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

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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 2. CALIFORNIA WORKFORCE
INVESTMENT BOARD**

**NOTICE OF INTENTION TO AMEND
THE CONFLICT-OF-INTEREST CODE
OF THE CALIFORNIA WORKFORCE
INVESTMENT BOARD**

NOTICE IS HEREBY GIVEN that the California Workforce Investment Board (State Board), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The State Board proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

These amendments include: a) changing the filing location of the statements of economic interests from the office of the State Board Chair to the office of the State Board; b) a minor language change from "Workforce Investment Board" to "Board"; c) deleting the following titles of positions that have been abolished at the State Board: CEA II (Deputy Director), Research Manager III, Research Manager II, and Assistant Information Systems Analyst; and adding the following positions that must be designated: Staff Services Manager III, Staff Services Manager I, Research Analyst II, Associate Governmental Program Analyst and Staff Services Analyst. These amendments reflect the current organizational structure of the State Board. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than **April 23, 2009**, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than **April 8, 2009**, by contacting the Contact Person set forth below.

The State Board has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The State Board has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts;
2. Impose no costs or savings on any state agency;
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code;
4. Will not result in any nondiscretionary costs or savings to local agencies;
5. Will not result in any costs or savings in federal funding to the state; and
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the State Board must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons that the proposed amendments affect.

All inquiries concerning these proposed amendments, and any communication required by this notice should be directed to:

Michelle Green
777 12th Street, Suite 200, Sacramento, CA, 95814
(916) 324-3363
mgreen@cwib.ca.gov

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

CONFLICT OF INTEREST CODES

EFFECT ON HOUSING COSTS
AND BUSINESSES

ADOPTION

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

MULTI-COUNTY: **Shasta–Tehama County
Watermaster District**

AUTHORITY

A written comment period has been established commencing on **April 3, 2009**, and closing on **May 18, 2009**. Written comments should be directed to the Fair Political Practices Commission, Attention Sarah Olson, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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.

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

CONTACT

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

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

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 Sarah Olson, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

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 18, 2009**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

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

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.

NOTICE OF PUBLIC MEETING/PUBLIC
HEARING/BUSINESS MEETING OF THE
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD AND NOTICE OF
PROPOSED CHANGES TO TITLE 8 OF THE
CALIFORNIA CODE OF REGULATIONS

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2,

142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **May 21, 2009**, at 10:00 a.m.
in Room 358 of the County Administration Center,
1600 Pacific Highway, San Diego, California 92101.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **May 21, 2009**, following the Public Meeting,
in Room 358 of the County Administration Center,
1600 Pacific Highway, San Diego, California 92101.

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **May 21, 2009**, following the Public Hearing,
in Room 358 of the County Administration Center,
1600 Pacific Highway, San Diego, California 92101.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language inter-

preter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **May 21, 2009**.

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7,
Article 10
Section 3385(c)(2)
Foot Protection
2. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7,
Article 14
Section 3466(j)-(1)
**Marine Terminal Operations—
Vertical Tandem Lifts**
3. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7,
Article 98
Section 5006.1
**Mobile and Tower Crane Operator
Qualifications—Accreditation of
Certifying Entities**

Descriptions of the proposed changes are as follows:

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
Division 1, Chapter 4, Subchapter 7,
Article 10
Section 3385(c)(2)
Foot Protection

**INFORMATIVE DIGEST OF PROPOSED
ACTION/POLICY STATEMENT OVERVIEW**

In a rulemaking that was the subject of an October 19, 2006 public hearing, the Occupational Safety and Health Standards Board (Board) considered amendments to Section 3385. The regulatory text considered at that public hearing and adopted by the Board added a reference in Section 3385(c)(2) to the “American National Standard for Men’s Safety-Toe Footwear, Z41.1-1999.” However, both the Informative Digest of Proposed Action/Policy Statement Overview and the

Initial Statement of Reasons prepared for that rulemaking indicate that the national consensus standard intended for incorporation by reference was American National Standard Institute (ANSI) Z41-1999, American National Standard for Personal Protection-Protective Footwear.

In its decision rendered in PG&E (November 6, 2008), Occupational Safety and Health Appeals Board Docket No. 07-R1D3-1669, the Appeals Board noted the aforesaid discrepancy between the text of Section 3385(c)(2) as it presently reads and the manner it apparently was intended to read in accordance with the above-discussed Informative Digest of Proposed Action/Policy Statement Overview. The present proposal replaces the reference to American National Standard for Men's Safety-Toe Footwear, Z41.1-1999 with a reference to American National Standard Institute (ANSI) Z41-1999, American National Standard for Personal Protection-Protective Footwear. The effect of this proposal is to correct Section 3385(c)(2) so that it references the intended national consensus standard.

DOCUMENT INCORPORATED BY REFERENCE

American National Standard Institute (ANSI) Z41-1999, American National Standard for Personal Protection-Protective Footwear.

This document is too cumbersome or impractical to publish in Title 8. Therefore, it is proposed to incorporate the document by reference. Copies of the document are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

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

Cost Impact on Private Persons or Businesses

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.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendment may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendment to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our 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 as and less burdensome to affected private persons than the proposed action.

- 2. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
 Division 1, Chapter 4, Subchapter 7,
 Article 14
 Section 3466(j)–(l)
**Marine Terminal Operations—
 Vertical Tandem Lifts**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) intends to adopt this proposed rulemaking action pursuant to Labor Code Section 142.3, which permits the Board to follow certain procedures when adopting standards that are substantially the same as federal standards addressing occupational safety and health issues.

The United States Department of Labor, Occupational Safety and Health Administration (OSHA) promulgated a regulation addressing the subject of this rulemaking. The federal rule is set forth as 29 Code of Federal Regulations Sections 1917.71(i)–(k). These provisions are additions to Section 1917.71, the provision that constitutes the basis of Section 3466 of Title 8. The federal final rule was published in the Federal Register on December 10, 2008 (Fed. Reg., Vol. 73, No. 238, pp. 75246–90).

The subject of the newly-adopted federal provisions is a procedure known as “vertical tandem lift” (VTL) utilized at marine terminals in connection with “intermodalism.” Intermodalism refers to the containerization of cargo, and it typically involves three key components: standardized containers with uniform corner castings, interbox connectors to secure the containers, and a type of crane that has specialized features for the rapid loading and unloading of the containers. VTL is a

practice by which a container crane lifts two or more containers, one on top of the other, connected by a particular type of interbox connector known as a semi-automatic twist lock.¹

VTLs presently are unregulated in California. The federal standard is more effective than the current State standard, because regulating VTL affords more protection than allowing the practice to be undertaken without regulation. The proposal uses the federal wording verbatim, except that cross references to State standards are substituted for cross references to various federal standards and the State system of enumeration and formatting is used.

With the changes made in accordance with this proposal, the proposed regulation is substantially the same as the final rule promulgated by Federal OSHA. When the Board adopts a standard substantially the same as a federal standard, Labor Code Section 142.3(a)(3) exempts the Board from the provisions of Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5, Part 1, Division 3 of Title 2 of the Government Code; however, the Board is still providing a comment period and will convene a public hearing. The primary purpose of the written comments and the oral comments at the public hearing is to: 1) identify any clear and compelling reasons for California to deviate from the federal standard; 2) identify any issues unique to California related to this proposal which should be addressed in this rulemaking and/or a subsequent rulemaking; and 3) solicit comments on the proposed effective date. The responses to comments will be available in a rulemaking file on this matter and will be limited to the above areas.

The effective date is proposed to be upon filing with the Secretary of State as provided by Labor Code Section 142.3(a)(3). The regulation may be adopted without further notice even though modifications may be made to the original proposal in response to public comments or at the Board’s discretion.

COST ESTIMATES OF PROPOSED ACTION

At Federal Register, Vol. 73, No. 238, December 10, 2008, pages 75280 to 75287, a detailed discussion of the cost impact of the federal version of this proposal is presented. A preliminary economic analysis is cited estimating a compliance cost of \$4,000 per employer with stevedore operations. The federal analysis states that when the proposal is fully complied with, no future injuries or fatalities are expected to occur while performing VTL’s. Thus, the per employer compliance cost appears minimal, and that cost may well be offset by the

¹ The explanations in this paragraph are derived from the discussion found at Fed. Reg., Vol. 73, No. 238, December 10, 2008, pp. 75246–47.

avoidance of injury-related costs. In addition, according to the federal materials, some employer savings are expected as a result of the use of VTL's.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Ahaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All employers — state, local and private — will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendments to the regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our 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 as and less burdensome to affected private persons than the proposed action.

3. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS

Division 1, Chapter 4, Subchapter 7,
Article 98

Section 5006.1

**Mobile and Tower Crane Operator
Qualifications—Accreditation of
Certifying Entities**

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

On September 18, 2008, the Occupational Safety and Health Standards Board (Board) granted OSHSB Petition File No. 504, to the extent that Board staff convene an advisory committee to consider proposed amendments to Title 8, California Code of Regulations, Section 5006.1(c), to add the American National Standards Institute (ANSI) as an accrediting entity for crane operator certification. At the Board's monthly business meeting on January 15, 2009, the Board agreed with staff that since the inclusion of ANSI as an accrediting entity was widely supported by stakeholders, an advisory committee meeting would be unnecessary.

The Board staff proposes to amend Section 5006.1(c) to permit employers to have their crane operators certified by a certifying entity that is accredited by either the National Commission for Certifying Agencies (NCCA) or by ANSI in accordance with the American National Standards Institute (ANSI), International Organization for Standardization (ISO), and the Electrotechnical Commission (IEC) 17024:2003(E) standards for conformity assessment.

The following action is proposed:

Section 5006.1 Mobile Crane and Tower Crane-Operator Qualifications and Certification.

This section contains requirements addressing general operator qualifications including, but not limited to, physical examinations, substance abuse testing, psychometric standards, written examinations, issuance of certificates and recertification. Subsection (c) requires certifying entities (entities that develop and administer operator certification exams) to be accredited by the NCCA.

This proposal would amend subsection (c) to include the ANSI personnel certification accreditation program

as a certifying entity. The ANSI accreditation program is based on and operated under the conformity assessment standard of the ANSI/International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) 17024:2003(E), Conformity Assessment—General Requirements for Bodies Operating Certification of Persons. This standard has characteristics similar to the NCCA accreditation program and is consistent with the 1999 Standards for Educational and Psychological Testing published jointly by the Joint Committee of the American Educational Research Association, and the National Council in Measurement in Education.

The proposal would have the effect of providing another accreditation resource as an alternative to NCCA accreditation. Certifying entities that elect to achieve ANSI/ISO/IEC accreditation would do so by following the conformity assessment requirements contained in the standard as overseen by ANSI. The accreditation process affects only those employers who elect to become their own certifying entity as set forth in Section 5006.1 and third party certifying entities that are contracted by employers to administer a crane operator certification exam(s).

DOCUMENTS INCORPORATED
BY REFERENCE

1. American National Standards Institute (ANSI), International Organization for Standardization (ISO), and the International Electrotechnical Commission (IEC) 17024:2003(E), Conformity Assessment—General Requirements for Bodies Operating Certification of Persons.

This document is too cumbersome or impractical to publish in Title 8. Therefore, it is proposed to incorporate the document by reference. Copies of this document are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide ad-

verse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Private Persons or Businesses

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.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this regulation does not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All state, local and

private employers will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed amendment may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendment to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our 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 as and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/ UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than May 15, 2009. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on May 21, 2009, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above

proposals substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice
For Publication April 3, 2009
PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES
Monitoring California Least Tern Nesting Colonies

The Department of Fish and Game (“Department”) received a proposal on May 24, 2007, from Mr. Daniel

Cordova, Santa Maria, requesting authorization to take California Least Terns (*Sterna antillarum browni*), Fully Protected Birds, for research purposes, consistent with the protection and recovery of these species.

The applicant is in the process of obtaining the required Scientific Collecting Permits (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from DFG for research on Fully Protected species. The proposed activities include approaching Least Tern nesting areas to gather necessary data used in monitoring nesting status, habitat suitability and habitat assessments, and to identifying threats from humans and predators. Data would be collected by observation and monitoring with binoculars/spotting scopes in or near potential and known breeding habitat and locating nests on foot. DFG intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. As these birds are also federally-listed endangered species, applicants are required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected Birds, it would issue the authorization on or after May 3, 2009, for a term of two years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice
For Publication April 3, 2009
PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES
Monitoring California Golden Eagle Populations
for Causes of Mortality

The Department of Fish and Game (“Department”) received a proposal on December 12, 2008, from Dr. Christine Johnson, University of California, Davis Wildlife Health Center, requesting authorization to take (capture, collect samples, mark, and immediately release) golden eagles (*Aquila chrysaetos*), Fully Protected birds, for research purposes, consistent with the protection and recovery of this species.

The applicant is in the process of obtaining the required Scientific Collecting Permits (SCP) to capture

and release protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species. The proposed activities include capturing with bownets, or as otherwise authorized by the Department, sampling (described below), marking with patagial tags and radio-marking, or as otherwise authorized by the Department, and releasing of golden eagles to obtain morphometrics, blood samples, feather samples, and cloacal and oral cavity swabs. It is not anticipated that handling, obtaining samples, or marking will have any adverse effects on golden eagles.

Blood and feather samples will be analyzed to determine the burden of heavy metal exposure. Swabs will be used for isolation of pathogens that may pose a disease risk to this population. Auxiliary markers will be placed to obtain data on population abundance and distribution. The marked eagles will help evaluate population-level impacts of heavy metal and utility system-related mortality compared to other sources of mortality. These data are needed to ascertain primary and contributing causes of mortality in various land management areas. Captures and releases will occur in Kern and Contra Costa counties but may expand in the future per Department authorization. The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after May 3, 2009, for an initial term of two to three years. The term may be extended with Department authorization. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

DEPARTMENT OF FISH AND GAME

Department of Fish and Game — Public Interest
 Notice
 For Publication April 3, 2009
**PROPOSED RESEARCH ON FULLY
 PROTECTED SPECIES**
 Monitoring California Least Tern Nesting Colonies

The Department of Fish and Game (“Department”) received a proposal on March 13, 2009, from Mr. David L. Riensche and Douglas A. Bell, Ph.D., East Bay Regional Park District requesting authorization to take

California Least Terns (*Sterna antillarum browni*), Fully Protected Birds, for research purposes, consistent with the protection and recovery of these species.

The applicant is in the process of obtaining the required Scientific Collecting Permits (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from DFG for research on Fully Protected species. The proposed activities include approaching Least Tern nesting areas to gather necessary data used in monitoring nesting status and identifying threats from humans and predators. Data would be collected by observation; handling live least tern adults, chicks, eggs, or nest sites will also be authorized. DFG intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. As these birds are also federally-listed endangered species, applicants are required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected Birds, it would issue the authorization on or after May 3, 2009, for a term of two years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

**OAL REGULATORY
 DETERMINATIONS**

OFFICE OF ADMINISTRATIVE LAW

**DETERMINATION OF ALLEGED
 UNDERGROUND REGULATION
 (Summary Disposition)**

**(Pursuant to Government Code Section 11340.5
 and Title 1, section 270, of the
 California Code of Regulations)**

**DEPARTMENT OF CORRECTIONS AND
 REHABILITATION**

Date: March 17, 2009
 To: Askari Powers
 From: Chapter Two Compliance Unit

Subject: **2009 OAL DETERMINATION NO. 4(S)**
(CTU 2009-0205-01)
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging California Code of Regulations, title 15, section 3375.4(a) as an underground regulation.

On February 5, 2009, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether the California Code of Regulations, title 15, section 3375.4(a) is an underground regulation. This section states that a period shall be considered continuous for the calculation of favorable behavior points when an inmate's status is interrupted during that period through no fault of the inmate.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600¹, which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA). Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

If a rule meets the definition of a regulation in Government Code section 11342.600, but was not adopted pursuant to the APA, it may be an "underground regulation" as defined in California Code of Regulations, title 1, section 250:

The following definitions shall apply to the regulations contained in this chapter:

(a) "Underground regulation" means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, *but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA* and is not subject to an express statutory exemption from adoption pursuant to the APA. (Emphasis added)

The section you challenge as an underground regulation, California Code of Regulations, title 15, section 3375.4(a), was duly adopted as a regulation pursuant to the APA and filed with the Secretary of State on October

¹A regulation is defined in section 11342.600 as:
 . . . every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

22, 1990, in compliance with the APA. The challenged rule is not, therefore, an underground regulation.²

The petition also alleges that California Code of Regulations, title 15, section 3375.4(a) was not properly enforced as applied to you. OAL does not have the jurisdiction or authority to review and evaluate actions taken by other state agencies pursuant to a duly adopted regulation.

The issuance of this summary disposition letter does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code or to seek declaratory relief pursuant to section 11350 of the Government Code.

Date: March 17, 2009

/s/
 Susan Lapsley
 Director

/s/
 George Shaw
 Staff Counsel

Copy: Matthew Cate
 John McClure

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: March 17, 2009
 To: Derrick Sledge
 From: Chapter Two Compliance Unit
 Subject: **2009 OAL DETERMINATION NO. 5(S)**
(CTU2009-0217-02)
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation DOM Supplement #108, Privilege Group C Housing

²A rule which is contained in a properly adopted regulation is the proper subject of a summary disposition letter. California Code of Regulations, Title 1, section 270, subdivision (f) provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review . . . demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be used to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.
 (B) The challenged rule is contained in a California statute.
 (C) *The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.*
 (D) The challenged rule has expired by its own terms.

On February 17, 2009, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether Department Operations Manual (DOM) Supplement #108, titled Privilege Group C Housing and dealing with limitations on inmate personal property in Privilege Group C housing, constitutes an underground regulation. This DOM Supplement was issued by the warden at Correctional Training Facility, Soledad.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a “regulation” as defined in Government Code section 11342.600,¹ which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).² Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

Generally, a rule which meets the definition of a “regulation” in Government Code section 11342.600 is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058, subdivision (c), establishes exemptions expressly for the California Department of Corrections and Rehabilitation (CDCR):

(c) The following are deemed not to be “regulations” as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility. . . .

This exemption is called the “local rule” exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4th 841, 845), the court discussed the nature of a “local rule” adopted by the warden for the Richard J. Donovan Correctional Facility

(Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

. . .

The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the rule challenged by your petition applies solely to the inmates of the Correctional Training Facility (CTF), Soledad. It was issued by B. Curry, Warden of CTF, Soledad. Inmates housed at other institutions are controlled by those other institution’s criteria for Privilege Group C housing. The rule you challenged was issued by CTF, Soledad, and applies only to inmates at CTF, Soledad. Therefore, the rule is a “local rule” and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1).³

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

/s/

Susan Lapsley
Director

/s/

Kathleen Eddy
Senior Counsel

Copy: Matthew Cate
John McClure

³ The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.

(B) The challenged rule is contained in a California statute.

(C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.

(D) The challenged rule has expired by its own terms.

(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule. (Emphasis added.)

¹ “Regulation” means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

² Such a rule is called an “underground regulation” as defined in California Code of Regulations, title 1, section 250, subsection (a):

“Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: March 17, 2009
 To: Antonio Guillen
 From: Chapter Two Compliance Unit
 Subject: **2009 OAL DETERMINATION NO. 6(S)
 (CTU 2009-0217-01)**
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging the amendment to California Code of Regulations, title 15, sections 3133 (renumbered from 3147) and 3136 by the Department of Corrections and Rehabilitation.

On February 17, 2009, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether the amendments by the Department of Corrections and Rehabilitation (Department) to California Code of Regulations, title 15, sections 3133 (renumbered from 3147) and 3136 are underground regulations.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a “regulation” as defined in Government Code section 11342.600, which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).¹ Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

California Code of Regulations, title 15, section 3133 describes the general procedures for disposition of incoming and outgoing mail for inmates and section 3136 describes the procedures for disapproval of inmate mail. The Department conducted a rulemaking and adopted regulations that were filed with the Secretary of State on July 17, 2008. The regulatory action renumbered section 3147 to section 3133 and made amendments to sections 3133 and 3136.

Your petition alleges that prior to being renumbered to section 3133, section 3147 included a subsection “allowing prisoners to return the disallowed mail to an approved correspondent.” The previous section 3147 included a requirement that disallowed incoming mail be “destroyed or mailed at the inmate’s expense to an ap-

proved outside correspondent.” Your petition also alleges that section 3136 was amended to delete references to the previous subsections in section 3147 that related to this requirement and to move a subsection regarding the disposition of disallowed outgoing mail to section 3133. Your petition objects to these amendments.

If a rule meets the definition of a regulation in Government Code section 1342.600, but was not adopted pursuant to the APA, it may be an “underground regulation” as defined in California Code of Regulations, title 1, section 250:

The following definitions shall apply to the regulations contained in this chapter: (a) “Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, *but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA* and is not subject to an express statutory exemption from adoption pursuant to the APA. (Emphasis added.)

The sections you challenge as underground regulations, California Code of Regulations, title 15, section 3136 and former section 3147 (renumbered to 3133), were originally adopted and filed with the Secretary of State on October 7, 1982. The most recent amendments to these sections were made pursuant to the requirements of the APA, and were filed with the Secretary of State on July 17, 2008.

Sections 3313 and 3136 have been adopted as regulations and filed with the Secretary of State pursuant to the APA. The challenged rules are not, therefore, underground regulations.²

The issuance of this summary disposition letter does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

² A rule which is contained in a properly adopted regulation is the proper subject of a summary disposition letter. California Code of Regulations, Title 1, section 270, subdivision (f) provides:

- (f)(1) If facts presented in the petition or obtained by OAL during its review . . . demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be used to conclude that a challenged rule is an underground regulation.
- (2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:
 - (A) The challenged rule has been superseded.
 - (B) The challenged rule is contained in a California statute.
 - (C) *The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.*
 - (D) The challenged rule has expired by its own terms.

¹ Such a rule is called an “underground regulation” as defined in California Code of Regulations, title 1, section 250, subsection (a).

Date: March 17, 2009

/s/
Susan Lapsley
Director

/s/
George Shaw
Staff Counsel

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

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

File# 2009-0202-03
AIR RESOURCES BOARD
Zero-Emission Vehicle Regulations

This rulemaking amends the Zero Emission Vehicle (ZEV) program in a number of ways. It lessens the projected number of required Zero Emission Vehicles (ZEVs) required of large volume manufacturers from 25,000 during model years 2012-2014 to 7,500, and from 50,000 during model years 2015-2017 to 25,000. It offers manufacturers an alternative path toward compliance with the ZEV program by awarding credits for production of various categories of Partial Zero Emission Vehicles (PZEVs) in satisfaction of a portion of large manufacturers' market-share-based ZEV production obligations. The rulemaking also includes phase-in credit multipliers for introduction of certain new vehicles, credits for ZEV or PZEV production that is part of transportation systems involving shared use of vehicles and linkages to mass transit, provisions for sale of credits by small manufacturers to large manufacturers, provisions for how total production is calculated, carry-forward and carry-back credit provisions, credits for Advance Technology PZEVs placed in other states which have adopted the California ZEV program, and requirements for publication of production data and ZEV credit bank balances, among other things.

Title 13
California Code of Regulations
ADOPT: 1962.1 AMEND: 1900, 1962, 1962.1 re-
number as 1962.2
Filed 03/18/2009
Effective 04/17/2009
Agency Contact: Amy Whiting (916) 322-6533

File# 2009-0205-03
CALIFORNIA SCHOOL FINANCE AUTHORITY
State Charter School Facilities Incentive Grant

This rulemaking amends several sections within Title 4 to clarify that charter schools can only receive a State Charter School Facilities Incentive Grant if they've never received one before. In addition to the ongoing calculation for overcrowded school districts, this rulemaking will allow the designation of overcrowded preference points based on the greater calculation for either overcrowded school districts or the newly defined "overcrowded school site" which establishes that a charter school may receive 10 preference points for being within 3 miles of an overcrowded school site when applying for the State Charter School Facilities Incentive Grant.

Title 4
California Code of Regulations
AMEND: 10175, 10176, 10177, 10182, 10185,
10187, 10188, 10189, 10190
Filed 03/23/2009
Effective 04/22/2009
Agency Contact:
Katrina Johantgen (213) 620-4467

File# 2009-0218-06
DEPARTMENT OF FOOD AND AGRICULTURE
Oriental Fruit Fly Interior Quarantine

This regulatory action is the Certification of Compliance for three emergency actions expanding the existing oriental fruit fly interior quarantine surrounding the oriental fruit fly infestation in the Lakewood area of Los Angeles and Orange counties.

Title 3
California Code of Regulations
AMEND: 3423(b)
Filed 03/23/2009
Agency Contact:
Stephen S. Brown (916) 654-1017

File# 2009-0313-01
DEPARTMENT OF FOOD AND AGRICULTURE
Asian Citrus Psyllid Interior Quarantine

This action adds the central southern portion of Riverside County to the area quarantined to help prevent the spread of the Asian Citrus Psyllid, associated bacteria, and Citrus Greening disease.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 03/18/2009
 Effective 03/18/2009
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2009-0219-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Poultry Meat Inspection

This rulemaking repeals, amends, and adopts regulations in the area of poultry meat inspection and processing to conform to federal standards. The rulemaking addresses a number of poultry meat processing issues, including: inspector licensing; inspection processes; slaughtering and processing plant construction, operation, sanitation, and maintenance; humane slaughter methods; and poultry meat storage and importation. The rulemaking also incorporates by reference a poultry meat inspector training manual and nine Department of Food and Agriculture forms.

Title 3
 California Code of Regulations
 ADOPT: 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222.1, 1222.4, 1209, 1209.1, 1245.1, 1245.2, 1245.3, 1245.4, 1260.2, 1269, 1269.1, 1269.2, 1271 AMEND: 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1208, 1222, 1223, 1223.1, 1235, 1236, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1245.1, 1245.2, 1245.3, 1245.4, 1245.5, 1245.6, 1245.7, 1245.8, 1245.9, 1245.10, 1245.11, 1245.12, 1245.13, 1245.14, 1245.15, 1245.16, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1260.1, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 REPEAL: 1203, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1237
 Filed 03/19/2009
 Effective 04/18/2009
 Agency Contact: Nancy Grillo (916) 263-2347

File# 2009-0209-02
 DEPARTMENT OF INSURANCE
 California Low Cost Automobile Insurance Rates — 2008

This regulatory action increases the uniform rates for the liability policy, uninsured motorists and medical payments coverage under the California Low Cost Automobile Insurance Program for all the counties in California by an average of 4.5%. The California Low Cost Automobile Insurance Program is a statutorily re-

quired plan for equitable apportionment among insurers required to participate in the California Automobile Assigned Risk Plan (CAARP) for persons residing in specified counties who are eligible to purchase a low cost automobile insurance policy through the program established in those counties. Since the program has now been established in all of the counties, the regulation is amended to refer to persons residing in California instead of listing each county separately. The establishment of the increase in the rates for the program is exempt from the Administrative Procedure Act and OAL's review pursuant to Government Code section 11340.9, subdivision (g).

Title 10
 California Code of Regulations
 AMEND: 2498.6
 Filed 03/23/2009
 Effective 05/11/2009
 Agency Contact:
 Bryant W. Henley (415) 538-4111

File# 2009-0209-04
 DEPARTMENT OF INSURANCE
 Intervention/Participation in a Proceeding Other than a Rate Hearing

This proposed set of changes without regulatory effect would amend sections 2661.3, 2661.4 and 2662.1 in the following ways:

1. Add "or" to the following provision of section 2661.3(a): "A person desiring to intervene and become a party to a rate or class plan proceeding shall file a . . . (Section 2661.3(a))"
2. Move the last sentence of subsection (e) dealing with Petitions to Participate from the Intervenor section (2661.3) to the section dealing with Petitions to Participate (2661.4).
3. Remove a repetitive sentence in 2661.4(a); and,
4. Change an erroneous and non-existent cross-reference to the proper one in section 2662.1 (changes the reference from 2666.1 to 2661.1).

Title 10
 California Code of Regulations
 AMEND: 2661.3, 2661.4, 2662.1
 Filed 03/25/2009
 Effective 03/25/2009
 Agency Contact: Sara Urakawa (415) 538-4121

File# 2009-0209-05
 DEPARTMENT OF PESTICIDE REGULATION
 Toxic Air Contaminant — Endosulfan

The Department of Pesticide Regulation submitted this action to amend title 3, California Code of Regulations, section 6860(a) by adding the pesticide chemical endosulfan as a designated toxic air contaminant.

Title 3
California Code of Regulations
AMEND: 6860
Filed 03/25/2009
Effective 04/24/2009
Agency Contact:
Linda Irokawa-Otani (916) 445-3991

File# 2009-0202-01
FISH AND GAME COMMISSION
Marine Protected Areas-Morro Bay and Dana Point

The Fish and Game Commission is authorized to implement the Marine Life Protection Act (MLPA, Stats. 1999, ch. 1015). These proposed amendments would make the following changes to the Marine Protected Areas pursuant to the MLPA:

1. Allow dredging for the purpose of harbor and channel operations (pursuant to required and valid permits and approvals) in Morro Bay;
2. Allow for the "taking" of living marine resources for the purpose of harbor operations and maintenance and cleaning of hulls and other man-made structures in Morro Bay;
3. And correct non-substantive errors with respect to the designation of "Dana Point State Marine Conservation Area" in lieu of "Marine Park" (pursuant to a previous rulemaking 2006-0925-01 S).

Title 14
California Code of Regulations
AMEND: 632
Filed 03/18/2009
Effective 04/17/2009
Agency Contact: Sheri Tiemann (916) 654-9872

File# 2009-0205-01
FRANCHISE TAX BOARD
Exempt from Taxation; Information Returns & Statements Exempt Organizations

This regulatory action amends existing regulations to conform to the statutory changes made to section 23701d of the Revenue and Taxation Code. The amendments will allow incorporated subordinates to be able to obtain tax exemption by virtue of being part of a group, as opposed to having to file for California tax exemption separately.

Title 18
California Code of Regulations
AMEND: 23701, 23772
Filed 03/19/2009
Effective 04/18/2009
Agency Contact: Colleen Berwick (916) 845-3306

File# 2009-0309-02
PHYSICAL THERAPY BOARD OF CALIFORNIA
Health Related Sciences

This rulemaking adopts Title 16 section 1398.12 in order to define related health sciences for purposes of Business and Professions Code section 2633(b). Section 2633(b) was amended by AB 2868 in 2006 and allows a licensed physical therapist who has received a doctoral degree in a related health science (other than physical therapy) to use specific initials and titles when writing or speaking provided certain conditions are met. For example the title "Doctor" may be used under specified conditions. However, the only way a licensed physical therapist may take advantage of (b) is if the Physical Therapy Board defines by regulation the doctoral degrees that are in a related health science. This is pursuant to section 2633(d).

Title 16
California Code of Regulations
ADOPT: 1398.12
Filed 03/24/2009
Effective 04/23/2009
Agency Contact: Rebecca Marco (916) 263-2550

File# 2009-0204-01
STRUCTURAL PEST CONTROL BOARD
IPM Training & Education/Course Evaluations

This action adds requirements for training and experience in Integrated Pest Management and the impact of structural pest control services on water quality for initial applicant qualifications and continuing education license renewal requirements for Branch 2 and 3 operator and field representative licensees.

Title 16
California Code of Regulations
AMEND: 1937, 1950, 1950.5, 1953
Filed 03/20/2009
Effective 04/19/2009
Agency Contact: Ryan Vaughn (916) 561-8730

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN October 22, 2008 TO
March 25, 2009**

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

Title 1

01/20/09 AMEND: 260
 01/20/09 AMEND: Appendix A, Std. Form 400

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 1225, 1226, 1227, 1228, 1229, 1230,
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03/05/09 AMEND: 18704
 02/17/09 AMEND: 51.3
 02/02/09 AMEND: 18402, 18450.3
 01/30/09 ADOPT: 18427.5
 01/30/09 ADOPT: 18421.8, 18521.5 AMEND:
 18401
 01/27/09 AMEND: 2294
 01/26/09 AMEND: 1859.104.1
 01/21/09 ADOPT: 1859.184.1 AMEND: 1859.2,
 1859.103, 1859.184
 01/12/09 AMEND: div. 8, ch. 24, secs. 45100,
 45127, 45128
 01/08/09 ADOPT: 18420.1
 01/08/09 ADOPT: 18944.3 AMEND: 18944.1
 12/30/08 AMEND: 714
 12/29/08 ADOPT: 2298
 12/15/08 AMEND: 17463, 17470, 17519
 12/09/08 ADOPT: 25100
 12/08/08 AMEND: 1700
 11/03/08 AMEND: 647.1, 647.2, 647.3, 647.20,
 647.20.1, 647.21, 647.22, 647.23,
 647.24, 647.25, 647.26, 647.30, 647.31,
 647.32, 647.33, 647.35, 647.36, 648.1,
 648.3, 648.5, 649.20, 649.21
 10/31/08 AMEND: 18545, 18703.4, 18730,
 18940.2, 18942.1, 18943
 10/31/08 ADOPT: 18402.1 AMEND: 18427
 10/22/08 ADOPT: 59600

03/18/09 AMEND: 3435(b)
 03/10/09 AMEND: 3434
 03/05/09 AMEND: 3591.20(a)
 03/04/09 AMEND: 3435
 02/27/09 AMEND: 3434(b)
 02/26/09 AMEND: 850
 02/19/09 AMEND: 3434(b)
 02/13/09 AMEND: 3406(b)
 02/10/09 AMEND: 3060.4(a)(1)(C)(1), 3652(k)
 02/05/09 AMEND: 3434(b)
 02/02/09 AMEND: 3406(b)
 01/21/09 ADOPT: 3591.22(a), 3591.22(b),
 3591.22(c), 3591.22(d)
 01/21/09 ADOPT: 3591.21(a), 3591.21(b),
 3591.21(c)
 01/20/09 REPEAL: 3664, 3665, 3666, 3667, 3668,
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 01/14/09 AMEND: 3434(b)
 01/13/09 AMEND: 3434(b)
 01/12/09 AMEND: 3589(a)
 12/30/08 AMEND: 3417(b)
 12/18/08 AMEND: 3417(b)
 12/18/08 AMEND: 3406(b)
 12/16/08 AMEND: 1358(b)
 12/12/08 AMEND: 3434(b)
 12/10/08 AMEND: 3589
 12/04/08 AMEND: 3435(b)
 11/26/08 AMEND: 3406(b)
 11/20/08 ADOPT: 6400
 11/12/08 AMEND: 3591.5(a)
 11/12/08 AMEND: 3434(b)
 11/07/08 AMEND: 3433(b)
 10/30/08 ADOPT: 1430.142 AMEND: 1430.43
 REPEAL: 1430.44.5
 10/29/08 AMEND: 3435(b)
 10/28/08 ADOPT: 3408
 10/22/08 AMEND: 3700(c)

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03/25/09 AMEND: 6860
 03/23/09 AMEND: 3423(b)
 03/19/09 ADOPT: 1210, 1211, 1212, 1213, 1214,
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03/23/09 AMEND: 10175, 10176, 10177, 10182,
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 03/11/09 AMEND: 1865
 03/10/09 ADOPT: 12388, 12410
 03/05/09 ADOPT: 2066
 03/05/09 ADOPT: 1504.5 AMEND: 1481, 1486
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 02/23/09 ADOPT: 8102, 8102.1, 8102.2, 8102.3,
 8102.5, 8102.6, 8102.7, 8102.8, 8102.9,
 8102.11, 8102.12, 8102.13, 8102.14,
 8102.15 AMEND: 8090, 8091, 8092,

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02/11/09	ADOPT: 8078.1 AMEND: 8070, 8072, 8076, 8078	02/13/09	AMEND: 3336, 3650, 3653
01/13/09	ADOPT: 4027, 4027.1, 4027.2, 4027.3, 4027.4, 4027.5	02/09/09	AMEND: 3231, 3277, Appendix B following Section 3299, Appendix A following Section 3326, 3340, 3341, 3575, Appendices A, B, C, D, E, F, G following Section 3583
12/29/08	AMEND: 12482	01/29/09	AMEND: 4994
11/24/08	ADOPT: 8102, 8102.1, 8102.2, 8102.3, 8102.4, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.10, 8102.11, 8102.12, 8102.13, 8102.14, 8102.15 AMEND: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101	01/28/09	AMEND: 4999
11/17/08	AMEND: 1505	01/20/09	AMEND: Appendix B following sections 1529, 5208, 8358
10/30/08	AMEND: 1606	01/15/09	AMEND: 2500.7
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02/17/09	AMEND: 80413, 80487	12/02/08	AMEND: 2940.6, Appendix C
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01/20/09	ADOPT: 9517.1	11/19/08	AMEND: 1658(p)
01/05/09	AMEND: 80004	11/17/08	ADOPT: 10116, 10116.1, 10116.2, 10116.3, 10116.5, 10116.6, 10116.7, 10116.8 AMEND: 10123.1 renumbered to 10116.4, 10001 renumbered to 10116.9, 10002 renumbered to 10117, 10003 renumbered to 10118, 10004 renumbered to 10119, 10005 renumbered to 10120, 10123, 10127, 10127.1, 10128, 10133.13, 10133.14, 10133.16, 10133.22, 10133.53, 10133.54, 10133.55, 10133.56, 10133.57, 10133.58 REPEAL: 10133.3, 10133.50
12/09/08	ADOPT: 18131.1 AMEND: 18131	11/17/08	ADOPT: 10210, 10211, 10212, 10213, 10214, 10215, 10216, 10217, 10218, 10222, 10223, 10225, 10227, 10228, 10229, 10230, 10232, 10232.1, 10232.2, 10233, 10236, 10240, 10241, 10243, 10244, 10245, 10246, 10250, 10250.1,
11/06/08	AMEND: 42723		
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03/04/09	AMEND: 3248		
03/02/09	ADOPT: 15475.1, 15475.2, 15475.3, 15482, 15482.1, 15482.2, 15483, 15484, 15485, 15486, 15486.1, 15487, 15488, 15489, 15489.1, 15490, 15490.1, 15491, 15496, 15497, 15497.1, 15498, 15499, 15499.5 AMEND: 15201, 15203, 15203.1, 15203.2, 15203.3, 15203.4, 15203.5, 15203.6, 15203.7, 15203.8, 15203.9, 15203.10, 15204, 15205, 15210, 15210.1, 15210.2, 15210.3, 15211, 15211.1, 15211.2, 15215, 15230, 15251, 15353, 15360, 15405, 15470, 15471, 15472, 15473, 15474, 15475, 15476, 15477, 15478, 15479, 15480, 15481, 15601.7		
03/02/09	AMEND: 3209, 3299, 4885, 5049, 5085, 5152, 5193, 5207, 5215, 5297, 5299, 5302, 5304, 5449, 6402, 6503, 6600		
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11/12/08	AMEND: 15600, 15601, 15602, 15603, 15604, 15605, 15606, 15607, 15611	Title 13 03/18/09 ADOPT: 1962.1 AMEND: 1900, 1962, 1962.1 renumber as 1962.2 03/10/09 ADOPT: 1160.6 AMEND: 1160.3, 1160.4 02/26/09 ADOPT: 29.00 02/05/09 ADOPT: 20.05 AMEND: 20.04 02/05/09 AMEND: 25.08 01/20/09 AMEND: 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2708, 2709, 2710 12/22/08 AMEND: 553.70 12/05/08 AMEND: 110.04 12/01/08 AMEND: 1956.8 11/24/08 ADOPT: 2027 11/03/08 AMEND: 25.06, 25.07, 25.08, 25.09, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
11/06/08	AMEND: 2540.8, 2540.9, 2548.23, 2719, 2740, 2741, 2880, 2980	Title 13, 17 12/03/08 AMEND: 2299.3, 93118.3
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03/02/09 AMEND: 791.7(a), Form FG
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Form FG OSPR-1972

02/25/09 AMEND: 1038, 1052

02/23/09 ADOPT: 749.4

01/28/09 AMEND: 701

01/13/09 AMEND: 300

01/12/09 ADOPT: 4970.00, 4970.01, 4970.02,
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12/31/08 AMEND: 957 REPEAL: 957.11, 957.12

12/29/08 AMEND: 243, 245 REPEAL: 241

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1090.2, 1090.4, 1090.6, 1090.17,
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1104.3 REPEAL: 1032

12/11/08 AMEND: Division 5, Appendix M

12/10/08 ADOPT: 120.1, 120.2 AMEND: 120,
120.3 REPEAL: 120.01

11/26/08 AMEND: 1257

11/24/08 AMEND: 749.3

11/13/08 ADOPT: 18660.40

11/07/08 AMEND: 895.1, 919.9, 939.9

11/07/08 AMEND: 1038(i)

11/07/08 AMEND: 895.1, 898, 914.8, 916, 916.2,
916.9, 916.11, 916.12, 923.3, 923.9,
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10/30/08 AMEND: 29.85

10/23/08 AMEND: 163, 164

10/22/08 AMEND: 1052.4

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3077.4 AMEND: 3000, 3043.6, 3375

02/02/09 ADOPT: 1800, 1806, 1812, 1814, 1830,
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12/19/08 REPEAL: 4826, 4985

12/16/08 ADOPT: 3099

12/15/08 ADOPT: 3334 AMEND: 3000

12/11/08 AMEND: 3323

12/09/08 AMEND: 3000, 3001, 3041.3, 3075.3,
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11/26/08 ADOPT: 1700, 1706, 1712, 1714, 1730,
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10/30/08 AMEND: 3000, 3375, 3376.1, 3379

10/28/08 ADOPT: 3999.7

10/23/08 ADOPT: 1417 AMEND: 1029, 1206,
1248, 1357, 1358, 1461

Title 16

03/24/09 ADOPT: 1398.12

03/20/09 AMEND: 1937, 1950, 1950.5, 1953

03/11/09 AMEND: 1715, 1784, Form 17M-13,
Form 17M-14, Form 17M-26

03/04/09 AMEND: 4181

03/04/09 AMEND: 1351.5, 1352

03/04/09 ADOPT: 389

03/04/09 AMEND: 998

03/04/09 AMEND: 950.2

03/03/09 AMEND: 305 REPEAL: 306.1

02/11/09 AMEND: 950.3

02/03/09 ADOPT: 2068.7

01/28/09 AMEND: 950.2

01/28/09 ADOPT: 1832.5

01/09/09 ADOPT: 2504.1, 2517.5, 2564.1, 2575.5
AMEND: 2537, 2540.6, 2590, 2592.6

12/30/08 AMEND: 1387

12/18/08 AMEND: 3340.28, 3340.29

12/17/08 AMEND: 4170

12/11/08 AMEND: 1336

12/09/08 AMEND: 1399.25 REPEAL: 1399.26

11/24/08 AMEND: 1419, 1419.1, 1419.3

10/30/08 AMEND: 1399.571

Title 17

03/11/09 AMEND: 93119

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01/29/09	ADOPT: 33060 AMEND: 33007, 33010, 33020, 33025, 33030, 33040	66273.10,	66273.11,	66273.12,
01/28/09	AMEND: 950.2	66273.13,	66273.14,	66273.15,
01/28/09	ADOPT: 1832.5	66273.16,	66273.17,	66273.18,
12/30/08	AMEND: 30195.1	66273.19,	66273.20,	66273.21,
12/26/08	ADOPT: 100501	66273.41,	66273.70,	66273.80,
12/02/08	ADOPT: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115, 95125, 95130, 95131, 95132, 95133	66273.81,	66273.82,	66273.83,
10/30/08	AMEND: 100407, 100408	66273.84,	66273.85,	66273.86,
Title 18		66273.87, 66273.88, 66273.89, and 66273.90	Articles Affected: Amend old article 3; Adopt new article 4; Renumber old article 4 to article 5; Renumber old article 5 to article 6; Repeal old article 6; Repeal old article 7 and adopt new article 7.	
03/19/09	AMEND: 23701, 23772	01/29/09	AMEND: 97174	
03/11/09	AMEND: 1506, 1524	01/28/09	AMEND: 41508, 41509, 41510, 41511, 41512, 41514, 41515, 41515.1, 41515.2, 41516, 41516.1, 41516.3, 41517, 41517.3, 41517.5, 41517.7, 41518, 41518.2, 41518.3, 41518.4, 41518.5, 41518.7, 41518.8, 41518.9, 41519, 41610, 41611, 41670, 41671, 41672, 41700, 41800, 41811, 41815, 41819, 41823, 41827, 41831, 41832, 41835, 41839, 41844, 41848, 41852, 41856, 41864, 41866, 41868, 41872, 41900, 42000, 42050, 42075, 42110, 42115, 42120, 42125, 42130, 42131, 42132, 42140, 42160, 42180, 42305, 42320, 42321, 42326, 42330, 42400, 42401, 42402, 42403, 42404, 42405, 42406, 42407, 42420, 42700, 42701, 42702, 42703, 42705, 42706, 42707, 42708, 42709, 42710, 42711, 42712, 42713, 42714, 42715, 42716, 42717, 42718, 42719, 42720 REPEAL: 42800, 42801	
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11/26/08	AMEND: 6633.2			
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03/12/09	AMEND: 51517			
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02/04/09	ADOPT: 66260.201, 66260.202, 66273.7, 66273.33.5, 66273.41, 66273.70, 66273.71, 66273.72, 66273.73, 66273.74, 66273.75, 66273.76, and 66273.77 AMEND: 66260.10, 66260.23, 66261.4, 66261.9, 66261.50, appendix X of chapter 11, 66264.1, 66265.1, 66273.1, 66273.2, 66273.3, 66273.4, 66273.5, 66273.6, 66273.8, 66273.9, 66273.30, 66273.31, 66273.32, 66273.33, 66273.34, 66273.35, 66273.36, 66273.37, 66273.38, 66273.39, 66273.40, 66273.51, 66273.52, 66273.53, 66273.54, 66273.55, 66273.56, 66273.60, 66273.61, 66273.62, and 67100.2 REPEAL: 6 6273.7.1, 66273.7.2, 66273.7.3, 66273.7.4, 66273.7.5, 66273.7.6, 66273.7.7,	01/26/09	AMEND: 51313.6, 51320, 51476, 51510, 51510.1, 51510.2, 51510.3, 51511, 51513, 51520 REPEAL: 51513.5, 51520.1, 51520.2, 59998	
		01/23/09	AMEND: 51000.6.1, 51000.8, 51000.16, 51000.20, 51000.20.1, 51000.24.1, 51000.25.2, 51000.30, 51000.50, 51000.51, 51000.52, 51000.53, 51000.55, 51000.60	
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		01/15/09	AMEND: 101115	
		01/06/09	AMEND: 66270.60, 67450.30	
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02/03/09 AMEND: 3989
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01/05/09 ADOPT: 3006
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