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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)¹ 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 Commission will consider the proposed regulation at a public hearing on or after **March 15, 2012**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on March 13, 2012.**

BACKGROUND/OVERVIEW

The Act creates two basic categories of payments made to a candidate: contributions and gifts. Generally, a “contribution” includes “a payment, forgiveness of a loan, payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.” (Section 82015(a), emphasis added.) A “gift” is “any payment that confers a *personal benefit* on the recipient, to the extent that consideration of equal or greater value is not received. . . .” (Section 82028(a), emphasis added.) These categories assist in determining how a particular payment should be reported and also determine what, if any, limits apply.

¹The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Additional descriptors and exceptions apply to those payments that are classified as contributions. For example, a payment “made at the behest of” a committee is a contribution to the committee unless full and adequate consideration is received. (Section 82005(b)(1).) Similarly, payments made at the behest of a candidate are also contributions, unless certain factors apply. A payment is made at the behest of a candidate whenever it is made “under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express, prior consent of” a candidate. (Section 82015; Regulation 18225.7.)

Section 82015(b)(2)(B)(iii) establishes a third type of payment subject to a unique reporting scheme. This Section provides that even if a payment is made “at the behest” of an elected officer or a member of the Public Utilities Commission (“PUC”),² it is not considered a contribution to that officer if it is made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. Referred to as “behested payments,” the payment must still be reported, but is not subject to contribution or gift limits. The officer must file a report detailing the payment if the payment is principally for a legislative, governmental or charitable purpose and the aggregate amount is \$5,000 or more.

This report, known as a “behested payment report,” must be filed within 30 days with the officer’s agency when the amount of the payment, or aggregate payments for similar purposes made at the behest of the officer by the same source, is \$5,000 or more in a calendar year. The purpose of the “behested payment” provision in Section 82015 is to capture reporting for payments that are not direct contributions to elected officials, but payments in which the public would have an interest.

The statute does not specifically state a definition for “made at the behest of.” Regulation 18225.7, related to expenditures, offers a definition of “made at the behest of” that has never explicitly been applied to the same term for purposes of contributions. For this reason, staff proposes to use nearly the same language to aid the easy application and analysis of whether a payment is “behested.” Staff has chosen this definition because it is most likely to add clarity and uniformity, and also because in 1997 when the legislature added Section 82015(b) to the definition of contribution, it was this definition (or nearly so) that the legislature appeared to presume to be most fitting.

² As of January 1, 2009, the California Public Utilities Commission is included in behested payment reporting under Section 82015(b)(3).

According to the legislative history, the legislature added Section 82015(b)³ in response to some confusion that had arisen regarding how to categorize co-sponsored events. FPPC staff had been advising that whether a payment for a co-sponsored event was made at the behest of an elected officer must be made on a case by case basis. (See, e.g., *Milman* Advice Letter, I-93-357.) Staff would apply the definition of “made at the behest” from Regulation 18225.7 and then decide whether the factors presented weighed more heavily as a contribution, related to the candidate’s candidacy for elected office or they did not.

The legislature found that this practice was not clear or helpful for candidates attempting to determine whether a payment is a contribution or a behested payment. (See, e.g., Senate Rules Committee Analysis, SB 124, 1997, stating that FPPC’s existing regulations and advice resulted in all payments being contributions subject only to minor exceptions and that this system requires clarity.) Section 82015(b) remedied that ailment in reporting contributions.

The explicit definition of “made at the behest of” also puts in context the exceptions that follow. The first exception relates to a solicitation made by a non-profit or similar organization that has elected officers or PUC members on its board of directors. The exception helps to clarify requests that staff has received involving an elected officer or PUC member who is on the board of directors, an advisory council, or a fundraising committee of a charitable organization, and the organization sends out a solicitation letter. (See, e.g., *Filchev* Advice Letter, No. I-09-073.) In the *Filchev* letter, staff advised that a donation to a charitable organization is not a reportable behested payment merely because an elected officer serves on the board of directors, an advisory council, or a fundraising committee and whose name is listed on a solicitation for that reason. This regulation clarifies that if an elected officer or PUC member is “featured” (as defined) in the solicitation, or if the board (or applicable committee) is comprised of a majority of elected officers or PUC members, and the organization receives a payment in response to that solicitation, the payment is reportable as a behested payment if it is \$5000 or more in the aggregate in a calendar year from a single source (Section 82015(b)(2)(B)(iii)).

The second exception responds to telephone-only questions staff has received over several years and comments that arose at the December, 2011 Interested Persons meeting. Section 82015(b)(2)(B) states that a payment made at the behest of a candidate is a contribution

to the candidate unless it is clear from the surrounding circumstances that that the payment was made for purposes unrelated to his or her candidacy for elected office. One example of a payment that is presumed to be for purposes unrelated to the candidate’s candidacy is a payment “made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.” (Section 82015(b)(2)(B)(iii).)

A situation could arise wherein a county sheriff (elected officer) requests law enforcement assistance from the state or federal government agency and in response, the governmental entity provides service or funds. Without clarification (as provided in this regulation), those payments could be classified as payments made at the behest of the sheriff and reported if over \$5000 in a calendar year. This regulation states that when a payment is made at the behest of an elected officer or member of the PUC, the payment is not reportable as a behested payment if it is used “in the regular course of official agency business.”

The regulation does not provide any further exceptions to behested payment reporting.

Staff has gathered input regarding behested payment reporting over the past year. Staff first held an interested persons meeting on July 14, 2011 to hear public input on possible regulation language. Following this, the Commission heard and commented on the regulation language, deciding that it wanted to reconsider the draft language at the March, 2012 meeting, including the language mentioned above. Staff solicited further comments from the public at a second interested persons meeting on December 13, 2011. The meeting yielded many useful comments that informed a revision to the proposed regulation language.

These comments have been included within the proposed language, as discussed above.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18215.3:

Given the comments above, the Commission will consider creating a definition for “made at the behest of” as applied to the definition of Contributions and exceptions thereto.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

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

³Note that Section 82015(b)(3) applies all the provisions discussed herein to members of the PUC. Whether mentioned or not in this memorandum, this regulation applies to elected officers under Section 82015(b)(2) as well as members of the PUC under Section 82015(b)(3).

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

Fiscal Impact on Federal Funding of State Programs. This regulation 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 this regulation is to implement, interpret, and make specific Government Code Section 82015.

CONTACT

Any inquiries should be made to Heather M. Rowan, 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.php?id=247#2>.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the "Commission"), under the authority vested in it by the Political Reform Act (the "Act")¹ 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 Commission will consider the proposed regulations at a public hearing on or after **March 15, 2012**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m. on March 13, 2012.**

¹The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

BACKGROUND/OVERVIEW

This proposal to amend Regulation 18705.5 was submitted by Ash Pirayou of Rutan and Tucker on behalf of the Cities of Anaheim, Dana Point, Irvine, La Palma, Newport Beach, San Clemente, Villa Park, and Yorba Linda pursuant to Section 11426 of the 1974 Administrative Procedure Act, which provides that any interested person may petition a state agency requesting the adoption, amendment, or repeal of a regulation. Regulation 18705.5(b) currently provides:

"The financial effects of a decision which affects only the salary, per diem, or reimbursement for expenses the public official or a member of his or her immediate family receives from a federal, state, or local government agency shall not be deemed material, unless the decision is to appoint, hire, fire, promote, demote, suspend without pay or otherwise take disciplinary action with financial sanction against the official or a member of his or her immediate family, or to set a salary for the official or a member of his or her immediate family which is different from salaries paid to other employees of the government agency in the same job classification or position, or when the member of the public official's immediate family is the only person in the job classification or position."

Thus, the regulation sets forth a general exception from disqualification on the basis of personal financial effects (PFE) for income from a federal, state, or local government agency. However, the regulation also provides an exception to that exception when the decision is to appoint, hire, fire, promote, demote, suspend without pay or otherwise take disciplinary action with financial sanction against the official or a member of his or her immediate family, or to set a salary for the official or a member of his or her immediate family which is different from salaries paid to other employees of the government agency in the same job classification or position, or when the member of the public official's immediate family is the only person in the job classification or position. Under this latter rule, disqualification will still be required where an official is voting to appoint himself or herself to any position which will result in an increase of \$250 or more to income of the official.

The petitioners all have several council members who are appointed by a vote of each respective city council to serve on the governing boards of legally established joint powers authorities, special districts or other similar agencies that remunerate the appointed councilmember \$250 or more in a 12-month period. Specifically, petitioners seek to modify a Commission amendment that was adopted in 2005, which inserted the term "appoint" into the exception to the exception.

Petitioners emphasize the following in support of the proposal:

1. They believe the current Regulation is contrary to the Act's express language as set forth in Section 82030(b)(2).

2. They point to the fact that the Commission's stated policy purposes for amending Regulation 18705.5 in 2005 related to concerns arising from appointments of a public official's spouse versus concerns relating to participation in decisions to appoint oneself to an Appointed Paid Board.

3. Arguably, while the Commission's efforts to "harmonize the two acts of the Legislature" should be commended in 1985, a vigorous analysis must be undertaken to evaluate whether the express language of the Act found in Section 82030(b)(2), as adopted in 1974 by the voters, can be swallowed up and undermined by the Commission's subsequently adopted regulation in 1985 relating to a different statute as amended by the Legislature (i.e., Section 87103).

4. The concerns that were addressed by the 1985 amendments to Section 87103 and the subsequent language proposed at the time by the Commission contained a specific limitation to the PFE rule: the treatment of a spouse by the official that was somehow different than the treatment of other employees in the same classification in the same agency. The aim of this specific language (arguably) even in 1985 was to stop certain abuses, such as those outlined in the Commission's 2005 Staff memorandum (e.g., where a public official made a decision to increase his spouse's salary when she was the only person in that classification or where a mayor appointed his spouse to an unsalaried position), versus impacting the very public process for making appointments to Appointed Paid Boards.

5. To the extent that the PFE rule, the expansion of the "hire-fire" rule to appointments, and the Act's specific statutory language found in Section 82030(b)(2) are in conflict, the regulated community should be provided the opportunity to address this conflict with the Commission, as requested in this petition.

6. Any policy decision that results in the expansion of the "hire-fire" rule by the application of the PFE rule to appointments to paid boards should be done after careful consideration of the practical governance issues arising from such a rule, as outlined in our November Letter.

7. The proposed amended Regulation 18705.5 would make it clear that it is limited in application to appointments of public officials to paid boards versus any decision of the public official as it relates to his or her im-

mediate family or the official himself in those situations unrelated to appointment (e. g., the public official is an employee of the agency).

REGULATORY ACTION

Amend 2 Cal. Code Regs. Sections 18705.5:

The proposed amendment adds subsection (c) to address the issue identified in the petition. The amendment would allow a public official to participate, without limitation, in a decision as to whether that public official can be appointed to serve on public boards despite a \$250 or more financial effect on the official.

SCOPE

The Commission may adopt or reject the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or any related issues.

FISCAL IMPACT STATEMENT

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

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

Fiscal Impact on Federal Funding of State Programs. This regulation 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 regulations is to implement, interpret, and make specific Government Code Sections 87100, 87102.5, 87102.6, 87102.8 and 87103.

CONTACT

Any inquiries should be made to John W. Wallace, Fair Political Practices Commission, 428 J Street, Suite 620, 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.php?id=247#2>.

TITLE 10. MANAGED RISK MEDICAL INSURANCE BOARD

**CHAPTER 5.6 ACCESS FOR INFANTS AND MOTHERS PROGRAM
AMEND SECTION 2699.301**

NOTICE IS HEREBY GIVEN that the Managed Risk Medical Insurance Board (MRMIB) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal will be held on March 28, 2012, at 1:30 p.m., at 1000 G Street, Suite 450, Sacramento, CA 95814.

Following the public hearing MRMIB may thereafter adopt the proposal substantially as described below or may modify the proposal if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the:

Managed Risk Medical Insurance Board
Attn: Dianne Knox
1000 G Street, Suite 450
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at (916) 445-0898 or by e-mail to dknox@mrmib.ca.gov. Comments must be received by no later than 5:00 p.m. on March 28, 2012.

AUTHORITY AND REFERENCE

Authority: Section 12696.05, Insurance Code.
Reference: Section 12696.05, Insurance Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The AIM program is a state and federally-funded program administered by MRMIB (Insurance Code section 12695 et seq.). The program provides low cost health insurance coverage to uninsured, middle income pregnant women. The total cost is 1.5% of the subscriber's adjusted annual household income. The State of

California and the Federal Government supplement the subscriber contribution to cover the full cost of care.

The issue of receiving maternity care under MRMIB programs in connection with paid surrogacy was raised in August 2011 when the Federal Bureau of Investigation announced that it had discovered a baby-selling ring that used paid surrogates to create an inventory of unborn babies that they would sell for over \$100,000 each. One of the defendants admitted to causing applications containing materially false representations to be submitted to MRMIB's Access for Infants and Mothers (AIM) program to subsidize the medical expenses for delivering the babies. The AIM statute and regulations were silent as to benefits for subscribers who serve as a paid surrogate mother.

In AIM, paid surrogacy is currently not an excluded benefit. The Board believes that providing insurance coverage for paid surrogacy is an inappropriate use of public funds, particularly during this time of budget crises.

The proposed regulation revises the AIM benefit package to exclude paid surrogacy as a covered benefit and manages the program's integrity. It is consistent and compatible with existing state regulations.

On December 8, 2011, MRMIB submitted the request for approval of the proposed emergency regulations to the Office of Administrative Law (OAL). The emergency regulations were approved by OAL and were effective December 9, 2011.

Policy Statement: The objective of the proposed regulation amendment is to exclude paid surrogacy as a covered benefit in the AIM Program.

The Board believes that providing insurance coverage for paid surrogacy is an inappropriate use of public funds, particularly during this time of budget crises. Resources to fund AIM are dwindling and preventing paid surrogates from getting services in AIM would allow other eligible mothers to receive services for their pregnancies. Excluding paid surrogacy in AIM manages the program's integrity.

Results of Economic Impact Analysis Required by Government Code 11346.3, subdivision (b): The Board has prepared the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1). The Board has determined that the adoption of the proposed amendments to regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of the proposed amendment will not affect the health and welfare of California residents, worker safety or the state's environment.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES/COSTS

This proposal does not impose a mandate on local agencies or school districts for which reimbursement would be required pursuant to Part 7 commencing with Section 17500 of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies, or cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

There are no costs or savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESS

The MRMIB has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses as defined by Section 11342.610. The determination that the proposal would not affect small business is based upon the fact that the proposal only clarifies that paid surrogacy is an excluded benefit.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

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

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The MRMIB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The limited public resources to fund AIM are dwindling and preventing paid surrogates from getting services in AIM would allow other mothers to receive services for their pregnancies.

EFFECT ON HOUSING COSTS

None.

ALTERNATIVES

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

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to:

Dianne Knox
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 324-0592

Or

Alexa Malik
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 323-0421

INITIAL STATEMENT OF REASONS

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which this proposal is based, may be obtained upon request from the Managed Risk Medical Insurance Board at 1000 G Street, Suite 450, Sacramento, CA 95814. These documents may also be viewed and downloaded from the MRMIB website at www.mrmib.ca.gov.

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

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

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the contact person named above.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.mrmib.ca.gov.

TITLE 10. MANAGED RISK MEDICAL INSURANCE BOARD

**CHAPTER 5.8 MAJOR RISK MEDICAL INSURANCE PROGRAM
AMEND SECTION 2698.302**

NOTICE IS HEREBY GIVEN that the Managed Risk Medical Insurance Board (MRMIB) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal will be held on March 28, 2012, at 1:30 p.m., at 1000 G Street, Suite 450, Sacramento, CA 95814.

Following the public hearing MRMIB may thereafter adopt the proposal substantially as described below or may modify the proposal if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the:

Managed Risk Medical Insurance Board
Attn: Dianne Knox
1000 G Street, Suite 450
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at (916) 445-0898 or by e-mail to dknox@mrmib.ca.gov. Comments must be received by no later than 5:00 p.m. on March 28, 2012.

AUTHORITY AND REFERENCE

Authority: Sections 12711 and 12712, Insurance Code.

Reference: Sections 12711 and 12712, Insurance Code

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Major Risk Medical Insurance Program (MRMIP) was established in 1991 and is operated by MRMIB. (California Insurance Code Section 12700, et seq.) MRMIP provides health insurance for Californians unable to obtain coverage in the individual health insurance market because of their pre-existing conditions. One of the benefits offered by MRMIP is comprehensive maternity care. Californians qualifying for the program participate in the cost of their coverage by paying premiums. The premiums are subsidized through the Cigarette and Tobacco Surtax (Proposition 99). MRMIB receives a limited appropriation for MRMIP and has an enrollment cap.

The issue of receiving maternity care under MRMIP programs in connection with paid surrogacy was raised in August 2011 when the Federal Bureau of Investigation announced that it had discovered a baby-selling ring that used paid surrogates to create an inventory of unborn babies that they would sell for over \$100,000 each. One of the defendants admitted to causing applications containing materially false representations to be submitted to MRMIB's Access for Infants and Mothers program (AIM) to subsidize the medical expenses for delivering the babies. Like AIM, MRMIP's statute and regulations are silent as to benefits for subscribers who serve as a paid surrogate mother. Therefore, the proposed regulations are consistent and compatible with existing regulations.

Providing maternity care in connection with paid surrogacy is an inappropriate use of public funds, particularly during this time of budget crises. Because the appropriation for MRMIP from Proposition 99 is limited, and revenues from this tax source are dwindling, the total number of individuals who can participate in MRMIP is limited. Allowing paid surrogates to access MRMIP's maternity care benefit could harm the health of potential subscribers if the enrollment cap deprives them of coverage.

On December 8, 2011, MRMIB submitted the request for approval of the proposed emergency regulations to the Office of Administrative Law (OAL). The emergency regulations were approved by OAL and were effective December 9, 2011.

Policy Statement: The objective of the proposed regulation amendment is to exclude paid surrogacy as a covered benefit in the MRMIP.

The Board finds that the regulation is not inconsistent or incompatible with existing State regulations.

The Board does not anticipate nonmonetary benefits to the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

Results of Economic Impact Analysis Required by Government Code section 11346.3, subdivision (b): The Board has prepared the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1). The proposed regulation is unlikely to create or eliminate jobs within the State of California. The regulation simply eliminates a very small benefit for the subscribers to the Major Risk Medical Insurance Program. There are approximately 7,000 MIP subscribers. MIP is a "high risk pool" intended to serve individuals with *pre-existing conditions*, and their dependents. These subscribers would be otherwise uninsurable. The only benefit which would be eliminated would be maternity care for subscribers who entered into an agreement to serve as a paid surrogate mother. The many other benefits provided to MIP subscribers will be unaffected.

- (A) The regulation would neither create new businesses nor eliminate existing benefits within the State of California. The elimination of a specific benefit in a small program with limited budget cannot significantly affect businesses.
- (B) The regulation would not expand business currently doing business within the State of California. While there are attorneys and agencies which provide surrogacy services, the regulation cannot have any measurable impact on these businesses. MIP is a small program serving individuals with pre-existing conditions. MRMIB has entered into agreements with health plans to provide services to MIP subscribers. The proposed regulation would not affect the business with MRMIB's health plans.
- (C) The regulation would benefit the health and welfare of California residents. The State of California provides several programs for low- or mid-income individuals and, in the case of MIP, individuals with pre-existing conditions which receive funds under Proposition 99. The regulations would, albeit minimally, preserve funds for potential other applicants and subscribers who are funded by Proposition 99.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose a mandate on local agencies or school districts for which reimbursement would be required pursuant to Part 7 commencing with Section 17500 of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies, or cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

There are no costs or savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESS

The MRMIB has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses as defined by Section 11342.610. The determination that the proposal would not affect small business is based upon the fact that the proposal only clarifies that paid surrogacy is an excluded benefit.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

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

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

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

EFFECT ON HOUSING COSTS

None.

RESULTS FROM THE ECONOMIC IMPACT ASSESSMENT

The Board has prepared the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1). The Board has determined that the

adoption of the proposed amendments to regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of the proposed amendment will not affect the health and welfare of California residents, worker safety or the State's environment.

ALTERNATIVES

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

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to:

Dianne Knox
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 324-0592

Or

Alexa Malik
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 323-0421

INITIAL STATEMENT OF REASONS

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which this proposal is based, may be obtained upon request from the Managed Risk Medical Insurance Board at 1000 G Street, Suite 450, Sacramento, CA 95814. These documents may also be

viewed and downloaded from the MRMIB website at www.mrmib.ca.gov.

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

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

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the contact person named above.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.mrmib.ca.gov.

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 220, 240, 316.5 and 2084 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 316.5 and 2084 of said Code, proposes to amend Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing after April 30, 2012.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Pacific Fishery Management Council (PFMC) coordinates west coast management of recreational and commercial ocean salmon fisheries in the Federal fishery management zone (three to 200 miles offshore) off Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented in federal regulation by the National Marine Fisheries Service (NMFS) by May 1 of each year.

The Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these Federal fishery management goals and regulations each year.

PFMC Regulatory Outlook

On March 7, 2012, the PFMC will propose a suite of ocean salmon fishery regulatory options. These options will go out for public review and the final PFMC recom-

mendations for federal waters will be made on April 6, 2012. The federal regulations will go into effect on or after May 1, 2012 and may include:

1. the minimum size of salmon that may be retained;
2. the number of rods anglers may use (e.g., one, two, or unlimited);
3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
4. the number of salmon that may be retained per angler–day or period of days;
5. the definition of catch limits to allow for combined boat limits versus individual angler limits;
6. the allowable fishing dates and areas; and
7. the overall number of salmon that may be harvested, by species and area.

Commission Regulatory Outlook

Although there are no PFMC regulatory options to consider until March, the 2012 ocean salmon sport regulations could range from no fishing in all areas off California to limited salmon fishing for varied areas and dates to be determined between May 1, 2012 and November 11, 2012.

Present Regulations

Current regulations authorized recreational ocean salmon fishing north of Horse Mountain including Humboldt Bay from May 14 to September 5, 2011. Between Horse Mountain and Pigeon Point, fishing was authorized from April 2 to October 30, 2011. All areas south of Pigeon Point had an ocean salmon recreational fishing season from April 2 to September 18, 2011. For all areas in 2011, the bag limit was two fish per day (all species except coho) and the minimum size limit was 24 inches total length. All recreational fishing for ocean salmon is currently closed until further action by the PFMC and/or the Commission.

The ocean salmon sport fishing regulations for April 1–30, 2012 are being considered in a separate rulemaking package, as described in OAL Notice No. Z–2011–1227–03.

Proposed Regulations

For public notice purposes and to facilitate Commission discussion, the Department is proposing three regulatory options which encompass all possible actions that would, or would not allow for salmon fishing on or after May 1 in various areas of California for Commission consideration:

Option 1 — Varied season dates and regulations in all areas.

The date ranges in the following areas are proposed to encapsulate all possibilities that might be considered for Federal ocean salmon regulations in effect on or af-

ter May 1, 2012. This approach will allow final State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters.

- (1) For the all waters of the ocean north of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 15 through September 15, 2012.
- (2) For the area between Horse Mountain and Point Arena: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (3) For the area between Point Arena and Pigeon Point: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (4) For the area between Pigeon Point and Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.
- (5) For the areas south of Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.

For all areas, the proposed bag limit will be from one to two fish and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with bag limit, minimum size, and days of the week open will be determined in April and may be different for each sub–area.

Option 2 — No fishing in all areas.

If adopted, the regulatory text of Option 2 would specifically establish 2012 closed areas.

Option 3 — A possible combination of Option 1 and 2 may be developed after more information is available from the NMFS and PFMC.

This may include different opening and closing dates, bag limits, size limits, days of the week open and periodic closures among areas.

The benefits of the proposed regulations are concurrence with Federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate non–monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mission Inn Hotel, 3649 Mission Inn Avenue, Riverside, California, on Wednesday, March 7, 2012 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, rele-

vant to this action at a hearing to be held in the Red Lion Hotel, 1929 4th Street, Eureka, California, on Wednesday, April 11, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2012 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 9, 2012. All comments must be received no later than April 11, 2012, at the hearing in Eureka, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, telephone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

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

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

Impact of Regulatory Action

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

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

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing in 2012 to a normal ocean salmon season; therefore, the potential impacts range from 0 to 1,400 jobs depending on which option is ultimately adopted by the Commission. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for an ocean salmon sport fishery encourages consumption of a nutritious food.

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

The Commission anticipates benefits to the environment by the sustainable management of California’s ocean salmon resources.

- (c) Cost Impacts on a Representative Private Person or Business:
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:
None.
- (e) Nondiscretionary Costs/Savings to Local Agencies:
None.
- (f) Programs Mandated on Local Agencies or School Districts:
None.
- (g) Costs Imposed on Any Local Agency or School District that are Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:
None.
- (h) Effect on Housing Costs:
None.

Effect on Small Business

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

Consideration of Alternatives

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

GENERAL PUBLIC INTEREST

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

**Request for Qualifications
Brake Friction Material Testing Certification
Agencies**

On September 27, 2010, Governor Schwarzenegger signed Senate Bill (SB) 346 which will prohibit the sale of automobile brake pads sold in California containing more than trace amounts of copper, cadmium, chromium, lead, mercury, and asbestiform materials by 2025 in order to safeguard human health and the environment.

The California Department of Toxic Substances Control (DTSC) is gauging industry interest in becoming a “Testing Certification Agency” as required by this new legislation. Testing Certification Agency is defined by Health and Safety Code section 25250.50(g). Under this new law, a Testing Certification Agency will follow DTSC-approved certification procedures in order to test brake friction materials and certify compliance with specific heavy metal limits, asbestiform fiber limits, and either 5% or 0.5% copper limits.

The Society of Automotive Engineers (SAE) Standard SAE 2975 procedure describes a method for generating, preparing and analyzing samples of new and unused brake friction materials for their chemical constituents. DTSC has not promulgated regulations regarding the testing protocol that will be required under SB 346.

The “testing certification agency” is responsible for performing the following tasks for each brake friction formulation it certifies:

- Review chemical analysis data from the accredited laboratory;
- Assign an environmental designator for each brake friction material formulation that meets the requirements outlined in Health and Safety Code sections 25250.51, 25250.52, or 25250.53;
- Issue or reject certification for the brake friction material formulation;
- Collect certificates for each formulation of brake friction materials from manufacturers;

- Publish a list of certified formulations for brake friction materials with environmental designator and supporting documents on the Internet;
- Coordinate with leading brake friction materials testing agencies and industry groups including Automotive Manufacturers Equipment Compliance Agency (AMECA) in order to ensure consistency and acceptance in all 50 states and United States territories; and,
- Follow DTSC approved testing procedures.

In order to be part of this exciting opportunity to promote more environmentally friendly products sold in the State of California, please review the qualifications and responsibilities of Testing Certification Agencies and send your contact information including a brief description of your operations and current materials certification procedures (if any) to:

California Department of Toxic Substances Control
 P.O. Box 806
 Sacramento CA, 95812-0806
 Attention: Suzanne Davis

For more information contact the Office of Pollution Prevention and Green Technology at (916) 322-3670.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
 HEALTH HAZARD ASSESSMENT**
**SAFE DRINKING WATER AND TOXIC
 ENFORCEMENT ACT OF 1986
 (PROPOSITION 65)**
**REQUEST FOR RELEVANT INFORMATION
 ON CHEMICALS BEING CONSIDERED FOR
 LISTING BY THE AUTHORITATIVE BODIES
 MECHANISM:
 ISOPYRAZAM, BETA-MYRCENE,
 PULEGONE, AND
 3,3',4,4'-TETRACHLOROAZOBENZENE**
February 10, 2012

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is requesting information as to whether the chemicals *isopyrazam*, *beta-myrcene*, *pulegone*, and *3,3',4,4'-tetrachloroazobenzene* meet the criteria for listing as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹ This action is being proposed under the authoritative bodies listing mechanism.²

Chemicals Appearing to Meet Criteria for Listing as Known to Cause Cancer		
Chemical (CAS No.)	Reference	Occurrence and Uses
<i>Isopyrazam</i> (881685-58-1)	U.S. EPA (2011)	Pyrazole fungicide. Not registered by the U.S. EPA, but used in Central and South America on bananas to control black sigatoka (<i>Mycosphaerella fijiensis</i>).
<i>beta-Myrcene</i> (123-35-3)	NTP (2010a)	Component of certain essential oils, such as hop, bay, verbena, and lemongrass oils. Used to produce aroma and flavor chemicals, as a flavoring agent in food and beverages, and as a fragrance in cosmetics, soaps, and detergents.
<i>Pulegone</i> (89-82-7)	NTP (2011)	A constituent of pennyroyal, mint, and peppermint, and a component of certain essential oils. Used in flavoring food, drinks, and dental products, as a fragrance, and in herbal medicines.
<i>3,3',4,4'-Tetra-chloroazobenzene</i> (14047-09-7)	NTP (2010b)	Contaminant of 3,4-dichloroaniline and the related herbicides linuron, diuron, and propanil, and a degradation product of 3,4-dichloroaniline and chloroanilide herbicides.

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

- 1) An authoritative body formally identifies the chemical as causing cancer (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(e)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(f)).

The National Toxicology Program (NTP) and the U.S. Environmental Protection Agency (U.S. EPA) are two of several institutions designated as authoritative for the identification of chemicals as causing cancer (Section 25306(m)).

OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA's determination: *Isopyrazam*, *beta-myrcene*, *pulegone*, and *3,3',4,4'-tetrachloroazobenzene* each appear to meet the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of the NTP and U.S. EPA (NTP, 2010a; NTP, 2010b; NTP, 2011; U.S. EPA, 2011).

Formal identification and sufficiency of evidence for isopyrazam: In 2011, the U.S. EPA published a report on isopyrazam, entitled *Cancer Assessment Document, Evaluation of the Carcinogenic Potential of Isopyrazam*, that concludes that the chemical causes cancer (U.S. EPA, 2011). This report appears to satisfy the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the U.S. EPA's discussion of data and conclusions in the report that isopyrazam causes cancer. The U.S. EPA report concludes that isopyrazam is "likely to be carcinogenic to humans." Evidence described in the report includes studies showing that isopyrazam increased the incidences of thyroid follicular cell carcinomas and combined adenomas and carcinomas in male Wistar rats, and uterine endometrial adenocarcinomas in female Wistar rats.

Thus, the U.S. EPA (2011) has found that isopyrazam causes increased incidence of malignant and combined malignant and benign thyroid tumors in male rats and malignant tumors of the uterus in female rats.

Formal identification and sufficiency of evidence for beta-myrcene: In 2010, the NTP published a report on beta-myrcene (β -myrcene), entitled *Toxicology and Carcinogenesis Studies of β -Myrcene (CAS No. 123-35-3) in F344/N Rats and B6C3F1 Mice (Gavage Studies)*, that concludes that the chemical causes cancer

(NTP, 2010a). This report appears to satisfy the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the NTP's discussion of data and conclusions in the report that beta-myrcene causes cancer. The NTP (2010a) report concludes:

"Under the conditions of these 2-year gavage studies, there was *clear evidence of carcinogenic activity* of β -myrcene in male F344/N rats based on increased incidences of renal tubule neoplasms. There was *equivocal evidence of carcinogenic activity* of β -myrcene in female F344/N rats based on increased incidences of renal tubule adenoma. There was *clear evidence of carcinogenic activity* of β -myrcene in male B6C3F1 mice based on increased incidences of hepatocellular adenoma, hepatocellular carcinoma, and hepatoblastoma. There was *equivocal evidence of carcinogenic activity* of β -myrcene in female B6C3F1 mice based on marginally increased incidences of hepatocellular adenoma and carcinoma."

Thus, the NTP (2010a) has found that beta-myrcene causes increased incidences of combined malignant and benign kidney tumors in male rats and malignant and combined malignant and benign liver tumors in male mice.

Formal identification and sufficiency of evidence for pulegone: In 2011, the NTP published a report on pulegone, entitled *Toxicology and Carcinogenesis Studies of Pulegone (CAS No. 89-82-7) in F344/N Rats and B6C3F1 Mice (Gavage Studies)*, that concludes that the chemical causes cancer (NTP, 2011). This report appears to satisfy the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the NTP's discussion of data and conclusions in the report that pulegone causes cancer. The NTP (2011) report concludes:

"Under the conditions of these 2-year gavage studies, there was *no evidence of carcinogenic activity* of pulegone in male F344/N rats administered 18.75, 37.5, or 75 (stop-exposure) mg/kg. There was *clear evidence of carcinogenic activity* of pulegone in female F344/N rats based on increased incidences of urinary bladder neoplasms. There was *clear evidence of carcinogenic activity* of pulegone in male and female B6C3F1 mice based on increased incidences of hepatocellular neoplasms (adenomas in both sexes and hepatoblastomas in males). Osteomas and osteosarcomas in female B6C3F1 mice may have been related to pulegone administration."

³ All referenced sections are from Title 27 of the California Code of Regulations.

Thus, the NTP (2011) has found that pulegone causes increased incidences of combined malignant and benign rare urinary bladder tumors in female rats and combined malignant and benign liver tumors in male mice.

Formal identification and sufficiency of evidence for 3,3',4,4'-tetrachloroazobenzene: In 2010, the NTP published a report on 3,3',4,4'-tetrachloroazobenzene (TCAB) entitled *Toxicology and Carcinogenesis Studies of 3,3',4,4'-Tetrachloroazobenzene (TCAB) (CAS No. 14047-09-7) in Harlan Sprague-Dawley Rats and B6C3F1 Mice (Gavage Studies)*, that concludes that the chemical causes cancer (NTP, 2010b). This report appears to satisfy the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the NTP's discussion of data and conclusions in the report that 3,3',4,4'-tetrachloroazobenzene causes cancer. The NTP (2010b) report concludes:

"Under the conditions of these 2-year gavage studies, there was *clear evidence of carcinogenic activity* of TCAB in male Harlan Sprague-Dawley rats based on increased incidences of cystic keratinizing epithelioma of the lung, cholangiocarcinoma of the liver, and gingival squamous cell carcinoma of the oral mucosa. The increased incidences of follicular cell adenoma of the thyroid gland were also considered to be related to TCAB administration. The marginally increased incidence of malignant schwannoma may have been related to TCAB administration. There was *clear evidence of carcinogenic activity* of TCAB in female Harlan Sprague-Dawley rats based on increased incidences of cystic keratinizing epithelioma of the lung and gingival squamous cell carcinoma of the oral mucosa. The increased incidences of cholangiocarcinoma of the liver and squamous cell papilloma or squamous cell carcinoma (combined) of the forestomach were also considered to be related to TCAB administration. The marginally increased incidences of adenoma of the adrenal cortex may have been related to TCAB administration. There was *clear evidence of carcinogenic activity* of TCAB in male B6C3F1 mice based on increased incidences of carcinoma of the urethra and alveolar/bronchiolar neoplasms of the lung. The increased incidences of squamous cell carcinoma of the forestomach were also considered to be related to TCAB administration. The marginally increased incidence of carcinoma of the ureter may have been related to TCAB administration. There was *clear evidence of carcinogenic activity* of TCAB in female B6C3F1 mice based on

increased incidences of fibrosarcoma and fibrosarcoma or malignant schwannoma (combined) of the skin. The increased incidences of carcinoma of the urethra, alveolar/bronchiolar neoplasms and cystic keratinizing epithelioma of the lung, and squamous cell carcinoma of the forestomach were also considered to be related to TCAB administration. The marginally increased incidences of malignant lymphoma may have been related to TCAB administration."

Thus, the NTP (2010b) has found that 3,3',4,4'-tetrachloroazobenzene causes increased incidences of malignant tumors at multiple sites in male rats, rare malignant tumors of the oral cavity in female rats, malignant tumors at multiple sites in male mice, and malignant tumors at multiple sites in female mice.

Request for relevant information: OEHHA is committed to public participation in its implementation of Proposition 65. OEHHA wants to ensure that its regulatory decisions are based on a thorough consideration of all relevant information. OEHHA is requesting comments as to whether these chemicals meet the criteria set forth in the Proposition 65 regulations for authoritative bodies listings.

After reviewing all comments received, OEHHA will determine whether the identified chemical meets the regulatory criteria for administrative listing. For chemicals determined to meet the listing criteria, OEHHA will proceed with the listing process and publish a Notice of Intent to List.

In order to be considered, **OEHHA must receive comments by 5:00 p.m. on Tuesday, April 10, 2012.** We encourage you to submit comments via e-mail, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov with "DCI" and the name of the chemical commented on in the subject line. Hard copy comments may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address: Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, CA 95812-4010
Fax: (916) 323-8803
Street Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA web site after the close of the comment period.

Optional public forum: Upon request, OEHHA will schedule a public forum to provide individuals an opportunity to present oral comments on the possible listing of these chemicals. At the forum, the public may

discuss the scientific data and other relevant information related to whether these chemicals meet the criteria for listing in the regulations.

The request for a public forum must be submitted in writing to Cynthia Oshita of OEHHA via email at cynthia.oshita@oehha.ca.gov or to the attention of Cynthia Oshita at the address listed above no later than Monday, March 12, 2012. If a public forum is requested, a notice will be posted on the OEHHA web site at least ten days before the forum date. The notice will provide the date, time, location and subject matter to be heard. Notices will also be sent to those individuals requesting such notification.

If you have any questions, please contact Ms. Oshita at cynthia.oshita@oehha.ca.gov or at (916) 445-6900.

References

NTP (2010a). National Toxicology Program. *Toxicology and Carcinogenesis Studies of β-Myrcene (CAS No. 123-35-3) in F344/N Rats and B6C3F1 Mice (Gavage Studies)*. Technical Report Series No. 557. NIH Publication No. 10-5898. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

NTP (2010b). National Toxicology Program. *Toxicology and Carcinogenesis Studies of 3,3',4,4'-Tetrachloroazobenzene (TCAB) (CAS No. 14047-09-7) in Harlan Sprague-Dawley Rats and B6C3F1 Mice (Gavage Studies)*. Technical Report Series No. 558. NIH Publication No. 11-5899. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

NTP (2011). National Toxicology Program. *Toxicology and Carcinogenesis Studies of Pulegone (CAS No. 89-82-7) in F344/N Rats and B6C3F1 Mice (Gavage Studies)*. Technical Report Series No. 563. NIH Publication No. 11-5905. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

U.S. EPA (2011). U.S. Environmental Protection Agency. *Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Isopyrazam. PC Code 129222. Final Report*. Health Effects Division, Office of Pesticide Programs. February 8, 2011.

DISAPPROVAL DECISION

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of dis-

approval decisions is available at www.oal.ca.gov under the "Publications" tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

BOARD OF BARBERING AND COSMETOLOGY

**State of California
Office of Administrative Law**

**In re:
Board of Barbering and Cosmetology**

**Regulatory Action: Title 16
California Code of Regulations
Amend section: 932**

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

Government Code Section 11349.3

OAL File No. 2011-1213-01 S

SUMMARY OF REGULATORY ACTION

The Board of Barbering and Cosmetology (Board) submitted this proposed regulatory action to require criterion-referenced scoring for licensing examinations.

DECISION

On January 27, 2012, the Office of Administrative Law (OAL) disapproved the Board's rulemaking action for failure to comply with the clarity standard of Government Code section 11349.1.

Date: January 31, 2012

/s/

Kathleen Eddy
Senior Counsel

FOR: DEBRA M. CORNEZ
Assistant Chief Counsel/
Acting Director

Original: Kristy Underwood
Copy: Kevin Flanagan

**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# 2011-1219-03
BUREAU OF AUTOMOTIVE REPAIR
Smog Check Licensing Restructure

This action updates the smog check licensing program based upon changes in the auto emissions testing, diagnostic and repair industry to better align the licensing requirements with the skills required and services provided.

Title 16
California Code of Regulations
ADOPT: 3340.16.4 AMEND: 3306, 3340.1,
3340.10, 3340.15, 3340.16.5, 3340.17, 3340.22,
3340.22.1, 3340.23, 3340.28, 3340.29, 3340.30,
3340.31, 3340.50, 3351.1
Filed 02/01/2012
Effective 02/01/2012
Agency Contact: Steven Hall (916) 255-2135

File# 2011-1212-03
DEPARTMENT OF FINANCE
Conflict-of-Interest

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

Title 2
California Code of Regulations
AMEND: 37000
Filed 01/26/2012
Effective 02/27/2012
Agency Contact:
Marion Springer (916) 445-3368

File# 2012-0111-03
DEPARTMENT OF HEALTH CARE SERVICES
Inpatient Psychiatric Hospital Services for Minors
In-Custody

The Department of Health Care Services submitted this Section 100 action to amend title 22, California Code of Regulations, section 50273. The amendment establishes an exemption to the general prohibition of providing Medi-Cal services to inmates of a public institution under Section 50273. The exemption would allow "an individual under age 21 years of age, who is receiving inpatient psychiatric hospital services while an inmate of a public institution" to receive Medi-Cal coverage, if otherwise eligible. This amendment is required for Section 50273 to be in compliance with Welfare and Institutions Code section 14011.10(a) and Title 42 U.S.C. section 1396d(a)(29)(A), and satisfies subdivision (a)(6) of Section 100 as a change without regulatory effect. Amendments to authority and reference citations are also made.

Title 22
California Code of Regulations
AMEND: 50273
Filed 01/26/2012
Agency Contact:
Jasmin Delacruz (916) 440-7688

File# 2012-0104-02
DEPARTMENT OF PUBLIC HEALTH
\$7 Fee Increase For Prenatal Testing

This File/Print action is the "Statement of Compliance" filing making permanent the prior emergency increase in the Prenatal Screening Program's (PNS) program participation fee for maternal serum alpha fetoprotein and one or more additional markers from \$155 to \$162. The prior emergency filing was 2011-0920-04EFP.

Title 17
California Code of Regulations
AMEND: 6540
Filed 01/26/2012
Agency Contact: Dave Rappolee (916) 322-3630

File# 2011-1212-01
DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY
Product Stewardship for Carpet

This is the adoption of regulations to implement Statutes of 2010, Chapter 681, Product Stewardship for Carpets by defining terms, specifying the procedure for submittal of Carpet Stewardship Plans, standards for review and approval, record keeping, inspection and annual reporting, penalties for violations, and the required fee.

Title 14
California Code of Regulations
ADOPT: 18940, 18941, 18942, 18943, 18944,
18945, 18945.1, 18945.2, 18945.3, 18946, 18947,
18948
Filed 01/26/2012
Effective 01/26/2012
Agency Contact: Ty Moore (916) 341-6756

File# 2011-1209-01
DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY
Conflict-of-Interest Code

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

Title 14
California Code of Regulations
AMEND: 18419
Filed 01/25/2012
Effective 02/24/2012
Agency Contact: Sue O'Connell (916) 341-6086

File# 2011-1219-08
FISH AND GAME COMMISSION
Abalone

Recent scuba surveys by the Department of Fish and Game indicate that the average density of emergent abalone has trended downward over the last six years. This regulation is being adopted pursuant to the guidelines in the Abalone Recovery Management Plan (adopted by the Commission in 2005). The Commission noticed three options for addressing the problem, took comments from the public on them and adopted the option of closing Fort Ross for the months of April and May. The Commission also adopted a regulatory provision that requires individuals taking abalone to maintain separate possession of their abalone and not commingle them with the abalone of others until they are properly tagged.

Title 14
California Code of Regulations
AMEND: 29.15
Filed 01/31/2012
Effective 03/01/2012
Agency Contact:
Sherrie Fonbuena (916) 654-9866

File# 2011-1219-05
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Vehicle Exhaust Retrofits

In this rulemaking action, the Occupational Safety and Health Standards Board amends sections 1504, 1591, and 1597 to ensure that certain off-road diesel-powered equipment retrofit devices do not obstruct operator vision and do not create other safety hazards for employees, such as increased exposure to high-temperature surfaces. The rulemaking establishes standards for exhaust retrofits consistent with these safety objectives and also adds a non-mandatory vision testing procedure.

Title 8
California Code of Regulations
AMEND: 1504, 1591, 1597
Filed 02/01/2012
Effective 03/02/2012
Agency Contact: Marley Hart (916) 274-5721

File# 2011-1213-04
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT
Chemicals Known to the State to Cause Cancer or Reproductive Toxicity

This File and Print action updates the listing of "Chemicals Known to the State to Cause Cancer or Reproductive Toxicity" contained in section 27001 of title 27 of the California Code of Regulations. This update adds multiple chemicals to the list of chemicals and is exempt from the Administrative Procedure Act pursuant to Health and Safety Code section 25249.8(e).

Title 27
California Code of Regulations
AMEND: 27001
Filed 01/25/2012
Effective 11/18/2011
Agency Contact: Cynthia Oshita (916) 322-2068

File# 2011-1223-04
OFFICE OF HEALTH INFORMATION INTEGRITY
Health Information Exchange Demonstration Project
Regulations

This regulatory action adopts the requirements for demonstration projects. Pursuant to Health and Safety Code section 130278, this action is not subject to the rulemaking requirements of the Administrative Procedure Act.

Title 22
California Code of Regulations
ADOPT: 126010, 126020, 126030, 126040,
126042, 126050, 126055, 126060, 126070, 126072,
126074, 126076, 126090
Filed 01/31/2012
Effective 01/31/2012
Agency Contact: Alex Kam (916) 654-2873

File# 2011-1220-02
 STATE PERSONNEL BOARD
 Appointments — Certifications/Examinations and Selection

The State Personnel Board submitted this file and print action, which is exempt from the Administrative Procedure Act under Government Code section 18211, to adopt and amend title 2 regulations pertaining to civil service selections and examinations.

Title 2
 California Code of Regulations
 ADOPT: 260.1, 261.1 AMEND: 258, 260, 262
 Filed 01/31/2012
 Effective 03/01/2012
 Agency Contact:
 Shannon Henderson (916) 653-1403

File# 2012-0119-03
 Victim Compensation and Government Claims Board
 Penal Code 4900 Regulations

The Victim Compensation and Government Claims Board amended a form that is incorporated by reference in section 640 of title 2 of the California Code of Regulations. The form is the "Erroneously Convicted Person Claim Form." The amended form requires a claimant to provide his or her California Department of Corrections and Rehabilitation inmate number and date of birth. This information will assist in verifying that a claimant was convicted of a felony and was sentenced to and incarcerated in state prison.

Title 2
 California Code of Regulations
 AMEND: 640
 Filed 01/31/2012
 Effective 03/01/2012
 Agency Contact:
 Geoff Feusahrens (916) 491-3863

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN September 7, 2011 TO
 February 1, 2012**

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

Title 2
 01/31/12 ADOPT 260.1, 261.1 AMEND 258, 260, 262
 01/31/12 AMEND 640
 01/26/12 AMEND 37000
 01/23/12 ADOPT: 1880
 01/23/12 ADOPT: 18940.1, 18942.2, 18942.3 AMEND: 18940, 18940.2, 18941, 18942, 18942.1, 18943, 18944.1, 18944.2, 18944.3, 18945, 18945.1, 18945.2, 18946, 18946.1, 18946.2, 18946.3, 18946.4, 18946.5 REPEAL: 18941.1, 18943, 18945.3, 18946.5
 01/18/12 AMEND: Div. 8, Ch. 35, Sec. 52400
 01/10/12 AMEND: 18423, 18539, 18550
 01/05/12 ADOPT: 18404.2
 01/05/12 ADOPT: 18227.5, 18247.5 REPEAL: 18247.5
 12/28/11 AMEND: 1859.76
 12/21/11 AMEND: 1859.90.2, 1859.81
 12/07/11 ADOPT: 18316.6, 18361.11 AMEND: 18360, 18361, 18361.4
 11/22/11 AMEND: 559
 11/08/11 ADOPT: 18421.31
 10/27/11 AMEND: 18404.1
 10/26/11 ADOPT: 18237
 10/18/11 AMEND: 1859.166.2
 10/17/11 AMEND: 25001
 10/12/11 AMEND: 59690
 10/05/11 ADOPT: 649.21
 09/27/11 ADOPT: 599.506(f) AMEND: 599.502(f)
 09/21/11 AMEND: 1859.90.2
 09/08/11 AMEND: 1859.2, 1859.82
 09/07/11 ADOPT: 10000, 10001, 10002, 10003, 10004, 10005, 10006, 10007, 10008, 10009, 10010, 10011, 10012, 10013, 10014, 10015, 10016, 10017, 10018, 10019, 10020, 10021, 10022, 10023, 10024, 10025, 10026, 10027, 10028, 10029, 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037, 10038, 10039, 10040, 10041, 10042, 10043, 10044, 10045, 10046, 10047, 10048, 10049, 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060, 10061, 10062, 10063, 10064, 10065, 10066

Title 3
 01/23/12 ADOPT: 588
 01/18/12 ADOPT: 3591.25
 01/06/12 AMEND: 3591.2(a)
 12/29/11 AMEND: 3280
 12/20/11 AMEND: 3407(e)

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12/05/11 AMEND: 1408.6
 11/29/11 AMEND: 3591.15(a)
 11/14/11 AMEND: 3437(b)
 11/10/11 AMEND: 6000, 6361, 6400, 6460, 6464, 6470, 6502, 6512, 6524, 6560, 6562, 6564, 6625, 6626, 6625, 6632, 6728, 6761, 6780
 11/10/11 AMEND: 3589(a)
 10/26/11 AMEND: 1430.142
 10/19/11 AMEND: 3423(b)
 10/12/11 AMEND: 3906
 10/10/11 ADOPT: 3591.25
 10/10/11 AMEND: 3423(b)
 09/29/11 AMEND: 3434(b)(8)
 09/28/11 AMEND: 3425(b)
 09/19/11 AMEND: 3423(b)
 09/15/11 AMEND: 3591.2(a)
 09/07/11 AMEND: 3591.2(a)

Title 4

12/30/11 ADOPT: 4000.1, 4000.2, 4000.3
 12/21/11 ADOPT: 12349
 12/09/11 ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133
 12/07/11 AMEND: 1433
 12/05/11 AMEND: 10325(c)(8)
 11/28/11 AMEND: 1632
 11/07/11 AMEND: 8070, 8072, 8073, 8074
 11/03/11 AMEND: 10152, 10153, 10154, 10155, 10157, 10159, 10160, 10161, 10162 REPEAL: 10156, 10158, 10164
 10/04/11 AMEND: 1658
 09/30/11 AMEND: 12100, 12101, 12200.3, 12200.5, 12200.6, 12200.9, 12200.10B, 12200.14, 12202, 12205.1, 12218, 12218.7, 12218.8, 12220.3, 12220.5, 12220.6, 12220.14, 12222, 12225.1, 12233, 12235, 12238, 12300, 12301.1, 12309, 12350, 12354, 12358, 12359, 12362, 12400, 12404, 12463, 12464
 09/28/11 ADOPT: 8035.5
 09/20/11 AMEND: 12590
 09/07/11 ADOPT: 1500.1 AMEND: 1498

Title 5

01/10/12 AMEND: 9510, 9510.5, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9517.1, 9519, 9520, 9521, 9524, 9525, 18533, 18600
 12/19/11 ADOPT: 30001.5
 12/16/11 AMEND: 53309, 53310
 12/14/11 AMEND: 55150, 55151, 55154, 55155 REPEAL: 55152, 55153
 11/16/11 ADOPT: 11968.5.1, 11968.5.2, 11968.5.3, 11968.5.4, 11968.5.5

AMEND: 11960, 11965, 11969 (renumbered 11968.1), 11969.1
 10/27/11 ADOPT: 4800, 4800.1, 4800.3, 4800.5, 4801, 4802, 4802.05, 4802.1, 4802.2, 4803, 4804, 4805, 4806, 4807, 4808
 10/24/11 ADOPT: 11966.4, 11966.5, 11966.6, 11966.7 AMEND: 11967, 11967.5.1
 10/18/11 ADOPT: 10120.1, 10121
 09/22/11 ADOPT: 80069.2 AMEND: 80070
 09/19/11 ADOPT: 30001.5
 09/19/11 ADOPT: 74112, 75020, 75030, 75040, 75050, 75150, 75200, 75210 AMEND: 74110

Title 8

02/01/12 AMEND 1504, 1591, 1597
 01/24/12 AMEND: 5155
 01/19/12 ADOPT: 9708.1, 9708.2, 9708.3, 9708.4, 9708.5, 9708.6
 01/18/12 ADOPT: 1615.3 AMEND: 1532.1, 3361, 5042, 5044, 5045, 5047, 5049, 5144, 5191, 5198, 5209, 8355
 01/05/12 AMEND: 4188
 12/29/11 AMEND: 3276, 3287
 12/29/11 ADOPT: 32802, 32804 AMEND: 32380, 32603, 32604
 12/27/11 AMEND: 343
 12/13/11 ADOPT: 8351, 8356, 8376.1, 8378.1, 8387, 8391.1, 8391.2, 8391.4, 8391.5, 8391.6, 8397.6 AMEND: 5194.1, 8354, 8376, 8378, 8384, 8391, 8391.3, 8397.2, 8397.3, 8397.4, 8397.5
 12/12/11 AMEND: 1541.1
 12/07/11 ADOPT: 16450, 16451, 16452, 16454, 16455 AMEND: 16423, 16433 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455
 11/07/11 AMEND: 6051
 10/27/11 ADOPT: 2320.10, 2940.10 AMEND: 1512, 3400
 10/17/11 AMEND: 230.1(a)
 10/17/11 ADOPT: 207.1 AMEND: 201, 202, 203, 207
 09/19/11 AMEND: 15201, 15214, 15251, 15300, 15400.2, 15405, 15430.1, 15478, 15481, 15484

Title 9

10/04/11 ADOPT: 7016.1, 7019.6, 7025.7, 7028.7, 7179.7 AMEND: 7098, 7179.1, 7181.1

Title 10

01/24/12 AMEND: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8, 2548.9, 2548.10, 2548.11, 2548.12, 2548.13, 2548.14, 2548.15, 2548.16, 2548.17, 2548.18, 2548.19, 2548.20,

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	2548.21, 2548.22, 2548.23, 2548.24, 2548.25, 2548.26, 2548.27, 2548.28, 2548.29, 2548.30, 2548.31	10/07/11	ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
01/11/12	AMEND: 260.204.9	10/06/11	AMEND: 30.14
01/09/12	AMEND: 2699.6707	10/06/11	ADOPT: 30.16
12/19/11	AMEND: 2498.5	09/28/11	AMEND: 1081
12/19/11	AMEND: 2498.4.9	09/28/11	AMEND: 1005
12/19/11	AMEND: 2498.6		
12/09/11	AMEND: 2698.302	Title 13	
12/09/11	AMEND: 2699.301	12/14/11	AMEND: 2025
11/21/11	ADOPT: 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596	12/14/11	AMEND: 2449, 2449.1, 2449.3 (renumbered to 2449.2), 2775, 2775.1, 2775.2 REPEAL: 2449.2
10/20/11	AMEND: 2222.12	12/05/11	AMEND: 553.70
09/26/11	ADOPT: 2785	11/22/11	AMEND: 1956.8
09/26/11	ADOPT: 2830	11/17/11	AMEND: 1233
09/26/11	ADOPT: 2725.5, 2960, 2961, 2962, 2963 AMEND: 2930	11/09/11	AMEND: 2027
09/22/11	AMEND: 2318.6, 2353.1	11/08/11	AMEND: 1
09/22/11	AMEND: 2318.6, 2353.1, 2354	10/07/11	ADOPT: 345.03, 345.75, 345.76, 345.77
		09/15/11	AMEND: 2190
Title 11		Title 13, 17	
01/03/12	ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22	10/27/11	AMEND: 2299.2, 93118.2
12/28/11	AMEND: 101.1	Title 14	
12/27/11	AMEND: 4001, 4002, 4003, 4004, 4005, 4006, 4016, 4017, 4018, 4019, 4021, 4022, 4023, 4024, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4039, 4040, 4041, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4105, 4106, 4107, 4108, 4109, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4139, 4140, 4141, 4142, 4144, 4145, 4146, 4147, 4148, 4149, 4150, 4151, 4152, 4153, 5455, 5459, 5469, 5470, 5471, 5473, 5480, 5482, 5483, 5484, 5495, 5499 REPEAL: 4020, 4038, 4088, 4089, 4143, 5472, 5481, 5470, 5471	01/31/12	AMEND 29.15
12/15/11	AMEND: 101.2	01/26/12	ADOPT 18940, 18941, 18942, 18943, 18944, 18945, 18945.1, 18945.2, 18945.3, 18946, 18947, 18948
12/08/11	ADOPT: 117.1	01/25/12	AMEND: 18419
11/14/11	AMEND: 1008	01/23/12	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
11/01/11	AMEND: 1009	01/09/12	AMEND: 7.00, 7.50(b)(68)
10/25/11	AMEND: 1005, 1007, 1008	01/05/12	ADOPT: 749.7
		01/05/12	AMEND: 895.1, 898.1, 1037.3, 1090.17, 1092.18
		12/20/11	AMEND: 11900
		12/20/11	ADOPT: 4970.24.2 AMEND: 4970.00, 4970.01, 4970.03, 4970.04, 4970.05, 4970.06.1, 4970.07, 4970.07.2, 4970.08, 4970.10.1, 4970.10.2, 4970.10.3, 4970.10.4, 4970.11, 4970.13, 4970.15.1, 4970.15.2, 4970.19, 4970.19.1, 4970.23.1, 4970.23.2, 4970.24, 4970.25.2, 4970.25.3
		12/09/11	AMEND: 15062, 15075, 15094, Appendix D and Appendix E
		12/08/11	AMEND: 632
		12/07/11	AMEND: 870.17, 870.19
		11/22/11	AMEND: 791.7, 870.17
		11/17/11	AMEND: 163, 164
		11/15/11	AMEND: 700.4, 701, 705 REPEAL: 704
		10/05/11	AMEND: 913.4, 933.4, 953.4, 959.15 REPEAL: 939.15

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10/05/11 AMEND: 913.4, 933.4, 953.4, 959.15
 REPEAL: 939.15
 10/04/11 AMEND: 29.15
 09/28/11 AMEND: 11900
 09/22/11 AMEND: 565, 565.4, 566, 566.1, 569,
 570, 571, 572, 573, 576, 583, 593,
 598.60, 599
 09/22/11 AMEND: 7.50(b)(1.5), 27.65, 29.80
 09/16/11 AMEND: 11900, 11970
 09/08/11 AMEND: 300, 311

Title 15

01/19/12 ADOPT: 3076.4, 3076.5 AMEND: 3076,
 3076.1, 3076.2, 3076.3
 01/11/12 REPEAL: 3999.8
 01/05/12 AMEND: 3140
 12/22/11 AMEND: 3052, 3062
 12/20/11 AMEND: 3040.1, 3043, 3043.6, 3044,
 3045.1
 12/13/11 ADOPT: 3504.1, 3504.2
 12/09/11 AMEND: 3000, 3006, 3170.1, 3172.1,
 3173.2, 3315, 3323
 12/05/11 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1,
 1748.5 AMEND: 1700, 1706, 1712,
 1714, 1730, 1731, 1740, 1747, 1747.1,
 1747.5, 1748, 1751, 1752, 1753, 1754,
 1756, 1760, 1766, 1767, 1768, 1770,
 1772, 1776, 1778, 1788 REPEAL: 1757
 12/01/11 ADOPT: 3571, 3582, 3590, 3590.1,
 3590.2, 3590.3 AMEND: 3000
 11/14/11 AMEND: 3341.5, 3375.2, 3377.1
 11/10/11 ADOPT: 3359.1, 3359.2, 3359.3, 3359.4,
 3359.5, 3359.6 AMEND: 3000
 10/25/11 ADOPT: 2240
 10/06/11 REPEAL: 3999.7
 09/27/11 ADOPT: 3078, 3078.1, 3078.2, 3078.3,
 3078.4, 3078.5, 3078.6 AMEND: 3000,
 3043, 3075.2, 3097, 3195, 3320, 3323

Title 16

02/01/12 ADOPT 3340.16.4 AMEND 3306,
 3340.1, 3340.10, 3340.15, 3340.16.5,
 3340.17, 3340.22, 3340.22.1, 3340.23,
 3340.28, 3340.29, 3340.30, 3340.31,
 3340.50, 3351.1 3340.16.4 3306, 3340.1,
 3340.10, 3340.15, 3340.16.5, 3340.17,
 3340.22, 3340.22.1, 3340.23, 3340.28,
 3340.29, 3340.30, 3340.31, 3340.50,
 3351.1
 01/19/12 ADOPT: 1379.40, 1379.42, 1379.44,
 1379.46, 1379.48, 1379.50, 1379.52,
 1379.54, 1379.56, 1379.58, 1379.68,
 1379.70, 1379.72, 1379.78
 01/17/12 ADOPT: 1707.6 AMEND: 1707.2
 01/11/12 AMEND: 109, 117, 121

01/10/12 AMEND: 12, 12.5, 98 REPEAL: 9, 11.5
 01/10/12 AMEND: 2328.1
 01/06/12 ADOPT: 3340.38
 12/28/11 AMEND: 1399.157, 1399.160,
 1399.160.3, 1399.160.6
 12/22/11 ADOPT: 601.6, 601.7, 601.8, 601.9,
 601.10 AMEND: 600.1
 12/12/11 AMEND: 1361
 11/22/11 ADOPT: 858, 858.1, 858.2, 858.3, 858.4,
 858.5, 858.6, 858.7, 858.8, 858.9
 11/16/11 AMEND: 950.1, 950.4, 950.5 REPEAL:
 962.3, 962.4, 962.5, 962.6
 11/01/11 ADOPT: 3392.2.1, 3392.3.1, 3392.4,
 3392.5.1, 3392.6.1 AMEND: 3340.1,
 3340.16, 3340.16.5, 3340.41, 3392.1,
 3392.2, 3392.3, 3392.5, 3392.6
 10/25/11 REPEAL: 929
 10/17/11 AMEND: 2300, 2302, 2303, 2304, 2311,
 2315, 2320, 2321, 2322, 2324, 2326,
 2326.1, 2327, 2328, 2328.1, 2329, 2330,
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