



California Regulatory Notice Register

REGISTER 2016, NO. 3-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

JANUARY 15, 2016

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Regulation Updates for 2015 Legislation — Notice File No. Z2016-0105-02 69

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Stay of Abatement — Notice File No. Z2015-1229-03 71

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Rules of Practice and Procedure — Notice File No. Z2015-1229-05 73

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

Changes to the Definition of Modified Program — Notice File No. Z2016-0105-03 77

GENERAL PUBLIC INTEREST

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Notice of Extension of Written Public Comment Period re: Proposed Amendments Concerning Administration of the Death Penalty by Lethal Injection 79

ACCEPTANCE OF PETITION TO REVIEW ALLEGED UNDERGROUND REGULATIONS

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Recycler Operating and Recordkeeping Workbook (June 2015) 79

(Continued on next page)

Time-Dated Material

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	83
Sections Filed, August 5, 2015 to January 6, 2016	87

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.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (“FPPC”), under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after February 18, 2016, at 10:00 a.m. Written comments must be received at the Commission offices no later than noon on February 16, 2016.

BACKGROUND/OVERVIEW

The FPPC conducts an annual review of Commission regulations that require amendment due to recently enacted legislation. Several technical “clean-up” amendments are proposed in order to conform the regulations to specific legislation discussed below.¹

REGULATORY ACTION

AB 990 (Bonilla) Chapter 747, Statutes of 2015

This bill requires that campaign advertisement disclosure statements be printed in no less than 14-point, bold, sans serif type font. The bill requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure include a disclosure

¹ The following legislation was passed and signed into law but did not require any immediate amendments to Commission regulations:

- SB 21 (Hill), Chapter 757, Statutes of 2015. This bill requires a nonprofit organization that makes travel payments of \$5,000 or more for one elected state or local officeholder or \$10,000 or more a year for elected state or local elected officeholders, and whose expenses for such travel payments total 1/3 or more of the organization’s total expenses in a year as reflected on the organization’s Internal Revenue Service Form 990, to disclose to the Commission the names of donors who donated \$1,000 or more and also went on the trips. The bill also requires a person who receives a gift of a travel payment from any source to report the travel destination on his or her Form 700. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB21].

statement stating: “This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.” And if the advertisement is mailed, this disclosure statement must be located a quarter of an inch from the recipient’s name and address, and be contained within a box that meets prescribed criteria for line width and include a contrasting color background to the rest of the mailer. This bill contains an urgency clause, which makes the bill effective immediately. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB990]

Regulation 18450.4 sets out display requirements for disclaimers required on political advertisements under Sections 84503, 84504, 84506, or 84506.5. Based on the AB 990, subdivision (b)(3)(C) was amended to incorporate the new 14 point, bold, sans serif type font requirement.

AB 1544 (Cooley) Chapter 756, Statutes of 2015

This bill allows a payment made at the behest of a candidate who is an elected officer to be exempt from the behested payments reporting requirement if the payment is made by a state, local, or federal government agency and is principally for legislative or governmental purposes. The payment is now exempt from reporting requirements regardless of who receives the payment, meaning the government agency may make the payment to another government agency, a nonprofit or a private third party, and it does not have to be reported as a behested payment. This bill also contained an urgency clause and was effective immediately upon passage. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1544]

Since this amendment supersedes subdivision (c) of Regulation 18215.3, that subdivision has been deleted.

(continued)

- SB 704 (Gaines), Chapter 704, Statutes of 2015. This bill establishes an additional situation in which an official is not financially interested in a contract under the remote interests portion of Section 1090. This situation applies to an owner or partner of a firm serving as an appointed member of an unelected board or commission to the agency that will be entering into a contract. If the owner or partner recuses himself or herself from providing any advice regarding a project and from all participation in reviewing a project that results from a contract between the firm and the contracting agency the interest will be considered to be a remote interest. The bill also includes within the definition of “remote interest” the interest of a planner employed by a consulting engineering, architectural, or planning firm. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB704].
- AB 1083 (Eggman), Chapter 186, Statutes of 2015. This bill allows the Commission to contract with the City of Stockton to provide advice and enforcement of local campaign rules. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1083].

AB 594 (Gordon), Chapter 364, Statutes of 2015

- Eliminated the requirement to file supplemental preelection reports and supplemental independent expenditure reports.
- Clarified that the 90-day 24-hour reporting period includes the election date itself, in addition to the 90 days before the election, making those provisions consistent throughout the Act.
- Clarifies requirements for who has to file preelection statements and provides uniform timelines.
- Raises the recipient committee qualification threshold from \$1,000 to \$2,000 and makes conforming adjustments. This amount has not been changed since 1987. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB594]

These legislative changes resulted in nonsubstantive conforming language changes to regulations 18247.5, 18402.5, 18404, 18422, 18425, 18427.1, 18531.5, and 18531.62 as follows:

- Regulation 18247.5: Amended at subdivision (c) to remove cross reference to a repealed statute.
- Regulation 18402.5: Repealed entire regulation since the requirement to file supplemental preelection reports and supplemental independent expenditure reports was eliminated.
- Regulation 18404: Amended at subdivision (a) to remove cross reference to a repealed statute and at subdivision (d)(2) to reflect the new statutory threshold for committee qualification.
- Regulation 18405: Deleted subdivision (a)(2) since the requirement to file supplemental preelection reports and supplemental independent expenditure reports was eliminated, and amended the reference to remove cross reference to a repealed statute.
- Regulation 18422: Amended at subdivision (a) to reflect the new statutory threshold for committee qualification.
- Regulation 18425: Amended at subdivision (c)(3) to remove cross reference to a repealed statute.
- Regulation 18427.1: Amended at subdivision (b) to change the phrase “90 days before the election” to “90 days prior to the election, or on the date of the election” consistent with the new statutory language.
- Regulation 18531.5: Amended at subdivision (c)(3) to reflect the new statutory threshold for committee qualification.

- Regulation 18531.62: Amended at subdivision (c)(1) to reflect the new statutory threshold for committee qualification.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulatory amendments is to implement, interpret and make specific Government Code sections 82007, 82013, 82015, 82016, 82036, 82036.5, 82043, 82047.5, 83108, 83115, 83115.5, 83116, 84022, 84101, 84104, 84105, 84107, 84200, 84200.5, 84200.6, 84200.8, 84203, 84203.3, 84206, 84211, 84214, 84215, 84222, 84503, 84504, 84506, 84506.5, 84507, 85200, 85204, 85301, 85302, 85309, 85315, 85316 and 90000–90007.

CONTACT

Any inquiries should be made to Cesar Cuevas, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at: <http://www.fppc.ca.gov/index.html?id=351>.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

**TITLE 8. OCCUPATIONAL SAFETY
AND HEALTH APPEALS BOARD**

**OSHA STAY OF ABATEMENT
REGULATIONS**

The Occupational Safety and Health Appeals Board (“Board”) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board will hold a public hearing on March 3, 2016 at its normally scheduled public meeting held at 2520 Venture Oaks Way, Suite 300 in Sacramento, CA 95833 and 100 North Barranca Street, Suite 410, West Covina, CA 91791 at 9:30 a.m. The locations are wheelchair accessible. At the hearing, any person may present statements orally or in writing relevant to the proposed action described in the Informative Digest. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory actions to the Board. Comments may also be submitted by email to agonzalez5@dir.ca.gov. The written comment period closes at 5:00 p.m. on **March 3, 2016**. The Board will consider only comments received at the Board offices by that time. Submit written comments to:

Autumn Gonzalez
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

AUTHORITY AND REFERENCE

Labor Code Section 148.7 authorizes the Board to adopt, amend, or repeal rules of practice and procedure pertaining to hearing appeals and other matters falling within its jurisdiction. The Occupational Safety and Health Appeals Board (Board) is charged with hearing and resolving appeals filed by employers for occupational safety and health citations issued by the Division of Occupational Safety and Health. The proposed regu-

lations implement, interpret, and make specific Labor Code Section 6603.

**INFORMATIVE DIGEST/ POLICY STATEMENT
OVERVIEW**

The Board initiates this rulemaking to update its Rules of Practice and Procedure. The Board consists of three members appointed by the Governor, and confirmed by the Senate. The Board handles appeals from private and public-sector employers regarding citations issued by the Division of Occupational Safety and Health for alleged violation of workplace safety and health laws and regulations. These appeals are heard in two stages. Initial appeals are held before an Administrative Law Judge (ALJ) appointed by the Board; an appeal of the ALJ decision may be heard by the Board. The mission of the Appeals Board is to fairly, timely and efficiently resolve appeals and to provide clear, consistent guidance to the public, thereby promoting workplace safety and health.

Proposed rule 362 implements, and makes specific, the changes made by the Legislature to Labor Code sections 6625 that became effective January 1, 2015, through AB 1634, regarding the extent of a stay of the citation and abatement order during the pendency of an appeal before the Appeals Board. Labor Code section 6625 now allows for a stay of serious, repeat serious, or willful serious citations and abatement pending an appeal only to the time when the initial decision by the first level hearing officer is issued, and allows for an additional stay of abatement only upon request to the Appeals Board. Existing Board rule 362 grants a stay until the exhaustion of the administrative proceeding. The rule is inconsistent with the terms of the amended Labor Code. Labor Code Section 6625(a)(2) grants the Board authority to stay, suspend, or postpone an order or decision during the pendency of reconsideration upon the same terms by which it directs reconsideration. Labor Code Section 6625(b) states that the filing of a petition for, or the pendency of, reconsideration of a final order or decision involving a citation classified as serious, repeat serious, or willful serious shall not stay or suspend the requirement to abate the hazards affirmed by the decision or order unless the employer demonstrates by a preponderance of the evidence that a stay or suspension of abatement will not adversely affect the health and safety of employees. The employer must request a stay or suspension of abatement by filing a written, verified petition with supporting declarations within 10 days after the issuance of the order or decision. The proposed regulations will provide parties with clarity as to how to file a petition with supporting declarations to request a stay or suspension of abatement. The regulations will also define the procedures by

which the Board will consider and respond to that request.

Changes to rule 364 Withdrawal of Appeal and 364.1 Withdrawal of Division Action also assist in implementation of Labor Code section 6625, and other changes to the Labor Code made by AB 1634. The proposed changes in rule 364 allow the Division, employers and obligors to more expeditiously withdraw an appeal once a settlement is reached. Changes in Section 364.1 allow the Division to amend a citation to grant an abatement credit once the employer has met the criteria established for awarding such credit as defined in Labor Code section 6319(g). The regulation would allow the amended citation to have immediate effect, rather than requiring the Division to file a motion to amend its citation. The proposed changes also allow the parties to withdraw an appeal once a citation is amended to reflect an abatement credit, should that credit be the only matter at issue in an appeal, without action on the part of the Board.

Anticipated Benefits of the Proposed Regulations:

The proposed regulations will conform the Board's current rules of practice and procedure to the Labor Code, and provide clarity to the parties who are tasked with following the requirements of the Labor Code. The broad objective of the regulation is to ensure that all parties have an understanding as to how to apply for a stay of abatement, and the procedures that govern the Board's decision-making in granting a stay. The specific benefits anticipated from this regulation are increased clarity in the Board's regulations, allowing all parties to use the appropriate procedures to apply for a stay or to answer a stay petition. The regulations related to section 6319(g) will allow the Division to quickly amend a citation without the need to file a motion. This will make it possible for an appeal to move forward in an efficient manner. If an employer filed an appeal only to resolve an abatement credit issue, the parties will be able to withdraw the appeal without delay. This will lead to greater procedural efficiency.

The regulation ensures that the Board's rules of practice and procedure are in conformance with the amended Labor Code. This will further ensure that the parties are clear as to how to exercise their rights, and how the Board will apply the amended Labor Code in appeal procedures.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Board has determined that the proposed regulations related to Labor Code section 6625 are not inconsistent or incompatible with existing regulations. The Division of Occupational Safety and Health has an emergency regulation for an abatement credit related to section 6625 that the Board has determined is consistent

with its current regulations and those changes proposed herein. After conducting a review for any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations that concern the abatement credit and the stay of abatement period.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: None.
Cost or savings to any state agency: None.

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

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

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

Cost impacts on a representative private person or 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 proposed action.

Significant, statewide adverse economic directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Significant effect on housing costs: None.

Effect on Small Business: It is unlikely that the proposed regulations will affect small business because these proposed regulations serve only to identify the procedures necessary for the Board to implement AB 1634.

Results of the Economic Impact Analysis

The Board concludes that it is: (1) unlikely that the proposed regulations will either create or eliminate any jobs in the State of California; (2) unlikely that the proposed regulations will lead to the creation of new businesses or the elimination of existing businesses within the State of California; and (3) unlikely that the proposed regulations will lead to the expansion of businesses currently doing business within the state of California, because the amendments update Title 8 regulations to reflect procedural requirements currently in existence in the Labor Code. These changes are currently in effect and the proposed regulations will conform the Board's regulations and processes to those changes.

Benefits of the Proposed Action: To the extent that these rules make it easier for the regulated community to follow and comply with AB 1634, the regulations will have a positive impact on California's working people. The regulations provide procedures which clarify the statute, and ensure that the regulated community,

including employers, employees, the Division, and Board staff, have a clear understanding of how a stay of abatement is applied for, the timelines for application, and when a Board's decision related to a stay can be appealed. Efficient processing and resolution of a stay issue is in the interest of all parties and will ensure that dangerous conditions are abated in a timely manner. Procedures allowing for streamlined processing of earned abatement credits also encourage more expeditious resolution of dangerous or unhealthy workplace conditions.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Autumn Gonzalez
Agonzalez5@dir.ca.gov
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Ms. Gonzalez at the above address. Inquiries may also be directed to Neil Robinson, NRobinson@dir.ca.gov, also at the address above.

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rule-

making process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons and the notices and meeting minutes of the November 6, 2014 and March 5, 2015 stakeholder meetings. Copies may be obtained by contacting Ms. Gonzalez at the contact information listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikethrough can be accessed through our website at <https://www.dir.ca.gov/oshab/Rulemaking.htm>.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

OSHAB OASIS System Rules of Practice and Procedure

The Occupational Safety and Health Appeals Board ("Board") proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board will hold a public hearing on March 3, 2016, at its normally scheduled public meeting held at 2520 Venture Oaks Way, Suite 300 in Sacramento, CA 95833 and 100 North Barranca Street, Suite 410, West Covina, CA 91791 at 9:30 a.m. The locations are wheelchair accessible. At the hearing, any person may present statements orally or in writing relevant to the proposed action described in the Informative Digest. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory actions to the Board. Comments may also be submitted by email to agonzalez5@dir.ca.gov. The written comment period closes at 5:00 p.m. on **March 3, 2016**. The Board will consider only comments received at the Board offices by that time. Submit written comments to:

Autumn Gonzalez
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

AUTHORITY AND REFERENCE

Labor Code (LC) Section 148.7 authorizes the Board to adopt, amend, or repeal rules of practice and procedure pertaining to hearing appeals and other matters falling within its jurisdiction. The Occupational Safety and Health Appeals Board (Board) is charged with hearing and resolving appeals filed by employers for occupational safety and health citations issued by the Division of Occupational Safety and Health. The proposed regulations implement, interpret, and make specific LC Section 6603.

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

The Board initiates this rulemaking to update its Rules of Practice and Procedure. The mission of the Appeals Board is to fairly, timely and efficiently resolve appeals and to provide clear, consistent guidance to the public, thereby promoting workplace safety and health. A three-member Board appointed by the Governor and confirmed by the Senate handles appeals from private and public-sector employers regarding citations issued

by the Division of Occupational Safety and Health for alleged violation of workplace safety and health laws and regulations. These appeals are heard in two stages. Initial appeals are held before an Administrative Law Judge (ALJ) appointed by the Board; an appeal of the ALJ decision may be heard by the Board.

Updated and additional Rules of Practice and Procedure are required to add clarity and transparency to the Board's current practices, to add greater efficiencies in its proceedings, to bring procedural rules into conformity with the Board's current practices, and to implement the planned electronic case filing and case management software, known as the OSHAB Appeal Scheduling and Information System, or "OASIS".

Proposed rules 346 OSHAB Scheduling and Information System—OASIS, 346.1 Validity of Scanned Documents, and 346.2 Official Record and OASIS Electronic File assist in implementation of the Board's planned OASIS electronic case management system. Changes are also proposed to current rules 347 Definitions, 348 Computation of Time, 355.1 Official Address of Record, 355.2 Proper Method of Service by Appeals Board, 355.3, Service by Parties, Intervenors, Obligors and Representatives, 355.4 Filing Documents with the Appeals Board, 355.5 Form and Size Requirements for Electronically Filed Documents, 355.6 Form and Size Requirements for Paper Filed Documents, 356 Notice to Employees of Appeal and Hearing, 359 Filing of Appeal—Date, 359.1 Appeal Form, 361.3 Issues on Appeal, 376.4 Return of Exhibit, 376.8 Administrative Law Judge Preparation of Hearing Record, and 391.1 Petition for Reconsideration to allow for electronic technologies to be utilized by the Board and parties in Board proceedings. The purpose of these changes is to bring the Board's procedural rules into conformity with the Board's planned OASIS electronic case filing and case management software. Specifically, the proposed rule changes will allow for electronic submission of documents in addition to the Board's current paper submission procedures, eliminate facsimile submission, and allow for e-mail communications in certain instances. The proposed rules allow for the Board to store documents electronically, and to recognize scanned electronic documents as evidence in Board proceedings. These rules are necessary to conform the Board's rules to this new technology that the Board will be implementing in its case management process.

Other proposed rule additions and changes add greater clarity and eliminate areas of confusion in the Board's procedures. The Board's Rules of Practice and Procedure are clarified in proposed revisions to rule 350.3 California Code of Judicial Ethics, 352 Ex Parte Communications, and 372.8 Discovery Exclusive Provisions to address and eliminate areas of confusion in Board proceedings.

Through regulations including 372.6 Proceeding to Compel Discovery, 383 Failure to Appear, 376 Time and Place of Hearing, 380 Briefs, and 392.5 Availability of Recording Media, this rulemaking also conforms the Board's regulations to practices that are in current use at the Board, for greater transparency to the regulated community. Currently, the Board's ALJs have broad discretionary authority under current Rule 350.1, and other rules, to regulate the conduct of proceedings before them. Board ALJs have used their discretionary authority under rule 350.1, and other rules, to formulate practices and procedures that are well-established, but are not specifically stated in the rules. These proposed changes will serve to create greater transparency in the Board appeals process, by ensuring that parties are provided with accurate Rules of Practice and Procedure that reflect the current state of Board processes, and they will serve to add greater uniformity in Board proceedings.

In order to create greater efficiency in its procedures and practices, the Board also proposes new regulations and changes to current regulations. Proposed regulation 376.7 Hearing Record will allow parties to elect to make the transcript of a court reporter the official record of a hearing, rather than the Board's electronic recording. Allowing this option will be both more efficient and more convenient for the parties. The Board also proposes to allow for the use of self-executing orders through rule 350.4; quick resolution of party status questions through amendments of rule 354 Party Status; and the use of settlement orders where parties are able to efficiently settle appeals without the use of formal Board proceedings in rule 364.2. New rule 372.9 Division's Production of Evidence at Filing of Appeal will expedite the exchange of information in the appeals process.

The Board proposes to renumber, edit cross-references to other regulations, and make other non-substantive grammatical and stylistic changes to other portions of the Board's rules of Practice and Procedure found in current rules: 356.1 Form of Participation Notice, 356.2 Responsibility of Employee to Notify Employer and Other Employees of Proceeding, 371 Prehearing Motions, 371.1 Motions Concerning Hearing Dates, 371.2 Amendments, 376.1 Conduct of Hearing, 378 Representation at Hearing, 392 Proof of Service and 392.4 Motions During Reconsideration Process. References to other rules found in these sections are amended to ensure accuracy based on changes proposed in this rulemaking package.

Anticipated Benefits of the Proposed Regulations:

These proposed regulatory changes will allow the Board to update its current regulations for increased clarity and efficiency. The changes will allow the Board

to implement a new, modern computerized case management system that provides stakeholders with the capacity to file documents online. The system permits enhancements to the Board's operations, processes, and procedures, including allowing electronic/online filing and communications and enhancements to its calendaring capabilities. The Board anticipates that this new system will provide many stakeholders with an easier and more efficient means of accessing Board services, and seeks to ensure that all parties have accurate and timely information as to how to use the new electronic system. These proposed rules will update the Board's procedural rules to effectively implement and utilize the new OASIS system, and they will ensure that all parties are provided accurate and useful information regarding the utilization of the new electronic procedures where available.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Board has concluded that the changes related to the Board's Rules of Practice and Procedure, as well as its proposed electronic scheduling and case management system, are not inconsistent with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations that concern the Board's internal rules of practice and procedure and its electronic scheduling and case management system.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: \$20,000 savings to OSHAB in transcription fees, the Board estimates that it will save on ordering approximately 4 transcripts at a cost of \$5000 per transcript per year. The costs of OSHAB's computer system in 2014 through 2016 have totaled \$445,116, and have included customization of software and other related costs associated with purchase and installation of the new system. Continued contract costs in fiscal year 2016/17 is \$130,294.

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

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

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

Cost impacts on a representative private person or 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 proposed action.

Significant, statewide adverse economic directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Effect on Small Business: It is unlikely that the proposed regulations will affect small business because these proposed regulations serve only to clarify policies and procedures at the Board, and add new electronic means, in addition to existing paper methods, by which the public may interact with the Board.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

The Board concludes that it is (1) unlikely that the proposed regulations will either create or eliminate any jobs in the State of California, (2) unlikely that the proposed regulations will lead to the creation of new businesses or the elimination of existing businesses within the State of California, (3) unlikely that the proposed regulations will lead to the expansion of businesses currently doing businesses within the state of California.

Benefits of the Proposed Action: The procedural amendments directly benefit the health and welfare of California workers by adding an additional, optional means (electronic filing) by which parties may file and pursue a citation at the Appeals Board. By providing another way for the parties to access the appeals process, and by clarifying and increasing efficiency in the administrative process generally, the Occupational Safety and Health Act and public will benefit.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Autumn Gonzalez
Agonzalez5@dir.ca.gov
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Ms. Gonzalez at the above address. Neil Robinson may also be contacted with questions, at NRobinson@dir.ca.gov, and at the same address as above.

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons and the notices and meeting minutes of the November 6, 2014 and March 5, 2015 stakeholder meetings. Copies may be obtained by contacting Ms. Gonzalez at the contact information listed above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

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

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

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

**AVAILABILITY OF DOCUMENTS ON
THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in

underline and strikethrough can be accessed through our website at <https://www.dir.ca.gov/oshab/Rulemaking.htm>.

to implement a modified program will not be based on race or ethnicity.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Sections 5058 and 5058.3, in order to implement, interpret and make specific PC section 5054, proposes to amend Section 3000 of the California Code of Regulations (CCR), Title 15, Division 3, concerning changes to the definition of Modified Program.

PUBLIC HEARING

Date and Time: March 3, 2016 from 10:00 a.m. to 11:00 a.m.
 Place: Department of Corrections and Rehabilitation Kern Room 1515 S Street — North Building Sacramento, CA 95811
 Purpose: To receive comments about this action.

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

The current regulation defines “Modified Program”, and refers to the suspension or restriction of inmate movement and/or program activities impacting less than the entire inmate population. Modified program generally occurs in response to an incident that threatens the safety and security of staff and inmates, such as inmate fights or riots. Modified program is implemented with the purpose of containing such negative or combative behavior until staff can assess the extent of the incident and who is responsible for the disruption. It is the objective of the Department to return all affected inmates to normal programming as soon as safety and security concerns allow. The determination to place a yard or facility on modified program is based upon the Department’s assessment of inmates on that yard or facility to determine if any threats exist prior to resuming normal inmate programming. The proposed revision to the definition specifies that the Department’s decision

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

The proposed amendment promotes standardization and fairness, and is necessary to adequately reflect current legal standards, such as the Equal Protection Clause, the Eighth Amendment to the United States Constitution, and practices with respect to modified programming, and satisfies the Department’s obligation under the terms of the settlement agreement reached in *Mitchell v. Cate*, USDC ED 2:08–CV–01196–TLN–EFB.

EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

Pursuant to Government Code Section 11346.5(a)(3)(D), the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing State regulations. Pursuant to this evaluation, the Department has reviewed existing regulations pertaining to Modified Program and determined that these proposed regulations are not inconsistent or incompatible.

LOCAL MANDATES

The Department has determined that these regulations do not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: none
- Cost or savings to any state agency: none
- Other nondiscretionary cost or savings imposed on local agencies: none
- Cost or savings in federal funding to the State: none

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses,

including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT

These regulations are directed at the internal management of State prisons and do not impose any obligations, duties, fees, costs, responsibilities, reporting requirements, etc. on California businesses, large or small. No economic impacts have been brought to the attention of the Department. The Department has therefore concluded that these regulations will have no impact on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California. Regarding benefits, these regulations will protect the health and safety of California residents, worker safety, and the State's environment by providing a safe environment that will encourage visitation for families, which will have a positive impact on inmates, and increase worker safety.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small businesses because they are not affected by the internal management of state prisons.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, 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. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001
Telephone (916) 445-2269

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Anthony Carter
Regulation and Policy Management Branch
Telephone (916) 445-2220

Questions regarding the substance of the proposed regulatory action should be directed to:

Xavier Cano, Warden (A)
California State Prison—Lancaster
California Department of Corrections and Rehabilitation
(661) 729-2000 ext. 5001

WRITTEN COMMENT PERIOD

The public comment period will close March 3, 2016 at 5:00 p.m. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action (by mail, by fax, or by e-mail) to CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text, any documents incorporated by reference, and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed

to the Department's contact person. The proposed text, ISOR, documents incorporated by reference, and Notice of Proposed Regulations will also be made available on the Department's website at <http://www.cdcr.ca.gov>.

**AVAILABILITY OF CHANGES TO
PROPOSED TEXT**

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons will be available on the Department's website at <http://www.cdcr.ca.gov>, and may also be obtained from the Department's contact person.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

**NOTICE OF EXTENSION OF WRITTEN
PUBLIC COMMENT PERIOD**

NOTICE IS HEREBY GIVEN that the California Department of Corrections and Rehabilitation has **extended the written public comment period** regarding proposed amendments to California Code of Regulations, Title 15, Division 3, Sections 3349.1, 3349.2, 3349.3, 3349.4, 3349.5, 3349.6, 3349.7, 3349.8, and 3349.9 regarding the administration of the death penalty by lethal injection. The Notice was originally published on November 6, 2015, in the Office of Administrative Law Notice Register 2015, No. 45-Z.

Written comments sent by mail, fax, or e-mail to the addresses listed under Contact Person in this Notice

must be received by the close of the public comment period on **February 22, 2016, at 5:00 p.m.**

The public hearing regarding this proposed action will take place as originally scheduled on Friday, January 22, 2016, from 10:00 a.m. to 3:00 p.m. at the Auditorium, Department of Health Services, East End Complex, located at 1500 Capitol Ave., Sacramento, CA 95814.

CONTACT PERSON

Comments or inquiries should be directed to Timothy M. Lockwood, Chief, Regulation and Policy Management Branch, California Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, California 94283-0001, by telephone at (916) 445-2269, fax at (916) 324-6075, or by e-mail at LI.comments@cdcr.ca.gov. In the event the contact person is unavailable, inquiries should be directed to Joshua Jugum at (916) 445-2228.

**ACCEPTANCE OF PETITION
TO REVIEW ALLEGED
UNDERGROUND REGULATIONS**

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

**OFFICE OF ADMINISTRATIVE LAW
ACCEPTANCE OF PETITION TO REVIEW
ALLEGED UNDERGROUND REGULATIONS
(Pursuant to title 1, section 270, of the
California Code of Regulations)**

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Elizabeth Heidig, Assistant Chief Counsel
Office of Administrative Law
300 Capitol Mall, Ste. 1250
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

Leonard Lang
Upper Room Consulting Inc.
4141 Elizabeth Ct.
Cypress, California 90630

Agency contact:

Adam Tuber
Department of Resources Recycling and Recovery
801 K Street, MS 19-01
Sacramento, California 95814

Please note the following timelines:

Publication of Petition in Notice Register:
1/15/2016
Deadline for Public Comments: 2/16/2016
Deadline for Agency Response: 2/29/2016
Deadline for Petitioner Rebuttal: No later than 15
days after receipt of the agency's response
Deadline for OAL Decision: 5/16/2016

Petition to Challenge Underground Regulation

1) INTRODUCTION

This petition is submitted to the Office of Administrative Law (OAL) requesting a determination pursuant to California Government Code § 11340.5 of whether the above-captioned communication (the Workbook) contains underground regulations as defined by title 10, Cal Code Regs § 250(a). The Workbook purports to state the "specific responsibilities" of certified recycling centers, pursuant to statute and regulation.

Submitted by:

- (1) Leonard Lang
Upper Room Consulting, Inc.
4141 Elizabeth Ct.
Cypress, CA 90630
714-321-6607 Cell
- (2) AGENCY: Department of Resources Recovery and Recycling (CalRecycle)

DOCUMENT: Recycler Operating and Recordkeeping Workbook (June 2015)
- (3) DESCRIPTION: Department staff, conducts classes called, "Recycler Operating and Record-keeping Workshop" using a manual entitled, Recycler Operating and Recordkeeping Workbook. A class was taught October 20, 2015 in Los Angeles.

On page i, Introduction the workbook states, "The content of this training, provided by CalRecycle, Division of Recycling is supported by Public Resources Code-Division 12.1 and the California Code of Regulations title 14, division two, Chapter 5. Our analysis would question the accuracy of the Introduction.

Chapter 4: Fraud detection & Prevention, pages 22 through 27, along with verbal instructions by the class instructors are clearly establishing standards imposed on recyclers which have not been adopted pursuant to the APA. Additionally those standards conflict with existing regulations which have been adopted pursuant to the APA.

For example: page 24 implies that recyclers are to assess the mix of container types and amounts against some imaginary standard to assess whether or not a "customer" (Section 2500 of the Regulations) meets the departments arbitrary and unadopted standards of a consumer. The last paragraph of the page presumes to impose an unadopted standard with the following sentence, "When you ask your customers with high volumes how they obtain so much material the explanations are often questionable. In addition, you must consider the frequency with which they bring the containers". This in conjunction with the first sentence of the page, "You may hear a variety of explanations when you ask how someone has so many containers." On page 22 it states, "In addition, certified recyclers may be subject to penalties if they fail to carry out this duty". None of these standards are required in regulations. Regulation Sections 2500, 2501, 2525, 2535 and 2530.

Page 25 and 26, "Non-Consumer Indicators" again imposes standards which have not been adopted in a definition of Non-Consumer. In addition, several of the standards identified on the page are derived from a Workbook that the previous Department Director admitted was underground but continues to be used. It states that if any of the listed indicators occur, do not pay for the material but, "Deny the entire load!" Recyclers are then warned that, "Encountering one or more of the indicators listed above. . . may result in being held responsible for redeeming non-CRV material. Being held responsible is being done by denying reimbursement payments, all or in part, which the Department has already been advised as the imposition of "Unenforceable Underground Regulation" by the California State Bureau of Audits in its report of last November. Also note the attached document providing a thorough analysis of what the department "uses as a" Should have known" standard. Regulation Sections 2525 and 2535

Recyclers are being charged with violations based on these unadopted standards.

Chapter 2: Inspection Requirements (Reg. Sec. 2501)

On page 12 of the Workbook the subject of Daily Allowable Limits is presented. In the second paragraph the workbook states, “If a consumer tries to sell you a load that exceeds the daily allowable limits, you must reject the entire load, or pay scrap value only.” A reading of the applicable section, 2535(F), does not state this. It’s clear that the workbook is being used to clarify a poorly written regulation. For the record, I stated this in my comments to OAL, that the regulation lacked clarity and failed to instruct the recycler in an accurate manner.

Split Loads (Sec. 2535(f)(1) Page 12

Again, the department is using the workbook to make clarifications not stated in regulation in violation of the APA.

It should also be noted that the department will verbally instruct recyclers regarding the term “split loads”. The term is undefined and is not found in statute. In precertification training classes and auditors in the field, recyclers are told that they are forbidden to pay two separate people for their own material because they have carpooled together even if it does not exceed the 100 pound limit. Recyclers are even told that when loads are presented that approach the daily limit that they are required to inspect the customer’s vehicle to ensure there is not more material inside.

Record Retention (Regulation Section 2085) page 15

Again the workbook departs from the actual requirements of the regulation. According to the workbook, “Records are expected to be located at your business address. . . . Records must be presented at the time of request.” Regulation 2085(a) clearly permits the records to be kept at a different location. For records that the department knows are not maintained at this site they would not be available upon demand unless it was previously arranged.

(4) THE LEGAL BASIS FOR BELIEVING THAT THE ALLEGED UNDERGROUND REGULATIONS ARE REGULATIONS AS DEFINED IN SECTION 11342.600 OF THE GOVERNMENT CODE AND THAT NO EXPRESS STATUTORY EXEMPTION TO THE REQUIREMENTS OF THE APA IS APPLICABLE

4a) The challenged underground regulations satisfy the legal definition of “regulation” and are not exempt from APA requirements. The

APA defines a regulation as “every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure” Cal Gov Code § 11342.600. The California Supreme Court has refined this definition as follows:

A regulation subject to the APA thus has two principal identifying characteristics. (See *Union of American Physicians & Dentists v. Kizer* (1990) 223 Cal. App. 3d 490, 497 [272 Cal. Rptr. 886] [describing two-part test of the Office of Administrative Law].) First, the agency must intend its rule to apply generally, rather than in a specific case. The rule need not, however, apply universally; a rule applies generally so long as it declares how a certain class of cases will be decided (*Roth v. Department of Veterans Affairs* (1980) 110 Cal. App. 3d 622, 630 [167 Cal. Rptr 552].) Second, the rule must “implement, interpret, or make specific the law enforced or administered by [the agency], or . . . govern [the agency’s] procedure” (Gov. Code, § 11342, subd. (g).) *Tidewater Marine Western, Inc. v. Bradshaw*, 14 Cal. 4th 557, 571 (Cal. 1996)

In order to conclude that the purported underground regulations satisfy the legal standard, therefore, it must be demonstrated that each of them is intended to apply generally and that each implements, interprets or makes specific a more general law. Each rule meets these standards. A third requirement of § 11340.5 is that the challenged regulation be subject to APA rulemaking requirements. Pursuant to Gov. Code § 11346, any law exempting a regulation from APA requirements “must do so expressly.” The challenged underground regulations, therefore, are required to be adopted pursuant to APA rulemaking requirements unless they are subject to an express statutory exemption from those requirements. They are not.

4b)The Challenged Underground Regulations are Intended to Have General Application.

Each of the underground regulations identified in Section 2), above, is intended to apply generally. Each is contained in the Workbook which is provided to “Certified Operators Centers” any use for teaching classes. The Workbook contains numerous phrases clearly indicating that it is directed generally at all recycling centers rather than to any specific center or category of centers.

4c) The Challenged Underground Regulations Attempt to Implement, Interpret, or Make Specific the Laws Administered by Cal Recycle. Each of the underground regulations in the Workbook is an apparent attempt to implement, interpret, or make specific the laws which CalRecycle is required to enforce. The intent that the Workbook is an element of enforcing the law is, in fact, stated explicitly in the Workbook and presented in training classes. The Introduction purports that the content of the Workbook is supported by the Act and the Regulations. It goes on to say that a program participant should be familiar with the mandates that govern the Program. Section 4 states that “Recycling center operators and their employees are the first line of defense against fraud.” The penultimate sentence of the Workbook states that the certified recyclers may be subject to penalties if they fail to carry out this duty. Each of the underground regulations in the Workbook contains elements demonstrating that it is intended to implement, interpret, or make specific the laws administered by CalRecycle. Consider the “Indicators that Consumer Volumes should make it easier to identify Non-Consumers.” California Public Resources Code § 14538(a)(3) makes it mandatory for a certified recycling center to “accept and pay the refund value for all empty beverage containers, regardless of type. Subdivisions (a)(5) and (a)(6) of this section prohibit a center from paying refunds on containers that the center “knew or should have known” came from out of the state. By specifying various indicators “that the beverage container material being presented to you is not from a legitimate source” CalRecycle is apparently trying to establish criteria that a recycling center “should have known” indicate that the material came from out of state or is otherwise ineligible. However, demonstrating which specific statutes an underground regulation attempts to implement, interpret, or make specific is not necessary for demonstrating that the challenged rule is an attempt to provide specificity to the law. The “indicators” specified in the Workbook are found nowhere else in statute or regulation. They were however, found in a Workbook admitted was underground regulation in a letter to OAL from the Director dated April 29, 2013. Whatever else they may be, they provide express and specific rules demonstrating without doubt that they are

intended by CalRecycle to “make specific” the laws that it administers.

4d) The challenged underground regulation is not subject to any exemption from the rulemaking requirements of the APA. Pursuant to section 11346, any statute exempting a regulation from the rulemaking requirements of the APA “must do so expressly.” There is no apparent express exemption in governing law permitting adoption of the rules stated in the Workbook without complying with the rulemaking requirements of the APA. The general exemptions of Government Code § 11340.9 are not applicable. CalRecycle has not identified any statutory authority pursuant to which it has promulgated this rule. Without the identification of authority and reference statutes, it is difficult to demonstrate the non-existence of an express exemption definitively. The Petitioner is a California consultant familiar with both the APA and the Public Resources Code who knows of no express statutory exemption and who asserts that no such express exemption exists. Any claim that the Workbook is subject to an express exemption amounts to an affirmative defense to the general rule that a regulation must be adopted pursuant to APA rulemaking. Therefore, the burden is on CalRecycle to demonstrate that the Workbook is exempt from APA rulemaking requirements, if that is the case. Rather than presuming that this purported underground regulation is expressly exempt from APA rulemaking, OAL should accept this petition and offer CalRecycle the opportunity to defend the regulation on that basis, should it choose to do so.

5) INFORMATION DEMONSTRATING THAT THE PETITION RAISES AN ISSUE OF CONSIDERABLE PUBLIC IMPORTANCE REQUIRING PROMPT RESOLUTION There are at least three issues of considerable public importance raised by this petition.

Issue #1: Public participation in the rulemaking applicable to recycling centers. A fundamental purpose of the rulemaking requirements of the APA is to protect the right of interested members of the public participate in developing the laws under which they are required to live. By adopting the underground regulations contained in the Workbook without going through

APA rulemaking, CalRecycle has denied this right to the regulated public.

Issue #2: Due Process for Recycling Centers. By establishing and enforcing the underground regulations contained in the Workbook CalRecycle has created a system whereby its investigators may impose regulatory sanctions upon recycling centers for alleged violation of standards which are void and which have no force of law. As shown by the Workbook and Prepayment Inspection Status, these regulatory sanctions are imposed by bureaucratic decree, allowing no due process or right of appeal. Only by subjecting these underground regulations to the scrutiny provided by APA rulemaking can this be corrected.

Issue #3: The Scope of the Department’s Legal Authority. The failure to employ the rulemaking process means that the scope of authority that CalRecycle may have in this area of regulation has never been subjected to public scrutiny. There is a legitimate legal question as to whether the underground regulations within the Workbook are within CalRecycle’s statutory authority.

Whether or not CalRecycle has the legal authority to implement the rules it has imposed through underground regulation is a significant legal question with far-reaching implications. By enacting the challenged rules as underground regulations, CalRecycle has avoided all scrutiny with respect to its authority. It is entirely possible that CalRecycle is implementing rules which exceed its authority in violation of section 11342.1 of the APA or that the rules are not reasonably necessary to carry out the purpose of the statutes CalRecycle administers in violation of section 11342.2. Only by subjecting these rules to formal rulemaking pursuant to the APA may the Department’s authority be properly evaluated.

6) CONCLUSION

The underground regulations contained in the Workbook issued and enforced by CalRecycle constitute a significant exercise of regulatory power over recycling centers. This power has been exercised through regulations which have never been subjected to the scrutiny and public comment that is a central purpose of APA rulemaking. These rules are not subject to any express statutory exemption which exempts them from the rulemaking requirements of the APA. The petitioner respectfully requests that OAL accept this petition so that the challenged regulations may be evaluated pursuant to the APA.

7) CERTIFICATIONS I certify that I have submitted copies of this petition and all attachments to the state agency which has issued, used, enforced, or attempted to enforce the purported underground regulation.

The copies were submitted as follows:

Via email in PDF format to:

Scott Smithline, Director
CA Department of Resources
Recycling and Recovery
Smithline@CalRecycle.com

Elliott Block, General Counsel
CA Department of Resources
Recycling and Recovery
Elliot.Block@CalRecycle.com

Copy of CalRecycle Recycler Operating and Record-keeping Workbook faxed to:

Scott Smithline, Director
CA Department of Resources
Recycling and Recovery
916-319-7858

I certify that all of the above information is true and correct to the best of my knowledge.

DATED: November 1, 2015

Leonard Lang

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# 2015-1224-03
BOARD OF BEHAVIORAL SCIENCES
Examination Restructure

The Board of Behavioral Sciences (Board) is making numerous changes in Title 16 of the California Code of Regulations including adopting several new sections and amending numerous sections. The Board is tasked with regulating the practice of licensed marriage and family therapists, licensed educational psychologists,

licensed clinical social workers and licensed professional clinical counselors. In this rulemaking action the Board is making changes to the examination process. SB 704 (Chapter 387, Statutes of 2011), SB 821 (Chapter 473, Statutes of 2013) and SB 1466 (Chapter 316, Statutes of 2014) restructure the examination process effective January 1, 2016. One of the changes is the requirement for those seeking licensure to pass two exams: a California law and ethics examination and a clinical examination. Additionally, all registered interns must take the California law and ethics exam during each yearly renewal registration period until passed and if the intern fails the exam he or she must take a 12-hour California law and ethics course.

Title 16

ADOPT: 1805.01, 1805.05, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1877.1, 1877.2, 1877.3 AMEND: 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877

Filed 12/30/2015

Effective 01/01/2016

Agency Contact: Christy Berger (916) 574-8625

File# 2015-1123-02

BOARD OF EQUALIZATION

Foreign Consuls

This rulemaking action by the Board of Equalization (BOE) amends section 1619 in title 18 of the California Code of Regulations to add information regarding the issuance of tax exemption cards by the American Institute in Taiwan (AIT).

Title 18

AMEND: 1619

Filed 01/06/2016

Effective 04/01/2016

Agency Contact: Richard Bennion (916) 445-2130

File# 2015-1210-01

CALIFORNIA CITIZENS COMPENSATION COMMISSION

Conflict-of-Interest Code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with Secretary of State and printing.

Title 2

AMEND: 53900

Filed 12/30/2015

Effective 01/29/2016

Agency Contact: Marian Johnston (916) 322-3748

File# 2015-1119-01

CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE

GAP — Clinical Projects

The California Institute for Regenerative Medicine (CIRM) is adopting section 100503 in title 17 of the California Code of Regulations. This new section establishes the grants administration policy for clinical stage projects. Additionally, CIRM is incorporating by reference the Grants Administration Policy for Clinical Stage Projects (GAP) document. Recipients of grants for clinical stage projects are subject to this particular GAP. This GAP provides guidance to applicants and Awardees regarding their responsibilities and also describes the grant application and review process, including the application submission, budget review and application review processes. This GAP also contains the criteria for review of applications, appeals of scientific review, the process for approval for funding and it delineates certain policies regarding access to public records and use of personal information. The GAP also addresses the pre-award process, acceptance and rules governing election to treat an award as a loan. The GAP also details the rules governing the payment and use of CIRM funds including allowable costs and activities that may be funded with CIRM funds. Additionally, the GAP identifies allowable and unallowable facilities costs, prior approval requirements, accounting and documentation requirements, consequences for misuse of funds and reporting requirements and finally rules regarding determination and consequences for failure to comply.

Title 17

ADOPT: 100503

Filed 01/06/2016

Effective 01/06/2016

Agency Contact: C. Scott Tocher (415) 396-9136

File# 2015-1125-02

Department of Alcoholic Beverage Control

Malt Beverage Regulations — Beer Labeling Requirements

These changes without regulatory effect by the Department of Alcoholic Beverage Control (the "Department") amend section 130 in title 4 of the California Code of Regulations. Prior to these changes without regulatory effect, subdivision (c) of Section 130 required that a copy of any label or notice affixed to beer be filed with the Department and prohibited the sale or delivery of beer in California until the Department accepted the label or notice for filing. Subdivision (e) of Section 130 required that any variation or change to a label or notice be separately filed with the Department. Assembly Bill 893 (2015-2016 Reg. Sess.) repealed and adopted Business and Professions Code section

25200. Subdivision (c) of the newly adopted Business and Professions Code section 25200 requires that the manufacturer of a brand of beer register the brand with the Department prior to the first sale of the brand in this state and, upon filing the registration with the Department, allows the brand to be sold in this state without further action by the Department. As such, the Department is deleting subdivisions (c) and (e) of Section 130 as changes without regulatory effect.

Title 4
 AMEND: 130
 Filed 01/04/2016
 Agency Contact: Devin Gray (916) 928-7627

File# 2015-1117-01
 DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Use of Force

This certificate of compliance action makes permanent and amends regulations regarding the use of force in institutions and related forms.

Title 15
 AMEND: 3000, 3268, 3268.1, 3268.2
 Filed 12/30/2015
 Effective 12/30/2015
 Agency Contact: Sarah Pollock (916) 445-2308

File# 2015-1120-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance makes permanent the expansion of the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) in the Bakersfield area of Kern County. The effect of the amendment provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in Kern County.

Title 3
 AMEND: 3435(b)
 Filed 01/06/2016
 Effective 01/06/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1229-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) by approximately 84 square miles in the Sumner Hill area of Madera County and into Fresno County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP with-

in this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare and Ventura, and portions of Fresno, Kern, Madera, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, and Stanislaus counties that are already under quarantine for the ACP. The total area which would be under quarantine would be approximately 52,993 square miles.

Title 3
 AMEND: 3435(b)
 Filed 12/30/2015
 Effective 12/30/2015
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0104-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) by approximately 94 square miles in the Lodi area, expanding into the Stockton area, of San Joaquin County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare and Ventura, and portions of Fresno, Kern, Madera, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, and Stanislaus counties that are already under quarantine for the ACP. The total area which would be under quarantine would be approximately 53,087 square miles.

Title 3
 AMEND: 3435(b)
 Filed 01/05/2016
 Effective 01/05/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1120-03
 DEPARTMENT OF HEALTH CARE SERVICES
 Hospice Care

This rulemaking by the Department of Health Care Services amends sections in Title 22 of the California Code of Regulations regarding hospice benefits under the Medi-Cal program for certified terminally ill beneficiaries. This action clearly specifies the scope and duration of hospice care for Medi-Cal beneficiaries and specifies that children under hospice care who are under the age of 21 are allowed curative care. With these changes, the Medi-Cal provisions will be consistent with federal law and the Medicare program.

Title 22
AMEND: 51180, 51349
Filed 01/05/2016
Effective 04/01/2016
Agency Contact: Kenneisha Moore (916) 440-7695

File# 2015-1113-01
DEPARTMENT OF SOCIAL SERVICES
Administrator Certification Program CCL

This rulemaking by the Department of Social Services (Department) revises regulations relating to the Administrator Certification Program of Community Care Licensing including certification and continuing education of facility administrators of Group Homes, Adult Residential Facilities, and Residential Care Facilities for the Elderly.

Title 22, MPP
ADOPT: 84092, 84093, 85092, 85093, 87794, 87795 AMEND: 84001, 84002, 84064, 84064.2, 84064.3, 84064.4, 84064.5, 84090, 84090.1, 84090.2, 84091, 84091.1, 84091.2, 84091.3, 84091.4, 85001, 85002, 85064, 85064.2, 85064.3, 85064.4, 85064.5, 85090, 85090.1, 85090.2, 85091, 85091.1, 85091.2, 85091.3, 85091.4, 87101, 87102, 87405, 87406, 87407, 87408, 87409, 87785, 87786, 87787, 87788, 87789, 87791, 87792, 87793
Filed 12/30/2015
Effective 01/01/2016
Agency Contact: Kenneth Jennings (916) 651-8862

File# 2015-1119-03
DEPARTMENT OF SOCIAL SERVICES
Social Rehabilitation Facilities, Section 100, Non-Substantive Changes

This action amends and adopts, without regulatory effect, numerous regulations in Title 22 of the California Code of Regulations, and makes corresponding changes to sections of the Department of Social Services Manual of Policies and Procedures, regarding Social Rehabilitation Facilities (SRFs). The action consolidates and relocates all regulatory provisions affecting SRFs into Title 22, Division 6, Chapter 2, rather than having provisions affecting SRFs in both Chapters 1 and 2 of Division 6.

Title 22
ADOPT: 81005, 81006, 81007, 81008, 81011, 81012, 81017, 81019, 81019.1, 81020, 81021, 81023, 81025, 81026, 81028, 81029, 81030, 81034, 81035, 81036, 81040, 81043, 81044, 81045, 81046, 81052, 81053, 81054, 81055, 81055.1, 81056, 81058, 81059, 81062, 81063, 81069.2, 81071, 81073, 81074, 81075.1, 81077.2, 81077.3, 81077.4, 81077.5, 81086, 81090, 81091, 81092, 81092.1,

81092.2, 81092.3, 81092.4, 81092.5, 81092.6, 81092.7, 81092.8, 81092.9, 81092.10, 81092.11, 81093, 81094, 81094.5 AMEND: 80000, 80001, 80019, 80065, 80068, 80068.5, 80069, 80069.2, 80070, 80075, 80077.2, 80077.5, 80088, 80092.1, 80092.2, 81000, 81001, 81009, 81010, 81018, 81022, 81024, 81027, 81031, 81042, 81051, 81060, 81061, 81064, 81064.1, 81065, 81065.5, 81065.6, 81066, 81068, 81068.1, 81068.2, 81068.3, 81068.4, 81068.5, 81069, 81070, 81072, 81075, 81076, 81078, 81079, 81080, 81087, 81087.2, 81087.3, 81088
Filed 01/05/2016
Agency Contact: Ying Sun (916) 651-2586

File# 2015-1116-01
FISH AND GAME COMMISSION
Commercial hagfish traps

Through this regular rulemaking, the Fish and Game Commission (the "Commission") is amending section 180.6 in title 14 of the California Code of Regulations. Section 180.6 is being amended to allow hagfish to be taken in 40-gallon barrel traps. These amendments also allow the use of up to three ground lines and up to 25 barrel traps per vessel. Additionally, the amendments to Section 180.6 specify that, if using barrel traps, no other trap type may be used or possessed aboard the vessel. Lastly, these amendments prohibit the use of popups with buoy lines attached to barrel traps.

Title 14
AMEND: 180.6
Filed 12/30/2015
Effective 01/01/2016
Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2015-1216-01
NATIVE AMERICAN HERITAGE COMMISSION
Conflict-of-Interest Code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
AMEND: 48000
Filed 01/06/2016
Effective 02/05/2016
Agency Contact: Terrie L. Robinson

File# 2015-1120-04
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
Confined Spaces in Construction (Horcher)

The U.S. Department of Labor, Occupational Safety and Health Administration promulgated regulations ad-

dressing Safety Standards for Confined Spaces in Construction on May 4, 2015, as 29 Code of Federal Regulations, sections 1926.1200–1926.1213. Through this rulemaking, the Board is adopting sections in Title 8 of the California Code of Regulations that are substantially the same as the final rule promulgated by Federal OSHA. This action is exempt from OAL review.

Title 8

ADOPT: 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962

Filed 12/30/2015

Effective 12/30/2015

Agency Contact: Marley Hart (916) 274–5721

File# 2015–1130–01

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Hazard Communication

This change without regulatory effect by the Occupational Safety and Health Standards Board (the “Board”) amends section 5194 in title 8 of the California Code of Regulations. A cite to Section 5194(g) in the definition for “Safety data sheet (SDS)” in subdivision (c) is incorrectly stated as “section 5914(g).” The Board is correcting this cite as a change without regulatory effect.

Title 8

AMEND: 5194(c)

Filed 01/06/2016

Agency Contact: Michael Manieri (916) 274–5721

CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN August 5, 2015 TO January 6, 2016

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 2

- 01/06/16 AMEND: 48000
- 12/30/15 AMEND: 53900
- 12/23/15 AMEND: 1859.2, 1859.107, 1859.164.2, 1859.195, 1859.198
- 12/23/15 AMEND: 1859.70.4, 1859.93, 1859.93.1, 1859.190
- 12/22/15 AMEND: 51000

- 12/21/15 AMEND: 58200
- 12/21/15 AMEND: 59100
- 12/21/15 AMEND: 1859.76
- 12/15/15 ADOPT: 18360 AMEND: 18362 REPEAL: 18360
- 12/15/15 AMEND: 57500
- 12/15/15 REPEAL: 18413
- 12/14/15 ADOPT: 5.1, 5.2, 90, 248, 548.2, 548.5 REPEAL: 548.77
- 12/09/15 ADOPT: 11023 AMEND: 11005.1 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258) REPEAL: 11024
- 12/08/15 ADOPT: 59790
- 12/03/15 REPEAL: 28010
- 12/02/15 ADOPT: 25, 26
- 12/02/15 ADOPT: 11, 12, 12.1, 155, 156, 157, 158, 159 AMEND: 547.52
- 11/19/15 ADOPT: 59550
- 11/09/15 AMEND: 18225.7 REPEAL: 18550.1
- 11/04/15 AMEND: 37000
- 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.167.2, 1859.193
- 10/28/15 AMEND: 52400
- 10/19/15 AMEND: 18422
- 10/19/15 AMEND: 18422.5
- 10/12/15 AMEND: 599.500
- 09/24/15 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.10, 1182.12, 1182.13, 1183.1, 1183.2, 1183.4, 1183.5, 1183.7, 1183.8, 1183.9, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18,

1184.1, 1185.1, 1185.2, 1185.3, 1185.4,
 1185.5, 1185.6, 1185.7, 1185.8, 1185.9,
 1186.1, 1186.2, 1186.3, 1186.4, 1186.5,
 1186.6, 1186.7, 1187.1, 1187.2, 1187.3,
 1187.4, 1187.5, 1187.6, 1187.7, 1187.8,
 1187.9, 1187.10, 1187.11, 1187.12,
 1187.13, 1187.14, 1187.15, 1188.1,
 1188.2, 1190.1, 1190.2, 1190.3, 1190.4,
 1190.5
 09/21/15 AMEND: 35101
 09/16/15 AMEND: 54100
 09/14/15 AMEND: 55200
 09/10/15 AMEND: 60000, 60010, 60510, 60550,
 60560
 09/09/15 ADOPT: 59750
 09/08/15 AMEND: 560
 08/13/15 AMEND: 1859.163.1

Title 3

01/06/16 AMEND: 3435(b)
 01/05/16 AMEND: 3435(b)
 12/30/15 AMEND: 3435(b)
 12/23/15 ADOPT: 3441
 12/21/15 AMEND: 3435(b)
 12/16/15 AMEND: 3435(b)
 12/15/15 AMEND: 3435(b)
 12/14/15 AMEND: 3435
 12/07/15 AMEND: 3435(b)
 12/02/15 AMEND: 6170.5, 6723, 6724, 6761
 11/24/15 AMEND: 3435(b)
 11/24/15 AMEND: 3435(b)
 11/18/15 AMEND: 6260, 6262, 6264, 6266
 11/13/15 AMEND: 3435(b)
 11/12/15 AMEND: 3435(b)
 11/09/15 AMEND: 1358.4
 11/04/15 AMEND: 6000, 6188, 6742, 6746, 6793
 10/29/15 AMEND: 3435(b)
 10/22/15 ADOPT: 1280.11 AMEND: 1280,
 1280.1, 1280.7, 1280.8
 09/30/15 AMEND: 3435(b)
 09/30/15 AMEND: 1380.19, 1430.10, 1430.12,
 1430.14, 1430.26, 1430.27, 1430.45
 09/16/15 AMEND: 3435(b)
 08/27/15 AMEND: 3435
 08/26/15 AMEND: 6502
 08/20/15 AMEND: 3435(b)
 08/17/15 AMEND: 2100
 08/14/15 ADOPT: 450, 450.1, 450.2, 450.3, 450.4,
 451, 452
 08/10/15 AMEND: 6148, 6148.5, 6170, 6216
 08/10/15 AMEND: 3435(b)
 08/10/15 AMEND: 3435(b)
 08/06/15 AMEND: 3435(b)

Title 4

01/04/16 AMEND: 130
 12/29/15 AMEND: 1887
 12/24/15 AMEND: 10302, 10315, 10317, 10320,
 10322, 10325, 10326, 10327, 10328,
 10337
 12/10/15 AMEND: 1632
 12/03/15 ADOPT: 10091.1, 10091.2, 10091.3,
 10091.4, 10091.5, 10091.6, 10091.7,
 10091.8, 10091.9, 10091.10, 10091.11,
 10091.12, 10091.13, 10091.14, 10091.15
 11/30/15 ADOPT: 7125.1 AMEND: 7113, 7116,
 7118, 7119, 7125, 7127
 11/17/15 AMEND: 2000
 11/09/15 ADOPT: 5258, 5271, 5273 AMEND:
 5033, 5052, 5100, 5102 (renumbered to
 5101), 5103 (renumbered to 5102), 5104
 (renumbered to 5103), 5105 (renumbered
 to 5104), 5106 (renumbered to 5105),
 5107 (renumbered to 5106), 5132, 5170,
 5190, 5191, 5192, 5200, 5205, 5210,
 5230, 5232, 5250, 5255, 5260, 5267
 REPEAL: 5101
 11/02/15 ADOPT: 8078.3, 8078.4, 8078.5, 8078.6,
 8078.7
 10/27/15 AMEND: 8035
 10/26/15 AMEND: 10170.2, 10170.3, 10170.4,
 10170.5, 10170.6, 10170.7, 10170.8,
 10170.9, 10170.10, 10170.11
 10/05/15 AMEND: 1843.2
 09/08/15 ADOPT: 8130, 8131, 8132, 8133, 8134,
 8135, 8136, 8137, 8138
 09/08/15 ADOPT: 10091.1, 10091.2, 10091.3,
 10091.4, 10091.5, 10091.6, 10091.7,
 10091.8, 10091.9, 10091.10, 10091.11,
 10091.12, 10091.13, 10091.14, 10091.15
 08/31/15 AMEND: 1844
 08/19/15 AMEND: 1433

Title 5

12/14/15 AMEND: 80057.5, 80089, 80089.1,
 80089.2
 12/08/15 AMEND: 3030(b)(10)
 11/23/15 ADOPT: 71105, 71105.5, 71410, 71471,
 71775, 71775.5, 74240, 74250, 75140
 AMEND: 70000, 71400, 71650, 75150
 11/23/15 ADOPT: 851.5, 853.6, 853.8 AMEND:
 850, 851, 853, 853.5, 853.7, 855, 857,
 858, 859, 860, 861, 862, 862.5, 863, 864
 11/18/15 ADOPT: 80002 AMEND: 80001
 11/03/15 AMEND: 1505
 10/06/15 AMEND: 80225
 10/05/15 AMEND: 19810

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 3-Z

09/10/15	AMEND: 19810	6608, 6610, 6612, 6614, 6616, 6618, 6620
Title 8		
01/06/16	AMEND: 5194(c)	12/04/15 ADOPT: 1422.3, 1950.122.4.2
12/30/15	ADOPT: 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962	11/02/15 AMEND: 2498.5
11/23/15	AMEND: 10133.32	11/02/15 AMEND: 2498.4.9
11/05/15	AMEND: 333, 336	11/02/15 AMEND: 2498.6
10/21/15	AMEND: 15600, 15609	10/26/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5
09/21/15	ADOPT: 14006.1 AMEND: 14003, 14007	10/15/15 ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516
09/21/15	ADOPT: 9785.2.1, 9785.3.1, 9785.4.1, AMEND: 9770, 9785, 9785.4, 9792.5.1	09/17/15 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622
09/15/15	AMEND: 3437, 3441, 3664(b)	08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3
08/28/15	AMEND: 3411	08/11/15 ADOPT: 80.125.10, 80.129, 80.158.10, 80.166.10, 80.4100.10, 80.4105.10, 80.4105.11, 80.4118.10, 80.4118.11, 80.4305, 80.5100, 80.5200.1, 80.5210, 80.5304.1, 80.5305, 95.600 AMEND: 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 80.100, 80.125, 80.126, 80.150, 80.151, 80.152, 80.153, 80.154, 80.155, 80.156, 80.157, 80.158, 80.159, 80.160, 80.161, 80.162, 80.163, 80.164, 80.165, 80.166, 80.167, 80.168, 80.169, 80.170, 80.172, 80.173, 80.174, 80.175, 80.176, 80.177, 80.3000, 80.3001, 80.3002, 80.4000, 80.4100, 80.4101, 80.4102, 80.4103, 80.4104, 80.4105, 80.4106, 80.4107, 80.4108, 80.4109, 80.4111, 80.4113, 80.4115, 80.4117, 80.4118, 80.4119, 80.4120, 80.4121, 80.4123, 80.4124, 80.4125, 80.4126, 80.4127, 80.4200, 80.4201, 80.4300, 80.4301, 80.4302, 80.4303, 80.4304, 80.4308, 80.4309, 80.4310, 80.4311, 80.4312, 80.4313, 80.5000, 80.5200, 80.5201, 80.5300, 80.5301, 80.5302, 80.5303, 80.5304, 95.5025, 95.5030 REPEAL: 80.127, 80.171, 80.4110, 80.4112, 80.4114, 80.4037, 80.5202, 95.2, 95.3, 95.5010
08/27/15	AMEND: 8397.4	
08/27/15	AMEND: 1710	
08/24/15	AMEND: 9810, 9811, 9812, 9814, 9815, 9881.1, 10139 REPEAL: 9813	
08/20/15	AMEND: 14300.2	
08/12/15	AMEND: 30, 30.5, 31.1, 100, 104, 105, 106, 109	
08/10/15	AMEND: 333, 336	
Title 9		
11/05/15	AMEND: 4210	
10/07/15	ADOPT: 3200.245, 3200.246, 3510.010, 3560, 3560.010, 3560.020, 3700, 3701, 3705, 3706, 3710, 3715, 3720, 3725, 3726, 3730, 3735, 3740, 3745, 3750, 3755, 3755.010	
10/02/15	AMEND: 10701	
08/31/15	AMEND: 881	
08/26/15	AMEND: 513, 524, 530, 541, 553, 620, 620.1, 1900, 1901, 1904, 1913, 1921	
08/24/15	AMEND: 1810.110, 1810.214, 1810.215, 1810.218, 1810.219, 1810.223.5, 1810.224, 1810.230, 1810.236, 1810.237, 1810.239, 1810.246, 1810.252, 1810.355, 1810.380, 1810.425, 1820.110, 1820.115, 1820.200, 1830.115, 1840.100, 1840.210, 1840.302, 1840.312, 1850.210, 1850.213, 1850.505, 1850.515, 1850.520, 1850.530, 1850.535 REPEAL: 1810.214.1	
Title 10		
12/23/15	ADOPT: 6650, 6652, 6656, 6657, 6658, 6660, 6662, 6664, 6666, 6668, 6670	
12/14/15	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606,	
Title 11		
12/09/15	AMEND: 1070(c)	
12/09/15	AMEND: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1018, 1019, 1051, 1054, 1055, 1056, 1057, 1058, 1060, 1070,	

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 3-Z

1071, 1080, 1081, 1082, 1083, 1084,
1950, 1951, 1952, 1953, 1954, 1955,
1956, 1957, 1958, 1959, 1960
11/23/15 ADOPT: 4250, 4251, 4252, 4253, 4254,
4255, 4256, 4257, 4258, 4259
10/27/15 ADOPT: 313, 314, 315, 316, 999.9,
999.9.1, 999.9.2, 999.9.3, 999.9.4,
999.9.5 AMEND: 999.6, 999.7, 999.8
10/20/15 AMEND: 1005, 1007, 1008
08/31/15 ADOPT: 4250, 4251, 4252, 4253, 4254,
4255, 4256, 4257, 4258, 4259
08/26/15 AMEND: 1011
08/17/15 AMEND: 1009

Title 12

12/02/15 AMEND: 800.1, 803, 804, 809 REPEAL:
808

Title 13

12/21/15 AMEND: 423.00
12/09/15 ADOPT: 1157.21 AMEND: 1157,
1157.4, 1157.6, 1157.8, 1157.10,
1157.12, 1157.13, 1157.14, 1157.16,
1157.18, 1157.20
11/16/15 ADOPT: 2293, 2293.1, 2293.2, 2293.3,
2293.4, 2293.5, 2293.6, 2293.7, 2293.8,
2293.9, Appendix 1 AMEND: 2290,
2291, 2293 (renumbered to 2294), 2293.5
(renumbered to 2295)
11/09/15 AMEND: 551.21
10/21/15 ADOPT: 551.22 AMEND: 550, 551.2
10/12/15 AMEND: 1962.1, 1962.2
10/08/15 AMEND: 1900, 1956.8, 1961.2, 1962.2,
1965, 1976, 1978
09/21/15 AMEND: 1.00
08/12/15 AMEND: 268.12, 285.06, 330.08

Title 14

12/30/15 AMEND: 180.6
12/29/15 AMEND: 1038
12/28/15 ADOPT: 8.01
12/15/15 AMEND: 4970.00, 4970.01, 4970.04,
4970.05, 4970.06.1, 4970.07, 4970.08,
4970.09, 4970.10.4, 4970.17, 4970.23,
4970.24.1, 4970.25.1
12/10/15 AMEND: 1.92, 703
11/30/15 AMEND: 1665.7
11/30/15 AMEND: 163, 164
11/24/15 AMEND: 29.85
11/23/15 AMEND: 1052.1
11/23/15 AMEND: 895.1, 916.9, 917.2, 937.2,
957.2, 937.3, 957.3, 929.1, 949.1, 969.1,
1038, 1039.1, 1041, 1092.01, 1092.26,
1092.28, 1109.4
11/19/15 AMEND: 890
11/13/15 AMEND: 478, 479
11/06/15 AMEND: 29.80, 29.85

11/06/15 ADOPT: 131
11/05/15 AMEND: 29.85
11/03/15 AMEND: 895.1, 1038, 1038.2
11/03/15 AMEND: 870.15, 870.17, 870.19,
870.21
10/19/15 ADOPT: 1760.1, 1779.1
10/16/15 AMEND: 17354, 17356
10/12/15 AMEND: 819, 819.01, 819.02, 819.03,
819.04, 819.05, 819.06, 819.07
10/05/15 ADOPT: 18660.44, 18660.45, 18660.46
AMEND: 18660.7
09/28/15 AMEND: 310.5
09/24/15 AMEND: 1665.7
09/22/15 AMEND: 502
09/21/15 AMEND: 18419
09/04/15 AMEND: 916.2, 936.2, 956.2
09/03/15 ADOPT: 798 AMEND: 791, 791.6,
791.7, 792, 793, 794, 795, 796, 797
09/03/15 ADOPT: 820.02
09/03/15 ADOPT: 817.04 AMEND: 790
08/31/15 AMEND: 4800
08/21/15 AMEND: 18660.5, 18660.6, 18660.21,
18660.22, 18660.23, 18660.24

Title 14, 27

11/10/15 ADOPT: Title 14: 17017, 17854.1,
17863.4.1, 17868.3.1, 17896.1, 17896.2,
17896.3, 17896.4, 17896.5, 17896.6,
17896.7, 17896.8, 17896.9, 17896.10,
17896.11, 17896.12, 17896.13,
17896.14, 17896.15, 17896.16,
17896.17, 17896.18, 17896.19,
17896.20, 17896.21, 17896.22,
17896.23, 17896.24, 17896.25,
17896.26, 17896.27, 17896.28,
17896.29, 17896.30, 17896.31,
17896.32, 17896.33, 17896.34,
17896.35, 17896.36, 17896.37,
17896.38, 17896.39, 17896.40,
17896.41, 17896.42, 17896.43,
17896.44, 17896.45, 17896.46,
17896.47, 17896.48, 17896.49,
17896.50, 17896.51, 17896.52,
17896.53, 17896.54, 17896.55,
17896.56, 17896.57, 17896.58,
17896.59, 17896.60, 17896.61,
18221.5.1, 18221.6.1 AMEND: Title 14:
17362.2, 17377.2, 17381.1, 17383.3,
17383.4, 17383.7, 17388.3, 17403.1,
17403.2, 17403.3, 17409.2, 17852,
17855, 17855.2, 17855.3, 17856,
17857.1, 17857.2, 17859.1, 17862,
17862.1, 17863, 17863.4, 17867,
17868.1, 17868.2, 17868.3, 17868.5,
17869, 18083, 18100, 18101, 18102,

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 3-Z

	18103, 18103.1, 18103.2, 18104, 18104.1, 18104.2, 18104.3, 18104.6, 18104.9, 18105, 18105.1, 18105.2, 18105.3, 18105.5, 18105.6, 18105.8, 18105.9, 18105.11, 18227, 18302; Title 27: 21620, Appendix 1 REPEAL: Title 14: 17855.4	11/25/15	AMEND: 1209, 1214, 1216, 1221, 1255, 1258, 1258.1, 1258.2, 1258.4 REPEAL: 1258.3
		11/24/15	ADOPT: 2386.5 AMEND: 2382, 2383, 2384, 2385, 2386, 2387, 2388
		11/23/15	AMEND: 109
		11/20/15	AMEND: 4151, 4152
		11/19/15	AMEND: 1793.5
		10/28/15	AMEND: 1399.100, 1399.101, 1399.102, 1399.105, 1399.111, 1399.113, 1399.114, 1399.115, 1399.116, 1399.117, 1399.118, 1399.119, 1399.120, 1399.121, 1399.122, 1399.126, 1399.127, 1399.132, 1399.133, 1399.134, 1399.135, 1399.136, 1399.137, 1399.138, 1399.139, 1399.140, 1399.141, 1399.142, 1399.143, 1399.144, 1399.150.1, 1399.150.2, 1399.150.3, 1399.151, 1399.151.1, 1399.152, 1399.152.1, 1399.152.2, 1399.152.3, 1399.153, 1399.153.2, 1399.153.3, 1399.153.4, 1399.153.8, 1399.153.9, 1399.154, 1399.154.1, 1399.154.2, 1399.154.3, 1399.154.4, 1399.154.5, 1399.155, 1399.156, 1399.156.2, 1399.156.3, 1399.156.5, 1399.157.2, 1399.159, 1399.159.01, 1399.159.1, 1399.159.2, 1399.159.3, 1399.160.1, 1399.160.2, 1399.160.3, 1399.160.7, 1399.160.8, 1399.160.9, 1399.160.10, 1399.160.12, 1399.170.15, 1399.170.18, 1399.180, 1399.182
		09/29/15	ADOPT: 1746.3
		09/21/15	ADOPT: 1399.15, 1399.16 AMEND: 1398.1, 1398.3, 1398.11, 1398.13, 1398.26.5, 1398.31, 1398.37, 1398.44, 1398.47, 1398.52, 1399, 1399.12, 1399.24, 1399.94 REPEAL: 1399.15, 1399.16
		09/21/15	AMEND: 639, 641
		09/21/15	AMEND: 635
		09/14/15	ADOPT: 12.1 AMEND: 12
		09/03/15	AMEND: 1399.671, 1399.673, 1399.676
		08/31/15	AMEND: 1364.10, 1364.12, 1364.13, 1364.14
		08/24/15	AMEND: 12, 12.5, 37
		08/20/15	AMEND: 3305
		08/20/15	AMEND: 1417
		08/19/15	ADOPT: 2744, 2744.1
		08/18/15	ADOPT: 309, 309.1, 309.2, 309.3, 309.4
		08/06/15	AMEND: 109
Title 15			
12/30/15	AMEND: 3000, 3268, 3268.1, 3268.2		
12/24/15	ADOPT: 1712.3, 1714.3, 1730.3, 1740.3 AMEND: 1700, 1706, 1712.2, 1714.2, 1730.2, 1731, 1740.2, 1747, 1747.1, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792		
12/14/15	AMEND: 3124		
12/14/15	ADOPT: 3999.20		
12/03/15	ADOPT: 3340, 3341, 3341.1, 3341.2, 3341.3, 3341.4, 3341.5, 3341.6, 3341.7, 3341.8, 3341.9 AMEND: 3000, 3044, 3269, 3269.1, 3335, 3335.5, 3336, 3337, 3338, 3339, 3340 (Renumbered to 3335.5), 3342, 3343, 3344 REPEAL: 3341, 3341.5		
11/23/15	AMEND: 3173.2		
11/17/15	ADOPT: 3317.1, 3317.2 AMEND: 3310, 3315, 3317		
11/05/15	AMEND: 3349 REPEAL: 3349.1.1, 3349.1.2, 3349.1.3, 3349.1.4, 3349.2.1, 3349.2.2, 3349.2.3, 3349.2.4, 3349.3, 3349.3.1, 3349.3.2, 3349.3.3, 3349.3.4, 3349.3.5, 3349.3.6, 3349.3.7, 3349.4.1, 3349.4.2, 3349.4.3, 3349.4.4, 3349.4.5, 3349.4.6		
09/28/15	AMEND: 8199		
09/15/15	AMEND: 3375.1, 3377		
09/01/15	AMEND: 8113		
09/01/15	ADOPT: 3999.19		
08/26/15	ADOPT: 8115, 8116, 8116.1, 8117		
08/06/15	ADOPT: 8005 AMEND: 8004, 8004.2, 8004.3		
Title 16			
12/30/15	ADOPT: 1805.01, 1805.05, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1877.1, 1877.2, 1877.3 AMEND: 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877		
12/23/15	ADOPT: 1399.50, 1399.52		
11/30/15	ADOPT: 1820.7 AMEND: 1820, 1820.5, 1822		

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 3-Z

Title 17

01/06/16 ADOPT: 100503
 11/16/15 ADOPT: 95480, 95481, 95482, 95483, 95483.1, 95483.2, 95484, 95485, 95486, 95487, 95488, 95489, 95490, 95491, 95492, 95493, 95494, 95495, 95496, 95497 REPEAL: 95480, 95480.1, 95480.2, 95480.3, 95480.4, 95480.5, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95488, 95489, 95490
 10/20/15 AMEND: 95802, 95973, 95975, 95976, 95981, 95985, 95990

Title 18

01/06/16 AMEND: 1619
 12/29/15 ADOPT: 18416.5
 12/16/15 AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1805, 1825
 12/08/15 AMEND: 1584
 11/10/15 AMEND: 284, 1027
 11/05/15 AMEND: 1705.1, 4903, 5240, 5241, 5242

Title 19

12/07/15 AMEND: 2600

Title 20

12/21/15 ADOPT: 1208, 1208.1, 1209, 1210, 1211, 1211.5, 1212, 1230, 1231, 1232, 1232.5, 1233, 1233.1, 1233.2, 1233.3, 1233.4, 1234 AMEND: 1003, 1101, 1104, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207 [renumbered to 1211.7], 1208 [renumbered to 1207], 1718 [renumbered to 1207.5], 1225, 1240, 1675, 1701, 1706, 1707, 1709.5, 1709.7, 1712.5 [renumbered to 1710], 1710 [renumbered to 1711], 1714, 1714.5, 1720, 1720.4, 1729, 1742, 1744, 1744.5, 1748 [renumbered to 1745], 1749 [renumbered to 1745.5], 1753 [renumbered as 1746], 1754 [renumbered as 1747], 1755 [renumbered to 1748], 1769, 1804, 1863, 2001, 2010, 2012, 2027, 2028, 2030, 2322, 2325, 2328, Appendix A [following section 2340], Appendix B [following section 2012 and Appendix A] REPEAL: 1209, 1209.5, 1210, 1211, 1212, 1213, 1214, 1217, 1230, 1231, 1232, 1233, 1233.5, 1234, 1235, 1236, 1236.5, 1237, 1702, 1705, 1711, 1712, 1716.5, 1717, 1718, 1718.5, 1719, 1742.5, 1743, 1745, 1747, 1751, 1752, 1752.3, 1752.5, 1752.7, 1757, 1765
 10/20/15 AMEND: 3103
 09/03/15 AMEND: 3103

08/20/15 AMEND: 1602, 1604, 1605.1, 1605.3, 1606
 08/19/15 AMEND: 1602, 1604, 1605.1, 1605.3, 1606

Title 21

10/01/15 ADOPT: Article Heading AMEND: 1412.1
 09/23/15 AMEND: 7000

Title 22

01/05/16 ADOPT: 81005, 81006, 81007, 81008, 81011, 81012, 81017, 81019, 81019.1, 81020, 81021, 81023, 81025, 81026, 81028, 81029, 81030, 81034, 81035, 81036, 81040, 81043, 81044, 81045, 81046, 81052, 81053, 81054, 81055, 81055.1, 81056, 81058, 81059, 81062, 81063, 81069.2, 81071, 81073, 81074, 81075.1, 81077.2, 81077.3, 81077.4, 81077.5, 81086, 81090, 81091, 81092, 81092.1, 81092.2, 81092.3, 81092.4, 81092.5, 81092.6, 81092.7, 81092.8, 81092.9, 81092.10, 81092.11, 81093, 81094, 81094.5 AMEND: 80000, 80001, 80019, 80065, 80068, 80068.5, 80069, 80069.2, 80070, 80075, 80077.2, 80077.5, 80088, 80092.1, 80092.2, 81000, 81001, 81009, 81010, 81018, 81022, 81024, 81027, 81031, 81042, 81051, 81060, 81061, 81064, 81064.1, 81065, 81065.5, 81065.6, 81066, 81068, 81068.1, 81068.2, 81068.3, 81068.4, 81068.5, 81069, 81070, 81072, 81075, 81076, 81078, 81079, 81080, 81087, 81087.2, 81087.3, 81088
 01/05/16 AMEND: 51180, 51349
 12/14/15 ADOPT: 50188
 12/10/15 ADOPT: 51190.4.1 AMEND: 51231.1, 51231.2, 51323, 51360, 51491
 10/20/15 REPEAL: 75051
 10/16/15 AMEND: 97215, 97216, 97217, 97221, 97222, 97223, 97224, 97228, 97229
 10/15/15 ADOPT: 100044, 100044.1, 100044.2, 100044.3, 100044.4, 100044.5, 100044.6, 100044.7, 100044.8, 100044.9, 100044.10, 100045, 100046, 100047, 100048, 100049, 100050, 100051, 100052, 100053, 100054
 10/02/15 ADOPT: 51315.1, 51315.2 AMEND: 51161, 51315
 09/03/15 AMEND: 50961, 50962, 50963
 08/26/15 AMEND: 51516.1
 08/17/15 AMEND: 97174
 08/17/15 ADOPT: 51000.9.5, 51000.15.5, 51000.24.3, 51000.24.4, 51000.24.4.1,

CALIFORNIA REGULATORY NOTICE REGISTER 2016, VOLUME NO. 3-Z

51000.24.5, 51000.24.8, 51000.70,
51000.75 AMEND: 51000, 51000.7,
51000.20, 51000.30, 51000.31,
51000.35, 51000.40, 51000.45,
51000.60, 51051, 51341.1

Title 22, MPP

12/30/15 ADOPT: 84092, 84093, 85092, 85093,
87794, 87795 AMEND: 84001, 84002,
84064, 84064.2, 84064.3, 84064.4,
84064.5, 84090, 84090.1, 84090.2,
84091, 84091.1, 84091.2, 84091.3,
84091.4, 85001, 85002, 85064, 85064.2,
85064.3, 85064.4, 85064.5, 85090,
85090.1, 85090.2, 85091, 85091.1,
85091.2, 85091.3, 85091.4, 87101,
87102, 87405, 87406, 87407, 87408,
87409, 87785, 87786, 87787, 87788,
87789, 87791, 87792, 87793

Title 23

12/23/15 AMEND: 3949.5
12/17/15 AMEND: 879
12/02/15 ADOPT: 3008
11/09/15 ADOPT: 3939.47
11/06/15 ADOPT: 340, 340.2, 340.4, 341, 342,
342.2, 342.4, 342.6, 343, 343.2, 343.4,
343.6, 343.8, 343.9, 343.10, 343.12,
343.14, 344, 344.2, 344.4, 344.6, 344.8,
344.10, 344.12, 344.14, 344.16, 344.18,
345, 345.2, 345.4, 346, 346.2, 346.4,
346.6
10/28/15 AMEND: 1062, 1064, 1066

10/12/15 ADOPT: 2200.7, 2200.8 AMEND: 2200,
2200.7

09/15/15 ADOPT: 492.15, 495, Appendix D
AMEND: 490, 490.1, 491, 492, 492.4,
492.5, 492.6, 492.7, 492.9, 492.11,
492.12, 492.13, 492.14, 492.16, 492.17,
492.18, 493, 493.1, 494, Appendix A,
Appendix B, Appendix C

Title 25

10/13/15 AMEND: 8000, 8002, 8004, 8006, 8008,
8010, 8012

Title 27

10/28/15 AMEND: 10010

Title 28

12/09/15 AMEND: 1300.76, 1300.76.1,
1300.82.1, 1300.84.06, 1300.84.2,
1300.84.3

11/18/15 AMEND: 1000

Title MPP

12/24/15 ADOPT: 42-749 AMEND: 41-440,
42-711, 42-716, 44-207

12/23/15 ADOPT: 42-708, 42-709 AMEND:
42-302, 42-701, 42-711, 42-712,
42-713, 42-714, 42-716, 42-717,
42-720, 42-721, 42-722, 42-802,
42-1009, 42-1010, 44-111

11/30/15 AMEND: 40-034, 44-211, 44-303,
44-307, 44-316, 82-832

11/30/15 ADOPT: 30-777 AMEND: 30-701,
30-776

