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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 **April 17, 2014**, 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 must be received at the Commission offices no later than **5:00 p.m.** on **April 15, 2014**.

BACKGROUND/OVERVIEW

Section 87300 requires all government agencies to adopt and promulgate a conflict of interest code. A conflict of interest code designates those positions within the agency that entail the making or participation in making of decisions that may foreseeably have a material effect on any financial interest. For each enumerated position, the code assigns disclosure categories specifying the types of investments, business positions, interests in real property and sources of income that are reportable. (Sections 87300 and 87302.)

The Commission's longstanding advice has been that charter schools established under Education Code section 47600 et seq. are local government agencies, and, therefore, must adopt and promulgate a conflict of interest code or be included in the conflict of interest code of their chartering agency.

Under Section 87303, a conflict of interest code is not effective until it has been approved by its code–reviewing body. Section 82011 provides that the Commission is the code–reviewing body for local government agencies with jurisdiction in more than one county.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18750.3:

The proposed regulation seeks to clarify the requirements of Section 87300 et seq. as they pertain specifically to charter schools by:

- Setting forth the circumstances under which the Fair Political Practices Commission is a charter school's code– reviewing body.
- Permitting a charter school to have its own conflict of interest code, as opposed to being included in the conflict of interest code of the school's chartering agency, only if the chartering agency agrees and, when there is disagreement between them, the determination is made by the chartering agency's code–reviewing body.
- Requiring charter management organizations and education management organizations that hold or control public funds to have a conflict of interest code (or be included in the conflict of interest code of the charter school the organization manages or operates, or the school's chartering agency).
- Requiring that the conflict of interest code that governs a charter management organization or education management organization provides for full disclosure for members of its governing board and any other individuals that manage public funds.

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 either confirm existing statutory duties imposed on counties and the state, or possibly reallocate duties. Accordingly, the fiscal impact on counties is not known.

Fiscal Impact on State Government. This regulation will either confirm existing statutory duties imposed on counties and the state, or possibly reallocate duties. Accordingly, the fiscal impact on the state is not known.

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.

[1] The 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.

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 87300 and 82011.

CONTACT

Any inquiries should be made to Val Joyce, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916)322–5783 or 1–866–ASK–FPPC. Proposed regulatory language can be accessed at http://www.fppc.ca.gov/index.php?id=2474#2.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT–OF–INTEREST CODES

AMENDMENT

MULTI COUNTY Association of CA Water Agencies JPIA

A written comment period has been established commencing on **March 14, 2014** and closing on **April 28, 2014**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict–of–interest code(s). Any written comments must be received no later than **April 28, 2014**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT–OF–INTEREST CODES

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

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 **April 17, 2014**, 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 **April 15, 2014**.

BACKGROUND/OVERVIEW

Government Code Section 87100 provides that "no public official at any level of state or local government shall make, participate in making or in any way attempt to use his [or her] official position to influence a governmental decision in which he [or she] knows or has reason to know he [or she] has a financial interest." Section 87103 provides that an official has a financial interest in a decision "if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of [certain enumerated interests.]"

The Commission currently has a set of regulations that identify the standards for determining what constitutes a material financial effect on a financial interest. This proposed regulatory action is part of the Commission's continuing project to improve, update, clarify, and simplify the Act's conflict of interest regulations, which began in 2012 with amendments to the application of the "reasonably foreseeable," test and continued last year with a reorganization of the regulations under Regulation 18700. At the June 2013 Commission meeting, staff discussed the need for amendments to the current real property materiality determination, and the Commission directed staff to develop and present specific language at a future meeting to revise the materiality standards for real property decisions. Staff now proposes specific language to amend the regulation dealing with what is a material financial effect on real property. This regulation will begin the process of amending the Act's materiality regulations.

REGULATORY ACTION

Repeal 2 Cal. Code Regs. Sections 18704.2 and amend 18705.2.

Proposed Regulation 18705.2 will incorporate together most of the provisions currently contained in Regulations 18704.2 and 18705.2 and will modify the 500–foot rule by eliminating the so called "one–penny effect" and presenting different distance–measurement options depending on the nature of the decision as well as providing a standard rule.

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.

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.

[1] The 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.

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 Sections 87100 and 87103.

CONTACT

Any inquiries should be made to Bill Lenkeit, 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 4. CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

Pursuant to Section 44520(b) of the Health and Safety Code, the regulations being adopted herewith by the California Pollution Control Financing Authority (the "Authority") are, by legislative mandate, necessary for the implementation of small business financing assistance and the immediate preservation of the public peace, health and safety, and general welfare.

PROPOSED REGULATORY ACTION

The Authority proposes to adopt subsection (d) to Section 8034 of Title 4 of the California Code of Regulations (the "Adopted Regulations") concerning the administration of the California Pollution Control Financing Authority's Bond Program. These Adopted Regulations are necessary to implement, interpret and make specific Article 3 of the California Pollution Control Financing Authority Act (the "Act"). The current rulemaking action would make these changes permanent.

AUTHORITY AND REFERENCE

Authority: Sections 44520(a) and 44520(b), Health and Safety Code. Section 44520(b) of the Act authorizes the Authority to adopt regulations relating to small business financing as emergency regulations and instructs the Office of Administrative Law to consider such regulations to be "necessary for the immediate preservation of the public peace, health and safety or general welfare." Section 44520(a) of the Act authorizes the Authority to adopt necessary regulations to carry out its powers and duties under this division in administering applications for financing.

Reference: Sections 44520, 44525 and 44537.5, Division 27, Health and Safety Code. These adopted regulations implement, interpret and make specific sections of the Act by adopting section (d) to Section 8034 of Title 4, Division 11, Article 3 of the California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law establishes the Authority to implement small business financing assistance programs pursuant to Section 44520(b) of the Health and Safety Code.

The Authority has three types of fees that it can charge to applicants seeking and/or receiving bond financing: application fees, general fees and Small Business Assistant Fund Fees (SBAF). The SBAF fee for large businesses is temporarily waived until June 30, 2015 due to the current economic environment (4 CCR § 8035(e)).

Under the Authority's regulations, the borrower must pay fees for reasonable and necessary administrative and program expenses connected with the sale of bonds. CPCFA has previously adopted regulations pertaining to the refunding of bond issuances to: require a new request for financing the refunding of bonds; charge a fee in conjunction with the refunding bond issue requested; and obtain reimbursement for costs and expenses associated with the refunding issue.

Currently, the fee charged for the refunding of a prior sale of bonds issued by the Authority is two tenths of one percent (.002) of the face value of the bonds issued. This fee is expected to cover staff administrative costs during the life of the bonds.

Business investment in California using tax–exempt bonds has declined noticeably during the economic downturn beginning in 2008. Even as economic activity begins to rebound in California, the cost of financing is still prohibitive in many cases, particularly for small businesses which cannot absorb the transaction costs. In addition, the cost of conventional financing is currently very low, based on today's interest rates, rendering the Authority's bond issuances less attractive for many borrowers especially where the application costs exceed the benefits of the tax–exempt status. As a result, the Authority's Private Activity Bond (PAB) Allocation has largely gone unused. CPCFA currently has $3.3 billion in Carryforward Allocation available.

In order to utilize the allocation before it expires, CPCFA needs both small and large businesses to issue PABs. CPCFA staff anticipates that the proposal to

charge actual costs in lieu of the refunding fee formula will noticeably reduce the transaction costs for most refundings, and will entice small and large businesses to analyze their current outstanding debt and structure, consider restructuring their outstanding debt, and issue PABs with CPCFA. CPCFA would still charge the standard application and general fees on the new money portion of these transactions, which is structured to reasonably compensate the Authority for its expenses associated with the sale and post–issuance compliance of bonds. The CPCFA administrative account is currently sustainable and the proposed adoption is not anticipated to have a negative effect on CPCFA administrating its programs in the foreseeable future.

The proposed regulations will give the Authority the discretion to reduce the refunding fee for refunding transactions coupled with a new money financing, thereby permitting the Authority to apply the standard formula for the refunding fee in the event it is warranted.

The proposed adoption to the current regulations will not have a significant effect on the creation or elimination of jobs in California, significantly affect the creation of new businesses or elimination of existing businesses within California, or significantly affect the expansion of businesses currently doing business within California.

Anticipated Benefits from This Regulatory Action

The proposed changes will attract businesses involved with pollution control projects. These types of projects will benefit the environment, and the public health and safety.

CPCFA has conducted an evaluation of this regulation and has determined that the proposed adoption to the CPCFA Regulations is consistent and compatible with existing state statute and regulations, and the objective is as follows:

Section 8034(d). *Add subsection (d) to give the Authority the ability to reduce transaction costs for the current refunding fee.* Notwithstanding subsections (a) and (b), where the financing requested is a refunding of a prior sale of bonds previously issued by the Authority and the refunding is included as part of an application which also requests new financing by the same applicant for a new proposed project, the Authority shall have the discretion to charge the applicant the Authority's reasonable and necessary expenses allocable to the refunding request in lieu of the fee described in subsection (b) normally applicable to refundings.

DISCLOSURE REGARDING THE PROPOSED ACTION

The Executive Director of the Authority has made the following determinations regarding the effect of the Adopted Regulations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

Other non–discretionary cost or savings imposed on local agencies: None.

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

Significant effect on housing costs: None.

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

Small Business: The adopted regulations will not have an adverse impact on small business in California and will not affect small business since they do not impose additional restrictions or cost on small business.

Significant, statewide, adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: The Authority has made an initial determination that the Adopted 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.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Assessment regarding effect on jobs/businesses: The Adopted Regulations will not have a significant effect on the creation or elimination of jobs in California, significantly affect the creation of new businesses or elimination of existing businesses within California, or significantly affect the expansion of businesses currently doing business in California.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment: The proposed change will give the Authority the discretion to reduce the refunding fee

for refunding transactions coupled with new money financing. As a result, this will open more financing opportunities to businesses involved in pollution control projects. These types of projects will benefit the environment and the public health and safety.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13) the Authority must determine that no reasonable alternative to the Adopted Regulations considered by the Authority or that has otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which the Adopted Regulations are 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 Authority invites interested parties to present statements with respect to alternatives to the Adopted Regulations during the written comment period.

AGENCY CONTACT PERSON

Written comments, inquiries and any questions regarding the substance of the Adopted Regulations shall be submitted or directed to:

Andrea Gonzalez, Staff Services Analyst
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, CA 95814
Telephone: (916) 651–7284
Fax: (916) 657–4821
Email: agonzalez@treasurer. ca.gov

Doreen Smith, Treasury Program Manager I
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, CA 95814
Telephone: (916) 651–6503
Fax: (916) 657–4821
Email: dsmith@treasurer. ca.gov

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the Adopted Regulations to the Authority. The written comment period on the Adopted Regulations ends at **5:00 p.m. on April 28, 2014**. All the comments must be submitted in writing to the Agency Contact Person identified in the Notice by that time in order for them to be considered by the Authority.

In the event that substantial changes are made to the proposed regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified regulations for fifteen (15) calendar days after the date on which such regulations, as changed or modified are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency contact person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Room 457, Sacramento, California 95814, during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this notice, the Initial Statement of Reasons and the proposed text of the Adopted Regulations.

Copies of these items and all the information upon which the proposed rulemaking is based are available upon request from the Agency Contact Person designated in this Notice or at the Authority's website located at http://www.treasure.ca.gov/cpcfa/index.asp.

PUBLIC HEARING

CPCFA does not intend to conduct a Public Hearing on the matter of these regulations, unless requested. Any interested person may submit a written request for a public hearing no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested pursuant to Section 11346.8 of the Government Code, the Authority may adopt the proposed Regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least fifteen (15) calendar days before the Authority adopts the proposed Regulations, as modified. Inquiries about and requests for copies of any changed or modified regulations should be addressed to

the Agency Contact Person identified in this Notice. The Authority will accept written comments on the modified regulations for fifteen (15) calendar days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon completion, a copy of the Final Statement of Reasons may be requested from the Agency Contact Person designated in this Notice or found at the Authority's website at http://www.treasurer.ca.gov/cpcfa/index.asp.

TITLE 4. CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

The California Pollution Control Financing Authority (CPCFA and the "Authority"), organized and operating pursuant to Sections 44500 through 44563 of the California Health and Safety Code, proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Authority proposes to amend Section 8070 and 8072 of Title 4 of the California Code of Regulations concerning the administration of the California Capital Access Program for Small Businesses (the "Program" and CalCAP). These regulations were adopted on an emergency basis in December 2013. The current rulemaking action would make these changes permanent.

AUTHORITY AND REFERENCE

Authority: Sections 44520(a) and 44559.5(f) of the Act authorize the Authority to adopt necessary regulations relating to the California Capital Access Loan Program (CalCAP) established by the Act.

Reference: Sections 44559–44559.12 of the Health and Safety Code. These amended regulations implement, interpret, and make specific Sections of the Act by amending Sections 8070 and 8072 of Title 4, Division 11, Article 7 of the California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CalCAP was established in 1994 using the fees from tax–exempt bond sales for its contributions to loan–loss reserve accounts. CalCAP is designed to encourage lending to small businesses throughout California. To accomplish this, CalCAP establishes loan–loss reserve accounts in which borrowers and lenders or an Independent Contributor are required to deposit a percentage based on the loan enrollment to help insure against losses. This program is a way to encourage banks to lend money to many small businesses. Over the years, CalCAP has attracted other funding sources, including the injection of $6 million in State funds in 2010 and $84 million of Federal funds in 2011, plus significant funding from other Independent Contributors.

Federal tax laws prohibit use of tax–exempt bond funds for a variety of items including a ". . . store whose principal business is the sale of alcoholic beverages for consumption off premises. . . ." For that reason, this language was included in the CalCAP regulations when CalCAP was originally established. However, a major current funding source for CalCAP, the Federal State Small Business Credit Initiative (SSBCI) Act of 2010, does not prohibit a ". . . store whose principal business is the sale of alcoholic beverages for consumption off premises . . ." Nor do other funding sources, including CPCFA's State funds which support additional loan–loss reserve contributions for borrowers located in severely affected communities. Therefore, the blanket prohibition in the present CalCAP regulations has an adverse effect on wineries and breweries.

The proposed amendment to the regulations will expand lending assistance and increase injections of private capital into this important economic sector in California when it is not prohibited by the funding source.

The second proposed amendment will replace the mandatory prequalification requirement with a procedure offering a voluntary prequalification to enable lenders to confirm the eligibility of a potential loan enrollment. The change to the regulation will improve the efficiency of the Program by eliminating the requirement of pre–qualifications.

The proposed amendments to the current regulations will not have a significant effect on the creation or elimination of jobs in California, significantly affect the creation of new businesses or elimination of existing businesses within California, or significantly affect the expansion of businesses currently doing business within California.

After conducting a review for any related regulations on this area, the Authority has concluded that these are the only regulations dealing with qualified loans and pre–qualifications, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The objective is as follows:

Section 8070(s)(4)(A) & (B). *Update the definition of "Qualified Loan" by moving "store whose principal business is the sale of alcoholic beverages for consump-*

tion off premises" from A to B, and adding "liquor store" to A. This modification to the regulations will encourage lending to wineries and breweries using other unrestricted funds.

Section 8072(f). *Eliminate the requirement for Lenders to submit a pre–qualification.* In an effort to simplify the Program for lenders and CalCAP staff, this regulation change will eliminate the requirement. Lenders will have the opportunity to submit a pre–qualification if they choose.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Executive Director of the Authority has made the following determinations regarding the effect of the Amended Capital Access Regulations.

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None.

Other non–discretionary cost or savings imposed on local agencies: None.

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

Significant effect on housing costs: None.

Cost impact on a representative private person or business: The Authority is not aware of any cost impacts that a representative private person, or business would necessarily incur with reasonable compliance with the proposed action.

Small Business: The amended CalCAP Regulations will not have an adverse impact on small business in California. The proposed regulations will not significantly affect small businesses because they do not impose additional costs on small businesses.

Significant, statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: The Authority has made an initial determination that the amended CalCAP 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.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Assessment regarding effect on jobs/businesses: The amended CalCAP Regulations will not have a significant effect on the creation or elimination of jobs in California, significantly affect the creation of new businesses or elimination of existing businesses within California, or significantly affect the expansion of businesses currently doing business within California.

Benefits to the health and welfare of California residents, worker safety, and the state's environment: The amended CalCAP Regulations will benefit the health and welfare of California residents by increasing economic opportunities and therefore, improving their quality of life. The Authority is not aware of any benefits to California worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Authority must determine that no reasonable alternative to the amended CalCAP Regulations considered by the Authority or that has otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which the amended CalCAP Regulations are 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 Authority invites interested persons to present statements with respect to alternatives to the amended CalCAP Regulations during the written comment period.

AGENCY CONTACT PERSON

Written comments, inquiries and any questions regarding the substance of the amended CalCAP Regulations shall be submitted or directed to:

Melissa Winchester, Staff Services Analyst
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: (916) 654–5740
Fax: (916) 657–4821
Email: mwinchester@treasurer.ca.gov

Or:
Jillian Franzoia, Associate Treasury Program Officer
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: (916) 653–3993
Fax: (916) 657–4821
Email: jfanzoia@treasurer.ca.gov

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the amended CalCAP Regulations to the Authority. The written comment period on the amended CalCAP Regulations ends at **5:00 p.m. on April 28, 2014**. All comments must be submitted in writing to the Agency contact person identified in this Notice by that time in order for them to be considered by the Authority.

In the event that substantial changes are made to the amended CalCAP Regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified amended CalCAP Regulations for fifteen (15) calendar days pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency contact person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF THE PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Room 457, Sacramento, California 95814, during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the amended CalCAP Regulations. Copies of these items are available upon request from the Agency contact person designated in this Notice or at the Authority's website located at http://www.treasurer.ca.gov/cpcfa/index.asp.

PUBLIC HEARING

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested pursuant to Section 11346.8 of the Government Code, the Authority may adopt the amended CalCAP Regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that 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 fifteen (15) calendar days before the Authority adopts the proposed amended CalCAP Regulations, as modified. The modified text of the regulations will be made available to: 1) persons who submitted written comments during the written comment period; 2) persons who submitted written or oral testimony during the public hearing, if one is held; and 3) persons who specifically requested notification of modified changes. Inquiries about and requests for copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice. The Authority will accept written comments on the modified regulations for fifteen (15) calendar days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon completion, a copy of the Final Statement of Reasons may be requested from the Agency contact person designated in this Notice or found at the Authority's website at http://www.treasurer.ca.gov/cpcfa/index.asp.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by APRIL 28, 2014, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227–6932 or by letter to the:

Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816–7083

Following the close of the public comment period, the Commission may adopt the proposal substantially as described below or may modify the original proposal

with sufficiently related changes. With the exception of technical or grammatical changes, the full text of a modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Commission will also mail the full text to persons who submit written comments related to the proposal or who have requested notification of any changes.

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code § 13503 — POST powers and § 13506 — POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code § 13503 (e) — POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

At its February 20, 2014 meeting, the Commission approved proposed amendments to the Commission Regulation 1082.

The proposed changes include:

- Adding course hours and prerequisite information to the driver training instructor courses

Penal Code § 13510 requires that POST develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers. This proposed action will update the training specifications to include revisions to grammar, punctuation, definitions, and minimum training standards.

The benefits anticipated by the proposed amendments to the regulations will be to update to include course hours and prerequisite information. The recommended changes clarify training requirements for Driver Training Instructors. The proposed amendments of regulations will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.

During the process of developing these regulations and amendments, POST has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

All changes to curriculum begin with recommendations from law enforcement practitioners or in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject–matter experts who provide recommended changes to existing curriculum. The completed work of all committees is presented to the POST Commission for final review and adoption. Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test the updated curriculum. The proposed effective date is August 1, 2014.

LOCAL MANDATE

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

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with § 17500) of the Government Code, Division 4. This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

POST anticipates no additional costs or savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESSES

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code §11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

The Commission has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs and will not result in the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in the state of California.

RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOVERNMENT CODE SECTION 11346.3

The adoption of the proposed amendments of regulations will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Commission 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.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSON

Please direct inquiries or written comments about the proposed regulatory action to the following:

Cheryl Smith
Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816–7083
(916) 227–0544 or Cheryl.Smith@post.ca.gov
FAX (916) 227–6932

or
Patti Kaida
Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816–7083
(916) 227–4847 or Patti.Kaida@post.ca.gov
FAX (916) 227–5271

TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at: 1601 Alhambra Boulevard, Sacramento, CA 95816. These documents are also located on the POST Website at: http://www.post.ca.gov/regulatory–actions.aspx.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person named above. To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person named above.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Amend and Update the Training and Testing Specifications for Peace Officer Basic Courses Regulations 1005, 1007, and 1008

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by APRIL 28, 2014, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227–6932 or by letter to the:

Commission on POST
1601 Alhambra Boulevard
Sacramento, CA 95816–7083

Following the close of the public comment period, the Commission may adopt the proposal substantially as described below or may modify the original proposal with sufficiently related changes. With the exception of technical or grammatical changes, the full text of a modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Commission will also mail the full text to persons who submit written comments related to the proposal or who have requested notification of any changes.

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code § 13503 — POST powers and § 13506 — POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code § 13503(e) — POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

At its February 20, 2014 meeting, the Commission approved proposed amendments to Learning Domains throughout the *Training and Testing Specifications for Peace Officer Basic Courses* publication. The proposed changes included:

- Update Training and Testing Specification curriculum as part of an ongoing review.

Penal Code § 13510 requires that POST develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers. This proposed action will update the training specifications to include revisions to grammar, punctuation, definitions, and minimum training standards.

The benefits anticipated by the proposed amendments to the regulations will be to update the training specifications for Peace Officer Basic Courses which will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.

During the process of developing these regulations and amendments, POST has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

All changes to curriculum begin with recommendations from law enforcement practitioners or in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject–matter experts who provide recommended changes to existing curriculum. The completed work of all committees is presented to the POST Commission for final review and adoption. Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test the updated curriculum. The proposed effective date is August 1, 2014.

LOCAL MANDATE

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

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with § 17500) of the Government Code, Division 4. This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

POST anticipates no additional costs of savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESSES

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code § 11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

The Commission has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs and will not result in the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in the state of California.

RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOVERNMENT CODE SECTION 11346.3

The adoption of the proposed amendments of regulations will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Commission 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.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSON

Please direct inquiries or written comments about the proposed regulatory action to the following:

Cheryl Smith
Commission on POST
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TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at: 1601 Alhambra Boulevard, Sacramento, CA 95816. These documents are also located on the POST Website at: http://www.post.ca.gov/regulatory–actions.aspx.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person named above. To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person named above.

TITLE 16. BUREAU OF AUTOMOTIVE REPAIR

NOTICE OF PROPOSED REGULATORY ACTION AND PUBLIC HEARING CONCERNING

CONSUMER ASSISTANCE PROGRAM ADMINISTRATIVE TERMS AND PARTICIPATION ELIGIBILITY

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs, Bureau of Automotive Repair (hereinafter "Bureau" or "BAR") is proposing to take the actions described in the Informative Digest. Any person(s) interested may present statements or arguments orally or in writing relevant to the action proposed at hearings to be held at the following location on the following date:

NORTHERN CALIFORNIA

Thursday, May 1, 2014 at 9:00 a.m.
Department of Consumer Affairs
Hearing Room
1625 North Market Boulevard
Sacramento, CA 95834

Written comments, including those sent by mail, facsimile, or e–mail to the addresses listed under Contact Person in this Notice, must be received by the Bureau at its office no later than 5:00 p.m. on May 1, 2014, or must be received by the Bureau at the above–referenced hearing. Comments sent to persons or addresses other than those specified under Contact Person, or received after the date and time specified above, regardless of the manner of transmission, will be included in the record of this proposed regulatory action, but will not be summarized or responded to. The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as Contact Person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 9882 of the Business and Professions Code and Sections 44000, 44001.3, 44001.5 and 44002 of the Health and Safety Code, and to implement, interpret or make specific Sections 44005, 44010.5, 44011, 44012, 44014.2, 44014.7, 44015, 44017, 44017.1, 44037.1, 44062.1, 4406.3, 44091, 44092, 44093, 44094, 44095, and 44125 of the Health and Safety Code, the Bureau is proposing to adopt the following changes to Article 11, Chapter 1, Division 33, Title 16, California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

INTRODUCTION:

The Bureau, located within the Department of Consumer Affairs (DCA), is the State agency charged with the administration and implementation of the Smog Check Program (Program). The Program is designed to reduce emissions from mobile sources, such as passenger vehicles and light trucks, by requiring that these vehicles meet specific in–use emissions standards as verified by periodic inspections. To ensure uniform and consistent vehicle testing, the Bureau licenses Smog Check stations and technicians and certifies inspection equipment.

The Bureau is also charged with the implementation and administration of the Consumer Assistance Program (CAP) which includes both a Repair Assistance (RA) option and a Vehicle Retirement (VR) option. The RA option is designed to offer financial assistance to eligible individuals whose vehicles have failed a biennial Smog Check inspection and whose household income falls at or below a specified amount based on the federal poverty guideline. The VR option is designed to offer consumers the choice of scrapping their qualified vehicle at any time and for any reason for either $1,000 or $1,500, if they meet income eligibility requirements.

To offer CAP's RA and VR options to a larger number of individuals, BAR is proposing to expand its vehicle eligibility requirements from requiring that the vehicle be currently registered as operable to permitting participation of vehicles that have not had a registration lapse of more than 120 days during the 24 months prior to the registration expiration date and that have not been expired for more than 120 days at the time of application. This expansion will meet the needs of consumers who are most in need of financial help with repairs, help lower the emissions of high polluting and gross polluting vehicles, and help increase air quality for all California citizens.

The proposed action also includes several minor technical, grammatical, and editorial changes that have no regulatory effect or that are conforming.

CURRENT REGULATION:

Existing regulation in the California Code of Regulations, Title 16, Division 33, Chapter 1, Article 11, is summarized as follows:

1. Article 11, Section 3394.2 specifies administrative relationships between CAP and its service providers.
2. Article 11, Section 3394.3 specifies the state assistance limits available for CAP's RA and VR programs.
3. Article 11, Section 3394.4 specifies the eligibility requirements of CAP's RA and VR programs.

EFFECT OF REGULATORY ACTION:

The Bureau is proposing the following amendments to existing regulations:

1. Update CAP administration terms.
2. Modify the RA option and VR option eligibility requirements. This update will permit participation of vehicle owners whose vehicles registration has not had a significant lapse (more than 120 days) during the 24 months prior to the registration expiration date, and has not been expired for more than 120 days at the time of application.
3. Align RA and VR eligibility requirements to eliminate consumer confusion and achieve application processing efficiencies.

The proposed action will make the following changes to existing regulations:

1. Amend Section 3394.2 of Article 11, Chapter 1, Division 33, Title 16, California Code of Regulations, as follows:

   a. Move "contracts with dismantlers," and add "agreements with" and "holding valid STAR certification."

      These modifications clarify the types of binding arrangements made between BAR and its service providers, and the type of test–and–repair station authorized to provide CAP services to consumers.

   b. Add Health and Safety Code section 44014.2 and 44062.3 as reference citations.

      Section 44014.2 identifies the section of law that establishes BAR's authority to certify voluntarily participating smog check stations to perform test–and–repair functions on CAP vehicles and the type of binding arrangement that BAR may enter into with these stations.

      Section 44062.3 identifies vehicle retirement participation criteria, minimum incentive amounts, and the type of binding arrangement that BAR may enter into with a vehicle dismantler.

2. Amend Section 3394.3 of Article 11, Chapter 1, Division 33, Title 16, California Code of Regulations, as follows:

   a. In subsection (b), add "holding valid STAR certification and," and remove "contract" and replace with "an agreement."

      These amendments clarify the type of binding arrangement made between BAR and stations performing CAP repairs and the type of test–and–repair station authorized to perform CAP repairs.

   b. Add Health and Safety Code section 44062.3 as an authority citation and sections 44014.2 and 44062.3 as reference citations.

      Section 44014.2 identifies the section of law that establishes BAR's authority to certify voluntarily participating smog check stations to perform test–and–repair functions on CAP vehicles and the type of binding arrangement that BAR may enter into with these stations.

      Section 44062.3 identifies vehicle retirement participation criteria, minimum incentive amounts, and the type of binding arrangement that BAR may enter into with a vehicle dismantler.

3. Amend Section 3394.4 of Article 11, Chapter 1, Division 33, Title 16, California Code of Regulations, as follows:

   a. Remove "a person must meet" and add "must be met" in subsection (a).

      This is an editorial change that better clarifies that the paragraphs under subsection (a) do not apply only to a person.

   b. Add "the applicant must" to paragraph (a)(1). This addition clarifies that the applicant and the vehicle's registered owner must be the same person.

   c. Remove paragraph (a)(2).

      Text from this paragraph will be restated in new subparagraph (a)(5)(B) of this section as described below.

   d. Replace "vehicle owner has" with "applicant must [not] have" in subsection (a)(3) and renumber to (a)(2).

      This editorial change ties the necessity of the applicant being the vehicle's registered owner with the stipulation that the applicant (vehicle owner) not have previously participated in CAP's RA option with the same vehicle.

      This paragraph is renumbered due to the removal of paragraph (a)(2) as noted above.

   e. Add "the applicant must" to paragraph (a)(4) and renumber to (a)(3).

      This addition clarifies that the household income requirement pertains to the applicant.

      This paragraph is renumbered due to the renumbering of paragraph (a)(4) to (a)(3) as noted above.

   f. Add "the applicant must" to paragraph (a)(5)and renumber to (a)(4).

      This addition clarifies that the responsibility of paying for emissions–related testing and diagnosing is the responsibility of the applicant.

      This paragraph is renumbered due to the renumbering of paragraph (a)(5) to (a)(4) as noted above.

   g. Remove paragraph (a)(6).

      Text from this paragraph will be reincorporated in new subparagraph (a)(5)(A) of this section as described below.

   h. Add new paragraph (a)(5) to read, "At the time of application, the vehicle must:"

      This new text introduces the beginning of the RA option's vehicle participation requirements and specifies that the vehicle must meet the requirements as of the date of application.

i. Add new subparagraph (a)(5)(A) to read, "Have failed its biennial Smog Check inspection. Aborted, manual mode, and training mode tests do not qualify."

This vehicle requirement is reincorporated from previously removed paragraph (a)(6).

j Add new subparagraph (a)(5)(B) to read, "Be currently registered with the Department of Motor Vehicles with a valid and unexpired registration sticker, or have all fees paid to the Department of Motor Vehicles and not have a registration that has been expired more than 120 days."

New subparagraph (a)(5)(B) is substantially similar to previously removed paragraph (a)(2), but provides low–income consumers, who may be unable to register their vehicle due to a failed Smog Check inspection, some flexibility in maintaining eligibility for state assistance. Additionally, BAR has referenced the validity of the vehicle's registration sticker to clarify the requirement for consumers who may not be familiar with how the vehicle registration process works. By assisting more low–income vehicle owners to repair their vehicles and bring them into compliance with applicable emissions standards, the RA option of CAP will help to reduce the number of vehicles operated on California's streets and highways with excessive emissions. Repairing these non–complying vehicles that might otherwise continue to be driven without being registered will contribute to improvements in California's air quality and assist in meeting federal clean air goals.

k. Add new subparagraph (a)(5)(C) to read, "Have been continuously registered in California with the Department of Motor Vehicles without substantial lapse during the two consecutive years preceding the current registration expiration date, such that it has not experienced breaks in registration totaling more than 120 days."

This subparagraph will ensure that vehicles being repaired have a measurable impact on air quality based on vehicle usage as determined by past registration history. This addition is also necessary to reasonably ensure that the reductions in air pollution resulting from RA are real. Additionally, this subparagraph will provide low–income consumers who may have allowed their vehicles registration to lapse for any other reason some flexibility in fulfilling the eligibility requirements to receive state assistance in meeting the mandates of the Smog Check Program. Further, allowing for greater participation will directly result in a reduction of ozone–depleting carbon–based emissions. Lastly, this addition comports RA's eligibility requirement with that of VR to alleviate confusion on the part of the consumer.

1. Remove "a person must meet" and add "must be met" in subsection (b).

This is an editorial change that better clarifies that the paragraphs under subsection (b) do not apply only to a person.

m. Add "the applicant must" to paragraph (b)(1), and remove "Smog Check" and "preceding."

The added text defines who must meet the requirement. "Smog Check" is removed because it is not part of CAP's title while "preceding" is removed because the 12–month period logically occurs prior to submittal of an application for retirement.

n. Add "the applicant must" to paragraph (b)(3).

This addition clarifies that the applicant and the vehicle's registered owner must be the same person.

o. Add "applicant" to paragraphs (b)(4) and (b)(5), remove "vehicle owner," and replace (4) with (3).

The addition of "applicant" makes consistent the use of "applicant" in place of "vehicle owner". The renumbering of the referenced paragraph is necessitated by the renumbering of subsection (a)(4) to (a)(3) as noted above.

p. Remove subsection (b)(6).

Text from this subsection will be reincorporated in new subparagraph (b)(6)(C) of this section as described below.

q. Renumber paragraph (b)(7) to (b)(6).

Renumbering is necessitated by the removal of (b)(6) as noted above.

r. Replace "be currently registered with the Department of Motor Vehicles: or," with "have failed its most recent Smog Check inspection for causes other than an ignition timing adjustment or a non–functional gas cap. Aborted, manual mode, and training mode tests do not qualify" in subparagraph (b)(7)(A).

Replaced text is restated in subparagraph (b)(7)(A) and added text is repositioned from paragraph (b)(9).

s. Replace "be currently operating under a repair cost waiver or economic hardship extension issued by the Bureau of Automotive Repair; or," with "be a passenger vehicle, truck, sports utility vehicle (SUV), or van with a gross vehicle rating of 10,000 pounds or less" in subparagraph (b)(7)(B).

A vehicle does not operate on a repair cost waiver or economic hardship extension. Repair cost waivers and economic hardship extensions are issued to consumers in lieu of a Smog Check certificate and are submitted to the Department of Motor Vehicles to complete the registration renewal process[1]. Also, any minor lapse in registration, as defined in proposed paragraph (b)(6)(D), would not be grounds for denial of CAP VR services. Lastly, the added text is being reincorporated from paragraph (b)(10).

t. Replace "be currently operating under a Temporary Operating Permit issued by the Department of Motor Vehicles" with "be currently registered with the Department of Motor Vehicles with a valid and unexpired registration sticker, or have all fees paid to the Department of Motor Vehicles and not have a registration that has been expired more than 120 days" in subparagraph (b)(7)(C).

Temporary Operating Permits extend the validity of a registration by no more than 60 days[2]. This proposal would allow for participation up to 120 days past expiration, or 60 days longer than provided for by a Temporary Operating Permit. The requirement that the vehicle's registration fees be paid to the Department of Motor Vehicles is reincorporated from removed paragraph (b)(6). Additionally, pursuant to Health and Safety Code section 44062.3, "the owner of a motor vehicle that has been registered without substantial lapse, as defined by the department . . . may retire the vehicle from operation." Further, BAR has determined that allowing consumers 120 days past the vehicle's registration expiration date affords consumers ample time to determine whether or not to retire the vehicle.

u. Add subparagraph (b)(6)(D) to read, "have been continuously registered in California with the Department of Motor Vehicles without substantial lapse during the two consecutive years preceding the current registration expiration date, such that it has not experienced breaks in registration totaling more than 120 days."

Pursuant to Health and Safety Code section 44062.3, "the owner of a motor vehicle that has been registered without substantial lapse, as defined by the department . . . may retire the vehicle from operation." This subparagraph seeks to define that criterion by requiring that the continuous registration period occur during the two years immediately preceding submittal of an application for retirement under CAP. Additionally, this subparagraph will provide low–income consumers who may have allowed their vehicle's registration to temporarily lapse during that two–year period some flexibility in fulfilling CAP's VR eligibility requirements by defining that a break or lapse in registration in excess of 120 days constitutes an unacceptable break in registration. Further, the proposed text is substantially similar to removed subparagraph (b)(8)(C). Lastly, allowing for greater participation will increase the number of individuals eligible to receive state reimbursement for voluntarily retiring their high–polluting vehicle. More vehicles retired directly results in a reduction of ozone depleting carbon–based emissions.

v. Remove paragraphs (b)(8), (b)(9), and (b)(10).

The provisions of these paragraphs were either incorporated into paragraph (b)(6) and its subparagraphs or replaced by them.

w. Remove paragraph (b)(11).

Text from this section will be reincorporated into new paragraph (8) as described below.

x. Renumber paragraph (b)(12) to (b)(7) and add, "after approval of an application and prior to being accepted for retirement, the vehicle must."

The added text helps clarify for consumers that approval of an application to participate in CAP's VR option is not the final step in the process prior to actual retirement of the vehicle.

[1] Sections 44015 and 44060 of the Health and Safety Code.
[2] Section 4156 of the Vehicle Code.

This paragraph is renumbered due to the renumbering of paragraph (b)(7) to (b)(6) and the removal of paragraphs (b)(8), (b)(9), (b)(10), and (b)(11).

y. Add new paragraph (b)(8).

This paragraph and its subparagraphs are substantially similar to removed paragraph (b)(11). The addition of "after approval of an application and prior to being accepted for retirement, the vehicle must" helps clarify for consumers that approval of an application to participate in CAP's VR option is not the final step in the process prior to actual retirement of the vehicle.

z. Add Health and Safety Code section 44062.3 as an authority citation and sections 44014.2 and 44062.3 as reference citations.

Section 44014.2 identifies the section of law that establishes BAR's authority to certify voluntarily participating smog check stations to perform test–and–repair functions on CAP vehicles and the type of binding arrangement that BAR may enter into with these stations.

Section 44062.3 identifies vehicle retirement participation criteria, minimum incentive amounts, and the type of binding arrangement that BAR may enter into with a vehicle dismantler.

aa. Other minor conforming, grammatical, and editorial changes that have no regulatory effect (e.g., changing "a" for "the").

BENEFIT OF REGULATORY ACTION:

This proposal will better allocate state resources towards helping consumers with emissions–related repairs or retirements thereby improving air quality and reducing overall consumer costs. Consumers and businesses will see an increased benefit through increased participation because of this regulation. Specifically, BAR estimates an increase in RA participation from 7,999 vehicles in Fiscal Year (FY) 2012–13 to 25,424 vehicles in FY 2013–14, and an increase in VR participation from 7,536 in FY 2012–13 to 14,757 in FY 2013–14.

Additionally, these increases in RA and VR participation will increase the annual emissions reductions of Carbon Monoxide, Oxides of Nitrogen, and Hydrocarbons by 736.9, 68.6, and 60 tons respectively.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS:

After reviewing existing state regulations relating to or affecting this regulatory proposal, BAR has determined that this proposed regulatory action is neither inconsistent nor incompatible with existing state regulations.

LOCAL MANDATE

None.

FISCAL IMPACT ESTIMATES

COSTS TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTIONS 17500–17630 REQUIRE REIMBURSEMENT:

None.

FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES AND COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE:

This proposed regulatory action is cost neutral as any savings generated by BAR will be used, within current appropriations and authorities, to assist additional consumers in participating in CAP's RA and VR programs by contributing to the repair or retirement of additional high–polluting vehicles.

NONDISCRETIONARY COSTS/SAVINGS TO LOCAL AGENCIES:

None.

EFFECT ON HOUSING COSTS

None.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The proposed regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

IMPACT ON JOBS/BUSINESSES:

BAR has made an initial determination that the proposed regulatory action will not have any impact on the creation of jobs or new business, the elimination of jobs or existing businesses, or the expansion of business in the State of California.

It is important to note that because of this proposed action, affected businesses could, collectively, see additional revenues of approximately $17.5 million annually. Conversely, consumers would save approximately $7.96 million in out–of–pocket emissions related repair

expenses and receive approximately $9.57 million in benefits derived from voluntarily retiring a high–polluting vehicle.

BENEFITS OF THE REGULATION TO WORKER SAFETY:

BAR has made an initial determination that the proposed regulatory action will not have any impact on worker safety in the State of California. This determination was made because the proposal seeks to expand program participation and does not change the occupational scope of individuals employed by affected businesses.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS AND THE STATE'S ENVIRONMENT:

BAR has made an initial determination that the proposed regulatory action will have the following benefits to the health and welfare of California residents and the State's environment as follows:

Expanding CAP assistance option eligibility will increase consumer participation, which will directly lead to increased revenue for businesses, lower out–of–pocket expenses for eligible consumers, and a 136–percent increase in emissions reductions.

Recent studies, such as the 2010 RAND Health Foundation report, *The Impact of Air Quality on Hospital Spending*, concluded that, "Meeting federal clean air standards would have prevented an estimated 29,808 hospital admissions and ER visits throughout California over 2005–2007. . . Failing to meet federal clean air standards cost health care purchasers/payers $193,100,184 for hospital care alone. In other words, improved air quality would have reduced total spending on hospital care by $193,100,184 in total."

Additionally, an Air Resources Board study, *Health Effects of Particulate Matter and Ozone Air Pollution, November 2007*,[3] identified significant health effects attributable to high levels of ozone. Polluting vehicles produce hydrocarbons and oxides of nitrogen which combine in the presence of sunlight to form bad ozone. The report stated that, "Ozone is a powerful oxidant that can damage the respiratory tract, causing inflammation and irritation, and induces symptoms such as coughing, chest tightness, shortness of breath, worsening of asthma symptoms, and even death. Ozone in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The greatest risk is to those who are more active outdoors during smoggy periods, such as children, athletes, and outdoor workers. Exposure to levels of ozone above the current ambient air quality standard leads to lung inflammation and lung tissue damage, and a reduction in the amount of air inhaled into the lungs. Recent evidence has, for the first time, linked the onset of asthma to exposure to elevated ozone levels in exercising children (McConnell, 2002). These levels of ozone also reduce crop and timber yields, damage native plants, and damage materials such as rubber, paints, fabric, and plastics."

Further, a study by the USEPA, *Estimating the National Public Health Burden Associated with Exposure to Ambient PM2.5 and Ozone*, found that, "Ground–level ozone (0_3) and fine particulate matter (PM2.5) are associated with increased risk of mortality . . . Using PM2.5 and 0_3 mortality risk coefficients drawn from the long–term American Cancer Society (ACS) cohort study and National Mortality and Morbidity Air Pollution Study (NMMAPS), respectively, we estimate 130,000 PM2.5–related deaths and 4,700 ozone–related deaths to result from 2005 air quality levels. Among populations aged 65–99, we estimate nearly 1.1 million life years lost from PM2.5 exposure and approximately 36,000 life years lost from ozone exposure. Among the 10 most populous counties, the percentage of deaths attributable to PM2.5 and ozone ranges from 3.5% in San Jose to 10% in Los Angeles. These results show that despite significant improvements in air quality in recent decades, recent levels of PM2.5 and ozone still pose a nontrivial risk to public health."

These recent studies suggest that, although California air quality has improved, additional reductions to smog–forming pollutants are necessary. Revising CAP's eligibility requirements will help ensure that an additional 17,425 vehicles will receive emissions–related repairs in order to pass a Smog Check inspection and that an additional 7,221 vehicles will be retired. Further, these increases in RA and VR participation will increase the annual emissions reductions of Carbon Monoxide, Oxides of Nitrogen, and Hydrocarbons by 736.9, 68.6, and 60 tons respectively.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

This regulation would impact the following consumers:

1. All RA applicants: There will be no additional costs to consumers, businesses, or individuals as a result of the proposed amendments. Consumers applying for RA would now have 120 days from the time their vehicle's registration expires to apply for CAP's RA program.

   CAP received 21,176 applications for RA from July 2012 through February 2013 of FY 2012–13. Of those, approximately 7,111 or 34 percent of the applicant vehicles were currently registered at the time of application, while 9,680 or 46 percent of

[3] http://www.arb.ca.gov/research/health/fs/pm_ozone–fs.pdf.

applicant vehicles had registrations that were expired for no more than 120 days. Providing for an additional 120 days past the vehicle's registration expiration date would increase the volume of consumer registration eligibility in RA by approximately 136 percent and align consumer participation with the current appropriation in the Governor's Budget.

Over the current and previous two fiscal years, BAR has averaged a six–percent decrease annually for applications received for RA based on the current consumer application trends, BAR estimates that approximately 37,143 applications will be received for RA during FY 2013–14. Of the estimated 37,143 applications that BAR projects to receive during FY 2013–14, BAR estimates that approximately 29,452 of these applicant's vehicles will be currently registered or have a registration that has been expired for 120 or fewer days at the time of application.

Additionally, BAR estimates that of the 37,143 estimated applications that will be received during FY 2013–14, 28,998 will be approved for participation based on a 78–percent average approval rate for all RA applications received over the previous three fiscal years. Of the 28,998, approximately 25,424 consumers will participate, based on an 88–percent average participation rate over the same period.

The average state contribution for CAP RA is currently $457 per vehicle. Assuming there is no increase to the average repair cost, nor changes to the RA budget schedule, CAP would use $11.6 million (25,424 x $457 = $11.6 million) out of the annual appropriation of $11.786 million with an estimated annual savings of $167,232.

2. All VR applicants: There will be no additional costs to consumers, businesses, or individuals as a result of the proposed amendments. Consumers applying for VR will now have 120 days from the time their vehicle's registration expires to apply for CAP's VR program.

   CAP received 14,057 applications for VR from July 2012 through February 2013 of FY 2012–13. Of those, approximately 9,721 or 69 percent of the applicants' vehicles were currently registered at the time of application, while 2,511 or 18 percent of additional applicant vehicles had registrations that were expired for no more than 120 days. Providing for an additional 120 days past the vehicle's registration expiration date would increase the volume of consumer participation in VR by approximately 26 percent and align consumer participation with the current appropriation in the Governor's Budget.

   Over the current and previous two fiscal years, BAR has averaged a two–percent decrease annually in the amount of VR applications received. Based on the current trend in consumer applications received, BAR estimates receiving approximately 27,393 in FY 2013–14. Of the estimated 27,393 applications that BAR projects to receive during FY 2013–14, BAR estimates that approximately 23,837 applicants' vehicles will be currently registered or have a registration that has been expired 120 or fewer days at the time of application.

   Additionally, BAR estimates that of the 27,393 estimated applications that will be received during FY 2013–14, 16,521 will be approved for participation based on a 60–percent average approval rate for all VR applications received over the previous three years. Of the 16,521, approximately 14,757 consumers will participate, based on an 89– percent average participation rate.

   The average state contribution for CAP VR is currently $1,471 for Income Eligible (69 percent of applicants) or $1,001 for Non–Income (31 percent of applicants) per vehicle. Assuming there are no increases to the average retirement costs, nor changes to the VR budget schedule, CAP would disburse $19.6 million (10,253 x $1,471 = $15.1 million [income–eligible vehicles] and 4,504 x $1,001= $4.5 million [non–income eligible]) out of the annual appropriation of $20.221 million with an estimated annual savings of $630,333.

EFFECT ON SMALL BUSINESS

BAR has determined that the proposed regulations would affect small businesses. As stated in the "Impact on Jobs/Businesses" section of this document, affected businesses could collectively see additional revenues of approximately $17.5 million annually. Because BAR estimates that 99 percent of the affected businesses are small business, small businesses could collectively realize an increase in revenue of $17.3 million ($17.5 million x 99 percent) annually.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less

burdensome to affected private persons than the proposal described in this Notice, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Set forth below is the alternative that was considered and the reason for its rejection:

1. BAR considered taking no action. However, data suggests that CAP has seen a dramatic decrease in participation due, in great part, to overly restrictive application requirements. Further, taking no action would result in the current trend of consumers wishing to participate being turned away due to expired registrations. Lastly, this alternative is contrary to CAP's mandate of alleviating the disproportionate burden of compliance with the State's Smog Check Program for low–income consumers, many of whom may have difficulty repairing their vehicle to bring its emissions to within the tolerance levels of the State's Smog Check Program and thus potentially impacting their ability to register the vehicle.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above–mentioned hearing.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Vincent Somma
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, California, 95670
Telephone: (916) 403–8560
E–mail: vincent.somma@dca.ca.gov

The backup contact person is:

Mark Fernandez
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, California, 95670
Telephone: (916) 403–8762
E–mail: mark.fernandez@dca.ca.gov

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 the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Automotive Repair at 10949 North Mather Blvd., Rancho Cordova, California, 95670.

INITIAL STATEMENT OF REASONS AND INFORMATION

BAR has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file. Further, the express terms, Initial Statement of Reasons, and information upon which the proposed regulations are based is available for public inspection by contacting the contact persons 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 or by accessing the Web site listed below.

WEB SITE ACCESS

Materials regarding this proposal can also be found on BAR's Web site at www.smogcheck.ca.gov.

TITLE 16. DENTAL HYGIENE COMMITTEE OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Hygiene Committee of California ("Committee") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the:

Department of Consumer Affairs
1st Floor Hearing Room
2005 Evergreen Street
Sacramento, California on

April 28, 2014

9 a.m.

Written comments, including those sent by mail, facsimile, or e–mail to the addresses listed under Contact Person in this Notice, must be received by the Committee at its office not later than 5:00 p.m. on April 28, 2014, or must be received by the Committee at the hearing. The Committee, upon its own motion or at the instance of any interested party, may thereafter adopt

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

Authority and Reference: Pursuant to the authority vested by Sections 1905, 1905(m) and 1909 of the Business and Professions Code and Section 106975 of the Health and Safety Code, and to implement, interpret or make specific Sections 1905, 1917 and 1941 of the Business and Professions Code, the Committee is considering changes to Division 11 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

Business and Professions Code Section 1906 authorizes the Committee to adopt, amend and repeal such rules and regulations as may be reasonably necessary to enable the Committee to effect the provisions of Business and Professions Code sections 1900–1966.6. This proposal would specify requirements for Committee approval of dental hygiene educational programs. The regulations in this area are outdated, and exist in the Dental Practice Act, in the California Code of Regulations (CCR) Title 16, Division 10, Sections 1070.1, 1072 and 1072.1. These regulations have not been updated since 1985, when there were approximately ten dental hygiene educational programs approved to operate within California. Currently, thirty dental hygiene educational programs are approved in California due to the Committee's acceptance of accreditation by the Commission on Dental Accreditation (CODA). SB 1202, effective January 1, 2013, gave the Committee permissive authority to approve any dental hygiene program accredited by CODA, rather than requiring the Committee to approve any dental hygiene program accredited by CODA, as previous statutory language mandated. This statutory change also authorized the Committee to withdraw or revoke programs' approval if the CODA has withdrawn or intends to withdraw approval. The Committee needs current regulations within Division 11 that specify the requirements for new and previously approved dental hygiene educational programs, and the Committee is proposing the following:

- Adopt Section 1103 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section defines dental hygiene terms that are used within statute and regulation so that applicants, licensees, staff and the public have clear and consistent definitions for terms currently used in dental hygiene education.
- Adopt Section 1105 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would update the requirements for approval of dental hygiene educational programs contained in Division 10, Section 1072.1, by specifying current requirements for administration, student admissions, prerequisites, instruction, standards of competency, facilities and equipment, health and safety, curriculum and learning resources. The proposed regulations provide for course review and withdrawal of approval, and ensure that all approved course providers continue to meet the requirements contained in the regulations, provisions that are not in Section 1072.1. These proposed regulations would require the Committee to provide denied course provider applicants with the specific reasons for denial within 90 days.
- Adopt Section 1105.1 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would update and specify the current requirements for approval of dental hygiene educational programs contained in Division 10, Section 1072.1 relative to requirements for program director and faculty.
- Adopt Section 1105.2 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would update and specify the current requirements for approval of dental hygiene educational programs contained in Division 10, Section 1072.1 relative to required curriculum content and organization.
- Adopt Section 1105.3 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would specify the requirements and timeframe for changes to an approved dental hygienist educational program. There are currently no regulations that require an educational program to notify the Committee if it changes its location or ownership, if its fiscal condition changes, or if there is a substantial change in the program's organizational structure.

- Adopt Section 1105.4 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would specify the appeals process for educational programs whose approval is denied or withdrawn by the Committee. There are currently no regulations that allow an educational program to appeal the Committee's decision.
- Adopt Section 1106 of Division 11, Title 16 of the California Code of Regulations
  This proposed new section would authorize approved dental hygienist educational programs to issue the radiation safety certificate required to take radiographs. There are currently no regulations that allow an educational program to issue a radiation safety certificate to a student who has completed required coursework, or to a graduate.

B. Policy Statement Overview/Anticipated Benefits of Proposal

The Committee's policy is to promulgate regulations for the protection of California consumers. When there is no impact on consumers, the Committee endeavors to pursue regulations that are not burdensome to licensees. Dental hygienist programs require clinical practice of dental hygiene procedures by students in clinics and offices. This proposal protects California consumers by ensuring that dental hygienist educational programs meet criteria and standards necessary for students to learn to perform procedures safely, and to protect Californians while students learn and practice these procedures.

Protection of the public is the Committee's primary mission. These regulations benefit the public by specifying the content and administration of a dental hygienist educational program, so that dental hygiene patients are protected from harm during the clinical practice of procedures by dental hygiene students.

These regulations benefit dental hygienist students by specifying curriculum, faculty, facility instructional, and health and safety requirements, so that students receive a complete and quality educational program. Students need instruction in California's stringent infection control, hazardous waste management and bloodborne and infectious disease–control protocols. These regulations ensure that students who take a Committee–approved educational program will receive instruction from qualified licensed faculty in an educationally optimal environment to learn protocols and procedures to safely perform dental hygiene duties.

The proposal benefits educational programs by specifying the requirements, so programs know exactly what is needed to gain and maintain Committee approval.

C. Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Committee has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

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

Cost Impact on Representative Private Person or Business: The Committee is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Committee has determined that the proposed regulations would not have a significant economic impact on small businesses since a small business would not have the resources to open or maintain a dental hygiene educational program.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

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

Benefits of Regulation:

The Committee has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, worker safety and the state's environment:

This regulation will benefit the state's environment and the health of California residents and workers by ensuring that all registered dental hygienist students receive education and training in the safe provision of dental hygiene procedures.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above–mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Hygiene Committee of California at 2005 Evergreen Street, Suite 1050, Sacramento, California 95815.

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 below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Lori Hubble, Executive Officer
Address:	2005 Evergreen Street, Suite 1050 Sacramento, CA 95815
Telephone No.:	(916) 263–1978
Fax No.:	(916) 263–2688
E–mail Address:	Lori.Hubble@dca.ca.gov

The backup contact person is:

Name:	Donna Kantner
Address:	2005 Evergreen Street, Suite 1050 Sacramento, CA 95815
Telephone No.:	(916) 576–5003
Fax No.:	(916) 263–2688
E–mail Address:	Donna. Kantner@dca.ca.gov

Website Access: Materials regarding this proposal can be found at the Committee's website: www.dhcc.ca.gov.

TITLE 23. STATE WATER RESOURCES CONTROL BOARD

The State Water Resources Control Board (State Water Board) proposes to adopt the amended regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The State Water Board proposes to amend Sections 2050, 2050.5, and 2051 of Chapter 6 of Division 3 of Title 23, of the California Code of Regulations. Chapter 6 governs the procedures under which the State Water Board may review a petition challenging an action or failure to act by a regional water quality control board. The proposed amendments provide a process by which petitions will be deemed dismissed if the State Water Board fails, within specified timeframes, to provide a notification that responses to the petition may be filed with the State Water Board. The proposed amendments also make clarifying changes to the sections referenced above.

WRITTEN COMMENT PERIOD

Any person may submit written comments relevant to the proposed regulatory action to the State Water Board. The written comment period closes at 5:00 p.m. on

April 30, 2014. The State Water Board will only consider written comments received at the State Water Board offices by that time. Submit comments to:

Tim Regan
Office of Chief Counsel
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812
Telephone: (916) 341–5172
E–mail address: tim.regan@waterboards.ca.gov

Comments may also be hand–delivered to 1001 I Street, 22nd Floor, Sacramento, CA 95814, or faxed to (916) 341–5199.

To receive future correspondence from the State Water Board regarding this rulemaking, interested persons must either (1) subscribe to the electronic mailing list named "Regulations–General" on the internet at http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml or (2) request to receive future correspondence in hard copy by writing to Tim Regan at the above postal address or e–mail address. Interested persons should act as soon as possible to ensure they receive all items of future correspondence. Future correspondence will be sent in hard copy only to those persons who have requested hard copies.

PUBLIC HEARING

The State Water Board has not scheduled a public hearing on the proposed action. However, interested parties may make a written request for a hearing no later than fifteen (15) days prior to the close of the written comment period.

AUTHORITY AND REFERENCE

Section 1058 of the California Water Code authorizes the State Water Board to adopt the proposed regulations, which would implement, interpret, or make specific the following State statute: Water Code section 13320.

INFORMATIVE DIGEST

Water Code section 13320 provides that within 30 days of a regional water quality control board's action or failure to act under specified sections of the Water Code, an aggrieved person may petition the State Water Board to review that action or failure to act. The State Water Board has adopted a regulation (23 Cal. Code Regs. § 2050.5, subd. (b)), which provides that the State Water Board will review and act on a petition within 270 days of mailing a notification that responses to the petition may be filed with the State Water Board, or the petition will be deemed dismissed by operation of law. However, neither the Water Code nor the State Water Board regulations specify how long the State Water Board may take to determine whether to mail the notification. The proposed amendments will specify that the State Water Board must either mail the notification within 90 days of receipt of the petition, or the petition will be deemed dismissed by operation of law.

If the State Water Board does not mail the notification within 90 days, the proposed amendments further specify that the petition be deemed dismissed by operation of law unless a petition is being held in abeyance pursuant to subdivision (d) of section 2050.5. For petitions received by the State Water Board before the effective date of the proposed amendments that are not being held in abeyance and for which the State Water Board has not mailed the notification, the proposed amendments provide either 120 days, 240 days, or one year from the effective date of the proposed amendments to mail the notification, depending on when the State Water Board received the petition. If the State Water Board does not mail the notification within the 120–day, 240–day, or one–year, period, the proposed amendments provide that the petition will be deemed dismissed by operation of law.

The State Water Board also proposes a minor clarification to the regulation that governs incomplete petitions that are not amended by the petitioner in a timely manner (23 Cal. Code Regs. § 2051, subd. (b)). The current regulation states that the petition shall be dismissed. The use of the term "dismissed" improperly suggests that the petitioner may then seek judicial review of the regional water quality control board's action. "Deemed withdrawn" is more appropriate in this context, because the petitioner failed to file a complete petition. It would not be appropriate to allow the petitioner to seek judicial review in this circumstance, since the petitioner failed to exhaust its administrative remedy by filing a complete petition.

POLICY STATEMENT OVERVIEW/BENEFITS OF PROPOSED AMENDMENTS

The State Water Board has the discretion to either review or dismiss petitions filed pursuant to Water Code section 13320. The number of petitions received by the State Water Board each year has increased significantly since the State Water Board adopted its petition regulations over 30 years ago. In the last several years, the State Water Board has lacked the resources to process every petition quickly. As a result, many petitioners lack certainty about whether the State Water Board will dismiss their petition or adopt an order upholding, setting aside, modifying, or remanding the regional water

quality control board's action or failure to act, or directing the regional water quality control board to take some action. The proposed amendments will provide this certainty, so that petitioners can choose whether to seek judicial review of a regional water quality control board order or decision under Water Code section 13330. The Board has evaluated whether or not the proposed regulations are inconsistent or incompatible with existing state regulations and has concluded that these are the only regulations dealing with petitions challenging an action or failure to act by a regional water quality control board. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The State Water Board has made the following determinations:

- Mandate on local agencies and school districts: No new mandate to local agencies or schools is proposed.
- 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 non–discretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the State: None.
- Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
- Potential cost impact on private persons or directly affected businesses: The State Water Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Adoption of these amendments will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; (3) affect the expansion of businesses currently doing business within California; or (4) affect worker safety or the environment. Adoption of these amendments will have a positive effect on the health and welfare of California residents because the proposed amendments will provide certainty to California residents about whether the State Water Board will dismiss a petition or adopt an order upholding, setting aside, modifying, or remanding a regional water quality control board's action or failure to act, or directing the regional water quality control board to take some action.

SMALL BUSINESS DETERMINATION

The State Water Board has determined that the proposed amendments do not affect small business. It will not affect small business because this procedural regulatory change does not directly regulate small business: it does not require reports, does not affect costs, etc.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the State Water Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed 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 State Water Board invites interested persons to present statements or arguments with respect to alternatives to the proposed amendments at any hearing that may be requested or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action may be directed to:

Tim Regan, Esq.
Office of Chief Counsel
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812
Telephone: (916) 341–5172
E–mail address: tim.regan@waterboards.ca.gov

You may also direct requests for copies of the proposed text of the amended regulations, the initial statement of reasons, the modified text of the amended regulations, if any, or other information upon which the rulemaking is based to Mr. Regan at the above address. In the event that Mr. Regan is not available to respond to inquiries, please contact:

Philip G. Wyels, Esq.
Office of Chief Counsel
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812
Telephone: (916) 341–5178
E–mail address: philip.wyels@waterboards.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED AMENDMENTS/INTERNET ACCESS

An initial statement of reasons and the text ("express terms") of the proposed regulations have been prepared and are available from the contact person named in this notice. The State Water 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 amended regulations, and the Initial Statement of Reasons. The documents relating to this proposed action may be found on the State Water Board website at the following address: http://www.waterboards.ca.gov/laws_regulations/index.shtml.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After any hearing and considering all timely and relevant comments received, the State Water Board may adopt the proposed regulations substantially described in this notice. If the State Water Board makes modifications that are sufficiently related to the originally proposed text, it will make the modified text—with changes clearly indicated—available to the public for at least 15 days before the State Water Board adopts the regulations as revised. Any such modifications will also be posted on the State Water Board website. The State Water Board will accept written comments on the modified regulation for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the final statement of reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website listed above.

GENERAL PUBLIC INTEREST

DEPARTMENT OF HEALTH CARE SERVICES

THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES INTENDS TO SUBMIT A 1915(c) HOME AND COMMUNITY–BASED SERVICES WAIVER RENEWAL TO MODIFY AND CONTINUE THE MULTIPURPOSE SENIOR SERVICES PROGRAM

This notice is to provide information about the Department's intent to seek approval from the Centers for Medicare & Medicaid Services (CMS) to renew the Multipurpose Senior Services Program 1915(c) home–and community–based services Waiver (MSSP), effective July 1, 2014 through June 30, 2019.

California is integrating Managed Long–Term Services and Supports (MLTSS) under a federally approved Memorandum of Understanding (MOU) and 1115 Bridge to Reform Demonstration Waiver known as the Coordinated Care Initiative (CCI). Inclusive of the integrated MLTSS is the MSSP.

In addition to the customary Fee–For–Services model, the MSSP Waiver renewal will include service payment through a capitated arrangement in the following eight counties: Alameda, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Mateo, and Santa Clara. All capitated payments will be made by the State Department of Health Care Services (DHCS) to Medi–Cal Managed Care Plans for enrolled Plan Members.

MSSP Waiver providers in the eight counties will continue to provide the same services to MSSP Waiver participants/clients; however, they will receive payment for Medi–Cal Managed Care Members from the Medi–Cal Managed Care Plans. After 19 months, MSSP will become a State Plan Benefit in the eight counties.

In addition, pursuant to CMS' Final Home and Community–Based Services (HCBS) rules, the Waiver must include a transition plan demonstrating the State's strategy to comply with the new HCBS settings requirements. The State will be organizing a stakeholder meeting to discuss the new rules and their effect on all Waivers administered by DHCS, including MSSP. Subsequent to submission of the MSSP Waiver renewal, the Department will issue a separate public notice with more information on the HCBS final rules, statewide waiver transition plan and stakeholder input meeting time.

PUBLIC REVIEW AND COMMENT

The Department's Long–Term Care Division is currently drafting the proposed waiver renewal for submittal to CMS.

Written comments may be submitted to DHCS, attention Ms. Jalal Haddad, at jalal.haddad@dhcs.ca.gov.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

NOTICE OF AVAILABILITY OF HAZARD IDENTIFICATION MATERIALS TO SUPPORT RECONSIDERATION OF LISTING:

CHEMICALS LISTED VIA THE LABOR CODE OR THE AUTHORITATIVE BODIES MECHANISM AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE REPRODUCTIVE TOXICITY

MARCH 14, 2014

The Office of Environmental Health Hazard Assessment (OEHHA) announces the availability for public review of a hazard identification document to support the reconsideration of three chemicals listed under Proposition 65 as known to cause reproductive toxicity. The Developmental and Reproductive Toxicant Identification Committee (DARTIC) will meet on May 21, 2014 to consider whether these chemicals should remain listed under Proposition 65 as known to cause reproductive toxicity.

Two of the chemicals, hexafluoroacetone and phenylphosphine, were added to the Proposition 65 list in 2008 and 2009, respectively,via the Labor Code mechanism.[1] OEHHA is bringing the two chemicals to the DARTIC because the federal regulations that affect the basis for the original listings via the Labor Code mechanism have changed. Specifically, in March 2012, the federal Occupational Safety and Health Administration (OSHA) amended the regulations contained in CFR[2] Title 29, section 1910.1200. These changes have affected the use of this section as a definitive source for identifying chemicals as known to cause reproductive toxicity by the Labor Code mechanism.

The third chemical covered in the document, chlorsulfuron, was added to the list as known to cause reproductive toxicity in 1999 based on formal identification by the U.S. Environmental Protection Agency (U.S. EPA), an authoritative body[3], that the chemical causes reproductive toxicity. U.S. EPA was subsequently petitioned to remove chlorsulfuron from the list of chemicals subject to reporting under the Emergency Planning and Community Right–to–Know Act section 313. In its response to the petition on November 18, 2013, U.S. EPA determined that there is no compelling evidence of reproductive or developmental toxicity for chlorsulfuron. (U.S. EPA denied the petition because it determined that chlorsulfuron can reasonably be anticipated to cause toxicity to aquatic plants.)

In January and February 2014, DuPont Crop Protection and its representatives asked OEHHA to delist chlorsulfuron based on U.S. EPA's action. In connection with these requests, DuPont Crop Protection provided OEHHA with publicly available studies cited by U.S. EPA, and five proprietary studies. Citations of these studies are available in the February 2014 DuPont request letter posted on OEHHA's web site. Full copies of the proprietary studies are being provided to the members of the DARTIC in order for the members to consider the information for the May 21 DARTIC meeting. Any person with an interest in these studies may review them at the Department of Pesticide Regulation data library located at 1001 I Street in Sacramento.

This notice marks the beginning of a 45–day public comment period on OEHHA's hazard identification document. The public comment period will close on **Monday, April 28, 2014**. Copies of the document are available from OEHHA's website. The document may also be requested from OEHHA's Proposition 65 Implementation Office by calling (916) 445–6900.

At its meeting on May 21, 2014 in Sacramento, the DARTIC will consider whether the three chemicals covered in the hazard identification document should remain listed under Proposition 65 as known to cause reproductive toxicity. The meeting will be held in the Sierra Hearing Room at the Cal/EPA Headquarters building, 1001 I Street, Sacramento, California. The meeting will begin at 10:00 a.m. and will last until all business is conducted or until 5:00 p.m. The agenda for

[1] Health and Safety Code section 25249.8(a).

[2] CFR refers to the Code of Federal Regulations.

[3] Title 27, California Code of Regulations, section 25306(*l*). The authoritative bodies are: U.S. Environmental Protection Agency, U.S. Food and Drug Administration, National Institute for Occupational Safety and Health, National Toxicology Program solely as to final reports of the National Toxicology Program's Center for Evaluation of Risks to Human Reproduction, and International Agency for Research on Cancer solely as to transplacental carcinogenicity.

the meeting will be provided in a future public notice published in advance of the meeting. OEHHA will send comments received on the hazard identification document for these chemicals to DARTIC members prior to the meeting.

OEHHA, a department of the California Environmental Protection Agency, is the lead agency for the implementation of Proposition 65.[4] The DARTIC advises and assists OEHHA in compiling the list of chemicals known to the State to cause reproductive toxicity, as required by Proposition 65. The DARTIC serves as the state's qualified experts for determining whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive toxicity.

OEHHA must receive comments and any supporting documentation on the hazard identification document by 5:00 p.m. on Monday, April 28, 2014. We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e–mail should be addressed to P65Public.comments@oehha.ca.gov. Please include "Labor Code or AB Chemicals Reconsideration" in the subject line. Comments submitted in paper form 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, California 95812–4010
Fax: (916) 323–2265
Street Address: 1001 I Street
Sacramento, California 95814

[4] The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.*

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

EXTENSION OF THE PUBLIC COMMENT PERIOD FOR NOTICE OF INTENT TO LIST: BETA–MYRCENE

March 14, 2014

[NOTE: Posted on the OEHHA website on March 4, 2014]

On February 7, 2014, the California Environmental Protection Agency's (Cal/EPA) Office of Environmental Health Hazard Assessment (OEHHA) published a notice in the California Regulatory Notice Register (Register 2014, No 6–Z) announcing its intent to list beta–myrcene as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986.[1]

The February 7 notice initiated a 30–day public comment period that was scheduled to close on March 10, 2014. OEHHA has received requests from the Flavor and Extract Manufacturers Association, International Fragrance Association, North America Juice Products Association, and Renewable Citrus Products Association seeking an extension of the comment period. **OEHHA hereby extends the public comment period until 5 p.m., Monday, March 24, 2014.**

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 "NOIL–beta–myrcene" in the subject line. Hard copy comments may be mailed, faxed, or delivered in person to the addresses below:

[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.*

Mailing Address: Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS–19B
Sacramento, California 95812–4010
Fax: (916) 323–2265
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.

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

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

NOTICE OF INTENT TO LIST: *N,N*–DIMETHYL–*P*–TOLUIDINE

March 14, 2014

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list *N,N*–dimethyl–*p*–toluidine 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]

Chemical (CAS No.)	Endpoint	Reference	Occurrence and Uses
N,N–Dimethyl–*p*–Toluidine (99–97–8)	Cancer	NTP (2012)	As an accelerator in the curing of methyl methacrylate monomers, it is used in the manufacture of dental materials and bone cements, in industrial glues, and in artificial fingernail prep–arations. Also used as an inter–mediate in dye and pesticide synthesis.

Background on listing via the authoritative bodies mechanism: A chemical must be listed under the Proposition 65 regulations when two conditions are met:

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) is one 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: *N,N–Dimethyl–p–toluidine* meets the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of the NTP (2012).

Formal identification and sufficiency of evidence for *N,N–dimethyl–p–toluidine*: In 2012, NTP

[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, California Code of Regulations, section 25306.

[3] All referenced sections are from Title 27 of the Cal. Code of Regulations.

published a report on *N,N*–dimethyl–*p*–toluidine, entitled *Toxicology and Carcinogenesis Studies of N,N–Dimethyl–p–Toluidine (CAS No 99–97–8) in F344/N Rats and B6C3F1/N Mice (Gavage Studies)*, that concludes that the chemical causes cancer (NTP, 2012). This report satisfies 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 *N,N*–dimethyl–*p*–toluidine causes cancer.

The NTP (2012) states in the Conclusion section of the report's Summary (page 6):

> "We conclude that *N,N*–dimethyl–*p*–toluidine caused cancers of the liver and nose in male and female rats, cancer of the liver in male and female mice, and cancers of the lung and forestomach in female mice. Thyroid gland tumors in male rats may also have been related to exposure to *N,N*–dimethyl–*p*–toluidine."
>
> The NTP (2012) report states in the Conclusion section of the report's Abstract and main body of the report (pages 10 and 89):
>
> "Under the conditions of these 2–year oral gavage studies, there was *clear evidence of carcinogenic activity* of *N,N*–dimethyl–*p*–toluidine in male F344/N rats based on increased incidences of hepatocellular carcinoma, and hepatocellular adenoma or carcinoma (combined), and increased incidences of nasal cavity neoplasms (primarily nasal cavity transitional epithelium adenoma). The increased incidences of thyroid gland follicular cell neoplasms may have been related to treatment.
>
> "There was *clear evidence of carcinogenic activity* of *N,N*–dimethyl–*p*–toluidine in female F344/N rats based on increased incidences of hepatocellular carcinoma and hepatocellular adenoma or carcinoma (combined). The occurrence of nasal cavity transitional epithelium adenoma was considered to be related to treatment.
>
> "There was *clear evidence of carcinogenic activity* of *N,N*–dimethyl–*p*–toluidine in male B6C3F1/N mice based on increased incidences of hepatocellular adenoma (multiple), hepatocellular carcinoma, and hepatoblastoma.
>
> "There was *clear evidence of carcinogenic activity* of *N,N*–dimethyl–*p*–toluidine in female B6C3F1/N mice based on increased incidences of hepatocellular adenoma, hepatocellular carcinoma, and hepatoblastoma and increased incidences of alveolar/bronchiolar neoplasms (primarily adenoma). The increased incidences of forestomach squamous cell papilloma in female mice were considered to be related to treatment." (Emphasis in the original.)

Thus, the NTP (2012) has found that *N,N*–dimethyl–*p*–toluidine causes increased incidences of malignant and combined malignant and benign tumors in male and female rats and male and female mice.

Request for comments: OEHHA is requesting comments as to whether *N,N–dimethylp–toluidine* meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. In order to be considered, **OEHHA must receive comments by 5:00 p.m. on Monday, April 14, 2014**. We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e–mail should be addressed to P65Public.Comments@oehha.ca.gov with "NOIL — *N,N*–dimethyl–*p*–toluidine" in the subject line. Comments submitted in paper form 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, California 95812–4010
Fax:	(916) 323–2265
Street Address:	1001 I Street Sacramento, California 95814

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

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

References

NTP (2012). National Toxicology Program. *Toxicology and Carcinogenesis Studies of N,N–Dimethyl–p–Toluidine (CAS No. 99–97–8) in F344/N Rats and B6C3F1/N Mice (Gavage Studies)*. Technical Report Series No. 579. NIH Publication No. 12–5921. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC. Available at http://ntp.niehs.nih.gov/ntp/htdocs/LT_rpts/TR579_508.pdf.

RULEMAKING PETITION DECISION

DEPARTMENT OF INSURANCE

DECISION REGARDING PETITION FOR RULEMAKING

On January 29, 2014, several organizations[1] submitted a Petition for Rulemaking Pursuant to Government Code section 11340.6 ("Petition"). The Petition seeks regulations addressing the use of "groups" in automobile insurance rating under Proposition 103. The Petition states that it is brought under the Administrative Procedure Act ("APA"), Gov. Code §§ 11340 to 11529.

Under the "rate setting" exception (Gov. Code, § 11340.9(g)), the APA does not apply to Proposition 103 ratemaking regulations. The Commissioner therefore declines to grant the Petition. However, the Commissioner will initiate a rulemaking proceeding, not subject to the APA, regarding the use of groups in automobile insurance rating under Proposition 103.

RELIEF REQUESTED

Petitioners request that the Commissioner amend the Proposition 103 Automobile Rating Factor regulations set forth in Title 10, California Code of Regulations, Chapter 5, section 2632 et seq. to prohibit the use of "affinity groups" based on unauthorized automobile rating factors under California Insurance Code section 1861.12 Group Insurance Plans.

AUTHORITY AND REFERENCE CITED IN THE PETITION

Petitioners cite California Government Code section 11340.6 and Insurance Code sections 1861.02 and 12921(a).

[1] Consumer Watchdog, Alliance of Californians for Community Empowerment, California Counsel of Churches–California Church Impact, California Industrial Areas Foundation, Center on Policy Initiatives, Coalition for Economic Survival, Consumer Action, Consumer Federation of America, Courage Campaign, Housing Long Beach, Inner City Struggles, Koreatown Immigrant Workers Alliance, Public Advocates, and United Policyholders (collectively, "Petitioners").

REASONS SUPPORTING THE COMMISSIONER'S DETERMINATION

Petitioners file the Petition under Government Code section 11340.6. But the APA does not apply to Proposition 103 ratemaking regulations. The APA provides that Chapter 3.5, entitled "Administrative Regulations and Rulemaking," "does not apply to . . . [a] regulation that establishes or fixes rates, prices, or tariffs." (Gov. Code, § 11340.9(g); accord *20th Century Ins. Co. v. Garamendi* (1994) 8 Cal.4th 216, 270.)

Petitioners also cite Insurance Code sections 1861.02 and 12921(a). Those sections do not require the Commissioner to issue regulations addressing the use of groups in automobile insurance rating under Proposition 103.

FURTHER DETERMINATION

The Commissioner will commence a rulemaking proceeding, not subject to the APA, regarding the use of groups in automobile insurance rating under Proposition 103. The proceeding will begin with a public workshop. The Commissioner will provide at least 30 days' notice of the workshop. The Commissioner will schedule a public hearing after the workshop or workshops.

AGENCY CONTACT PERSON

Nikki McKennedy, Senior Staff Attorney
California Department of Insurance
45 Fremont Street, 21st floor
San Francisco, CA 94105
nikki.mckennedy@insurance.ca.gov
(415) 538–4162

OBTAINING COPIES OF THE PETITION

Interested persons may obtain a copy of the Petition from the Agency Contact Person.

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# 2014–0213–01
BOARD OF EQUALIZATION
Computers, Programs, and Data Processing

This rulemaking action clarifies the tax status of purchases of optional computer program maintenance contracts that include a backup copy of the computer program.

Title 18
California Code of Regulations
AMEND: 1502
Filed 03/04/2014
Effective 07/01/2014
Agency Contact:
Richard E. Bennion (916) 445–2130

File# 2014–0117–02
BOARD OF PILOT COMMISSIONERS
Training Programs

This rulemaking by the Board of Pilot Commissioners makes substantive changes to CCR Title 7, by amending section 213 with regard to training programs for new pilots. The regulations are effective on filing with the Secretary of State.

Title 7
California Code of Regulations
AMEND: 213
Filed 02/27/2014
Effective 02/27/2014
Agency Contact:
Amanda Esquivias (916) 324–7514

File# 2014–0123–03
DEPARTMENT OF FOOD AND AGRICULTURE
Registration and Fees for Egg Handlers

In this resubmitted rulemaking action, the Department is adopting section 1358.3 into title 3 of the California Code of Regulations. The purpose of this action is to establish procedures for any person engaged in business in this State as an egg producer or handler, and any out of state egg producer or handler selling eggs into California to submit an application for registration and to pay a registration fee to the Department. This regulation contains two forms, a registration form and a renewal form, which are incorporated by reference.

Title 3
California Code of Regulations
ADOPT: 1358.3
Filed 03/05/2014
Effective 04/01/2014
Agency Contact: Thami Rodgers (916) 698–3276

File# 2014–0213–04
DEPARTMENT OF FOOD AND AGRICULTURE
Light Brown Apple Moth Interior Quarantine

This regulatory action clarifies that the requirements for a regulated area are the same as those for a quarantine area.

Title 3
California Code of Regulations
AMEND: 3434(b)(c)(d)
Filed 02/26/2014
Effective 04/01/2014
Agency Contact: Stephen S. Brown (916) 654–1017

File# 2014–0113–01
DEPARTMENT OF HEALTH CARE SERVICES
Two–Plan Model Modification

This rulemaking action by the Department of Health Care Services (DHCS) modifies regulations concerning the "Two–Plan Model" of managed health care. This amendment provides DHCS with the ability to contract with an Alternate Health Care Service Plan (AHCSP) to provide medical services to beneficiaries who demonstrate a specific linkage to the AHCSP.

Title 22
California Code of Regulations
AMEND: 53800, 53810 REPEAL: 53830
Filed 02/26/2014
Effective 04/01/2014
Agency Contact: Ben Carranco (916) 440–7766

File# 2014–0211–01
DEPARTMENT OF JUSTICE
Conflict–of–Interest Code

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

Title 11
California Code of Regulations
AMEND: 20
Filed 02/27/2014
Effective 03/29/2014
Agency Contact: Ted Prim (916) 324–5481

File# 2014–0218–01
EDUCATION AUDIT APPEALS PANEL
Supplement to Audits of K–12 LEAs — FY 2013–14

This emergency rulemaking action by the Education Audit Appeals Panel supplements the audit guide that is used for auditing California K–12 Local Education Agencies (LEAs), pursuant to Education Code section 14502.1 for the 2013 to 2014 fiscal year. These changes include updates of definitions and specified procedures to guide accountants in the conduct of statutorily required financial and compliance audits of LEAs.

Title 5
California Code of Regulations
ADOPT: 19843, 19844, 19848, 19849, 19855
AMEND: 19815, 19816, 19816.1, 19817.2, 19819, 19820, 19824, 19828.4, 19840, 19845.2, 19850, 19851, 19852, 19853 REPEAL: 19839
Filed 02/28/2014
Effective 02/28/2014
Agency Contact:
Timothy E. Morgan (916) 445–7745

File# 2014–0116–02
STATE WATER RESOURCES CONTROL BOARD
Once Through Cooling Water Policy

The State Water Resources Control Board Resolution 2013–0018, adopted June 18, 2013, amended the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling. The amendments reassign the responsibility for National Pollutant Discharge Elimination System (NPDES) Permit issuance for existing power plants, and the review of impingement and entrainment studies for purposes of Track 2 compliance, to the Regional Water Boards.

Title 23
California Code of Regulations
AMEND: 2922
Filed 02/27/2014
Effective 02/27/2014
Agency Contact:
Shuka Rastegarpour (916) 341–5576

File# 2014–0121–02
VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
Amendments to Claim Form, Fee Waiver Form, and Regulations

This rulemaking action by the Victim Compensation and Government Claims Board makes changes to regulation sections found in Article 4, Chapter 1, Division 2 of Title 2 of the California Code of Regulations relating to the filing of claims for money damages against the State of California. These changes primarily update regulatory provisions with current law and include the incorporation by reference of a new Government Claims Form and new Government Claims Program Fee Waiver Request Packet.

Title 2
California Code of Regulations
ADOPT: 630, 632.5, 632.11 AMEND: 631, 631.5, 632, 632.6, 632.7, 632.8, 632.9, 632.10 REPEAL: 632.5, 632.11
Filed 03/05/2014
Effective 07/01/2014
Agency Contact: Geoff Feusahrens (916) 491–3863

CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN October 2, 2013 TO March 5, 2014

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

Title 1

11/21/13	ADOPT: 2002(c)(4), 2002(c)(5), 2002(c)(8)
10/29/13	ADOPT: 2000, 2001, 2002, 2003, 2004

Title 2

03/05/14	ADOPT: 630, 632.5, 632.11 AMEND: 631, 631.5, 632, 632.6, 632.7, 632.8, 632.9, 632.10 REPEAL: 632.5, 632.11
02/10/14	AMEND: 58000
01/27/14	AMEND: 56800
01/21/14	AMEND: 1194
01/13/14	AMEND: 55300
12/23/13	ADOPT: 18950.2 AMEND: 18942, 18944, 18950, 18950.1, 18950.4 REPEAL: 18727.5, 18950.3
12/23/13	AMEND: 18351
12/02/13	ADOPT: 18417
11/19/13	ADOPT: 21001.1, 21001.2, 21001.3 AMEND: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007 (re–numbered to 21004.5), 21008, 21009 (re–numbered to 21005.5)
11/04/13	AMEND: 1859.2, 1859.71, 1859.71.6, 1859.74.5, 1859.77.4, 1859.82, 1859.83
10/30/13	AMEND: 1859.76
10/25/13	ADOPT: 579.3, 579.21, 579.22, 579.25 AMEND: 579.2
10/03/13	AMEND: 18521.5
10/03/13	ADOPT: 18421.5

10/03/13 AMEND: 18239

10/03/13 AMEND: Amend and renumber sections: 7285.0 (11000), 7285.1 (11001), 7285.2 (11002), 7285.4 (11003), 7285.7 (11004), 7286.0 (11005), 7286.1 (11005.1), 7286.3 (11006), 7286.4 (11007), 7286.5 (11008), 7286.6 (11009), 7286.7(11010), 7286.8 (11011), 7287.0 (11013), 7287.1 (11014), 7287.2 (11015), 7287.3 (11016), 7287.4 (11017), 7287.6 (11019), 7287.7 (11020), 7287.8 (11021), 7287.9(11022), 7288.0 (11023), 7289.4 (11027), 7289.5 (11028), 7290.6 (11029), 7290.7 (11030), 7290.8 (11031), 7290.9 (11032), 7291.0 (11033), 7291.1 (11031), 7291.2 (11035), 7291.3 (11036), 7291.4 (11037), 7291.6 (11039), 7291.7 (11040), 7291.8 (11041), 7291.9 (11042), 7291.10 (11043), 7291.11 (11044), 7291.12 (11045), 7291.13 (11046), 7291.14 (11047), 7291.16 (11049), 7291.17 (11050), 7291.18 (11051), 7292.0 (11052), 7292.1 (11053), 7292.2 (11054), 7292.3 (11055), 7292.4 (11056), 7292.6 (11058), 7293.0 (11059), 7293.1 (11060), 7293.2 (11061), 7293.3(11062), 7293.4 (11063), 7293.5 (11064), 7293.6 (11065), 7293.7 (11066), 7293.8 (11067), 7293.9 (11068), 7294.0 (11069), 7294.1 (11070), 7294.2 (11071), 7295.0 (11074), 7295.1 (11075), 7295.2 (11076), 7295.3 (11077), 7295.4 (11078), 7295.5 (11079), 7295.6 (11080), 7295.7 (11081), 7295.8 (11082), 7295.9 (11083), 7296.0 (11084), 7296.1 (11085), 7296.2 (11086), 7297.0 (11087), 7297.1 (11088), 7297.2 (11089), 7297.3 (11090), 7297.4 (11091), 7297.5 (11092), 7297.6 (11093), 7297.7(11094), 7297.9 (11096), 7297.10 (11097), 7297.11 (11098), 8101 (11099), 8102 (11100), 8102.5 (11101), 8103 (11102), 8104 (11103), 8106 (11104), 8107 (11105), 8109 (11107), 8112 (11108), 8113 (11109), 8114 (11110), 8115 (11111), 8117 (11113), 8117.5 (11114), 8118 (11115), 8119 (11116), 8120 (11117), 8200 (11118), 8201 (11119), 8202 (11120), 8202.5 (11121), 8203 (11122), 8205 (11124), 8300 (11125), 8301 (11126), 8302 (11127), 8303 (11128), 8310 (11130), 8311 (11131), 8312 (11132), 8400 (11133), 8401 (11134), 8402 (11135), 8403 (11136), 8500 (11137), 8501 (11138), 8503 (11140), 8504 (11141); Renumber sections: 7287.5 (11018), 7288.1 (11024), 7288.2 (11025), 7288.3 (11026), 7291.5 (11038), 7292.5 (11057), 7294.3 (11072), 7294.4 (11073),8108 (11106), 8116 (11112), 8204 (11123), 8304 (11129), 8502 (11139) REPEAL: 7285.3, 7285.5, 7285.6, 7286.9, 7291.15, 7297.8, 7400, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429, 7430, 7431, 7432, 7433, 7434, 7435, 7436, 7437, 7438

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02/25/14 AMEND: 3700(b)

02/20/14 AMEND: 3423(b)

02/20/14 AMEND: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8

02/12/14 AMEND: 3700(c)

02/10/14 AMEND: 3435(b)

02/05/14 AMEND: 3435(b)

01/27/14 AMEND: 3406(b)

01/23/14 AMEND: 3591.11

01/14/14 ADOPT: 1392.13

01/09/14 AMEND: 1300, 1300.1, 1300.3, 1300.11, 1300.12, 1300.13, 1300.14, 1300.15 REPEAL: 1300.2, 1300.4

12/16/13 AMEND: 3591.12(a) & (b)

12/05/1 ADOPT: 1280, 1280.1, 1280.8, 1280.10 AMEND: 1280.73

11/25/13 AMEND: 3435(b)

11/13/13 AMEND: 3700(c)

11/07/13 AMEND: 3591.20(a)

11/07/13 AMEND: 6512, 6513

11/06/13 ADOPT: 1180.3.3, 1180.3.4, 1180.3.5, 1180.3.6, 1180.3.7, 1180.3.8, 1180.3.9

11/04/13 AMEND: 3591.6(a)

10/21/13 AMEND: 1380.19(p)

10/21/13 AMEND: 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7

10/14/13 AMEND: 3435(b)

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12/24/13 AMEND: 8070, 8072
12/23/13 AMEND: 5000, 5170, 5190, 5205, 5212, 5230, 5250
12/19/13 AMEND: 10325
12/04/13 AMEND: 12200.20, 12220.20, 12480, 12482, 12500, 12505, 12508 REPEAL: 12488
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11/21/13 AMEND: 1101, 1126, 1373.2, 1374, 1374.2, 1374.3, 1383.2 REPEAL: 1370, 1374.1
10/28/13 AMEND: 4001
10/07/13 AMEND: 10030, 10031, 10032, 10033, 10034, 10035, 10036
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02/06/14 ADOPT: 15494, 15495, 15496, 15497
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10/23/13 ADOPT: 80691, 80692
10/17/13 ADOPT: 19847 AMEND: 19816, 19816.1, 19818, 19824, 19829, 19837.3
10/16/13 REPEAL: 3052

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02/27/14 AMEND: 213

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01/21/14 AMEND: 344, 344.1
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01/09/14 AMEND: 5155
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12/27/13 AMEND: 2699.100, 2699.200, 2699.201, 2699.205, 2699.207, 2699.209, 2699.210, 2699.400 REPEAL: 2699.202, 2699.208, 2699.211
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12/23/13 ADOPT: 6456
12/19/13 AMEND: 2698.200
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12/03/13 ADOPT: 6540, 6542, 6544, 6546, 6548, 6550, 6552
11/27/13 ADOPT: 1718.1
11/26/13 ADOPT: 2598.1, 2598.2, 2598.3, 2598.4, 2598.5, 2598.6
11/20/13 ADOPT: 2274.50, 2274.51, 2274.52, 2274.53, 2274.54, 2274.55, 2274.56, 2274.57, 2274.58, 2274.59, 2274.60
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10/02/13 AMEND: 97212

Title 23
02/27/14 AMEND: 2922
02/04/14 AMEND: 2921
01/09/14 ADOPT: 13.2, 21, 22, 23, 24, 25, 27, 29 AMEND: 13, 13.1, 13.2 (renumbered to 13.3), 20, 21 (renumbered to 26), 26 (renumbered to 28), 28 (renumbered to 30) REPEAL: 23, 24, 25, 27
12/03/13 AMEND: 597
11/08/13 AMEND: 3939.24
11/08/13 AMEND: 3939.15
11/07/13 AMEND: 3938, 3939, 3939.4, 3939.12
11/06/13 AMEND: 595
10/31/13 AMEND: 1062, 1064, 1066, 1068
10/23/13 AMEND: 2200, 2200.5, 2200.6

Title 27
02/20/14 AMEND: 27001
12/17/13 ADOPT: 15186.1 AMEND: 15100, 15110, 15150, 15170, 15180, 15185, 15186, 15187, 15188, 15190, 15200, 15210, 15220, 15240, 15242, 15250, 15260, 15280, 15290, 15300, 15330, Appendix B, Div. 3, Subd. 1, Ch. 1, Ch. 2,

Ch. 3, Ch. 4, Ch. 5, Ch. 6 REPEAL: 15189, 15400, 15400.1, 15400.3, 15400.4, 15410, 15600, 15610, 15620

Title 28

12/16/13 ADOPT: 1300.67.005

10/07/13 ADOPT: 1300.67.003

Title MPP

12/24/13 ADOPT: 40–038 AMEND: 22–071, 22–072, 22–305, 40–036, 40–103, 40–105, 40–107, 40–119, 40–125, 40–128, 40–131, 40–173, 40–181, 40–188, 40–190, 41–405, 42–209, 42–213, 42–221, 42–302, 42–406, 42–407, 42–716, 42–721, 42–751, 42–769, 44–101, 44–102, 44–111, 44–113, 44–115, 44–133, 44–205, 44–207, 44–211, 44–304, 44–305, 44–313, 44–314, 44–315, 44–316, 44–317, 44–318, 44–325, 44–327, 44–340, 44–350, 44–352, 47–220, 47–320, 48–001, 80–301, 80–310, 82–612, 82–812, 82–820, 82–824, 82–832, 89–110, 89–201 REPEAL: 44–400, 44–401, 44–402, 44–403

12/02/13 AMEND: 44–352