



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION <i>Conflict of Interest Code—Notice File No. Z04-0316-01</i>	Page 379
TITLE 2. PUBLIC EMPLOYEES’ RETIREMENT SYSTEM <i>Termination—Failure to Enroll in Medicare Part A and B—Notice File No. Z04-0316-02</i>	379
TITLE 4. DEPARTMENT OF FOOD AND AGRICULTURE <i>Electric Watthour Meters—Notice File No. Z04-0310-01</i>	382
TITLE 5. BOARD OF EDUCATION <i>General Educational Development Test (GED)—Notice File No. Z04-0316-09</i>	384
TITLE 5. BOARD OF EDUCATION <i>International Materials Follow-up Adoptions—Notice File No. Z04-0316-08</i>	385
TITLE 9. DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS <i>Counselor Certification—Notice File No. Z04-0312-01</i>	388
TITLE 16. BOARD OF OCCUPATIONAL THERAPY <i>Disciplinary Guidelines—Notice File No. Z04-0316-04</i>	389
TITLE 16. BOARD OF OCCUPATIONAL THERAPY <i>Limited Permits—Notice File No. Z04-0316-03</i>	390
TITLE 16. PHYSICAL THERAPY BOARD OF CALIFORNIA <i>Physical Therapy Fees—Notice File No. Z04-0316-10</i>	392

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME <i>CESA Consistency Determination for DARPA Grand Challenge Event, San Bernardino County, CA and Clark County, NV</i>	393
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(Continued on next page)

*Time-
Dated
Material*

DEPARTMENT OF TOXIC SUBSTANCES CONTROL	
<i>Notice of Proposed Settlement—Otay Crossing</i>	394
FISH AND GAME COMMISSION	
<i>Ocean Salmon Sport Fishing</i>	395

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	397
Sections Filed, November 12, 2003 to March 17, 2004.....	398

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

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**PROPOSED ACTION ON
REGULATIONS**

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

- Friant Water Authority

A written comment period has been established commencing on **March 26, 2004** and closing on **May 10, 2004**. Written comments should be directed to the Fair Political Practices Commission, Attention Jeanette Turvill, 428 J Street, Suite 620, Sacramento, CA 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized 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 or 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 or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **May 10, 2004**. 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 costs has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Section 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 revisions 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 Jeanette Turvill, 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 Jeanette Turvill, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. PUBLIC EMPLOYEES'
RETIREMENT SYSTEM**

NOTICE OF PROPOSED REGULATORY ACTION

NOTICE IS HEREBY GIVEN that the Board of Administration (Board) of the California Public Employees' Retirement System (CalPERS) proposes

to take the action described below in the Informative Digest after considering public comments, objections, or recommendations.

PROPOSED REGULATORY ACTION

In this filing, the Board proposes to add section 599.517, entitled "Termination of Enrollment In Basic Health Benefits Plan for Failure to Enroll In Part A and Part B of Medicare" to Title 2 of the California Code of Regulations. This proposed regulatory action pertains to the termination of enrollment in CalPERS basic health plans for individuals who are eligible for Medicare Parts A and B.

WRITTEN COMMENT PERIOD

Any person interested may submit written comments relevant to the proposed regulatory action. The written comment period closes at 5:00 pm on May 10, 2004. The Regulations Coordinator must receive all written comments by the close of the comment period. Comments may be submitted via fax at (916) 326-3379; email at the following address: marilyn_clark@calpers.ca.gov; or mailed to the following address:

Marilyn Clark, Regulations Coordinator
California Public Employees' Retirement System
400 P Street, Room 1120
P.O. Box 942702
Sacramento, California 94229-2702
Telephone: (916) 326-3007

PUBLIC HEARING

Comments on the proposed actions will also be taken at a public hearing to be placed on the agenda of the regularly scheduled meeting of the CalPERS Health Benefits Committee:

May 18, 2004
10:00 a.m. (or immediately following the meeting of the Benefits and Program Administration Committee)
California Public Employees' Retirement System
400 P Street
Sacramento, California 95814

ACCESS TO HEARING ROOM

The hearing room will be accessible to persons with mobility impairments, and it can be made accessible to persons with hearing or vision impairments upon advance request to the Regulations Coordinator.

AUTHORITY AND REFERENCE

Government Code section 22773 grants the CalPERS Board "all powers reasonably necessary to carry out the powers and responsibilities expressly granted or imposed upon it" under PEMHCA. In addition, Government Code section 22775 empowers the CalPERS Board to adopt all necessary rules and

regulations to carry out the provisions of PEMHCA, "including but not limited to establishing the scope and content of a basic health benefits plan, regulations fixing reasonable minimum standards for health benefits plans, regulations fixing the time, manner, method and procedures for determining whether approval of any plan should be withdrawn, and regulations pertaining to any other matters it may be expressly authorized or required to provide for by rule or regulation by the provisions of this part." When adopting such rules and regulations, section 22775 directs the Board to "be guided by the needs and welfare of individual employees, particular classes of employees, and of the State, as well as prevailing practices in the field of prepaid medical and hospital care." The CalPERS Board is granted additional rulemaking authority with regard to specific sections of PEMHCA by Government Code sections 22775.5, 22777, 22810 and 22861.

Proposed section 599.517 would implement, interpret and make specific Government Code Section 22819.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Government Code section 22819 provides that "Employees, annuitants, and their family members who become eligible on or after January 1, 1985, for Part A and Part B of Medicare shall not be enrolled in a basic health benefits plan. If the employee, annuitant, or their family member is enrolled in Part A and Part B of Medicare, he or she may enroll in a supplement to Medicare plan. This section shall not apply to employees and family members which are specifically excluded from enrollment in a supplement to Medicare plan by federal law or regulation."

Proposed section 599.517 provides that employees, annuitants, and their family members who are eligible for Medicare Part A and fail to timely enroll in Medicare Part B shall, pursuant to the conditions set forth in the regulation, be terminated from enrollment in a basic health plan.

EFFECT ON SMALL BUSINESS

The proposed regulatory action does not affect small business because it applies only to state and public agency participation under the PEMHCA.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

A. MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS: The proposed regulatory action does not impose a mandate on local agencies or school districts.

B. COST OR SAVINGS TO ANY STATE AGENCY:

CalPERS estimates state savings in the approximate amount of \$2.5 million annually beginning fiscal year 2004–2005.

C. COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT:

The proposed regulatory action does not impact costs or savings for any local agency or school district, such that costs would qualify for reimbursement under Government Code section 17500 et seq.

D. NONDISCRETIONARY COSTS OR SAVINGS IMPOSED ON LOCAL AGENCIES:

CalPERS estimates local savings in the approximate amount of \$750,000 annually beginning fiscal year 2004–2005.

E. COSTS OR SAVINGS IN FEDERAL FUNDING TO THE STATE:

The proposed regulatory action does not impact any federal funding to the state.

F. ADVERSE ECONOMIC IMPACT:

CalPERS has made an initial determination that the proposed regulatory actions will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of business in California to compete with business in other states.

G. COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:

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

H. IMPACT ON JOBS AND BUSINESSES WITHIN CALIFORNIA:

The proposed regulatory action will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

I. EFFECT ON HOUSING COSTS:

The proposed regulatory action has no significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board 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. The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the above mentioned hearing or during the written comment period.

CONTACT PERSONS

Please direct inquiries concerning the substance of the proposed regulatory action to:

Doug McKeever, Assistant Division Chief
Office of Employer & Member Health Services
California Public Employees' Retirement System
P.O. Box 942714
Sacramento, California 94229-2714
Telephone: (916) 326-3579
Fax: (916) 658-1277
E-mail: doug_mckeever@calpers.ca.gov

Please direct requests concerning processing of this regulatory action to Marilyn Clark, Regulations Coordinator, at (916) 326-3007, or Barbara Galli, backup Regulations Coordinator, at (916) 558-4098.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The entire rulemaking file is available for public inspection through the Regulations Coordinator at the address shown above. To date the file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons (ISR). A copy of the proposed text and the ISR is available at no charge upon telephone or written request to the Regulations Coordinator.

The Final Statement of Reasons can be obtained, once it has been prepared, by written request to Marilyn Clark, Regulations Coordinator, at the address shown in Section II.

For immediate access, the regulatory material regarding this action can be accessed at CalPERS' web site at www.calpers.ca.gov under Members, About CalPERS, Proposed Regulatory Actions.

AVAILABILITY OF MODIFICATIONS TO PROPOSED REGULATION

The Board may, on its own motion or at the recommendation of any interested person, modify the proposed regulation after the public comment period has closed. It may adopt section 599.517 as modified if the changes are sufficiently related to the original text so the public could have anticipated them.

If the Board modifies its regulatory action in this manner, it will prepare a comparison of the original proposed text and the modifications for an additional public comment period of not less than 15 days prior to the date on which the Board adopts, amends or repeals the resulting regulation. A copy of the comparison text will be mailed to all persons who submitted written comments or asked to be kept informed as to the outcome of this regulatory action.

TITLE 4. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) proposes to repeal and adopt regulations contained in Title 4, Division 9, Chapter 1, Article 2.2. The technology for watt-hour meters has evolved to include electronic watt-hour meters. The existing watt-hour meter code does not recognize electronic watt-hour meters and will be repealed. The proposed regulations will address both mechanical and electronic watt-hour meters.

The Legislature has charged the Department with the responsibility of supervising weights and measures activities within California (Business and Professions Code, Division 5, Section 12100). The Secretary of the Department of Food and Agriculture is granted the authority to adopt such regulations as are reasonably necessary to carry out the provisions of the Business and Professions Code, Division 5, Section 12027. Section 12107 gives the Secretary the authority to establish tolerances and specifications for commercial weighing and measuring devices not included in the National Institute of Standards and Technology Handbook 44.

Requirements for watt-hour meters are not included in Handbook 44. Tolerances, specifications, and other requirements for mechanical watt-hour meters have previously been established in the California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2, Electric Watt-hour Meters. The proposed regulations will recognize and accommodate new and existing technology.

A public hearing is not currently scheduled. However, any interested person or duly authorized representative may request, no later than 15 days prior to the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the Department of Food and Agriculture, upon its own motion or at the instance of any interested person, may thereafter adopt the proposal substantially as set forth without further notice.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department of Food and Agriculture, Division of Measurement Standards, 8500 Fruitridge Road, Sacramento, California 95826. Comments may also be submitted by facsimile (FAX) at (916) 229-3026 or by e-mail at DMS@cdfa.ca.gov. Comments must be submitted prior to 5:00 p.m. on May 10, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Food and Agriculture proposes to repeal Article 2.2., Electric Watt-hour Meters and adopt a new Article 2.2., Electric Watt-hour Meters to recognize electronic watt-hour meters and include mechanical watt-hour meters with appropriate tolerances and specifications based on:

California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2. Electric Watt-hour Meters

American National Standard for Electricity Metering, ANSI C12.1-2001

American National Standard for Electricity Metering, ANSI C12.10-1997

National Electrical Manufacturers Association, NEMA EI 21.1-1993

Handbook for Electricity Metering, ninth edition

SECTION 4027. A. APPLICATION.

This section specifies that this code applies to the newer technology electronic watt-hour meters as well as to conventional type mechanical watt-hour meters. Specific section numbers are added to clarify the reference to General Code requirements. Additionally, clarification is provided to indicate when requirements apply only to electronic or mechanical watt-hour meters.

SECTION 4027.1. DEFINITIONS OF TERMS.

This section defines terms used in Article 2.2. that have special meaning as used in this code section. The definitions are necessary to provide inspectors, manufacturers, installers, users, and service agents with clear meanings of the terms that are used to describe specifications, testing procedures, tolerances, and user requirements.

SECTION 4027.2. S. SPECIFICATIONS.

This section makes clear and specific the specification requirements for meter manufacturers, service agents, and installers of electronic and mechanical watt-hour meters.

This section incorporates parts of the specification requirements existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2. Electric Watt-hour Meters; the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watt-hour meters; National Electrical Manufacturers Association, NEMA EI 21.1-1993 edition; and Handbook for Electricity Metering, ninth edition.

SECTION 4027.3. N. NOTES.

This section incorporates the testing notes existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2., the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watt-hour meters; National Electrical Manufacturers Association, NEMA EI 21.1-1993 edition; and Handbook for Electricity Metering, ninth edition. This section also defines, explains, and makes specific procedures applicable to meter tests. By defining tests and explaining the conditions of the test, manufacturers, service agents and inspectors can duplicate the testing for compliance requirements.

SECTION 4027.4. T. TOLERANCES.

This section incorporates the tolerance requirements existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2., Electric Watt-hour Meters; the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; and the American Standard for Electricity Metering, ANSI C12.10-1997 edition for watt-hour meters. It states the limits of inaccuracy permitted before the meter is required to be removed from service due to inaccuracies.

SECTION 4027.5. UR. USER REQUIREMENTS.

This section incorporates the user requirements found in existing California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2 Electric Watt-hour Meters; the American National Standard Code for Electricity Metering ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watt-hour meters. These requirements provide for safe and accurate metering installations for installers, users, and inspectors.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Secretary has initially determined that this proposal does not impose a mandate on local agencies or school districts.

The Secretary has also initially determined that this action will involve no costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department has made an initial determination that the proposal will not have a statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

ASSESSMENT REGARDING EFFECT ON JOB/BUSINESSES

The Secretary has determined that this action will have no effect on the creation or elimination of jobs, creation of new or elimination of existing businesses or the expansion of businesses in California.

ALTERNATIVES CONSIDERED

The Secretary must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE

Pursuant to Business and Professions Code, Division 5, Sections 12027 and 12107.

CONTACT PERSON

Inquiries about the notice or regarding the substance of the proposed regulatory action may be directed to Roger Macey, Branch Chief, Division of Measurement Standards at (916) 229-3043 or Ken Lake, Program Supervisor, Division of Measurement Standards at (916) 229-3047.

EFFECT ON SMALL BUSINESS

The Department has made an assessment that the proposed regulations will not affect small businesses because this regulation makes only technical, non-substantive, or clarifying changes to current law and regulations, and incorporates standards for newer technology not recognized in the current regulation. Businesses that comply with current regulations will remain in compliance under the proposed regulations.

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Department has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the statement of reasons, and the proposed regulations in strikeout and underline form may be obtained upon request.

The rulemaking file and all information on which the proposal is based, is located at the Division of Measurement Standards, 8500 Fruitridge Road, Sacramento, California 95826, and may be obtained upon request. Additionally, all documents relating to this rulemaking file may be obtained from the Department's web site located at www.cdfa.ca.gov/dms.

Following the written comment period, the Department will adopt the proposal substantially as set forth above without further notice. If the regulations adopted by the Department differ from but is sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any interested person may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein.

A Final Statement of Reasons, when available, may be obtained by contacting Roger Macey, Branch Chief, Division of Measurement Standards, at (916) 229-3043.

TITLE 5. BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

General Educational Development Test (GED)

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **9:00 a.m. on May 10, 2004**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on May 10, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
E-mail: dstrain@cde.ca.gov
Telephone : (916) 319-0860
FAX : (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 51426, Education Code.
References: Section 51420, 51421, 51425, Education Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The proposed amendment to the regulations is intended to specify the fee that must accompany each application for an equivalency certificate. The fee was last raised in 1996. These fees fund the administration of the State GED program, including coordination with the national GED office (the American Council on Education), and assistance to government agencies, to over 200 local testing centers, to examinees, and to the public.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

Mandate on local agencies and school districts: None
Cost or savings to any state agency: None
Costs to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None
Other non-discretionary cost or savings imposed on local educational 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.
Cost impacts on a representative private person or businesses: The State 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.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Affect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because individual examinees must pay the State fee as a condition of taking the GED under the auspices of a public school district, a community college district, or correctional facility. Businesses do not play a role in the administration of the GED.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, 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.

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

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Monte Blair, Consultant
California Department of Education
Standards and Assessment Division
1430 N Street
Sacramento, California 95814
Telephone: (916) 319-0357
Email: mblair@cde.ca.gov

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, Regulations Analyst, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of

this notice, the proposed text of the regulations, the initial statement of reasons, and an estimated GED Program Cost Increase report. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Monte Blair, Standards and Assessment Division, 1430 N Street, Sacramento, CA, 95814; telephone (916) 445-9441; fax, (916) 319-0967. It is recommended that assistance be requested at least two weeks prior to the hearing.

TITLE 5. BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

Instruction Materials Follow-Up Adoptions

The State Board of Education (State Board) proposes to adopt the regulations described below

after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **1:00 p.m. on Monday, May 10, 2004** at 1430 N Street, Room 1101, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The State Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on Monday, May 10, 2004**. The State Board will consider only written comments received by the Regulations Coordinator by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
E-mail: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority cited: Sections 33031 and 60206, Education Code.

Reference: Sections 32060-32066, Chapter 2 of Part 33 (commencing with Section 60200), Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board proposes to amend Sections 9515 and 9517 and adopt Section 9517.1 of the *California Code of Regulations* (CCR). These sections concern the adoption of instructional materials for California public schools in grades K–8 and the implementation of follow-up adoptions.

The purpose of the regulations is to establish the process for follow-up adoptions and the fees to be paid

by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K–8.

Education Code Section 60200(b)(1) calls for adoptions to occur “not less than two times every six years” for language arts, mathematics, science, and social science and “not less than two times every eight years” in other subjects. The first instructional materials adoption following the State Board of Education adoption of new evaluation criteria is termed a “primary adoption” and creates a new adoption list. A “follow-up adoption” is any additional adoption conducted during the six- or eight-year time frame and is conducted using the same evaluation criteria as the primary adoption.

Education Code Section 60227 gives the Department the authority to collect fees from publishers and manufacturers of instructional materials to participate in follow-up adoptions. The fees collected are to be used to offset the cost of conducting the adoption. Small publishers and small manufacturers may request a reduction in fees from the Board.

CCR, Title 5, Section 9515 is proposed to be amended to define “primary adoption.”

CCR, Title 5, Section 9517 is proposed to be amended to reflect changes in practice and terminology. It also clarifies that follow-up adoptions are based on the same Invitation to Submit and evaluation criteria as the primary adoption.

CCR, Title 5, Section 9517.1 is proposed to be added to clarify the procedures for the follow-up adoption, including the distribution of a notice to publishers and manufacturers and the establishment of fees for the review.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: Minor. Amount not covered by fee is absorbable within existing resources.

Costs 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 educational 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

Cost impacts on a representative private person or businesses: None. The imposition of fees assessed on

publishers and manufacturers is attributable to statute; therefore the regulations do not impose a fiscal impact on the private sector.

Adoption of this regulation will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None

Effect on small businesses: The proposed regulations do not have an effect on small business because they reflect the requirements of Education Code Section 60227.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, 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.

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

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Patrice Roseboom, Consultant
California Department of Education
Curriculum Frameworks and

Instructional Resources
1430 N Street, 3rd Floor
Sacramento, CA 95814
E-mail: proseboo@cde.ca.gov
Telephone: (916) 319-0881
FAX: (916) 319-0172

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her 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 regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulation as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's Website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Patrice Roseboom, Curriculum Frameworks and Instructional Resources, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 319-0881; fax, (916) 319-0172. It is recommended that assistance be requested at least two weeks prior to the hearing.

TITLE 9. DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

Amendment of Sections 9846, 10125, and 10564, and Adoption of Chapter 8 (commencing with Section 13000), Division 4, Title 9, California Code of Regulations

NOTICE OF PUBLIC HEARING

On February 13, 2004, the California Department of Alcohol and Drug Programs (the Department) provided notice that it proposes to adopt regulations requiring certification for all individuals providing counseling services in alcohol or other drug (AOD) programs. These regulations will be contained in Chapter 8 (commencing with Section 13000), Division 4, Title 9, California Code of Regulations (CCR). Notice is hereby given that the Department will hold a public hearing to accept oral testimony regarding the proposed regulations. Notice is also given that the public comment period will be extended until 5 pm on April 2, 2004.

DATE AND LOCATION OF PUBLIC HEARING

The public hearing will be held at on Friday, April 2, 2004 in the first floor auditorium at 744 P Street, Sacramento, CA 95814. The public hearing will begin promptly at 2 pm and will end at 5 pm.

SCOPE OF PUBLIC HEARING

So that everyone wishing to present oral testimony will have a chance to speak, the Department requests that you limit your oral testimony to five minutes per person. To maximize the number of individuals providing oral testimony, no opportunity will be given during the public hearing for dialogue with the Department or with other commentators. The Department will summarize and respond to each comment in writing in the final statement of reasons portion of the rulemaking file, which will be available on the Department's website <http://www.adp.ca.gov> at the end of the rulemaking process. The Department's website will also contain a copy of the final regulations as filed with the Secretary of State.

Please note that it is not necessary for you to appear at the public hearing in order to provide testimony on the proposed regulations. Oral and written testimony will be given equal consideration. Any interested person or his authorized representative may submit written testimony on the proposed regulatory action by sending them to Mary Conway, Regulations Coordinator, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95814. Written testimony may also be submitted by fax at (916) 323-5873, by e-mail at MCONWAY@ADP.STATE.CA.US, or by giving such testimony to the hearing officer at the public hearing.

Written testimony will be accepted through 5 pm on April 2, 2004, which will be the end of the public comment period. Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

SCOPE OF TESTIMONY

In either oral or written testimony, please identify the subject and section number of the regulation you wish to address. Please specify how you wish the regulation to be amended. If you present oral testimony, although you are not required to do so, the Department requests that you provide the hearing officer with a written copy of your testimony so that the Department may fully understand and give thorough consideration to your testimony.

Section 11346.8(c) of the Government Code prohibits the Department from making any changes to the text of a noticed regulation after the public hearing, unless the change was so sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed action. Therefore please make your comments specific to the regulation discussed in this notice. During the public comment period for this regulatory action the Department cannot consider changes to sections of regulation which were not part of the regulations noticed in this regulatory action.

CONSIDERATION OF ALTERNATIVES

Pursuant to Section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which this regulatory action was taken. The Department must also determine that no alternative would be as effective and less burdensome to affected private persons than the regulatory action taken. The Department will consider any alternatives presented during the public comment period.

ADDITIONAL CHANGES

The Department may modify the proposed regulation in response to testimony received during the 45-day public comment period, so long as any additional changes made are sufficiently related to the proposed regulatory action and within the scope of this notice. The Department will make available to any interested persons, for at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation, the full text of any regulation which is changed or modified from the express terms to this regulatory action. The Department will mail a copy of the additional changes to any person who

provided oral or written testimony or provided oral testimony or who requested copies of additional changes. Please call the Department's regulations coordinator at (916) 327-4742 if you wish to receive a copy of any additional changes and you do not plan to present comments regarding the proposed regulatory action.

TITLE 16. BOARD OF OCCUPATIONAL THERAPY

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (Board) is proposing to take the action described in the Informative Digest. The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than fifteen (15) days before the close of the written comment period. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on May 10, 2004. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the actions substantially as described below or may modify such actions if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified action will be available for fifteen (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 action or who have requested notification of any changes to the action.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 2570.20 of the Business and Professions Code, and to implement, interpret or make specific Sections 125.6, 125.9, 475, 480, 481, 482, 490, 496, 2570.26, 2570.27, 2570.28, 2570.29, 2570.30, 2570.31, and 2570.32 of said Code, and Section 11425.50(e), Government Code, the Board is considering changes to Division 39 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

On September 29, 2002, Senate Bill 1244 (Figueroa, Chapter 1079, Statutes of 2001), took effect, authorizing the Board to deny, suspend, revoke, or place on probation a license, certificate, inactive

license, inactive certificate or limited permit when applicable. The purpose of the proposed regulations is to establish and clarify guidelines to aid attorneys, administrative law judges and the Board in making fair and consistent rulings regarding disciplinary matters throughout the State.

Section 4144: Existing law grants authority to the Board to take disciplinary action against licensees. Senate Bill 523 (Kopp, Chapter 938, Statutes of 1995) and Government Code 11425.50(e) provides that a penalty in an administrative disciplinary action cannot be based on guidelines unless they have been adopted as a regulation in accordance with the Administrative Procedure Act. To comply with the aforementioned provisions, the Board is proposing regulations to establish disciplinary guidelines by incorporating by reference, "Disciplinary Guidelines 2003." These regulations would assist attorneys, administrative law judges and the Board in rendering consistent and fair rulings regarding disciplinary matters throughout the State. The proposed disciplinary guidelines provide minimum and maximum penalties for various violations of the Occupational Therapy Practice Act, as well as standard and optional probationary terms when probation is deemed the appropriate sanction.

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 Section 17561 Requires Reimbursement: None

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

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

The proposed regulations do not directly regulate businesses, do not require reports or any other compliance activities.

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

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts

that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses because the regulations do not regulate small businesses, do not require reports or any other compliance activities.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it has identified or that has been brought to its attention would either 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 proposal described in this Notice.

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Board of Occupational Therapy at 444 North Third Street, Suite 410, Sacramento, California 95814.

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 listed below or by accessing the website listed below.

CONTACT PERSON

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

Janet Yagi
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814

(916) 322-3278
(916) 445-6167 (FAX)
Janet_Yagi@dca.ca.gov

The backup contact person is:

Jeff Hanson
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 324-4353
(916) 445-6167 (FAX)
Jeff_Hanson@dca.ca.gov

Website Access: Materials regarding this proposal can be found at **www.bot.ca.gov**.

TITLE 16. BOARD OF OCCUPATIONAL THERAPY

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (Board) is proposing to take the action described in the Informative Digest. The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than fifteen (15) days before the close of the written comment period. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on May 10, 2004. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the actions substantially as described below or may modify such actions if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified action will be available for fifteen (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 action or who have requested notification of any changes to the action.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 2570.5 and 2570.20 of the Business and Professions Code, and to implement, interpret or make specific Section 2570.5 of said Code, the Board is considering changes to Division 39 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

On January 1, 2003, Senate Bill 2021 (Figueroa, Chapter 1011, Statutes of 2001) took effect, authorizing the Board to grant a limited permit to provide occupational therapy services to persons who have completed the education and experience requirements. The purpose of the proposed regulation is to clarify the basis upon which limited permits are granted.

Section 4123: Existing law grants authority to the Board to issue a limited permit to practice occupational therapy to persons who have completed all education and experience requirements and are waiting to take the first available examination or awaiting the announcement of the results of the examination. The proposed regulation would require a person applying for a limited permit to take and pass the National Board for Certification in Occupational Therapy (NBCOT) licensing examination within four (4) months of completing the education and experience requirements; require the applicant to forward, upon receipt from NBCOT, a copy of the Authorization to Test letter to the Board; establish that the limited permit shall be valid for four (4) months or upon receipt of a failing result, whichever occurs first; require the limited permit holder to immediately notify the Board of the results of the examination; establish that the fee submitted by the limited permit holder shall be applied towards the initial license or certificate fee in the event the limited permit holder passes the examination on his/her first attempt; and establish that the limited permit shall be cancelled and the fee forfeited, should the limited permit holder fail to pass the first examination.

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 Section 17561 Requires Reimbursement: None

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

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

The proposed regulations do not directly regulate businesses, do not require reports or any other compliance activities.

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

Cost Impact on Representative Private Person or Business: Those seeking a limited permit would incur the cost of a limited permit fee (established in existing regulation at \$100).

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses because the regulations do not regulate small businesses, do not require reports or any other compliance activities.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it has considered or that has otherwise been brought to its attention to the regulation would either 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 proposal described in this Notice.

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Board of Occupational Therapy at 444 North Third Street, Suite 410, Sacramento, California 95814.

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 listed below or by accessing the website listed below.

CONTACT PERSON

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

Janet Yagi
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 322-3278
(916) 445-6167 (FAX)
Janet_Yagi@dca.ca.gov

The backup contact person is:

Jeff Hanson
California Board of Occupational Therapy
444 North Third Street, Suite 410
Sacramento, CA 95814
(916) 324-4353
(916) 445-6167 (FAX)
Jeff_Hanson@dca.ca.gov

Website Access: Materials regarding this proposal can be found at **www.bot.ca.gov**.

**TITLE 16. PHYSICAL THERAPY
BOARD OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Physical Therapy Board of California 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 Burbank Airport Hilton and Convention Center, 2500 Hollywood Way, Burbank, California 91505, (818) 843-6000 at 9:30 a.m. on Tuesday, May 11, 2004. 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 Physical Therapy Board of California at its office not later than 5:00 p.m. on May 10, 2004 or must be received at the hearing. The Physical Therapy Board of California, 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 section 2615 of the Business and Professions Code to implement, interpret or make specific Sections 2638, 2655.6 and

2688, the Physical Therapy Board of California is considering changes to Division 13.2 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Amend sections 1399.50 and 1399.52

Section 2688 of the Business and Professions Code authorizes the board to set forth fees for physical therapists and physical therapist assistants.

The proposed amendments would require the applicant to pay the examination fees directly to the Federation of State Boards of Physical Therapy, at the level established by the Federation of State Boards of Physical Therapy for all candidates from all States. The law and regulation examination shall be set at a fee of \$60 for all candidates and shall be paid directly to the Federation of State Boards of Physical Therapy as well. The Board sets the fee for the law and regulation examination since the examination is specific to California applicants only. Applicants will be offered the opportunity to pay the fees directly to the Physical Therapy Board of California (Board) until June 30, 2005. Phasing out the manual registration process through the Board will streamline the examination process by providing easier access to the required examinations and reducing examination costs.

The reduction of the initial license fee and the increase in the biennial renewal fee is an appropriate adjustment since it is the licensing fees of the licensees that fund the Boards enforcement program which mostly applies to those already licensed to perform physical therapy. This adjustment is consistent with accomplishing the Board's Strategic Plan.

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 Section 17561 Requires Reimbursement: None

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

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

Impact on Jobs/New Businesses: The board has determined that this regulatory proposal would not have an impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities: The Physical Therapy Board of California is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Housing Costs: None

EFFECT ON SMALL BUSINESS

The Physical Therapy Board of California has determined that the proposed regulations would not affect small businesses and would only effect individual applicants and licensees.

CONSIDERATION OF ALTERNATIVES

The Physical Therapy Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome on affected private persons than the proposal described in this Notice.

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of the reasons and all of the other information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Physical Therapy Board of California at 1418 Howe Avenue, Suite 16, Sacramento, California 95825.

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

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

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

CONTACT PERSON

Inquiries concerning the proposed administrative action or the substance of the proposed regulations may be addressed to:

Mike McCormick
1418 Howe Avenue, Suite 16
Sacramento, CA 95825
(916) 561-8260
(916) 263-2560—Fax Number
Mike_McCormick@dca.ca.gov

The backup contact person is:
Steve Hartzell
1418 Howe Avenue, Suite 16
Sacramento, CA 95825
(916) 561-8200
(916) 263-2560—Fax Number
Steve_Hartzell@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Mike McCormick at (916) 561-8200.

Website Access: Materials regarding this proposal can be found at www.ptb.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

**CONSISTENCY DETERMINATION
Fish and Game Code Section 2080.1
CESA NO. 2080-2004-003-06**

Project: DARPA Grand Challenge Event,
San Bernardino County CA and
Clark County NV

Location: San Bernardino County

Notifier: Defense Advanced Research
Projects Agency

BACKGROUND

The Defense Advanced Research Projects Agency (DARPA) proposes to conduct a field test of autonomous robotic vehicle technology in OHV areas and open designated routes in the Mojave and Colorado Desert, in order to advance this technology. The field test is designed to be completed during one day of daylight hours, but provisions are included for contingency dates. A federal closure would be imposed on affected routes and areas during the event. Activities in support of the field test include those associated with a start area, finish area, two spectator areas, media observation points, safety and environmental monitors. Each test vehicle will be under the ownership and control of DARPA during the military

field test, and will be closely followed by a control vehicle to ensure that the test vehicle stays on the designated route, and does not pose a safety or environmental threat.

Because of the Project's potential for take of species protected by the Endangered Species Act ("ESA") (16 U.S.C. § 1531 et seq.), DARPA consulted with the U.S. Fish and Wildlife Service ("Service"), as required by ESA. On February 10, 2004, the Service issued Biological Opinion No. 1-8-04-F-7 for the DARPA Grand Challenge Event in San Bernardino County CA and Clark County NV, describing the project actions and setting forth measures to mitigate impacts to the desert tortoise (*Gopherus agassizii*) and its habitat. On February 13, 2004, the Director of the Department of Fish and Game ("Department") received a notice from Thomas McGill, Regional Manager, Michael Brandman Associates, representing DARPA, seeking a determination pursuant to Fish and Game Code section 2080.1 that the federal biological opinion is consistent with the California Endangered Species Act ("CESA") (Fish and Game Code section 2050 et seq.).

DETERMINATION

After reviewing the above-referenced biological opinion, the Department has determined that the Federal Biological Opinion No. 1-8-04-F-7 is consistent with CESA because the project and measures described in that opinion meet the conditions set forth in Fish and Game Code Section 2081(b) and (c) for authorization of incidental take of species protected under CESA. The biological opinion's measures to mitigate project impacts to the desert tortoise include, but are not limited to:

- 1) Event staff will include a Service-approved Field Contact Representative who will be an authorized desert tortoise biologist. The Field Contact Representative will coordinate with all biologists to ensure compliance with protective measures for the desert tortoise;
- 2) A desert tortoise education program shall be presented to all personnel who would be on-site;
- 3) On-site biological supervision and monitoring conducted by a biologist to minimize take of desert tortoises during all project-related activities;
- 4) Service-approved biologists shall implement the activities described in the "Pre-event Survey and Biological Monitoring Plan for the DARPA Grand Challenge";
- 5) By June 1, 2004, DARPA must provide a report to the Service that summarizes the outcome of the event;
- 6) Any handling of desert tortoises and their eggs shall be conducted by an authorized biologist in

accordance with the *Guidelines for Handling Desert Tortoises During Construction Projects* (1999); and

- 7) DARPA will pay a mitigation fee to the Bureau of Land Management (BLM) that is based on the amount of acreage disturbed during the Event, as calculated during the post event sweep. BLM will determine the required steps and associated costs, including the use of ground crews to mitigate all identified disturbances. DARPA will provide the necessary funding for BLM to implement these measures.

Pursuant to Section 2080.1 of the Fish and Game Code, with this determination, DARPA will not need to obtain authorization under CESA for take of the desert tortoise in carrying out the project, provided DARPA implements the project as it is described in the biological opinion and complies with any mitigation measures and other conditions described in the biological opinion. If there are any substantive changes to the project, including changes to the mitigation measures, or if the Service amends or replaces the biological opinion, DARPA will be required to obtain a new consistency determination or a CESA incidental take permit from the Department.

The Department requests that copies of any reports provided to the Service also be submitted to the Department, and that DARPA contact the Department for similar future events.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

NOTICE OF PROPOSED SETTLEMENT OTAY CROSSING, INC.

In accordance with Health and Safety Code sections 25300 et seq. (the Hazardous Substances Account Act), 58009 and 58010, the Department of Toxic Substances Control (DTSC) has the authority to enter into agreements whereby DTSC covenants not to sue or assert claims for environmental remediation against prospective purchasers of environmentally impacted properties, if such agreements are sufficiently in the public interest.

Notice is hereby given that DTSC proposes to enter into a Prospective Purchaser Agreement (PPA) with Otay Crossing, Inc., a California corporation, the prospective purchaser ("Otay"). The PPA would resolve certain claims of DTSC against Otay and related parties, as defined in the PPA, with regard to Otay's acquisition and redevelopment of the approximately 20 acre property located at the corner of Britannia Boulevard from the East and Airway Road from the North in the County of San Diego, State of California. This property is more specifically described as San Diego County Assessor's Parcel

No. 646-110-20. The purchaser has placed a restrictive covenant on the property and committed to adequate financial assurances to complete implementation of the response action undertaken at the site.

The PPA is in the public interest because it provides for Otay's payment of DTSC's costs for oversight of implementation of the restrictive covenant placed on the Site. The restrictive covenant prohibits residential or residential-type uses to protect against exposure to pesticide contamination that remains on the site above levels suitable for unrestricted use, while allowing for the construction of new commercial or industrial buildings. Site redevelopment is expected to create approximately 50 new temporary construction jobs, more than 500 new permanent jobs and increase the property tax base from its present value of \$1,000,000 to more than \$21,000,000. This redevelopment will help reduce the high unemployment in the area, benefiting the community as a whole.

DTSC is holding a 30-day comment period on this PPA. Written comments on this proposed settlement must be submitted on or before 5:00 p.m., March 26, 2004. To insure timely receipt by DTSC and Otay, you are requested to transmit your comments by facsimile or overnight mail to the following simultaneously:

Ms. Tina Diaz
 Voluntary Cleanup Program Coordinator
 Department of Toxic Substance Control
 1011 North Grandview Avenue
 Glendale, California 91201
 Phone: (818) 551-2862
 Fax: (818) 551-2832
 Otay Crossing, Inc.
 c/o Jon K. Wactor, Esq.
 Wactor & Wick LLP
 180 Grand Avenue, Suite 950
 Oakland, CA 94612
 Phone: (510) 465-5757
 Fax: (510) 465-5697

If you have any questions regarding the PPA, or wish a copy, please call the DTSC contact identified above.

FISH AND GAME COMMISSION

NOTICE OF PROPOSED CHANGES IN REGULATIONS

(Continuation of Register 2004, No. 8-Z, and
 Commission Meeting of February 6, 2004)

(Note: The Commission is exercising its powers under Section 202 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to the adoption. See the Updated Informative Digest.

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 220, 240, 2084 and 7891, of the Fish and Game Code and to implement, interpret or make specific Sections 200, 203, 205 and 2084, of said Code, proposes to amend Section 27.80, Title 14, California Code of Regulations to conform ocean sportfishing regulations for salmon within state waters to those agreed upon by the Pacific Fishery Management Council (PFMC).

UPDATED INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Pacific Fishery Management Council (PFMC) annually reviews the status of west coast salmon populations. As part of that process, it recommends ocean fishing regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Salmon Fishery Management Plan.

The PFMC is expected to adopt regulation recommendations, similar to recent years, for the recreational ocean salmon fisheries in Federal waters (3 to 200 miles offshore) off the states of Washington, Oregon, and California for 2004. The various alternatives the PFMC will examine in the process of adopting the management options on March 12, 2004, for public review may include:

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

The final regulation recommendations will be made by the PFMC on April 9, 2004. Upon approval of the PFMC's management recommendations by the Secretary of Commerce, the State must move in a timely manner to conform its ocean sport fishing regulations for salmon in State waters (0 to 3 miles offshore) to those agreed upon by the PFMC; otherwise preemption of State regulatory authority by the Secretary of Commerce may occur. **The federal regulations are expected to be implemented effective May 1, 2004.**

The Initial Statement of Reasons reflected the range of possible management measures that will be considered for 2004. At the PFMC's March 8-12, 2004 meeting, three options were

developed that will consider specific changes from current regulations. The following options are due to relative moderate ocean abundance forecasts of Oregon Coastal Natural (OCN) coho, an endangered species, Klamath River fall chinook and Sacramento River fall chinook.

Under all three options, the season is similar to current regulations with a unified 2005 season opening date of April 2 south of Point Arena and twenty-inch minimum size limit below Horse Mountain to reflect the NMFS 2004 Biological Opinion for endangered Sacramento River winter chinook.

The options are as follows:

Option 1

This option provides the similar number of fishing days for all areas relative to 2003. The Klamath Management Zone (KMZ) sport fishery opens and closes 2 days earlier. The area between Horse Mountain and Point Arena (Fort Bragg) opens one day earlier and closes two days earlier. The areas south of Point Arena and Pigeon Point (San Francisco and Monterey) have 5 and 6 day delays in their respective openers and a reciprocal increase at the end of the season. In 2005, the opening date below Point Arena will be on the same day (April 2) with a twenty-inch minimum size limit south of Horse Mountain.

Option 2

This option provides the similar number of fishing days for all areas relative to 2003. The Klamath Management Zone (KMZ) sport fishery opens and closes 2 days earlier. The area between Horse Mountain and Point Arena (Fort Bragg) opens one day earlier and closes two days earlier. The areas south of Point Arena and Pigeon Point (San Francisco and Monterey) have 5 and 6 day delays in their respective openers and a reciprocal increase at the end of the season. In 2005, the opening date below Point Arena will be on the same day (April 2) with a twenty-inch minimum size limit south of Horse Mountain.

Option 3

This option provides the similar number of fishing days for all areas relative to 2003 except for the Klamath Management Zone (KMZ) area. The KMZ sport fishery opens 2 days earlier and closes 8 days earlier (a decrease of 6 fishing days). The area between Horse Mountain and Point Arena (Fort Bragg) opens one day earlier and closes two days earlier. The areas south of Point Arena and Pigeon Point (San Francisco and Monterey) have 5 and 6 day delays in their respective openers and a

reciprocal increase at the end of the season. In 2005, the opening date below Point Arena will be on the same day (April 2) with a twenty-inch minimum size limit south of Horse Mountain.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Resources Building Auditorium, 1416 Ninth Street, Sacramento, CA, on April 2, 2004, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS FURTHER GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a teleconference to be held in the Resources Building, Fish and Game Commission Conference Room, 1416 Ninth Street, Room 1320, Sacramento, CA, on April 22, 2004, at 10:00 a.m., to consider adoption of the proposed conformance to Ocean Sport Salmon Fishing regulations within state waters to those agreed upon by the Pacific Fishery Management Council (PFMC). It is requested, but not required, that written comments may be submitted on or before Friday, April 30, 2004 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than Thursday, April 22, 2004 at the teleconference in Sacramento. All correspondence, including E-mail, must include the true name and mailing address of the commenter.

The regulations as proposed in ~~strikeout~~-underline format, as well as all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Robert R. Treanor or Tracy L. Reed at the preceding phone number. Eric Larson, (650) 631-6788, Department of Fish and Game, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the above address. Notice of the proposed action shall be posted on the Fish and Game Commission website at

http://www.dfg.ca.gov/fg_comm.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, etc.) or changes made to be responsive to public recommendation and comments during the regulatory

process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

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

IMPACT OF REGULATORY ACTION

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

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States: The proposed action will not have a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in other states. The expectation is to remain what is status quo.
- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
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.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

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

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.

DEPARTMENT OF INSURANCE

Residential Property Insurance Rating and Underwriting

This regulatory action is the readoption of the emergency regulation that dealt with the consideration of losses and loss exposure in residential property insurance rating and underwriting. (Prior OAL files 03-0710-03E and 03-1110-02EE; Department of Insurance File Number ER-03030135.)

Title 10
California Code of Regulations
ADOPT : 2361
Filed 03/15/04
Effective 03/16/04
Agency Contact:
Donald P. Hilla (415) 538-4108

DEPARTMENT OF SOCIAL SERVICES

Community Care Licensing—Criminal Record Exemption Regulations

This is a readopt of previous emergency regulations (ORD #0902-23; OAL file no. 03-0702-03E; 03-1107-03EE) that set forth the requirements and procedures for criminal background checks, including fingerprinting, and criminal background check exemptions for persons who work or are present in licensed facilities that provide care to children and dependent adults.

Title 22, MPP
California Code of Regulations
ADOPT : 102416.1 AMEND : 80001, 80019,
80019.1, 80019.2, 80054, 80061, 80065, 80066,
87101, 87219, 87219.1, 87454, 87565, 87566,
87801, 87819, 81819.1, 87854, 87861, 87865,
87866, 101152, 101170, 101170.1, 101170.2,
101195, 101212, 101216, 101217, 102352,
Filed 03/11/04
Effective 03/11/04
Agency Contact:
Maureen Miyamura (916) 653-1925

EDUCATION AUDITS APPEAL PANEL
Conflict of Interest

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

Title 5
California Code of Regulations
ADOPT : 19802
Filed 03/11/04
Effective 04/10/04
Agency Contact:
Carolyn Pirillo (916) 813-6277

EDUCATION AUDITS APPEAL PANEL
Guide for Audits of K-12 Local Education Agencies

This emergency action adopts standards for the independent audits of school districts required by Education Code section 41020.

Title 5
California Code of Regulations
ADOPT : 19810, 19811, 19812, 12913, 19814,
19815, 19816, 19817, 19818, 19819, 19820, 19821,
19822, 19823, 19824, 19825, 19826, 19827, 19828,
19829, 19830, 19831
Filed 03/15/04
Effective 03/15/04
Agency Contact:
Carolyn Pirillo (916) 813-6277

FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest Disqualification

This action amends existing provisions which define the types of economic interests owned by a public official which trigger disqualification under Government Code sections 87100 and 87103.

Title 2
California Code of Regulations
AMEND : 18703.1, 18703.2, 18703.3, 18703.4,
18703.5
Filed 03/11/04
Effective 03/11/04
Agency Contact: John Wallace (916) 445-4812

STATE RACE TRACK LEASING COMMISSION
Conflict of Interest Code

The California State Race Track Leasing Commission is amending its conflict of interest code found at Div. 8, Ch. 53, Section 54200, Title 22, California Code of Regulations. This amendment was approved for filing by the Fair Political Practices Commission on December 30, 2003.

Title 2
California Code of Regulations
AMEND : Div. 8, Ch. 53, Section 54200
Filed 03/11/04
Effective 04/10/04
Agency Contact: Domini Pham (213) 897-7936

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN NOVEMBER 12, 2003
TO MARCH 17, 2004**

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

Title 2
03/11/04 AMEND: 18703.1, 18703.2, 18703.3,
18703.4, 18703.5
03/11/04 AMEND: Div. 8, Ch. 53, Section 54200
03/09/04 ADOPT: 22500, 22501, 22502, 22503,
22504, 22505, 22506, 22507, 22508,
22509, 22510, 22511, 22512, 22513,
22514, 22515, 22516, 22517, 22518,
22519
03/02/04 ADOPT: 1859.77.3 AMEND: 1859.2,
1859.77.2
03/01/04 AMEND: 1555
02/26/04
02/23/04 AMEND: 59150
02/23/04 AMEND: 1181.1
02/20/04 AMEND: Div. 8, Ch. 4, Sec. 25001
02/20/04 ADOPT: 58600
02/09/04 ADOPT: 599.893, 599.898, 599.906,
599.907, 599.909 AMEND: 599.894,
599.895, 599.896, 599.898 (renumbered
to 599.897), 599.903, 599.904, 599.905,
599.906 (renumbered to 599.908),
599.910
02/05/04 AMEND: 20107
01/23/04 ADOPT: 18531.6 AMEND: 18531.61
01/22/04 AMEND: 18707.5

01/15/04 AMEND: 2270, 2271
 01/15/04 ADOPT: 599.516
 01/14/04 AMEND: 18427.1
 12/29/03 REPEAL: Division 8, Chapter 20, Sections 41001, 41002, 41003, 41004, 41005, 41006, 41007, 41008, 41009, 41010, 41011, 41012, 41013
 12/22/03 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153
 12/19/03 ADOPT: 1859.70.1, 1859.71.3, 1859.78.5, 1859.78.6, 1859.78.7, 1859.93.1, 1859.120, 1859.121, 1859.122, 1859.122.1, 1859.122.2, 1859.123, 1859.124, 1859.124.1, 1859.125, 1859.125.1, 1859.126, 1859.127, 1859.128, 1859.129, 1859.130, 1859.140, 1859.141, 185
 12/01/03 ADOPT: Division 8, Chapter 106, Section 59500
 12/01/03 ADOPT: 22100, 22110, 22120, 22130
 11/20/03

Title 3

02/17/04 AMEND: 3430(b)
 02/05/04 AMEND: 3417(b)
 01/27/04 ADOPT: 2850, 2851, 2852, 2853, 2854, 2855, 2856 2857
 01/14/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784
 01/05/04 AMEND: 3700(c)
 12/26/03 AMEND: 3417(b)

Title 4

03/05/04 ADOPT: 12204, 12205, 12210, 12211, 12212, 12213, 12214, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232 AMEND: 12200, 12201, 12202, 12203, 12206, 12207, 12208, 12209, 12220, 12221, 12222, 12223, 12226
 02/27/04 ADOPT: 12270, 12271, 12272
 02/20/04 ADOPT: 12300, 12301, 12301.1, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12309 REPEAL: 12303, 12307
 02/05/04 ADOPT: 12370, 12371
 02/05/04 AMEND: 12202, 12212, 12213, 12220, 12221, 1222, 12223, 12224, 1225, 12226, 12227, 12228, 12229, 12230, 12231, 12232
 01/22/04 AMEND: 1371 REPEAL: 1373.1
 12/15/03 ADOPT: 12250 AMEND: 12101, 12122

Title 5

03/15/04 ADOPT: 19810, 19811, 19812, 12913, 19814, 19815, 19816, 19817, 19818, 19819, 19820, 19821, 19822, 19823, 19824, 19825, 19826, 19827, 19828, 19829, 19830, 19831
 03/11/04 ADOPT: 19802
 03/08/04 AMEND: 30060
 02/27/04 ADOPT: 6100, 6101, 6102, 6103, 6014, 6110, 6111, 6112, 6115
 02/10/04 AMEND: 11960
 02/03/04 ADOPT: 853.5 AMEND: 850, 852, 853, 589
 01/16/04 ADOPT: 58509 REPEAL: 58509
 12/29/03 ADOPT: 18074, 18074.1, 18074.2, 18074.3, 18075, 18075.1, 18075.2, 18076, 18076.1, 18076.2 AMEND: 18413, 18428 REPEAL: 18021
 12/01/03 AMEND: 30950, 30953, 30954, 30958, 30959
 11/21/03 AMEND: 50500
 11/20/03 ADOPT: 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611

Title 8

02/03/04 AMEND: 1712
 02/02/04 ADOPT: 32017, 32018, 51096, 71010, 71026, 71027, 71030, 71035, 71040, 71050, 71055, 71060, 71070, 71080, 71090, 71095, 71100, 71110, 71115, 71120, 71130, 71140, 71200, 71210, 71225, 71230, 71235, 71300, 71310, 71320, 71330, 71340, 71680, 71685, 71700, 71
 01/02/04 ADOPT: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.24, 9789.30, 9789.31, 9789.32, 9789.33, 9789.34, 9789.35, 9789.36, 9789.37, 9789.38, 9789.40, 9789.50, 9789.60, 9789.70, 9789.80, 9789.90, 9789.100, 9789.110
 12/31/03 ADOPT: 10250
 12/22/03 AMEND: 341.17
 12/18/03 ADOPT: 15611 AMEND: 15600, 15601, 15601.7, 15602, 15603, 15604, 15605, 15606, 15607, 15608 REPEAL: 15610
 11/20/03
 11/13/03 AMEND: 32120, 32125, 32135, 32603, 32605, 32620, 32635, 32798, 32980, 61000, 61090, 31240, 61380, 61420, 61480
 11/12/03 ADOPT: 15220, 15220.1, 15220.2, 15220.3, 15200.4, 15220.5, 15220.6, 15220.7, 15220.8 AMEND: 15201, 15210, 15210.1, 15210.2, 15216, 15430

Title 9

03/04/04 ADOPT: 7000.2, 7001.2, 7001.5, 7002.5, 7006, 7006.3, 7009.1, 7013.2, 7013.6, 7014, 7014.1, 7017.2, 7017.5, 7017.7, 7018.4, 7019.5, 7021.5, 7024.7, 7028.1, 7028.6, 7028.8, 7029.1, 7029.6, 7029.7, 7029.9, 7035, 7037, 7038, 7098, 7128, 7129, 7130, 7130.5, 7
 11/18/03 ADOPT: 1840.112 AMEND: 1830.215

Title 10

03/15/04 ADOPT: 2361
 03/08/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8
 03/01/04 ADOPT: 2698.102, 2698.600, 2698.602, 2698.604 AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.501,
 01/16/04 AMEND: 260.102.14
 01/02/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45
 12/31/03 AMEND: 2318.6, 2353.1
 12/31/03 AMEND: 2318.6, 2353.1, 2354
 12/30/03 ADOPT: 2699.6612, 2699.6827 AMEND: 2699.6500, 2699.6600, 2699.6607, 2699.6611, 2699.6705, 2699.6715, 2699.6717, 2699.6725, 2699.6813, 2699.6815, 2699.6819
 12/26/03 REPEAL: 4620
 12/26/03 REPEAL: 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6207
 12/26/03 REPEAL: 4610, 4611, 4612, 4613, 4614, 4615, 4616, 4617, 4618, 4619
 12/26/03 REPEAL: 4550, 4551, 4552, 4553
 12/26/03 REPEAL: 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032
 12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8
 12/26/03 AMEND: 4070, 4071, 4072, 4073, 4074 REPEAL: 4070, 4071, 4072, 4073, 4074
 12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8
 12/26/03 REPEAL: 4035, 4036, 4037, 4038
 12/26/03 REPEAL: 4300, 4301, 4302, 4303, 4305
 12/26/03 REPEAL: 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5316 5317, 5318, 5319, 5320, 5321, 5322, 5323, 5324, 5326, 5327, 5328, 5329, 5330, 5340, 5341, 5342, 5343

12/23/03 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12
 12/22/03 AMEND: 2190.05, 2190.7
 12/15/03 ADOPT: 2591, 2591.1, 2591.2, 2591.3, 2591.4
 11/18/03 ADOPT: 2361

Title 11

01/06/04 ADOPT: 2000, 2001, 2020, 2050, 2051, 2052, 2053, 2070, 2071, 2072, 2140, 2141, 2142
 12/30/03 AMEND: 1005
 12/05/03 AMEND: 1002(a)(8)
 12/01/03 AMEND: 51.18
 11/13/03 AMEND: 1005
 11/12/03 ADOPT: 994, 994.1, 994.2, 994.3, 994.4, 994.5, 994.6, 994.7, 994.8, 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15, 994.16

Title 13

03/01/04 ADOPT: 159.00
 02/25/04 AMEND: 1900, 1960.1(k), 1961(a)(d), 1962
 01/26/04 AMEND: 553.70
 01/05/04 ADOPT: 25.06, 25.07, 25.08, 25.09, 25.10, 25.11, 25.12, 25.13, 25.14, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
 12/31/03 AMEND: 550, 551.1, 551.2, 551.11, 551.12, 551.13, 551.14, 551.15, 551.16, 551.17, 552, 553.40, 555, 555.1, 556, 557, 558, 560, 561, 562, 565, 566, 570, 571, 572, 573, 574, 575, 577, 584, 585, 586, 587, 588, 589, 590, 592, 593, 593.1, 595, 598
 12/23/03 ADOPT: 225.48
 12/23/03 ADOPT: 220.20 AMEND: 220.00, 220.02, 220.04, 220.06, 220.08, 220.12, 220.14, 220.16, 220.18, 221.00, 221.02, 221.04, 221.06, 221.08, 221.10, 221.12,

Title 14

03/08/04 AMEND: 3698, 3699
 03/02/04 AMEND: 18464, 18465
 02/24/04 AMEND: 1.17, 1.59, 2.10, 5.00, 5.50, 5.75, 7.00, 7.50, 8.00, 27.60, 29.15, 43, 195
 02/09/04 AMEND: 630
 02/02/04 AMEND: 112
 01/23/04 AMEND: 27.60, 27.82, 27.83, 28.26, 28.27, 28.28, 28.29, 28.54, 28.55, 28.58
 01/15/04 AMEND: 150.06(c)
 01/12/04 ADOPT: 17946, 17949
 12/31/03 ADOPT: 4970.09 AMEND: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.10, 4970.11, 4970.12, 4970.13,

4970.14, 4970.15, 4970.16, 4970.17,
4970.18, 4970.19, 4970.20, 4970.21,
4970.21, 4970.22, 4970.23, 4970.2

12/30/03 ADOPT: 1.18

12/26/03 AMEND: 7.50(b)(147)

12/01/03 AMEND: 895.1, 898(a), 914.8, [934.8,
954.8](g), 916 [936, 956](e), 916.2
[936.2, 956.2], 916.9 [936.9, 956.9],
916.11, [936.11, 956.11](b), 916.12,
[936.12, 956.12](f), 923.3, [943.3,
963.3](h) 923.9, [943.9, 963.9](g)

12/01/03 AMEND: 895, and 913.4, 933.44, 953.4
(Special Prescriptions)

11/18/03 REPEAL: 895, 895.1, 913.13, 936.13,
956.13, 916.13, 936.13.1, 956.13.1,
916.13.2, 936.13.2, 956.13.2, 916.13.3,
936.13.3, 956.13.3, 916.13.4, 936.13.4
956.13.4, 916.13.5, 936.13.5, 936.13.5,
956.13.5916.13.6, 936.13.6, 956.13.6,
916.13.7, 936.13.7, 956

11/13/03 AMEND: 163, 164

Title 14, 27

12/26/03 ADOPT: 17387, 17387.1, 17387.5,
17388, 17388.1, 17388.2, 17388.3,
17388.4, 17388.5, 17389, 17390, 18223.6
AMEND: 24565, 21570

Title 15

03/03/04 AMEND: 2005

01/27/04 AMEND: 3426

01/09/04 ADOPT: 3000 AMEND: 3005, 3044,
3062, 3313, 3314, 3315, 3323, 3376

12/30/03 AMEND: 3044, 3092, 3138, 3190

12/02/03 AMEND: 3082(a)

12/01/03 AMEND: 3044(d) & (e)

Title 16

03/09/04 ADOPT: 4150, 4151, 4152, 4153, 4154,
4155

03/03/04 ADOPT: 1829 AMEND: 1816.2, 1816.3,
1877 REPEAL: 1815

01/23/04 ADOPT: 6.1, 7.1, 7.2, 8.1, 8.2, 51.1, 56.4,
59, 60, 61, 68.2, 68.3, 68.4, 68.5
AMEND: 5.1, 7, 8, 52, 70, 71, 88, 88.2,
98 REPEAL: 52.1

12/29/03 AMEND: 3830

12/18/03 AMEND: 1920

11/25/03 AMEND: 1610, 1615, 1690 REPEAL:
1622

11/13/03 ADOPT: 1314.1 AMEND: 1300.4

11/12/03 AMEND: 1399.662, 1399.666, 1399.667,
1399.668

Title 17

02/05/04 ADOPT: 90800.75, 90800.9, 90804
AMEND: 90800.8, 90801, 90802, 90803

02/03/04 AMEND: 50604, 50608, 54326, 54370,
56003, 56082, 57540, 58510, 58671

01/23/04 AMEND: 54001, 54010

12/05/03 ADOPT: 94166, 94167 AMEND: 94010,
94011, 94163, 94164, 94165

12/04/03 AMEND: 70600, 70601

12/02/03 AMEND: Division 2, Chapter 1', Article
5, Subchapter 3, Section 50300

Title 18

01/26/04 AMEND: 1591

01/21/04 ADOPT: 1621

12/22/03 ADOPT: 1598.1

12/04/03 REPEAL: 24348 (a)

Title 20

01/14/04 ADOPT: 14.7

12/31/03 ADOPT: 1395, 1395.1, 1395.2, 1395.3,
1395.4, 1395.6

Title 22

03/08/04 AMEND: 97232

02/26/04 AMEND: 66260.10, 66268.7, 66268.8,
66268.42

02/24/04 ADOPT: 51008.1 AMEND: 51104,
51520, 51521

02/03/04 ADOPT: 51200.01 AMEND: 51000.4,
51000.30, 51000.45, 51000.50, 51000.55,
51200, 51454

01/14/04 ADOPT: 51315 REPEAL: 51515

12/24/03 ADOPT: 1326-3 AMEND: 1251-1,
1253(a)-1, 1326-2, 1326-4, 1326-5,
1326-6

12/09/03 AMEND: 66262.32

Title 22, MPP

03/11/04 ADOPT: 102416.1 AMEND: 80001,
80019, 80019.1, 80019.2, 80054, 80061,
80065, 80066, 87101, 87219, 87219.1,
87454, 87565, 87566, 87801, 87819,
81819.1, 87854, 87861, 87865, 87866,
101152, 101170, 101170.1, 101170.2,
101195, 101212, 101216, 101217,
102352,

12/30/03 AMEND: 101170, 102370

12/29/03 ADOPT: 87701.2 AMEND: 87101,
87218, 87561, 87575.1, 87577, 87578,
87691, 87701, 87701.1, 87701.2, 87702,
87702.1, 87703, 87704, 87705, 87707,
87708, 87709, 87710, 8711, 87713

12/17/03 ADOPT: 85001(a)(2)-(4), 85001(d)(1),
85001(f)(1), 85001 (h)(1) -(4),
85001(t)(1); 85075.1, 85075.2, 85075.3
AMEND: 85075.4

12/10/03 ADOPT: 89002 AMEND: 80017, 87118,
87817, 88030, 89317, 110168, 102368

11/18/03 ADOPT: 84065.2(a)(1)(A)(1)(A)(2),
64065.5(b)(1)(b)(2), 64065.7(d),
8400(b)(b)(1)(2)(3)(4)(), 84222(a)(5)(B)
(a)(12)(a)(13),
84265(c)(1)(C)(D)(c)(4)(C)(D)(e)(e)(1),

84268.3(a)(1), 84272.1(e), 84274(c)(3),
84275(c), 84277(a)(1), 84278(g),
84278.1(g) AMEND:

11/12/03 ADOPT: 102416.1 AMEND: 80001,
80019, 80019.1, 80019.2, 80054, 80061,
80065, 80066, 87101, 87219, 87219.1,
87454, 87565, 87566, 87801, 87819,
81819.1, 87854, 87861, 87865, 87866,
101152, 101170, 101170.1, 101170.2,
101195, 101212, 101216, 101217,
102352,

Title 23

02/27/04 ADOPT: 3939.7
02/27/04 ADOPT: 3939.6
01/30/04 ADOPT: 3939.5
01/30/04 ADOPT: 3939.4
01/26/04 ADOPT: 3717
01/05/04 AMEND: 3977
12/23/03 ADOPT: 1061, 1062, 1063, 1064, 1065,
1066, 1067, 1068, 1069, 1070, 1071,
1072, 1073, 1074, 1075, 1076, 1077,
1078, 3833.1 AMEND: 655, 656, 676,
736, 791, 793, 812, 842, 871, 1010, 3833,
3867 REPEAL: 677

12/22/03 AMEND: 3926
12/18/03 ADOPT: 3927
11/19/03 ADOPT: 3924

Title 28

02/24/04 AMEND: 1000

Title MPP

02/26/04 ADOPT: 63-502.371 AMEND: 63-
502.371, 63-502.372, 63-502.373, 63-
502.374, 63-502.375, 63-502.376
REPEAL: 63-502.371(c)
02/25/04 AMEND: 63-503, 63-504, 63-505
02/02/04 ADOPT: 47-120, 47-430 AMEND: 40-
107, 40-131, 40-181, 42-711, 47-301
01/16/04 AMEND: 63-300, 63407, 63-408, 63-
410, 63-411, 63-503, 63-505
12/31/03 AMEND: 42-207, 42-215, 63-501, 63-
1101
12/29/03 AMEND: 42-712, 42-719, 44-111
12/15/03 AMEND: 11-405.2, 11-406(f)
11/26/03 AMEND: 40-181.1(e), 40-181.22, 42-
710.6, 42-711.51, 42-721.1, 42-721.41,
44-314.1, 80-310(r), 82-812.6

