows:

- *Establishes a Coordinated FIRM Program With Financial Institutions, Resulting in a Uniform Treatment of the Financial Industry over the FIRM Process.* The FIRM statute mandates that the Franchise Tax Board shall operate and administer, in coordination with financial institutions doing business in California, a Financial Institution Record Match system. The coordinated effort with financial institutions, established through an industry workshop and interested parties meetings, assists in uniform treatment of the financial industry. It also provides a vehicle to address mutual issues, such as privacy protections.
- *Provides Up-To-Date, Additional Sources of Assets for Tax Collection.* Prior to the passage of the FIRM statute in March, 2011 (SB 86, 2010 stats. Ch. 14), of the three largest sources of asset data that can be used for collection of unpaid tax debts — real property records, wage and payment reporting, and bank accounts — the Franchise Tax

Board lacked access to bank account information. The FIRM statute and the proposed regulation assist in identifying up-to-date bank or other financial accounts (as defined in the statute) of taxpayers as additional sources of assets for tax and non-tax collection and enforcement.

- *Creates a More Efficient Process to Identify Debtor Assets.* Implementing the FIRM statute and the regulation will improve the processes necessary to identify debtor assets, reduce staff time, and gain compliance by delinquent debtors. The record match will permit the Franchise Tax Board to identify previously unknown deposit accounts held by delinquent debtors to collect outstanding debts and help close the tax gap.
- *Leads to a Significantly Higher Success Rate in Tax and Non-Tax Collection.* By using more accurate bank data the Franchise Tax Board will have a significantly higher success rate in its involuntary tax and non-tax collection measures for delinquent taxes and non-tax debts of individuals and business entities.
- *Indirectly Aids In Self-Compliance.* The FIRM data match system — along with the tax collection process — may act to deter tax and non-tax debtors from future avoidance of or non-compliance with their tax or non-tax liabilities. It indirectly aids in self-compliance measures for tax and non-tax debtors.
- *Monetary Benefits —Increases Tax and Non-Tax Collections and Helps Reduce the Tax Gap.* Statewide monetary benefits will be derived from the Franchise Tax Board's tax and non-tax collection efforts following FIRM's quarterly data match program. As a result of the FIRM system, the Franchise Tax Board's projected increase in revenue, after being accrued back a year, is as follows:
 - 2011/2012 — \$37 million
 - 2012/2013 — \$30 million
 - 2013/2014 — \$32 million
 - 2014/2015 — \$33 million

The above projections do not include revenue collected from non-tax debt, which is also part of the FIRM data match project (scheduled to be implemented October, 2012). Non-tax collections may also increase revenue. The actual tax revenue may vary from the above projections due to process and technology improvements currently underway by the Franchise Tax Board. Also, as the program matures, additional financial institutions may be added, changing the revenue of the program.

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 3-Z

EVALUATION OF WHETHER THE PROPOSED REGULATION IS INCONSISTENT OR INCOMPATIBLE WITH EXISTING STATE REGULATIONS

The Franchise Tax Board has made an initial evaluation of the proposed regulation and determined that the adoption of the proposed regulation is not inconsistent or incompatible with existing state regulations. There are no comparable existing state regulations.

IS THE PROPOSED REGULATION MANDATED BY FEDERAL STATUTE OR REGULATION?

The proposed regulation is not mandated by federal statute or regulation.

ARE THERE OTHER STATUTORY REQUIREMENTS IDENTIFIED IN THE NOTICE THAT ARE SPECIFIC TO THE AGENCY OR TYPE OF REGULATION?

There are no other statutory requirements identified in the notice.

MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

None.

COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT WHICH MUST BE REIMBURSED UNDER PART 7, COMMENCING WITH GOVERNMENT CODE SECTION 17500, OF DIVISION 4

None.

COST OR SAVINGS TO ANY STATE AGENCY

Franchise Tax Board’s projected costs for FIRM are:

	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	Total
Total Project Costs	\$632,917	\$622,980	\$595,714	\$595,714	\$2,447,325
Total Financial Institution Reimbursement Costs	\$495,000	\$2,155,000	\$800,000	\$800,000	\$4,250,000
Other Program Costs	\$0	\$2,505,794	\$2,344,746	\$2,344,746	\$7,195,286
Total Program Costs	\$495,000	\$4,660,794	\$3,144,746	\$3,144,746	\$11,445,286
Total Project + Program Cost	\$1,127,917	\$5,283,773	\$3,740,460	\$3,740,460	\$13,892,610

The above projections do not include costs related to non-tax debt, which is also part of the FIRM data match project (scheduled to be implemented October, 2012). Non-tax collections may also increase costs. The actual costs may vary from the above projections due to process and technology improvements currently underway by the Franchise Tax Board. Also, as the program matures, additional financial institutions may be added, changing the costs of the program. If additional financial institutions are added, the costs for the one-time and on-going reimbursement to the financial institu-

tions and the cost of contractual services for data matching will increase proportionally. Also, the cost of contractual services for the out years may vary with economic conditions.

In addition, any estimated revenue from the FIRM amendment from inclusion of EDD and BOE under FIRM, as described under the Informative Digest/Policy Statement Overview above, is identified in the Governor’s 2012–2013 California State Budget Summary and in the legislative history to Senate Bill 1015 (2011/2012 Legislative Session). It is further an-

anticipated that the enactment of the FIRM amendment will not create any additional costs to businesses, including financial institutions, under this regulation because all data requested from the financial institutions under FIRM, whether for EDD, BOE, or the Franchise Tax Board, will be solely transmitted by the Franchise Tax Board under the provisions of the FIRM statutes and this regulation to those financial institutions.

OTHER NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES

None.

COST OR SAVINGS IN FEDERAL FUNDING TO THE STATE

None.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

WHETHER THERE IS A SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE WITH BUSINESSES IN OTHER STATES

The Franchise Tax Board has made an initial determination that the FIRM statute and the proposed regulation do not create a significant statewide adverse impact on financial institutions doing business in California. The Franchise Tax Board has also made an initial determination that the FIRM statute and the proposed regulation do not create a significant statewide adverse impact on the ability of California financial institutions to compete with financial institutions in other states.

WHAT ARE THE FACTS, EVIDENCE, AND DOCUMENTS ON WHICH THE AGENCY RELIES TO SUPPORT AN INITIAL DETERMINATION THAT THE ACTION WILL NOT HAVE A SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS?

The FIRM statute and the proposed regulation only impact financial institutions doing business in California. Impact on these financial institutions will be minimal or substantially reduced due to the alternatives and mitigation measures adopted. Facts in support of this initial determination are as follows:

A. FIRM Record Match Requirements are Similar to Existing Record Match Requirements Currently Used and Required by Financial Institutions in Another Program.

The FIRM data match record format required to be used by financial institutions is similar to the Financial Institution Data Match (FIDM) record format that is already used and required by financial institutions to support the collection of child support debt, pursuant to Family Code section 17453.

B. Alternatives and Mitigation Measures Considered and Implemented in Meetings with Industry and Interested Parties during Franchise Tax Board's Legislative Proposal Process.

Pre-legislative meetings between Franchise Tax Board staff and the financial industry were held to discuss the proposed FIRM legislation, its impact on financial institutions, and mitigation measures. Meetings with the financial industry were held on December 15, 2006 and August 8, 2007.

As a result of these meetings, mitigation measures were added to Senate Bill 402 (2009/2010 Legislative Session), which included the following: (1) a temporary exemption for financial institutions in regulatory distress; and (2) a stated maximum number of taxpayer debtor files to be received by financial institutions as part of the initial phase of the FIRM program. Mitigation measures were also added in a subsequent legislative session via Senate Bill 86 (2011/2012 Legislative Session), which required the state to reimburse financial institutions for their start-up costs associated with FIRM (up to \$2,500) and quarterly costs (up to \$250 per quarter). The Legislature concluded that these amounts were an accurate representation of costs incurred by financial institutions during the legislative process, and the Franchise Tax Board believes this to still be the case. In addition, due to greater accuracy and an expanded levy process, financial institutions would likely receive additional revenue from bank fees or charges to account holders to process the levies, which can range up to \$125 per levy.

C. Additional Alternatives and Mitigation Measures Considered and Implemented in Meetings with Industry and Interested Parties Prior to the Formal Regulatory Process.

Following the enactment of Senate Bill 86 (Stats 2011, ch. 14) on March 23, 2011, Franchise Tax Board staff held an advisory workshop on July 25, 2011, with financial institution trade associations to discuss the implementation of the FIRM statutory provisions and to seek ways to mitigate impact on the financial institutions, or make the process less burdensome. Interested parties' meetings were also held with the public and members of the financial institution industry on August

16 and September 27, 2011. In these meetings, Franchise Tax Board staff explained that the record format to be used in the FIRM data match program would be the same record format that is already used by financial institutions in their required participation under the FIDM program to support the collection of child support debt. Franchise Tax Board staff requested input and sought alternative procedures which would lessen the impact on financial institutions in implementing the FIRM program. The following suggestions and alternatives were implemented:

- The first form was changed from an agreement to a participation/election form. This would greatly reduce the number of forms sent to in-house counsel for review.
- Staff eliminated the “under penalty of perjury” language from the participation forms used in the FIRM booklet. Instead, the forms would be signed by officers of the financial institution. This greatly lessened the review by in-house counsel.
- Franchise Tax Board staff confirmed that the department required that transmission of FIRM personal data be encrypted. Both the Franchise Tax Board and financial institutions wanted to ensure proper safeguards and privacy protections.
- Franchise Tax Board staff requested — and the Department of Finance accepted — the procedure of having financial institutions submit their reimbursement bill on a yearly basis rather than a quarterly basis, thereby reducing the number of bills prepared by each financial institution.

Following the above changes, in accordance with Government Code section 11346.5, subdivision (a)(13), the Franchise Tax Board has determined that no alternative considered by it 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 and businesses than the proposed regulatory action.

WHAT ARE THE FACTS, EVIDENCE, AND DOCUMENTS ON WHICH THE AGENCY RELIES TO SUPPORT AN INITIAL DETERMINATION THAT THE ACTION DOES NOT CREATE A SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON THE ABILITY OF CALIFORNIA FINANCIAL INSTITUTIONS TO COMPETE WITH FINANCIAL INSTITUTIONS IN OTHER STATES?

In pre-legislative meetings between Franchise Tax Board staff and the financial industry (see history immediately above this topic heading), a financial industry advisory workshop meeting held March 25, 2011,

and an interested parties meeting held August 16, 2011, Franchise Tax Board staff provided data and information demonstrating that at least five states (Indiana, Kentucky, Maryland, Massachusetts, New Jersey, and New York) had adopted FIRM-type legislation to aid in their tax collection efforts. This information is available on the website of the respective state taxing agencies. Given the implementation of a FIRM-type program by these states, there is a significant likelihood that other states throughout the country will follow this trend.

Franchise Tax Board staff has found no facts or evidence that California financial institutions are being placed at a competitive disadvantage, particularly when other states have adopted similar legislation and California financial institutions are reimbursed by the state for startup costs and annual costs relating to the quarterly FIRM data match process.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Pursuant to Government Code Section 11346.3, subdivision (b), the results of the Economic Impact Analysis are shown below.

1. Impact on business and individuals: See Item 2 below.

2. Total number of businesses impacted:

The Franchise Tax Board has made an initial determination that the FIRM statute and proposed regulation will impact approximately 800 financial institutions doing business in California. The Franchise Tax Board has determined that the FIRM statute and the proposed regulation will not affect small business. Under Government Code section 11342.610, the definition of “small business” does not include financial institutions.

3. Number of businesses created or eliminated:

None. It is anticipated that data-matching will be conducted by either in-house personnel or the information technology service provider for the financial Institutions.

4. Geographic extent of impacts:

Statewide. See Item 2 above.

5. Number of jobs created or eliminated:

No jobs will be eliminated. It is anticipated that less than one-quarter (1/4) of one full-time equivalent staff person would be needed per financial institution to assist in complying with the requirements of FIRM. The same staff person who conducts the required FIDM for the financial institution would likely handle the required record match under the FIRM program. The FIDM and FIRM programs utilize similar record formats for the data match processes.

Types of jobs or occupations impacted:

As discussed in 5 above, the same staff person who conducts the required FIDM program for the financial

institution would likely handle the required record match under the FIRM program.

Will the regulation affect the ability of California business to compete with other states by making it more costly to produce goods or services here?

No. See the above topic heading, “What Are The Facts, Evidence, And Documents On Which The Agency Relies To Support An Initial Determination That The Action Does Not Create A Significant State-wide Adverse Economic Impact On The Ability Of California Financial Institutions To Compete With Financial Institutions In Other States?”

SECTION B. ESTIMATED COSTS TO BUSINESSES AND INDIVIDUALS

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime?

None. Costs are incurred by financial institutions (not individuals) in order to comply with the statutory requirements of Revenue and Taxation Code section 19266. Costs are not the result of the proposed regulation. However, Franchise Tax Board has set out the statutory reimbursement cost for financial institutions under the FIRM statute for initial start-up costs (up to \$2,500) and annual costs for data matching (up to \$1,000 annually — \$250 per quarter).

The reimbursement amounts for initial start-up costs and annual costs for data match processing were discussed during the 2011/2012 legislative session in meetings with the financial industry on Senate Bill 86. The Franchise Tax Board considers this an accurate representation of costs incurred by financial institutions. In addition, due to greater accuracy and an expanded levy process, financial institutions would likely receive additional revenue from bank fees or charges to account holders to process the levies, which can range up to \$125 per levy.

The Franchise Tax Board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed regulation.

1(b). Years (future years for annual costs and reimbursements):

On-going.

Items 2– 5 are responded to in other portions of this Notice.

SECTION C. ESTIMATED BENEFITS

1–3. What are the total statewide benefits from this regulation over its lifetime?

None. Statewide benefits are derived from the FIRM statute, not from the regulation. See the nonmonetary and monetary benefits under the above topic heading, “Anticipated Benefits From The Proposed Regulation.” Also, the other items referred to in Items 1–5 are set forth in this Notice.

SECTION D. ALTERNATIVES TO THE REGULATION

1. List Alternatives.

See the above topic heading, “What Are The Facts, Evidence, And Documents On Which The Agency Relies To Support An Initial Determination That The Action Will Not Have A Significant Adverse Economic Impact On Business.”

2. List total statewide costs and benefits.

For statewide costs, see Item 1 in Section B. For statewide benefits, see Item 1 above in Section C.

3. Quantification of costs and benefits for the regulation or alternatives.

See Item 1 in Section D above.

4. Mandated Technologies.

The FIRM statute mandates data matching as a methodology using “automated data exchanges to the maximum extent possible.” The proposed regulation does not mandate any specific technologies or equipment.

SECTION E. MAJOR REGULATIONS

1–3. Will the estimated costs to California business exceed \$10 million?

No.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Franchise Tax Board has made an initial determination that the FIRM statute and the proposed regulation will impact financial institutions doing business in California. For cost impacts on financial institutions, see the above topic heading, Section B, “Estimated Costs to Businesses and Individuals.”

The Franchise Tax Board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed regulation.

REPORTING REQUIREMENTS IMPOSED BY THE REGULATION

None. Reporting requirements are imposed pursuant to the statutory requirements of Revenue and Taxation Code section 19266, not the regulation.

EFFECT ON SMALL BUSINESS

None. The Franchise Tax Board has determined that the proposed regulation will not affect small business. Under Government Code section 11342.610, the definition of “small business” does not include financial institutions.

CONSIDERATION OF ALTERNATIVES

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Franchise Tax Board has prepared an initial statement of the reasons for the proposed regulatory action. The express terms of the proposed regulatory action, the initial statement of the reasons for the regulatory action, and all the information upon which the proposed regulatory action is based, are available upon request from the agency officer named below. When the final statement of reasons is available, it can be obtained by contacting the agency officer named below, or by accessing the Franchise Tax Board’s website at www.ftb.ca.gov.

CHANGE OR MODIFICATION OF ACTIONS

The proposed regulation may also be adopted with modifications if the changes are nonsubstantive or the resulting regulations are sufficiently related to the text made available to the public so that the public was adequately placed on notice that the regulations as modified could result from that originally proposed. The text of the regulation as modified will be made available to the public at least 15 days prior to the date on which the regulations is adopted. Requests for copies of any modified regulation should be sent to the attention of the agency officer named below.

ADDITIONAL COMMENTS

If you plan on attending or making an oral presentation at the regulation hearing, please contact the agency officer named below.

The hearing room is accessible to persons with physical disabilities. Any person planning to attend the hearing, who is in need of a language interpreter, including sign language should contact the officer named below at least two weeks prior to the hearing so that the services of an interpreter may be arranged.

CONTACT

All inquiries concerning this notice or the hearing should be directed to Colleen Berwick at Franchise Tax Board, Legal Division, P.O. Box 1720, Rancho Cordova, CA 95741-1720; Telephone (916) 845-3306; Fax (916) 845-3648; E-Mail: Colleen.Berwick@ftb.ca.gov. In addition, all questions on the substance of the proposed regulation can be directed to Kenneth A. Davis: Telephone (916) 845-3839; Fax (916) 843-6146; E-Mail: Kenneth.Davis@ftb.ca.gov. The notice, the initial statement of reasons and express terms of the regulation are also available at the Franchise Tax Board’s website at www.ftb.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**CESA CONSISTENCY DETERMINATION
REQUEST FOR
Vila Borba Planned Community Project
2080-2013-001-06
San Bernardino County**

The Department of Fish and Wildlife (Department) received a notice on January 7, 2013, that Mary Borba Parente and Standard Pacific Homes proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed action involves grading for development of up to 631 dwelling units consisting of 351 single-family dwellings, and up to 280 multiple-family dwellings. The proposed project will occur in the city of Chino Hills, San Bernardino County, California. The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (Service File No. 1-6-01-F-752.1)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on March 5, 2001, which considered the effects of the project on the state and federally endangered least Bell’s vireo (*Vireo bellii pusillus*).

Pursuant to California Fish and Game Code section 2080.1, Mary Borba Parente and Standard Pacific

Homes are requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed project. If the Department determines the BO and ITS are consistent with CESA for the proposed project, Mary Borba Parente and Standard Pacific Homes will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the project.

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON A FULLY PROTECTED SPECIES

Monitoring and Research of California Black Rail

The Department of Fish and Wildlife (Department) received a proposal on November 16, 2012 from Ms. Jennifer T. McBroom, on behalf of Olofson Environmental, Inc., Berkeley, California, requesting authorization to take California Black Rail (*Laterallus jamaicensis coturniculus*) (rail), for research purposes, consistent with the protection and recovery of the species. The rail is a Fully Protected bird and is also listed as Threatened under the California Endangered Species Act.

Olofson Environmental, Inc. is planning to conduct surveys throughout the San Francisco Estuary in conjunction with the Invasive *Spartina* Project (ISP), in accordance with a standard protocol approved by the Department and the Fish and Wildlife Service. The proposed activity consists of searching for vocalizing individuals of the rail, employing broadcasts of recorded, species-specific vocalizations, to determine distribution and status of local populations. Jennifer McBroom and any other person employed by Olofson Environmental, Inc. for this purpose would collect data by interpreting calls received from marsh birds responding to the tape and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of the rail, unless specifically approved by the Department. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize qualified employees of Olofson Environmental Inc., with Ms. McBroom as the Principal Investigator, to carry out the proposed activities. The applicants are also required to have a scientific collecting permit (SCP) to incidentally take other bird species in California.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after 30 days' notice has been provided to affected and interested parties through

publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after February 18, 2013, for an initial and renewable term of five years. Contact: Esther Burkett, Esther.Burkett@wildlife.ca.gov, 916-445-3764.

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

American Peregrine Falcon

The Department of Fish and Wildlife ("Department") received a proposal on January 1, 2013, from Jeff Kidd ("Applicant"), with Kidd Biological Inc., requesting authorization to take (attach telemetry devices) American peregrine falcons (*Falco peregrinus anatum*) (peregrine), a Fully Protected subspecies, that have been trapped and will be relocated under existing permits for the purpose of assisting with recovery of the California least tern (*Sternula antillarum browni*) (least tern), a Fully Protected subspecies and western snowy plover (*Charadrius alexandrinus nivosus*) (plover), a Federally Threatened species. The applicant proposes to use telemetry technology to track peregrines once they are released at various locations throughout the state.

The proposed activities will be conducted with standardized methods authorized by the Department. Attaching telemetry devices on peregrines is not likely to have any adverse effects on the species, and will contribute to recovery of the plover and least tern. The proposed research is consistent with protection and recovery of the least tern and plover because it helps to identify, assess, and alleviate threats from predators. The additional research is consistent with conservation of the peregrine and will facilitate a better understanding of its life history and movement patterns. The Department may issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after February 18, 2013, for an initial term of three years. The term may be extended with Department authorization. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Carie Battistone.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

NOTICE TO INTERESTED PARTIES

January 18, 2013

**DEVELOPMENTAL AND REPRODUCTIVE
TOXICANT IDENTIFICATION
COMMITTEE MEETING DATE**

The Developmental and Reproductive Toxicant Identification Committee is scheduled to meet on Monday, February 25, 2013, in the Coastal Hearing Room of the California Environmental Protection Agency headquarters building located at 1001 I Street, Sacramento beginning at 10:00 a.m. and continuing until all business is conducted or 5:00 p.m. The meeting agenda will be posted on the Office of Environmental Health Hazard Assessment (OEHHA) web site at <http://www.oehha.ca.gov/prop65.html> in advance of the meeting.

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2012-1127-01

BOARD OF BEHAVIORAL SCIENCES

Advertising, Supervision & Continuing Education

This regulatory action, pursuant to AB 56 (Chapter 166, Statutes of 2011), makes some revisions to requirements for advertising by those regulated by the Board. It adds new requirements for interns for Marriage and Family Therapists and Professional Clinical Counselors. It also adds a requirement requiring two years of li-

censure prior to providing supervision of an associate clinical social worker.

Title 16

California Code of Regulations

AMEND: 1811, 1870, 1887.3

Filed 01/09/2013

Effective 04/01/2013

Agency Contact: Rosanne Helms (916) 574-7897

File# 2012-1130-02

BOARD OF EQUALIZATION

Distilled Spirits

This change without regulatory effect by the State Board of Equalization repeals sections 2558, 2558.1, 2559, 2559.1, 2559.3, 2559.5, of Title 18, of the California Code of Regulations. The changes are necessary because a California court of competent jurisdiction held the regulations to be invalid.

Title 18

California Code of Regulations

REPEAL: 2558, 2558.1, 2559, 2559.1, 2559.3, 2559.5

Filed 01/08/2013

Agency Contact:

Richard E. Bennion (916) 445-2130

File# 2012-1126-01

**CALIFORNIA DEBT LIMIT ALLOCATION
COMMITTEE**

Administration of California's Limited Tax-Exempt Debt Authority

The California Debt Limit Allocation Committee submitted this timely certificate of compliance action to make various amendments to their title 4 regulations and seven related incorporated by reference forms, and to adopt a new incorporated by reference form. The action is mainly related to housing projects for lower income families and individuals, to preserve and rehabilitate existing governmental-assisted housing for lower income families and individuals, and to amend existing sustainable building and energy efficiency methods to align with similar requirements by the California Tax Credit Allocation Committee. The amendments also completely revised the application form for small-issue industrial development bond projects.

Title 4

California Code of Regulations

ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133

Filed 01/08/2013

Effective 01/08/2013

Agency Contact: Misti Armstrong (916) 653-3461

File# 2012-1129-03
 DEPARTMENT OF PUBLIC HEALTH
 Licensing Fees and Emergency Generators

These changes without regulatory effect amend provisions of Title 22 of the California Code of Regulations to conform to changes to Health and Safety Code sections 1266 and 41514.1 regarding health care facility license fees and the testing of diesel-powered emergency lighting and power systems in certain health care facilities, among other non-substantive changes.

Title 22
 California Code of Regulations
 AMEND: 70110, 70215, 70841, 71110, 71645, 72203, 72641, 73208, 73639, 74108, 74669, 76211, 76525, 76555, 76651, 76846, 76915, 78437 REPEAL: 70111, 70114, 71111, 73209, 74109
 Filed 01/09/2013
 Agency Contact: Elizabeth Reyes (916) 445-2529

File# 2012-1127-02
 DEPARTMENT OF PUBLIC HEALTH
 HIV/AIDS Confidentiality Agreement

In this “changes without regulatory effect” filing, the California Department of Public Health makes nonsubstantive amendments to an existing regulation defining “HIV/AIDS Confidentially Agreement” and to an existing form (previously incorporated by reference) which sets forth the required confidentiality agreement which must be signed by designated employees/contractors who have access to confidential HIV-related public health records. These provisions relate to requirements of Health and Safety Code section 121022(f).

Title 17
 California Code of Regulations
 AMEND: 2641.56
 Filed 01/03/2013
 Agency Contact: Mike Rainville (916) 445-7825

File# 2012-1121-01
 DEPARTMENT OF TOXIC SUBSTANCES
 CONTROL

Update Title 22 Regulations to Reflect Statutory Changes per SB 1018

This “change without regulatory effect” filing is in response to SB 1018, Statutes of 2012 which amended or repealed many of the Health and Safety Code sections that authorized Department of Toxic Substances Control (DTSC) to adopt regulations to administer various programs. The California Expedited Remedial Action Reform Act of 1994 was repealed by SB 1018, however the budget bill codified Health and Safety Code section 25396 that provides the act continues to apply to sites selected for remediation before the bill

took effect on June 27, 2012. DTSC is amending the relevant regulations in Title 22 to reflect that they are applicable to sites selected for remediation prior to June 27, 2012. SB 1018 also repealed the Registered Environmental Assessor Program. DTSC is repealing all the regulations in chapter 52, division 4.5 of Title 22 of the California Code of Regulations that implemented this program. SB 1018 also repealed several sections in the Health and Safety Code that authorized DTSC to conduct investigations of potential hazardous substances release sites and to prepare a remedial design for the implementation of a response plan for a release site. DTSC is repealing all of the regulations that were adopted pursuant to these statutes in chapter 51, division 4.5 of Title 22 of the California Code of Regulations. DTSC makes other non-substantive changes in response to SB 1018.

Title 22
 California Code of Regulations
 AMEND: 66260.10, 66264.550, 66264.551, 66264.552, 66264.552.5, 66264.553, 67100.13, 67383.3, 67390.2, 67391.1, 67401.1, 67401.2, 67401.3, 67401.4, 67401.5, 67401.6, 67401.7, 67401.8, 67401.9, 67401.10, 67401.11, 67401.12, 67401.13 REPEAL: 69000, 69000.5, 69001, 69002, 69003, 69004, 69005, 69006, 69007, 69008, 69009, 69010, 69011, 69012, 69013, 69200, 69201, 69202, 69203, 69204, 69205, 69206, 69207, 69208, 69209, 69210, 69211, 69212, 69213, 69214
 Filed 01/07/2013
 Agency Contact: Krysia Von Burg (916) 324-2810

File# 2012-1219-11
 FAIR POLITICAL PRACTICES COMMISSION
 Active Military Duty SEI Filing Deadlines

In this regulatory action, the Fair Political Practices Commission amends its regulations entitled “Dates for Filing Annual Statements of Economic Interests” and “Provisions of Conflict of Interest Codes.” Among the amendments are provisions which allow for a delayed annual Statement of Economic Interests filing deadline for persons who report for military service under specified circumstances.

Title 2
 California Code of Regulations
 AMEND: 18723, 18730
 Filed 01/08/2013
 Effective 02/07/2013
 Agency Contact:
 Virginia Latteri-Lopez (916) 322-5660

File# 2012-1219-09
 FAIR POLITICAL PRACTICES COMMISSION
 Cost of Living Adjustments Campaign/Gift Limits

In this regulatory action, the Fair Political Practices Commission (Commission) amends a regulation that

establishes limits on amounts that can be contributed for various types of candidates and officeholders and also establishes voluntary expenditure ceilings for various types of candidates. Cost of living adjustments are being made to the contribution and expenditure ceiling numbers. Two other regulations are also being amended to make cost of living adjustments to “gift limit” amounts in the Commission’s “conflict of interest” and “ethics” regulations.

Title 2
California Code of Regulations
AMEND: 18545, 18703.4, 18940.2
Filed 01/07/2013
Effective 02/06/2013
Agency Contact:
Virginia Latteri-Lopez (916) 322-5660

File# 2012-1219-12
FAIR POLITICAL PRACTICES COMMISSION
Online SEI Regulation

In this regulatory action, the Fair Political Practices Commission (Commission) adopts a regulation setting forth the certification and other requirements relating to electronic filing systems proposed by agencies for the electronic filing of Statements of Economic Interests. This regulation implements Government Code section 87500.2 as contained in Statutes 2012, Chapter 500, A.B. 2062, which provided for electronic filing of Statements of Economic Interests by agencies in accordance with regulations adopted by the Commission.

Title 2
California Code of Regulations
ADOPT: 18756
Filed 01/09/2013
Effective 02/08/2013
Agency Contact:
Virginia Latteri-Lopez (916) 322-5660

File# 2012-1219-10
FAIR POLITICAL PRACTICES COMMISSION
Materiality Standard: Economic Interest

In this regulatory action, the Fair Political Practices Commission amends a regulation entitled “Materiality Standard: Economic Interest in Personal Finances” within the agency’s “conflict of interest” regulations.

Title 2
California Code of Regulations
AMEND: 18705.5
Filed 01/07/2013
Effective 02/06/2013
Agency Contact:
Virginia Latteri-Lopez (916) 322-5660

File# 2012-1126-04
FISH AND GAME COMMISSION
Sand and Kelp Bass Sport Fishing

This rulemaking by the Fish and Game Commission amends sections 27.65 and 28.30 of Division 1, Chapter 4, of Title 14 of the California Code of Regulations. Specifically, section 27.65 is amended to increase the minimum fillet size for kelp bass, barred sand bass, and spotted sand bass from six and one half inches to seven and one half inches. This section is further amended to require ocean whitefish fillets to bear the entire skin intact. Section 28.30 is amended to increase the minimum size requirements of kelp bass, barred sand bass, and spotted sand bass to fourteen inches total length or ten inches alternate length. These amendments also reduce the bag limit to a maximum of five in any combination of these species.

Title 14
California Code of Regulations
AMEND: 27.65, 28.30
Filed 01/08/2013
Effective 03/01/2013
Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2012-1126-02
NEW MOTOR VEHICLE BOARD
Arbitration Certification Program — Fee Collection

Under Business and Professions Code section 472.5, the New Motor Vehicle Board (NMVB) has been given the authority to administer the collection of a fee from new motor vehicle manufacturers and distributors to fund the Department of Consumer Affairs dispute resolution program. In 1988, the NMVB adopted a regulation in a regular rulemaking (13 CCR section 553.70) setting forth the formula for establishing the amount of the fee and the then applicable fee amount. This submission reflects the fee to be charged for vehicles sold, leased or otherwise distributed in 2011.

Title 13
California Code of Regulations
AMEND: 553.70
Filed 01/07/2013
Agency Contact: Dawn K. Kindel (916) 323-7201

File# 2012-1130-03
SECRETARY OF STATE
Victims of Corporate Fraud Compensation Fund

This rulemaking by the Secretary of State amends and repeals regulatory sections governing the Victims of Corporate Fraud Compensation Fund as set forth in Title 2, Division 7, Chapter 12 of the California Code of Regulations. These amendments are intended to simplify the claims procedure and processing requirements for claims made to the fund by victims of corporate

fraud. This action also makes regulatory changes to conform the regulations to statutory changes enacted by Stats.2012, ch. 564 (SB 1058).

Title 2

California Code of Regulations

AMEND: 22500, 22501, 22502, 22503, 22505, 22506, 22508, 22509 REPEAL: 22504, 22507, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519

Filed 01/02/2013

Effective 01/02/2013

Agency Contact: Susan Lapsley (916) 651-7837

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN August 15, 2012 TO
January 9, 2012**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

11/13/12 AMEND: 1, Appendix A

Title 2

01/09/13 ADOPT: 18756

01/08/13 AMEND: 18723, 18730

01/07/13 AMEND: 18545, 18703.4, 18940.2

01/07/13 AMEND: 18705.5

01/02/13 AMEND: 22500, 22501, 22502, 22503, 22505, 22506, 22508, 22509 REPEAL: 22504, 22507, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519

12/31/12 ADOPT: 1859.97 AMEND: 1859.2, 1859.90.2

12/28/12 AMEND: 18410, 18425, 18435, 18465.1, 18550 REPEAL: 18539

12/27/12 AMEND: 649.7

12/26/12 ADOPT: 7294.0, 7294.2 AMEND: 7293.5, 7293.6, 7293.7, 7293.8, 7293.9, 7294.0 (renumbered to 7294.1), 7294.1(renumbered to 7294.3), 7294.2 (renumbered to 7294.4)

12/24/12 REPEAL: 60020, 60025, 60030, 60040, 60045, 60050, 60055, 60100, 60110, 60200

12/11/12 AMEND: 649.15

12/06/12 AMEND: 1859.2, 1859.90.2

11/30/12 ADOPT: 7291.4, 7291.7, 7291.14, 7291.18 AMEND: 7291.2, 7291.3, 7291.4 and renumber 7291.5, 7291.5 and renumber 7291.6, 7291.6 and renumber 7291.8, 7291.7 and renumber 7291.9, 7291.9 and renumber 7291.10, 7291.10 and renumber 7291.17, 7291.11, 7291.12, 7291.13, 7291.15, 7291.16 REPEAL: 7291.8, 7291.14

11/29/12 ADOPT: 558.1

11/28/12 AMEND: 54100

11/09/12 ADOPT: 599.945.4 AMEND: Article 27.5 heading

11/08/12 AMEND: 18723

11/06/12 REPEAL: 56600

11/06/12 REPEAL: 52000

11/06/12 REPEAL: 52300

11/01/12 ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95

10/23/12 AMEND: 1859.2, 1859.71.6, 1859.77.4, 1859.107, 1859.193, 1859.194, 1859.197

10/22/12 ADOPT: 599.944, 599.946, 599.947

10/18/12 AMEND: 1575

10/18/12 ADOPT: 577, 578

10/17/12 AMEND: 20804

10/03/12 ADOPT: 18730.1

10/02/12 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.106, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.193

09/20/12 ADOPT: 59730

09/19/12 AMEND: 1155.250, 1155.350

09/14/12 REPEAL: 52100

09/10/12 ADOPT: 59650

08/30/12 AMEND: 60000, 60010, 60300, 60310, 60323, 60325, 60330, 60400, 60550, 60560, 60600, 60610 REPEAL: 60020, 60025, 60030, 60040, 60045, 60050, 60055, 60100, 60110, 60200

08/16/12 AMEND: 1859.2, 1859.61, 1859.74, 1859.77.1, 1859.79, 1859.79.2, 1859.79.3, 1859.83, 1859.104 REPEAL: 1859.70.3, 1859.71.5, 1859.78.9, 1859.93.2, 1859.93.3

Title 3

11/15/12 AMEND: 3435(b)

10/29/12 ADOPT: 1352.4 AMEND: 1351, 1358.4

10/23/12 ADOPT: 3639

10/23/12 ADOPT: 3439

09/21/12 AMEND: 3437(b) and (c)

09/18/12 AMEND: 6449.1, 6486.7

09/12/12 AMEND: 3700(c)

09/12/12 AMEND: 3435(b)

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 3-Z

08/24/12 AMEND: 3406(b)
 08/22/12 AMEND: 6800(b)
 08/20/12 AMEND: 3435(b)

Title 4

01/08/13 ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133
 12/21/12 ADOPT: 5342, 5343, 5344, 5345, 5346, 5347, 5348
 12/13/12 AMEND: 12391(a)(2)
 12/03/12 AMEND: 10032, 10033, 10034, 10035
 11/27/12 ADOPT: 4305, 4309 AMEND: 4300, 4302, 4304, 4306, 4307, 4308
 10/30/12 AMEND: 5000, 5052
 10/29/12 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060
 10/17/12 AMEND: 1656
 10/16/12 ADOPT: 1581.2
 10/10/12 AMEND: 1867
 09/27/12 AMEND: 5000, 5170, 5200, 5230, 5370, 5500, 5540
 09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c), 12392 AMEND: 12360
 09/04/12 AMEND: 10032, 10033, 10034, 10035
 08/30/12 ADOPT: 1489.1
 08/29/12 ADOPT: 5205 AMEND: 5000, 5054, 5144, 5190, 5200, 5230, 5370, 5170, 5350 REPEAL: 5133

Title 5

12/27/12 AMEND: 58108
 12/27/12 AMEND: 55000, 55023, 55040, 55041, 55043, 58161, 58162, 58166 REPEAL: 55030
 12/24/12 ADOPT: 18224.6, 18227, 18227.1 AMEND: 18078, 18409, 18411, 18424, 18426
 12/18/12 AMEND: 76120
 12/13/12 AMEND: 40601
 11/01/12 AMEND: 18407, 18422
 10/31/12 ADOPT: 620, 621, 622, 623, 624, 625, 626, 627
 09/27/12 ADOPT: 620, 621, 622, 623, 624, 625, 626, 627
 09/27/12 AMEND: 3000, 3010, 3021, 3021.1, 3022, 3023, 3024, 3025, 3027, 3028, 3042, 3051.4, 3051.75, 3051.8, 3051.9, 3051.12, 3051.13, 3051.17, 3051.18, 3052, 3053, 3062, 3063, 3064, 3066, 3067, 3069, 3080, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3088.1, 3088.2, 3089, 3090, 3091, 3092, 3093, 3094, 3096, 3096.1, 3096.2, 3097, 3098, 3098.1, 3098.2, 3099, 3100

09/06/12 AMEND: 1216.1

Title 8

12/31/12 ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12
 12/31/12 ADOPT: 15209 AMEND: 15201, 15210, 15210.1, 15475, 15477, 15481, 15484, 15496, 15497
 12/31/12 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15 AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795
 12/31/12 ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160
 12/31/12 ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12
 12/27/12 ADOPT: 9789.25 AMEND: 9789.20, 9789.21, 9789.22
 12/27/12 ADOPT: 9789.39 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.36, 9789.37, 9789.38
 12/27/12 AMEND: 9795.1, 9795.3
 12/20/12 ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52
 12/10/12 AMEND: 10210, 10211, 10212, 10214, 10215, 10216, 10217, 10218, 10222, 10223, 10225, 10228, 10229, 10232, 10232.1, 10232.2, 10245, 10250.1, 10252.1, 10253.1, 10270, 10271, 10273, 10290, 10291, 10293, 10294.5, 10297
 10/31/12 ADOPT: 6625.1 AMEND: 6505
 10/23/12 AMEND: 1593, 3650
 10/18/12 AMEND: 6325
 10/02/12 ADOPT: 1613.11, 1613.12 AMEND: 1600, 1610.1, 1610.3, 1610.4, 1610.9, 1611.1, 1612.3, 1613, 1613.2, 1613.10, 1616.1, 1617.1, 1617.2, 1617.3, 1618.1, 1619.1, 4885, 4999
 10/02/12 AMEND: 4297
 09/25/12 AMEND: 2950, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427 REPEAL: 3428
 09/05/12 AMEND: 1512, 2320.10, 2940.10

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 3-Z

09/04/12	AMEND: 5189, 5192(a)(3), 5198(j)(2)(D)2., 1532.1(j)(2)(D)2.	12/27/12	ADOPT: 1.45, 5.91 AMEND: 1.77, 2.25, 2.30, 4.20, 5.00, 5.05, 5.10, 5.40, 5.60, 5.80, 5.81, 7.00, 7.50, 8.00, 27.85, 27.90, 27.91, 28.90, 28.95, 701
Title 10		12/20/12	AMEND: 703
12/31/12	AMEND: 2695.8(f), 2695.8(g)	11/19/12	AMEND: 632
12/19/12	ADOPT: 2523, 2523.1, 2523.2, 2523.3, 2523.4, 2523.5, 2523.6	11/07/12	AMEND: 701
12/17/12	AMEND: 2248.14	11/06/12	ADOPT: 1052.5 AMEND: 895, 916.9, 1052, 1052.1, 1052.2
12/11/12	AMEND: 3780	11/02/12	AMEND: 163, 164
11/19/12	AMEND: 2698.401	10/29/12	AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43
11/13/12	AMEND: 2498.4.9	10/18/12	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
08/30/12	AMEND: 2468.5	10/03/12	AMEND: 300
08/27/12	AMEND: 260.204.9	10/02/12	AMEND: 632
08/22/12	ADOPT: 2327, 2327.1, 2327.2	09/27/12	ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6
Title 11		09/25/12	AMEND: 18660.40
12/12/12	AMEND: 1081	09/21/12	AMEND: 502
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