



California Regulatory Notice Register

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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. DEPARTMENT OF PERSONNEL ADMINISTRATION

The Department of Personnel Administration (DPA) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendation regarding the proposed action.

PUBLIC HEARING

The DPA has not scheduled a public hearing on this proposed action. However, the DPA will hold a hearing if, no later than 15 days prior to the close of the written comment period, an interested person or his or her duly authorized representative submits a written request for a public hearing to DPA's contact person indicated below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to DPA. Comments may also be submitted by facsimile (FAX) at (916) 327-1885 or by e-mail to Kimberly.Madson@calhr.ca.gov. The written comment period closes at 5:00 p.m. on July 2, 2012. DPA will consider only comments received at DPA's office by that time. Submit comments to:

Kimberly Madson
Department of Personnel Administration
Savings Plus
1515 S St, Ste. 400N
Sacramento, CA 95811-7258

AUTHORITY AND REFERENCE

Government Code section 19815.4 authorizes DPA to adopt the proposed regulations. The proposed regulations implement, interpret, and make specific sections 19993, 19999.5 and 19999.31 of the Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific the appropriate method for correcting processing errors that result in underfunding of DPA-administered retirement savings accounts.

Under existing law, DPA administers several mandatory and voluntary retirement savings plans for state employees. (Cal. Gov. Code, §§ 19993, 19999.5, 19999.31.) Currently, state agencies and departments determine the mandatory retirement plan to which each of their employees should be assigned. This information is entered into the State's computer network and is used to determine the amount of the employees' retirement contributions as well as the account into which the employees' contributions are deposited. Occasionally, processing errors occur that result in underfunded employee retirement accounts. Federal law requires that these errors be corrected in accordance with certain guidelines; otherwise the plans could lose their favorable tax treatment and be subject to tax penalties. (See IRS Revenue Procedure 2008-50; 26 U.S.C. §§ 401(a), 501(a); 26 C.F.R. §§ 1.457-4(e)(2), 1.457-11.) Currently, the appropriate method for correcting these errors is not clearly defined in the regulations.

The regulations proposed in this rulemaking action would clarify that the state department or agency responsible for the error is required to reimburse the DPA-administered retirement savings account for any loss resulting from the error.

The anticipated benefits of these proposed regulations are that the DPA-administered retirement savings plans remain in compliance with federal law and maintain their favorable tax treatment under those laws; state departments and agencies are held accountable for their processing errors; and in turn, quality control improves and reduces the number of costly errors over time. The correction method for the processing errors established by these proposed regulations affects only state departments and agencies and therefore has no impact or benefits to the health and welfare of California residents, worker safety or the state's environment.

The regulations proposed in this rulemaking action are neither inconsistent or incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The DPA has made the following initial determinations:

Mandate on local agencies and school districts: None.
Cost or savings to any state agency: The proposed regulations will initially impose costs on DPA and other

state agencies when a transaction or processing error causes a DPA-administered retirement savings account to become underfunded. DPA will initially pay the cost to make the account whole at the time the error is discovered and will later recoup the reimbursement from the entity or state agency responsible for the error. Total costs to state agencies in 2010/2011 FY was \$119,712.00. Future cost estimates are unknown since the amount depends on the number and types of errors discovered; however, it is expected that quality control in processing transactions will increase due to the proposed regulations and costs to state agencies will be reduced over time.

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

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

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

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

Significant effect on housing costs: None.

Small Business Impact: The proposed regulations have no significant adverse economic impact on small businesses. Small business employees are not eligible to participate in DPA-administered retirement savings plans; therefore, small businesses would not be affected by these proposed regulations.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The proposed regulations in this rulemaking establish a uniform method for correcting processing errors made by state agencies and departments that cause underfunding of DPA-administered retirement savings accounts. They have no impact or benefits to the health and welfare of California residents, worker safety or the state's environment. In addition, adoption of these regulations will not create or eliminate jobs within California; create new businesses or eliminate existing businesses within California; or affect the expansion of businesses currently doing business within California.

CONSIDERATION OF ALTERNATIVES

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

DPA invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the hearing, if one is requested, or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Kimberly Madson
Department of Personnel Administration
Savings Plus
1515 S St, Ste. 400N
Sacramento, CA 95811-7258
Telephone: (916) 323-8489
E-mail: Kimberly.Madson@calhr.ca.gov

The back-up contact person for these inquiries is:

Lupe Vela
Department of Personnel Administration
Savings Plus
1515 S St, Ste. 400N
Sacramento, CA 95811-7258
Telephone: (916) 323-2701
E-mail: Lupe.Vela@calhr.ca.gov

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Kimberly Madson at the above address.

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

DPA will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address during normal business hours. As of the date this notice is published, the rulemaking file consists of this notice, the proposed

the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

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

CONTACT

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid Interior Quarantine as an emergency action which was effective on February 6, 2012. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than August 6, 2012.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the

proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to sbrown@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on July 9, 2012. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Stephen Brown
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
sbrown@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

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, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (FAC Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

Anticipated Benefits from This Regulatory Action

Existing law, FAC section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

Existing law, FAC section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or

prevent the spread of any pest which is described in FAC section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nursery, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Most all of the commercial citrus fruit and nursery stock production is located outside this proposed quarantine boundary area.

The California, national and international consumers of California citrus benefit by having high quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State. Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida IFAS Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar affect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department is the only agency which can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

This emergency action expanded the quarantine area for ACP by approximately 144 square miles in the Camp Pendleton area of San Diego County. The total proposed quarantine area is now approximately 20,706 square miles. The effect of the amendment of this regulation is to provide authority for the Department to perform quarantine activities against ACP within this additional area and existing regulated areas.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

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 business: The Department is not aware of any costs a representative person or business would incur in reasonable compliance with the proposed action.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment 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.

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010

the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA—National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State's economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation 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 to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Lindsay Rains at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (www.cdfa.ca.gov/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, 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 initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department 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. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 16. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

CALIFORNIA ARCHITECTS BOARD LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) 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 office of the **California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834, on July 2, 2012, at 11:00 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on July 2, 2012, or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal 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 the contact person and will be mailed to those persons who submit written or oral testimony to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest/Policy Statement Overview

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC sections 5650 and 5651 entitles any person who meets the qualifications set forth in the article to an examination for a license to practice architecture subject to the rules and regulations governing examinations.

Section 2615 — Form of Examinations:

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the Landscape Architect Registration Examination (LARE), the licensing examination, to the Landscape Architects Technical Committee. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1–4) rather than five (A–E) sections and will move to a fully computerized model. All sections of the LARE will consist of multiple choice questions.

CCR section 2615 (a) — Form of Examinations states:

“(2) Notwithstanding subdivision (a)(1), a candidate who has a Board–approved degree in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from a Board–approved school in accordance with section 2620(a)(3) shall be eligible and may apply for **the multiple choice sections** of the Landscape Architect Registration Examination.”

This regulation needs to be updated to refer to the “multiple choice sections” of the LARE to “Sections 1 and 2” of the new LARE. This section also needs to address candidates who take Sections 3 and 4 of the new LARE before they have met California’s eligibility requirements. Candidates can potentially take Sections 3 and 4 of the new LARE before meeting California’s eligibility

requirements because CLARB’s exam scheduling system does not screen or limit candidates based on California’s requirements. This section needs to be amended to state:

“(2) Notwithstanding subdivision (a)(1), a candidate who has a Board–approved degree in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from a Board–approved school in accordance with section 2620(a)(3) shall be eligible and may apply for **Sections 1 and 2** of the Landscape Architect Registration Examination. **Such candidates shall be not be eligible for Sections 3 and 4 of the LARE until the candidate has a combination of six years of education and training experience as specified in section 2620.**

A candidate’s score on the LARE shall not be recognized in this State if at the time the candidate took the LARE, the candidate was not eligible in accordance with California laws and regulations for the examination or sections thereof.”

This change will update the criteria for eligibility to reflect the changes in the LARE format that will be implemented in September 2012, and clearly state that the LATC will not recognize the LARE scores of candidates that were not eligible to take the exam at the time they took the LARE.

Section 2620 — Education and Training Credits:

The Landscape Architectural Accreditation Board (LAAB) is the accrediting organization for landscape architectural programs. As such, the LAAB develops standards to objectively evaluate landscape architectural programs and judges whether a school’s landscape architectural program is in compliance with the accreditation standards. LAAB implemented new standards and procedures during fall 2010. LAAB released their updated “Accreditation Standards And Procedures” publication on February 6, 2010.

CCR section 2620 currently references the outdated LAAB “Accreditation Standards for Programs in Landscape Architecture” publication dated February 26, 1990. The attached proposed language will update the name and release date of this publication to the most recent version.

CCR section 2620(a)(4) includes the phrase “city/community college.” This phrase needs to be corrected to say “community college” because city colleges and community colleges are both two–year Associate Degree programs.

B. Anticipated Benefits of Proposal

The proposed change to CCR section 2615 will update the criteria for eligibility to reflect the changes in the LARE format that will be implemented in September 2012. If the regulation is not modified, candidates with a degree or extension certificate in landscape architecture could potentially take Sections 3 and 4 of the new LARE before completing all of the eligibility requirements, and potentially be given examination credit for Sections of the LARE that they were not eligible to take. Updating this regulation will ensure that LARE examinees will only be given examination credit for sections of the exam that they were eligible to take at the time of examination.

The proposed change to CCR section 2620 will update the name and release date of the LAAB Accreditation Standards and Procedures publication to the most recent version. CCR section 2620 currently references the outdated LAAB “Accreditation Standards for Programs in Landscape Architecture” publication dated February 26, 1990. This update will ensure that CCR section 2620 references the most current publication of the CLARB accreditation standards and procedures.

The proposed change to CCR section 2620(a)(4) will remove unnecessary redundancy in referring to community colleges and result in regulation language that is easier to read.

C. Consistency and Compatibility with Existing State Regulations

This Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State

None.

Nondiscretionary Costs/Savings to Local Agencies

None.

Local Mandate

None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement

None.

Business Impact

The 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: N/A

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 regulation would not affect small businesses because it only affects candidates for examination and licensure.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

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

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state’s environment: N/A

CONSIDERATION OF ALTERNATIVES

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

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

INITIAL STATEMENT OF REASONS
AND INFORMATION

The 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 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 Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by telephoning the contact person listed below.

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

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

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

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical
Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7233
Fax No.: (916) 575-7283
E-mail Address: John.Keidel@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
Address: California Architects Board
Landscape Architects Technical
Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7230
Fax No.: (916) 575-7283
E-mail Address: trish.rodriguez@dca.ca.gov

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

**TITLE 17. CALIFORNIA INSTITUTE
FOR REGENERATIVE MEDICINE**

**California Code of Regulations
Amendments to Sections 100303, 100403 and
100603**

Date: May 18, 2012

Deadline for Submission of Written Comment:
July 2, 2012 — 5:00 p.m.

Public Hearing Date: None Scheduled

**Subject Matter of Proposed Amendments:
Amendments to Publication Requirements**

Sections Affected: The proposed regulatory action amends sections 100303, 100403 and 100603 of Title 17 of the California Code of Regulations.

Authority: Article XXXV of the California Constitution and Health and Safety Code Section 125290.40, subdivision (j).

Reference: Section 125290.30, Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW:

The California Institute for Regenerative Medicine (“Institute” or “CIRM”) was established in 2005 after the passage in 2004 of Proposition 71 (the “Act”), the California Stem Cell Research and Cures Initiative. The statewide ballot measure established a new state agency to make grants and provide loans for stem cell research, research facilities and other vital research opportunities. The Independent Citizens’ Oversight Committee (“ICOC”) is the 29-member governing board for the Institute. The ICOC members are public officials, appointed on the basis of their experience earned in California’s leading public universities, non-profit academic and research institutions, patient advocacy groups and the biotechnology industry. The Act charges the ICOC with developing standards and criteria to make grant awards and to develop standards and criteria for proper oversight of awards. (§ 125290.50.) To that end, CIRM has adopted rules regarding Intellectual Property and specifically a regulation governing publications of CIRM-funded research.

Assemblymember Nancy Skinner’s office has expressed interest in amending CIRM’s section 100603 to require CIRM grantees to provide an electronic copy of

a publication arising from CIRM-funded research to CIRM to be made available to the public. The Assemblymember's proposal is modeled on the National Institutes of Health Public Access Policy, which requires NIH-funded researchers to submit an electronic copy of final, peer-reviewed manuscripts upon acceptance for publication to the National Library of Medicine's PubMed Central to be made publicly available no later than 12 months after the official date of publication.

Under CIRM's existing regulations (17 Cal. Code Regs., tit. 17, § 100603, 100403, and 100303), CIRM-funded researchers are required to submit a publication disclosure form to CIRM, along with a 500-word public summary of the article and a copy of the publication, within 60 days of publication. The regulation does not require that grantees submit an electronic copy of the publication, and neither the publications nor the public summaries are currently available on CIRM's website.

The proposed amendments require CIRM grantees to submit an electronic copy of publications to be made available to the public within 12 months of publication and to eliminate the requirement that grantees prepare a 500-word summary of their publications and instead provide a brief paragraph describing, in lay terms, the significance of the research findings. CIRM believes substituting a brief statement written in lay language of the impact of the research in lieu of a 500-word summary will advance the goal of educating the public about CIRM-funded research.

Specific Benefits:

The proposed amendments align disclosure requirements from CIRM funding with those of the federal National Institutes of Health. By harmonizing CIRM's rules with federal policy, Grantees will find compliance easier and will no longer have to manage two distinct policy approaches when receiving both CIRM and federal funds. In addition, the proposed amendments increase the public's access to publicly-funded research results.

Impact on Existing State Regulations:

CIRM has determined that the proposed amendments have no effect on existing state regulations. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE
PROPOSED AMENDMENTS

CIRM has made the following initial determinations:

Mandate on local agencies and school districts:

None.

Submittal of Comments:

Any interested party may present comments in writing about the proposed amendments to the agency contact person named in this notice. Written comments must be received no later than 5:00 p.m. on July 2, 2012. Comments regarding this proposed action may also be transmitted via e-mail to GAPComments@cirm.ca.gov or by facsimile transmission to (415) 396-9141.

Public Hearing:

At this time, no public hearing has been scheduled concerning the proposed regulations. If any interested person or the person's representative requests a public hearing, he or she must do so in writing no later than June 18, 2012.

Effect on Small Business:

CIRM has determined that the proposed amendments will have no impact on small businesses. The regulation implements conditions on awarding and administering grants for stem cell research. This research is conducted almost exclusively by large public and private nonprofit institutions. As such, the amendments to the regulation are not expected to adversely impact small business as defined in Government Code Section 11342.610.

Impact on Local Agencies or School Districts:

CIRM has determined that the proposed amendments do not impose a mandate on local agencies or school districts, nor do they require reimbursement by the state pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the amendments do not constitute a "new program or higher level of service of an existing program" within the meaning of Section 6 of Article XIII of the California Constitution. CIRM has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed amendments.

Costs or Savings to State Agencies:

CIRM has determined that no savings or increased costs to any agency will result from the proposed amendments.

Effect on Federal Funding to the State:

CIRM has determined that no costs or savings in federal funding to the state will result from the proposed amendments.

Effect on Housing Costs:

CIRM has determined that the proposed amendments will have no effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Businesses:

CIRM has made an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting businesses,

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

Cost Impacts on Representative Private Persons or Businesses:

CIRM has made an initial determination that the adoption of these amendments will not have a significant cost impact on representative private persons or businesses. CIRM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed amendments.

Results of Economic Impact Analysis:

The above analysis is based on that fact that the proposed amendments do not impose new requirements on existing business operations or functions of other agencies or individuals, but implement standards for seeking and using state grant funds for scientific research. In most cases, such grants include funds to cover overhead and other indirect costs of the research, including most compliance activities. CIRM has made an initial determination that it is unlikely the proposed amendments will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California, nor directly impact the health and welfare of California residents, worker safety, and the state’s environment.

Consideration of Alternatives:

In accordance with Government Code Section 11346.5, subdivision (a)(13), CIRM must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of the law than the proposal described in this Notice. CIRM invites interested persons to present statements or arguments with respect to alternatives to the proposed amendments at the scheduled hearing or during the written comment period.

Availability of Statement of Reasons and Text of Proposed Regulations:

CIRM has prepared an Initial Statement of Reasons, and has available the express terms of the proposed amendments, all of the information upon which the amendments are based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulation may be obtained from the agency contact person named in this notice. The information upon which CIRM relied in preparing this proposal and the

rulemaking file are available for review at the address specified below.

Availability of Changed or Modified Text:

After holding the hearing and considering all timely and relevant comments, CIRM may adopt the proposed amendments substantially as described in this notice. If CIRM makes modifications that are sufficiently related to the originally proposed text of the amendments, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before it adopts the regulations as amended. Requests for the modified text should be addressed to the agency contact person named in this notice. CIRM will accept written comments on any changes for 15 days after the modified text is made available.

Agency Contact:

Written comments about the proposed regulatory action; requests for a copy of the Initial Statements of Reasons, the proposed text of the amendments; and inquiries regarding the rulemaking file may be directed to:

Scott Tocher
 Counsel to the Chairman, ICOC
 California Institute for Regenerative Medicine
 210 King Street
 San Francisco, CA 94107
 (415) 396-9100

Questions on the substance of the proposed regulatory action may be directed to:

Amy Cheung
 California Institute for Regenerative Medicine
 (415) 396-9110

The Notice of Proposed Regulatory Amendment, the Initial Statement of Reasons and any attachments, and the proposed text of the amendments and existing regulation are also available on CIRM’s website, www.cirm.ca.gov.

Availability of Final Statement of Reasons:

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code Section 11346.9, subdivision (a), may be obtained from the contact person named above.

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED RULEMAKING FOR THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Depart-

ment) proposes to formally amend regulations which govern implementation of the State Home Investment Partnerships Program (HOME). The existing regulations are codified in Title 25, Division 1 Chapter 7 Subchapter 17 (commencing with section 8200) of the California Code of Regulations.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period begins **May 18, 2012** and closes at **5:00 p.m. on July 2, 2012**. The Department will consider comments received during this time-frame. Please address your e-mail comments to Christina DiFrancesco at cdifrancesco@hcd.ca.gov. Written comments can also be sent via mail to Christina DiFrancesco, Department of Housing and Community Development, P.O. Box 952054, Sacramento, California 94252-2054, or via fax to (916) 322-2904, attention: Christina DiFrancesco.

PUBLIC HEARING

No public hearing is scheduled on the proposed regulatory amendments. However, any interested person, or his or her duly authorized representative, may request a public hearing no later than 15 days prior to the close of the written comment period.

AUTHORITY AND REFERENCE

HCD is conducting this rulemaking activity pursuant to the authority provided by Health and Safety Code Sections 50406 and 50896.3(b). These regulations implement, interpret and make specific amendments to Chapter 12 (commencing with Section 50896) of Part 2 of Division 31 of the Health & Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Health and Safety Code 50407 establishes that the Department is responsible for coordinating federal-state relationships in housing and community development. In conjunction with this responsibility, Health and Safety Code section 50406 directs the Department to be responsible for the allocation of Federal Home Investment Partnership Program funds. Consequently, the State of California receives money from the U.S. Department of Housing and Urban Development to

make grants to eligible cities and counties and direct loans and grants to private organizations that qualify as Community Housing Development Organizations (CHDOs). These regulations establish procedures for the award and disbursement of HOME funds and establish policies and procedures for the use of these funds to meet the purposes contained in Title II of Public Law No. 101-625, 104 Stat. 4079, known as the Cranston-Gonzalez National Affordable Housing Act of 1990 as amended by the Housing and Community Development Housing Act of 1992, Public Law No. 102-550. These funds can be used for a variety of housing-related uses provided the State, the cities and counties and the CHDOs comply with a comprehensive set of requirements prescribed by the Federal government regulations in 24 CFR part 92.

The proposed changes to the State HOME Regulations are summarized below. These proposed changes are not inconsistent or incompatible with other existing State or federal regulations which govern the HOME Program.

Section 8201. DEFINITIONS

Proposed amendments to subsection (m) would do the following:

- (a) delete the \$10,000 limit on the amount of rehabilitation that can be done within a First-time homebuyer acquisition with rehabilitation program;
- (b) clarify the eligible first-time homebuyer program activities for both State Recipients and CHDOs by creating separate categories for State Recipient acquisition-only, State Recipient acquisition with rehabilitation, and CHDO acquisition with rehabilitation activities;
- (c) permit CHDOs to apply for funds for a first-time homebuyer acquisition with rehabilitation program.

Proposed amendments to subsection (x) would change the activity name "owner-occupied housing program" to "owner-occupied rehabilitation program".

Section 8205. USES OF FUNDS

Proposed amendments would do the following:

- (a) amend the first sentence of subsection (b)(1) to note that the new subsection (b)(3) is also an exception to the loan requirements of subsection (b)(1).
- (b) delete unnecessary references in this section of the regulations pertaining to permitted HOME interest rates under the tax credit program;
- (c) delete unnecessary references in this section of the regulations pertaining to the subsidy layering requirement for State Recipients;

- (d) permit HOME loans of less than 3% interest for tax credit projects when necessary to prevent tax credit losses from exceeding the amount of equity invested in the project;
- (e) permit HOME funds for rehabilitation activities performed under a First-time homebuyer or Owner-occupied rehabilitation program to be provided in the form of a grant if necessary to complete the project when the total of all project indebtedness equals or exceeds the projected after-rehabilitation appraised value;
- (f) provide that the amount that can be used for rehabilitation grants may be up to 25 percent of the applicable HUD 221(d)(3) subsidy limit and that this grant amount is in addition to the other grants currently permitted under State HOME regulations Section 8205(b)(2).
- (g) amend existing language requiring repayment of funds for projects that are not completed, or for which a project completion report is not submitted, to include grant funds provided for rehabilitation.

Section 8212. APPLICATION SELECTION AND EVALUATION

Proposed amendments to this section would do the following:

- (a) increase the total amount of points available per application under the state objectives rating factor from 150 to 200 points;
- (b) decrease the total amount of points available per application under the Community Need rating category from 450 to 250 points.
- (c) a spelling error was corrected in subsection (d)(1)(A)(ii).

ANTICIPATED BENEFITS

As required by Government Code section 11346.5, subdivision (a)(3)(C), the anticipated benefits of the proposed regulation amendments include, but are not limited to: (1) in First-time homebuyer and Owner-occupied rehabilitation programs increased ability to use HOME funds to correct health, safety, and code deficiencies of homes regardless of the amount of homeowner equity; (2) greater financial feasibility protections in HOME-funded tax credit projects; (3) increased ability to achieve a broader geographic distribution of HOME funds; and (4) increased ability to allocate additional points to the state objectives rating factor which can distinguish between applicants and over which applicants have more control when compared to other factors such as Community Need.

EVALUATION OF WHETHER THESE REGULATIONS ARE INCONSISTENT OR INCOMPATIBLE WITH EXISTING STATE REGULATIONS

Pursuant to Government Code section 11346.5 subdivisions (a)(3)(D) the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing state regulations. Pursuant to this evaluation, the Department has concluded that the proposed regulations are not inconsistent or incompatible with existing state regulations.

IMPACT OF PROPOSED REGULATIONS

LOCAL MANDATE

The Department has determined that these regulations do not impose a mandate on local agencies or school districts. Eligibility for the program is limited to entities demonstrating willingness and capacity to develop and administer affordable housing. In any case, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that no savings or increased costs to any State agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in Federal funding to the State will result from the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Because participation in the HOME Program is voluntary, the Department has determined that the proposed regulations will not have a significant impact on the creation of new businesses, the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California. The proposed regulations will have no significant impact on the health and welfare of California residents, worker safety, or the state's environment.

The Economic Impact Assessment prepared pursuant to Government Code Section 11346.3(b) was relied upon by the Department in preparing the proposed regulatory action.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impact on small business because participation in the HOME Program is voluntary.

EFFECT ON HOUSING COSTS

The Department has determined that the proposed action has no significant impact on housing costs in California.

**INITIAL DETERMINATION OF STATEWIDE
ADVERSE ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES**

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The Department has determined that the regulations will not affect the creation or elimination of jobs in California; the creation of new businesses or the elimination of existing businesses within California; or the expansion of businesses currently operating in California. It will not have a significant statewide impact on the health and welfare of California residents, worker safety, or the state's environment. In any case, participation in the program is voluntary.

**COST IMPACTS ON PRIVATE PERSONS OR
BUSINESSES DIRECTLY AFFECTED**

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. While private businesses (including non-profits) and individuals are eligible to receive program funds under the program, participation is voluntary.

CONSIDERATION OF ALTERNATIVES

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

in implementing the statutory policy or other provision of law.

The Department has discussed alternatives it considered, and why it chose the proposed revisions it selected, in its Initial Statement of Reasons.

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

The text of the proposed regulations is available upon request, along with the Initial Statement of Reasons, prepared by the Department, which provides the reasons for the proposals, and is available on the Department's website, at <http://www.hcd.ca.gov/fa/home/>. All information the Department is considering as a basis for this proposal is maintained in a rulemaking file, which is available for inspection at the address noted below. Copies can be obtained by contacting Christina DiFrancesco at the address and telephone number noted below.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

Following the written comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text—with changes clearly indicated—available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Christina DiFrancesco at the address indicated below. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting Christina DiFrancesco at the address and telephone number noted below.

**AVAILABILITY OF FINAL STATEMENT
OF REASONS**

At the conclusion of this rulemaking, a Final Statement of Reasons will be prepared as required by Government Code section 11346.9. This document will be available from the contact person named below.

CONTACT PERSON

HCD: CHRISTINA DIFRANCESCO
(916) 322-0918

HCD BACK-UP: LENORA FRAZIER
(916) 323-7288

HCD Address: State Department of Housing
and Community Development
1800 Third Street, Room 390
Sacramento, California 95811

HCD Website: Copies of the Notice of Proposed
Action, the Initial Statement of
Reasons, and the text of the regula-
tions may be accessed through our
website at:
[http://www.hcd.ca.gov/fa/
home/](http://www.hcd.ca.gov/fa/home/)

HCD Facsimile No: (916) 322-2904

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period. Inquiries concerning the substance of the proposed rulemaking action, as well as requests for the documents noted should be directed to:

Christina DiFrancesco,
HOME Program Specialist
Department of Housing and Community
Development
1800 Third Street, Suite 390
Sacramento, California 95814
Telephone (916) 322-0918
Fax: (916) 322-2904
E-mail: cdifrancesco@hcd.ca.gov

**TITLE 27. OFFICE OF
ENVIRONMENTAL HEALTH HAZARD
ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
PROPOSITION 65**

**AMENDMENT TO SECTION 25805
SPECIFIC REGULATORY LEVELS:
CHEMICALS CAUSING REPRODUCTIVE
TOXICITY**

CHLOROFORM

MAY 18, 2012

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) pro-

poses to adopt a Proposition 65¹ Maximum Allowable Dose Level (MADL) of 660 micrograms per day for inhalation exposures to chloroform by amending Section 25805(b).

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action, regardless of the form or method of transmission, must be received by OEHHA by 5:00 p.m. on **July 2, 2012**, the designated close of the written comment period. All comments received will be posted on the OEHHA website at the close of the public comment period.

The public is encouraged to submit written information via e-mail, rather than in paper form. Send e-mail comments to P65Public.Comments@oehha.ca.gov. Please include "CHLOROFORM MADL" in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

Mailing Address: Ms. Monet Vela
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-23B
Sacramento, California 95812-4010
Fax: (916) 323-2610
Street Address: 1001 I Street
Sacramento, California 95814

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **June 18, 2012**, which is 15 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA website at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation or language needs, please contact Monet Vela at (916) 323-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, in writing at the address given above, via e-mail to

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.*, referred to herein as "Proposition 65" or "The Act."

monet.vela@oehha.ca.gov or by calling (916) 323-2517. Susan Luong is a back-up contact person for inquiries concerning processing of this action and is available at susan.luong@oehha.ca.gov or by telephone at (916) 327-3015.

INFORMATIVE DIGEST

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the State to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual.² The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water.³ Warnings are not required and the discharge prohibition does not apply when exposures are insignificant.⁴ The MADL provides guidance for determining when an exposure is insignificant.^{5,6}

Details on the basis for the proposed MADL for chloroform are provided in the initial statement of reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA website at www.oehha.ca.gov.

The proposed MADL was derived using scientific methods outlined in Section 25803.

The proposed regulation would adopt the following MADL for chloroform, by amending Section 25805 as follows (addition in underline):

(b) Chemical Name	Level (Micrograms/day)
<u>Chloroform</u>	<u>660 (inhalation)</u>

POLICY STATEMENT OVERVIEW AND RESULTS OF ECONOMIC IMPACT ANALYSIS
(Gov. Code section 11346.3(b))

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California

This regulatory proposal will not affect the creation or elimination of jobs within the State of California. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are known to cause cancer or developmental or reproductive harm. The law also prohibits the discharge of listed chemicals into sources of drinking water. Chloroform is listed under Proposition 65, there-

fore businesses and individuals who manufacture, distribute or sell products with chloroform in the state must provide a warning if their product or activity exposes the public or employees to this chemical.

No Inconsistency or Incompatibility with Existing Regulations

OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations because it does not impose any mandatory requirements on businesses, state or local agencies and does not address compliance with any other law or regulation.

Benefits of the Proposed Regulation: Some businesses may not be able to afford the expense of establishing a MADL and therefore may have to defend litigation for a failure to warn or for a prohibited discharge of the listed chemical. Adopting this regulation will save these businesses those expenses and may reduce litigation costs. By providing a MADL, this regulatory proposal does not require but may encourage businesses to lower the amount of the listed chemical in their products to a level that does not cause a significant exposure. This in turn may reduce exposures to chemicals that cause reproductive harm.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly⁷ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly⁸ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

² Health and Safety Code section 25249.6.

³ Health and Safety Code section 25249.5.

⁴ Health and Safety Code sections 25249.9 and 25249.10.

⁵ See Cal. Code of Regs. sections 25801 through 25805.

⁶ All further references are to sections of Title 27, Cal. Code of Regs., unless indicated otherwise.

⁷ See Health and Safety Code section 25249.11(b).

⁸ See Health and Safety Code section 25249.11(b).

EFFECT ON FEDERAL FUNDING
TO THE STATE

Because Proposition 65 expressly⁹ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY AFFECTING
BUSINESS, INCLUDING ABILITY TO COMPETE

Because the proposed MADL provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

The proposed MADL was developed to provide compliance assistance for businesses in determining whether a warning is required or a discharge is prohibited. The MADL provides a level of exposure at or below which a warning is not required and a discharge is not prohibited. Use of the MADL is not mandatory. The implementing regulations allow a business to calculate its own level.¹⁰ However, conducting such an analysis can be expensive and time consuming, and the resulting levels may not be defensible in an enforcement action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any mandatory requirements on small business. Rather, the proposed regulation will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is sub-

ject to the warning requirement or discharge prohibition of the Act.

CONSIDERATION OF ALTERNATIVES

The OEHHA must determine that no reasonable alternative considered by the OEHHA or that has otherwise been identified and brought to the attention of the OEHHA 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 or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the information upon which the regulation is based, and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and documents used by OEHHA to develop the proposed regulation are available upon request from OEHHA at the address and telephone number indicated above. These documents are also posted on OEHHA's website at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the prior public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA website at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes available, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

⁹ See Health and Safety Code section 25249.11(b).

¹⁰ Section 25801 *et seq.*

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION
REQUEST FOR
Brookhollow Water Pipeline Replacement Project
(2080–2012–010–04)
San Benito County

The Department of Fish and Game (Department) received a notice on May 4, 2012, that the Natural Resources Conservation Service (NRCS) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves replacing an existing failed water pipeline to an existing stock pond which will include repair of the existing drain onsite. The proposed project will occur in San Benito County, California.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (Service File No. 08EVEN00–2012–F–0118)(BO) and incidental take statement (ITS) to the NRCS on April 12, 2012, which considered the effects of the project on the state and federal threatened California tiger salamander (*Ambystoma californiense*).

Pursuant to California Fish and Game Code Section 2080.1, the NRCS is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed project. If the Department determines the BO and ITS are consistent with CESA for the proposed project, the NRCS will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**NOTICE OF PUBLIC COMMENT PERIOD
ON
PROPOSED REVISED REFERENCE
EXPOSURE LEVELS FOR 1,3–BUTADIENE.
May 18, 2012**

The Office of Environmental Health Hazard Assessment (OEHHA) is soliciting public comments on a draft document describing proposed revised Reference Exposure Levels (RELs) for 1,3–butadiene. Reference Exposure Levels are concentrations in the air that are not anticipated to result in adverse non–cancer health effects for specified exposure durations in the general

population, including sensitive subpopulations. OEHHA is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code Section 44360(b)(2)). In response to this statutory requirement, OEHHA in 2008 adopted a Technical Support Document (TSD) that contains updated guidelines for the development of acute, 8–hour, and chronic RELs. These guidelines have already been used to develop updated RELs for several chemicals, and OEHHA is now presenting a draft update to the RELs for 1,3–butadiene. The values proposed are as follows:

- Acute REL (for a 1–hour exposure): **0.5 mg/m³**
- 8–Hour REL (for repeated 8–hour exposures): **28 µg/m³**
- Chronic REL (for long–term exposures): **7 µg/m³**

We are seeking comments on the revised RELs for 1,3–butadiene, and the application in the RELs document of the revised methodology to protect infants, children and other sensitive subpopulations. Following this public comment period, the RELs for 1,3–butadiene and any comments received, along with OEHHA’s response to these comments, will undergo review by the State’s Scientific Review Panel on Toxic Air Contaminants.

The draft documents become available on the OEHHA Home Page at <http://www.oehha.ca.gov> on **May 18, 2012. The availability of the document on this site will commence a 60–day public review period that will end on July 17, 2012.**

Public workshops will be held during this period at which comments may be provided in person. One workshop will occur at 10:00 a.m.–3:00 p.m. on July 9, 2012 at:

Room 10
Elihu Harris Building
1515 Clay St., 2nd Floor
Oakland, CA 94612

A second public workshop will be held in Southern California: date, time and location will be announced shortly.

Please direct your comments on the documents, in writing or by e–mail, and any inquiries concerning technical matters or availability of the documents to:

Dr. Andrew C. Salmon
Chief, Air Toxicology and Risk Assessment Unit
Office of Environmental Health Hazard Assessment
1515 Clay St., 16th Floor
Oakland, CA 94612
E–mail: andy.salmon@oehha.ca.gov
Telephone: (510) 622–3191

Information about dates and agenda for meetings of the Scientific Review Panel can be obtained from the

California Air Resources Board web page at <http://www.arb.ca.gov/srp/srp.htm>.

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL
COMMITTEE**

**NOTICE OF CHANGE OF DATE OF
REGULATORY HEARING**

NOTICE IS HEREBY GIVEN that the Landscape Architects Technical Committee (LATC) has rescheduled the regulatory hearing originally scheduled for **May 28, 2012, at 11:00 a.m.**, at the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, regarding proposed amendments to California Code of Regulations, Title 16, Division 26, Section 2620.5 — Requirements for an Approved Extension Certificate Program, pursuant to the Notice of Proposed Changes filed with the Office of Administrative Law and published on April 13, 2012 (Register Z-2012-0403-08).

The new date and location of the regulatory hearing is as follows:

Date of Hearing: **May 29, 2012**
Address: **California Architects Board
2420 Del Paso Road,
Sequoia Room
Sacramento, California 95834**
Time: **11:00 a.m.**

Persons who have previously submitted written comments to the LATC regarding the proposed action need not submit comments again. Any comments previously submitted remain in the rulemaking file.

If you have any questions or comments, you may direct them to:

Trish Rodriguez, Program Manager
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, California 95834
Telephone: (916) 575-7231
FAX: (916) 575-7285
E-Mail Address: Trish.Rodriguez@dca.ca.gov

DECISION NOT TO PROCEED

BOARD OF PHARMACY

Pursuant to Government Code Section 11347, the California State Board of Pharmacy hereby gives notice

that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on October 14, 2011 (Z2011-1004-5). The proposed rulemaking concerned the board's Disciplinary Guidelines at Title 16 Section 1760.

Any interested person with questions concerning this rulemaking should contact Carolyn Klein at (916) 574-7913 or by e-mail at carolyn.klein@dca.ca.gov.

The Board of Pharmacy will also publish this Notice of Decision Not to Proceed on its website.

**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)

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

Date: May 2, 2012
To: Kenneth Trask
From: Chapter Two Compliance Unit
Subject: **2012 OAL DETERMINATION NO. 5 (S)
(CTU2012-0308-01)**
(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation Policy 11/025 prohibiting the wearing of kuffi caps and yarmulkes during specified activities at North Kern State Prison

On March 8, 2012, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether Policy 11/025, which prohibits the wearing of kuffi caps and yarmulkes during specified activities at North Kern State Prison, constitutes an underground regulation. Policy 11/025 was issued by the

warden at North Kern State Prison and is attached hereto as Exhibit A.

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:

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.

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, Policy 11/025, was issued by North Kern State Prison and applies solely to the inmates of North Kern State Prison. Therefore, Policy 11/025 is a “local rule” and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1). It is not an underground regulation.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/

Debra M. Cornez
Director

/s/

Kathleen Eddy
Senior Counsel

Copy: Matthew Cate
Tim Lockwood

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.]

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: May 2, 2012
 To: D. Whitley
 From: Chapter Two Compliance Unit
 Subject: **2012 OAL DETERMINATION NO. 6 (S) (CTU2012-0313-01)**
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation memorandum titled "Proposed Changes to Programming Due to AB 109 Staff Reductions" dated December 29, 2012, issued by California State Prison, Solano

On March 13, 2012, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether a memorandum titled "Proposed Changes to Programming Due to AB 109 Staff Reductions" and dated December 29, 2012, constitutes an underground regulation. The memorandum was issued by the warden at California State Prison, Solano, and is attached hereto as Exhibit A.

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

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.

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 was issued by California State Prison, Solano, and applies solely to the inmates of California State Prison, Solano. Therefore, the rule is a "local rule" and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1). It is not an underground regulation.³

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.]

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/

Debra M. Cornez
Director

/s/

Kathleen Eddy
Senior Counsel

Copy: Matthew Cate
Tim Lockwood

**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# 2012-0420-01
AGRICULTURAL LABOR RELATIONS BOARD
Amendments to Implement Senate Bill 126

This rulemaking action amends regulations in title 8 of the California Code of Regulations to implement the provisions of Senate Bill 126, Chapter 697 of 2011. Specifically, this rulemaking action condenses the time allowed for resolution of complaints regarding election irregularities and specifies the expedited procedures necessary to achieve the 21-day period specified by statute. The rulemaking action also implements the provisions of Senate Bill 126 concerning the certification of a collective bargaining unit following employer misconduct in the conduct of an election, where the Agricultural Labor Relations Board finds that a new election would not reflect the free and fair choice of employees.

Title 8
California Code of Regulations
AMEND: 20363, 20365, 20393, 20400, 20402
Filed 05/02/2012
Effective 05/02/2012
Agency Contact:
Joseph A. Wender, Jr. (916) 653-4054

File# 2012-0323-02
BOARD OF VOCATIONAL NURSING AND
PSYCHIATRIC TECHNICIANS
Enforcement

This regulatory action by the Board of Vocational Nursing and Psychiatric Technicians (Board) revises four sections and adopts six sections in Title 16 of the California Code of Regulations. Half of them concern Vocational Nursing and half concern Psychiatric Technicians. This rulemaking is designed to enhance the board's mandate of consumer protection by allowing the Executive Officer or designee to approve settlement agreements for the revocation, surrender or interim suspension of a license. This rulemaking also authorizes the Board to order an applicant to submit to a physical or mental examination if there is evidence that the applicant may be unable to safely perform the duties and functions of a licensee. It also states that anyone (with a few minor exceptions) required to register as a sex offender pursuant to Penal Code section 290 shall be denied a license, have their license revoked or be denied reinstatement. In addition, the Board is amending the Public Records Act regulations to conform to existing law. Finally, this rulemaking also defines "unprofessional conduct" to include, among other things, the failure to report an indictment charging a felony, arrest or conviction of a licensee, the inclusion of provisions in civil dispute settlement agreements prohibiting a person from contacting, cooperating with, filing, or withdrawing a complaint with the Board and failure to provide lawfully requested documents or to cooperate with an investigation of the Board.

Title 16
California Code of Regulations
ADOPT: 2509, 2518.8, 2524.1, 2568, 2576.8, 2579.11 AMEND: 2503, 2524.1 (renumber to 2524.5), 2563, 2579.11 (renumber to 2579.20)
Filed 05/04/2012
Effective 06/03/2012
Agency Contact: Linda Ruyters (916) 263-7848

File# 2012-0425-01
CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING
AUTHORITY
ABX1 14 Clean Energy Upgrade Financing Program

This emergency regulatory action adds Article 3 beginning with Section 10050 of Division 13 of Title 4 of the California Code of Regulations to implement a loan loss reserve program under the Clean Energy Upgrade Financing Program provided for in Assembly Bill 14, CH 9, Statutes of 2011. These regulations establish the rules, process and procedures for the Clean Energy Upgrade Financing Program including the eligibility and evaluative criteria loans must meet in order for partici-

pating financial institutions to qualify and receive a loan loss reserve contribution.

Title 4
 California Code of Regulations
 ADOPT: 10050, 10051, 10052, 10053, 10054,
 10055, 10056, 10057, 10058, 10059, 10060
 Filed 05/04/2012
 Effective 05/04/2012
 Agency Contact: Jennifer Gill (916) 653-3033

File# 2012-0404-04
**COMMISSION ON PEACE OFFICER STANDARDS
 AND TRAINING**

Peace Officer Feasibility Study Requirements

This rulemaking renumbers Title 11 section 9020 to section 1019. This section details feasibility study requirements when a request is made for peace officer status or a change to peace officer designation or status. This rulemaking makes additional clarifying changes to the regulatory text to more closely align with the statutory authority. This includes adding text requiring a report to the legislature whenever a study and recommendation is provided to a requesting person(s) or entity.

Title 11
 California Code of Regulations
 ADOPT: 1019 REPEAL: 9020
 Filed 05/09/2012
 Effective 06/08/2012
 Agency Contact: Patti Kaida (916) 227-4847

File# 2012-0409-01
DEPARTMENT OF CHILD SUPPORT SERVICES
Conflict-of-Interest Code Amendment

This non-substantive submission merely corrects a misspelled word in Appendix A to section 123000 of title 22.

Title 22
 California Code of Regulations
 AMEND: 123000
 Filed 05/04/2012
 Agency Contact: Lucila Ledesma (916) 464-5087

File# 2012-0326-03
DEPARTMENT OF JUSTICE
Implement Regulations Needed by the Enactment of AB 2496

The Department of Justice (Department) submitted this timely Certificate of Compliance action to make permanent the emergency regulations adopted in OAL File Nos. 2011-0330-02E, 2011-0927-01EE, and 2011-1223-01EE. The emergency regulations were adopted to enhance title 11 procedures and requirements that govern the sale and distribution of cigarettes

and roll-your-own tobacco products in California. The existing regulations were adopted to assure compliance with state financial responsibility laws pertaining to tobacco product manufacturers. Revenue and Taxation Code section 30165.1 requires that all tobacco product manufacturers and brand families be listed on a directory maintained by the Department on its website in order to conduct business in California. The emergency action implemented recent enhancements to the Department's authority and jurisdiction over tobacco manufacturers and importers enacted in AB 2496 (Stats. 2010, ch. 265). The emergency regulations provide additional requirements, documentation, and forms that are required under AB 2496 for tobacco manufacturers to demonstrate compliance with the laws governing the sale and distribution of the specified tobacco-related products and to maintain listing on the Department's website.

Title 11
 California Code of Regulations
 ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28,
 999.29 AMEND: 999.10, 999.11, 999.14, 999.16,
 999.17, 999.19, 999.20, 999.21, 999.22
 Filed 05/07/2012
 Effective 05/07/2012
 Agency Contact: Erica Goerzen (916) 322-0908

File# 2012-0327-01
**DEPARTMENT OF RESOURCES RECYCLING
 AND RECOVERY**
Mandatory Commercial Recycling

This rulemaking action implements Assembly Bill 341 (Chapter 476 of 2011) and adds Chapter 9.1 to Division 7 of Title 14 of the California Code of Regulations to establish mandatory commercial recycling. Specifically, the rulemaking action requires businesses that generate more than four cubic yards of solid waste per week, and multi-family dwellings of five or more units, to either source separate recyclables from solid waste or to subscribe to a recycling service that yields the same diversion results as source separation. The rulemaking also requires local jurisdictions to implement new or expanded solid waste recycling programs which shall include education, monitoring of compliance, and progress reporting and which may include other requirements at the discretion of local jurisdictions.

Title 14
 California Code of Regulations
 ADOPT: 18835, 18836, 18837, 18838, 18839
 Filed 05/07/2012
 Effective 05/07/2012
 Agency Contact: Tamar Dyson (916) 341-6083

File# 2012-0418-01
 MANAGED RISK MEDICAL INSURANCE BOARD
 MRMIP — Agent/Broker Reimbursement

Title 10, section 2698.208 provides for an application assistance payment to insurance agents and brokers for assistance in completing an application that results in the enrollment of an individual into the Managed Risk Medical Insurance Program. This program provides access to health insurance for individuals who are denied coverage, or offered excessive premiums due to a pre-existing medical condition. This program is not utilized as frequently as it could be and the Managed Risk Medical Insurance Board is increasing the application assistance payment from \$50 to \$100 in an effort to encourage insurance agents and brokers to sign up more eligible people.

Title 10
 California Code of Regulations
 AMEND: 2698.208
 Filed 05/09/2012
 Effective 07/01/2012
 Agency Contact: Alexa Malik (916) 323-0421

File# 2012-0329-01
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Identification of Equipment

This Section 100 action corrects an inaccurate internal cross-reference in an existing regulation in the Electrical Safety Orders governing “Identification of Equipment.”

Title 8
 California Code of Regulations
 AMEND: 2340.22
 Filed 05/07/2012
 Effective
 Agency Contact: Marley Hart (916) 274-5721

File# 2012-0329-02
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Installation of Containers

This Section 100 action corrects an inaccurate description of Article 108 of the General Industry Safety Orders in an existing regulation governing “Installation of Containers.”

Title 8
 California Code of Regulations
 AMEND: 477
 Filed 05/07/2012
 Agency Contact: Marley Hart (916) 274-5721

File# 2012-0327-02
 PUBLIC EMPLOYEES RETIREMENT SYSTEM
 Contract Disclosure requirements

This regulatory action requires the disclosure of the existence of any financial or familial relationship between CalPERS staff or board members and the entity and/or their agents seeking to do business with CalPERS, and the fees paid to these agents.

Title 2
 California Code of Regulations
 ADOPT: 559.1
 Filed 05/08/2012
 Effective 05/08/2012
 Agency Contact: Christina Nutley (916) 795-2397

CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN December 14, 2011 TO May 9, 2012

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

- Title 2**
 05/08/12 ADOPT: 559.1
 04/30/12 ADOPT: 565.5 AMEND: 565.1, 565.2, 565.3
 04/26/12 AMEND: 554.4
 04/23/12 AMEND: 18705.5
 04/23/12 AMEND: 554.3
 04/19/12 ADOPT: 18412 AMEND: 18215, 18413
 04/10/12 ADOPT: 18215.3
 04/09/12 ADOPT: 59710
 03/26/12 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.106, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.193
 03/13/12 AMEND: 1859.2, 1859.82
 03/06/12 ADOPT: 589.11
 03/06/12 AMEND: 1189.10
 03/02/12 AMEND: 560
 02/16/12 AMEND: 18401.1
 02/13/12 AMEND: 18943
 01/31/12 ADOPT 260.1, 261.1 AMEND 258, 260, 262
 01/31/12 AMEND 640
 01/26/12 AMEND 37000
 01/23/12 ADOPT: 1880

01/23/12 ADOPT: 18940.1, 18942.2, 18942.3
 AMEND: 18940, 18940.2, 18941,
 18942, 18942.1, 18943, 18944.1,
 18944.2, 18944.3, 18945, 18945.1,
 18945.2, 18946, 18946.1, 18946.2,
 18946.3, 18946.4, 18946.5 REPEAL:
 18941.1, 18943, 18945.3, 18946.5
 01/18/12 AMEND: Div. 8, Ch. 35, Sec. 52400
 01/10/12 AMEND: 18423, 18539, 18550
 01/05/12 ADOPT: 18404.2
 01/05/12 ADOPT: 18227.5, 18247.5 REPEAL:
 18247.5
 12/28/11 AMEND: 1859.76
 12/21/11 AMEND: 1859.90.2, 1859.81

Title 3

05/01/12 AMEND: 3423(b)
 04/16/12 AMEND: 3591.19
 04/16/12 AMEND: 3439
 04/12/12 AMEND: 3591.21(b)
 04/12/12 ADOPT: 3435(c)
 04/12/12 AMEND: 3434(b)&(c)
 04/03/12 ADOPT: 3639
 04/03/12 ADOPT: 3439
 04/02/12 AMEND: 480.9, 498, 499, 499.5, 500,
 501, 576.1, 623, 755.2, 756.2, 760.2, 790,
 790.2, 791, 791.1, 796.2, 797, 799, 820.1,
 821.2, 900, 900.1, 900.2, 901.3, 901.8,
 901.9, 901.11, 902, 902.15, 907.3, 909.3,
 910.4, 910.7, 913, 913.1, 1180, 1180.11,
 1200, 1204, 1205, 1210, 1235, 1242,
 1246, 1246.14, 1247, 1256, 1266, 1268,
 1269, 1271, 1300.1, 1310.1
 03/20/12 AMEND: 1430.5, 1430.6, 1430.35,
 1430.36, 1430.37, 1430.38
 03/09/12 AMEND: 3436(b)
 03/08/12 AMEND: 3437(b)
 03/07/12 ADOPT: 1180, 1180.20, 1180.22,
 1180.23, 1180.24, 1180.25, 1180.27,
 1180.28, 1180.29, 1180.30, 1180.31,
 1180.32, 1180.33, 1180.34, 1180.35,
 1180.36, 1180.37, 1180.38, 1180.39
 AMEND: 1180.1, 1180.2, 1180.3,
 1180.3.1, 1180.3.2, 1180.13, 1180.14,
 1180.15, 1180.16, 1180.17, 1180.18,
 1180.19, 1180.31, 1180.32, 1180.33,
 1180.34, 1180.35, 1180.36, 1180.37,
 1180.38, 1180.39, 1180.40, 1180.41
 REPEAL: 1180, 1180.21, 1180.22,
 1180.23, 1180.24, 1180.25, 1180.26,
 1180.27, 1180.28, 1180.29, 1180.30
 02/28/12 ADOPT: 2320.1, 2320.2, 2322, 2322.1,
 2322.2, 2322.3, 2323 AMEND: 2300,
 2300.1, 2302, 2303, 2320, 2321
 02/23/12 AMEND: 3700(c)

02/13/12 AMEND: 3591.2(a)
 02/06/12 AMEND: 3435(b)
 02/02/12 AMEND: 3423(b)
 01/23/12 ADOPT: 588
 01/18/12 ADOPT: 3591.25
 01/06/12 AMEND: 3591.2(a)
 12/29/11 AMEND: 3280
 12/20/11 AMEND: 3407(e)

Title 4

05/04/12 ADOPT: 10050, 10051, 10052, 10053,
 10054, 10055, 10056, 10057, 10058,
 10059, 10060
 04/30/12 ADOPT: 511 AMEND: 399
 04/26/12 AMEND: 2066
 04/19/12 ADOPT: 10192, 10193, 10194, 10195,
 10196, 10197, 10198, 10199
 04/17/12 AMEND: 53
 04/12/12 AMEND: 10317, 10325
 04/11/12 AMEND: 10302, 10310, 10315, 10317,
 10322, 10325, 10327, 10328
 04/04/12 AMEND: 5000, 5170, 5200, 5230, 5370,
 5500, 5540
 03/29/12 AMEND: 12008, 12335, 12342, 12345,
 12357, 12359
 03/21/12 AMEND: 12200, 12200.9, 12200.10A,
 12200.11, 12200.13, 12220, 12220.13,
 12342, 12464
 03/08/12 AMEND: 10032, 10033, 10034, 10035
 03/08/12 AMEND: 60, 60.5
 03/06/12 ADOPT: 4075
 03/05/12 AMEND: 10152, 10153, 10154, 10155,
 10157, 10159, 10160, 10161, 10162
 REPEAL: 10156, 10158, 10164
 03/02/12 AMEND: 8070
 02/29/12 AMEND: 8070, 8072, 8073, 8074
 02/22/12 AMEND: 10176, 10177, 10178, 10182,
 10188
 02/16/12 AMEND: 12572
 02/14/12 AMEND: 1844
 02/14/12 AMEND: 1843.3
 02/08/12 AMEND: 66
 02/03/12 AMEND: 5000, 5052
 12/30/11 ADOPT: 4000.1, 4000.2, 4000.3
 12/21/11 ADOPT: 12349

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04/25/12 AMEND: 80028, 80301, 80442
 04/20/12 AMEND: 18013, 18054, 18111
 REPEAL: 18006, 18200, 18201, 18202,
 18203, 18205, 18206, 18207
 04/11/12 AMEND: 19816, 19816.1, 19845.2
 04/02/12 ADOPT: 27000, 27001, 27002, 27003,
 27004, 27005, 27006, 27007, 27008,
 27009
 04/02/12 ADOPT: 1039.2, 1039.3

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03/26/12 AMEND: 1216.1
 03/26/12 ADOPT: 620, 621, 622, 623, 624, 625, 626, 627
 03/12/12 AMEND: 41000
 03/06/12 AMEND: 18600
 03/01/12 ADOPT: 30001.5
 02/27/12 AMEND: 42397.2, 42397.6
 02/09/12 ADOPT: 19824.1, 19841, 19851.1, 19854.1 AMEND: 19816, 19816.1, 19824, 19850, 19851, 19854
 02/09/12 ADOPT: 27100, 27101, 27102, 27103
 01/10/12 AMEND: 9510, 9510.5, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9517.1, 9519, 9520, 9521, 9524, 9525, 18533, 18600
 12/19/11 ADOPT: 30001.5
 12/16/11 AMEND: 53309, 53310
 12/14/11 AMEND: 55150, 55151, 55154, 55155
 REPEAL: 55152, 55153

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05/07/12 AMEND: 477
 05/07/12 AMEND: 2340.22
 05/02/12 AMEND: 20363, 20365, 20393, 20400, 20402
 05/01/12 AMEND: 1533, 1541, 8403
 03/14/12 AMEND: 32602, 32603, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 61360(a)
 02/23/12 AMEND: 1905
 02/16/12 AMEND: 5155
 02/08/12 AMEND: 1675, 3276, 3278
 02/08/12 ADOPT: 374.2 AMEND: 350.1, 371, 371.1, 376
 02/01/12 AMEND 1504, 1591, 1597
 01/24/12 AMEND: 5155
 01/19/12 ADOPT: 9708.1, 9708.2, 9708.3, 9708.4, 9708.5, 9708.6
 01/18/12 ADOPT: 1615.3 AMEND: 1532.1, 3361, 5042, 5044, 5045, 5047, 5049, 5144, 5191, 5198, 5209, 8355
 01/05/12 AMEND: 4188
 12/29/11 AMEND: 3276, 3287
 12/29/11 ADOPT: 32802, 32804 AMEND: 32380, 32603, 32604
 12/27/11 AMEND: 343

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03/22/12 AMEND: 9795, 9800, 9801.5, 9801.6, 9804, 9812, 9816, 9820, 9822, 9829, 9836, 9838, 9846, 9848, 9849, 9851, 9852, 9854, 9858, 9862, 9866, 9867, 9868, 9874, 9876, 9876.5, 9878, 9879, 9884, 9886

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05/09/12 AMEND: 2698.208
 04/23/12 AMEND: 2355.1, 2355.2
 04/10/12 AMEND: 260.204.9
 04/09/12 ADOPT: 6400
 03/15/12 AMEND: 2690
 02/16/12 AMEND: 2498.6
 02/13/12 AMEND: 2202
 02/08/12 AMEND: 2222.12
 02/03/12 AMEND: 2699.6700, 2699.6709, 2699.6721, 2699.6725
 01/24/12 AMEND: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8, 2548.9, 2548.10, 2548.11, 2548.12, 2548.13, 2548.14, 2548.15, 2548.16, 2548.17, 2548.18, 2548.19, 2548.20, 2548.21, 2548.22, 2548.23, 2548.24, 2548.25, 2548.26, 2548.27, 2548.28, 2548.29, 2548.30, 2548.31
 01/11/12 AMEND: 260.204.9
 01/09/12 AMEND: 2699.6707
 12/19/11 AMEND: 2498.5
 12/19/11 AMEND: 2498.4.9
 12/19/11 AMEND: 2498.6

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05/09/12 ADOPT: 1019 REPEAL: 9020
 05/07/12 ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
 04/03/12 AMEND: 1001, 1005, 1007, 1008, 1052, 1055
 03/14/12 AMEND: 1005, 1007, 1008
 01/03/12 ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
 12/28/11 AMEND: 101.1
 12/27/11 AMEND: 4001, 4002, 4003, 4004, 4005, 4006, 4016, 4017, 4018, 4019, 4021, 4022, 4023, 4024, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4039, 4040, 4041, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4105, 4106, 4107, 4108, 4109, 4125, 4126, 4127, 4128, 4129,

	4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4139, 4140, 4141, 4142, 4144, 4145, 4146, 4147, 4148, 4149, 4150, 4151, 4152, 4153, 5455, 5459, 5469, 5470, 5471, 5473, 5480, 5482, 5483, 5484, 5495, 5499 REPEAL: 4020, 4038, 4088, 4089, 4143, 5472, 5481, 5470, 5471	01/05/12	AMEND: 895.1, 898.1, 1037.3, 1090.17, 1092.18
		12/20/11	AMEND: 11900
		12/20/11	ADOPT: 4970.24.2 AMEND: 4970.00, 4970.01, 4970.03, 4970.04, 4970.05, 4970.06.1, 4970.07, 4970.07.2, 4970.08, 4970.10.1, 4970.10.2, 4970.10.3, 4970.10.4, 4970.11, 4970.13, 4970.15.1, 4970.15.2, 4970.19, 4970.19.1, 4970.23.1, 4970.23.2, 4970.24, 4970.25.2, 4970.25.3
12/15/11	AMEND: 101.2		
Title 13		Title 15	
04/19/12	ADOPT: 345.31, 345.32, 345.42 AMEND: 345.02, 345.04, 345.05, 345.06, 345.07, 345.11, 345.13, 345.15, 345.16, 345.18, 345.20, 345.22, 345.23, 345.24, 345.27, 345.28, 345.29, 345.30, 345.34, 345.36(renumbered to 345.33), 345.38 (renumbered to 345.35), 345.39 (renumbered to 345.36), 345.40, 345.41 REPEAL: 345.17, 345.21, 345.25, 345.26	04/11/12	AMEND: 3187, 3188
04/10/12	ADOPT: 553.30 AMEND: 553, 553.10, 553.20, 553.50, 553.70, 553.72	04/09/12	AMEND: 3172.2
02/29/12	AMEND: 553	04/05/12	AMEND: 3341.5, 3375.2, 3377.1
02/13/12	REPEAL: 158.00	04/02/12	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000
12/14/11	AMEND: 2025	03/28/12	ADOPT: 3352.3 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358
12/14/11	AMEND: 2449, 2449.1, 2449.3 (renumbered to 2449.2), 2775, 2775.1, 2775.2 REPEAL: 2449.2	03/19/12	ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323
Title 14		03/12/12	ADOPT: 3999.11
05/07/12	ADOPT: 18835, 18836, 18837, 18838, 18839	03/08/12	ADOPT: 8006
05/01/12	AMEND: 27.80	03/08/12	AMEND: 3315, 3323
05/01/12	ADOPT: 4870, 4871, 4872, 4873, 4874, 4875, 4876, 4877	02/22/12	AMEND: 173
05/01/12	AMEND: 791.7, 870.17	02/22/12	ADOPT: 4845, 4849, 4853, 4854, 4939.5, 4961.1, 4977.5, 4977.6, 4977.7, 4983.5 AMEND: 4846, 4847, 4848, 4848.5, 4850, 4852, 4900, 4925, 4926, 4927, 4928, 4929, 4935, 4936, 4937, 4938, 4939, 4940, 4977, 4978, 4979, 4980, 4981, 4982, 4983
04/30/12	AMEND: 632	01/19/12	ADOPT: 3076.4, 3076.5 AMEND: 3076, 3076.1, 3076.2, 3076.3
04/27/12	AMEND: 228, 228.5	01/11/12	REPEAL: 3999.8
04/05/12	AMEND: 28.29, 52.10, 150.16	01/05/12	AMEND: 3140
04/03/12	ADOPT: 791.6 AMEND: 791.7, 795, 796	12/22/11	AMEND: 3052, 3062
03/28/12	AMEND: 11900, 11945	12/20/11	AMEND: 3040.1, 3043, 3043.6, 3044, 3045.1
03/26/12	AMEND: 11960	Title 16	
03/22/12	AMEND: 27.80	05/04/12	ADOPT: 2509, 2518.8, 2524.1, 2568, 2576.8, 2579.11 AMEND: 2503, 2524.1 (renumber to 2524.5), 2563, 2579.11 (renumber to 2579.20)
02/24/12	AMEND: 29.15	04/27/12	AMEND: 407, 428
02/13/12	AMEND: 29.17, 127	04/26/12	AMEND: 3605
02/08/12	AMEND: 1257	04/23/12	AMEND: 3005
01/31/12	AMEND 29.15	04/16/12	ADOPT: 2295, 2295.1, 2295.2, 2295.3 AMEND: 2252, 2275, 2284
01/26/12	ADOPT 18940, 18941, 18942, 18943, 18944, 18945, 18945.1, 18945.2, 18945.3, 18946, 18947, 18948	03/30/12	AMEND: 3340.43, 3394.3, 3394.4, 3394.5, 3394.6, 3394.7
01/25/12	AMEND: 18419	03/29/12	AMEND: 109, 116, 117, 121
01/23/12	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8		
01/09/12	AMEND: 7.00, 7.50(b)(68)		
01/05/12	ADOPT: 749.7		

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03/19/12 AMEND: 4155 95990, 95993, 95994, 96021 REPEAL:
 03/08/12 AMEND: 318 95893, 95943
 03/07/12 AMEND: 2615, 2620 01/26/12 AMEND 6540
 03/07/12 AMEND: 1889.2 REPEAL: 1832.5 01/17/12 AMEND: 50602, 50604, 50607, 50612,
 03/07/12 AMEND: 2615, 2620 54326
 03/07/12 AMEND: 1889.2 REPEAL: 1832.5 12/27/11 ADOPT: 54311 AMEND: 54302, 54310,
 02/27/12 AMEND: 2, 8.2, 9.1, 26, 49, 58, 59, 62, 54314, 54320, 54326, 54332, 54370
 65, 75.4, 87, 87.5, 88, 88.1, 88.2, 89, 90, 12/15/11 AMEND: 6020, 6035, 6051, 6065, 6070,
 94 REPEAL: 5.1, 7, 7.2 6075
 02/16/12 AMEND: 1397.60, 1397.61, 1397.62, 12/14/11 ADOPT: 95116, 95117, 95118, 95119,
 1397.63, 1397.64, 1397.65, 1397.66, 95120, 95121, 95122, 95123, 95129,
 1397.67, 1397.68, 1397.69, 1397.70, 95150, 95151, 95152, 95153, 95154,
 1397.71 95155, 95156, 95157 AMEND: 95100,
 02/09/12 AMEND: 28 REPEAL: 30 95101, 95102, 95103, 95104, 95105,
 02/08/12 ADOPT: 1018.05 AMEND: 1020 95106, 95107, 95108, 95109, 95110,
 02/01/12 ADOPT 3340.16.4 AMEND 3306, 95111, 95112, 95113, 95114, 95115,
 3340.1, 3340.10, 3340.15, 3340.16.5, 95130, 95131, 95132, 95133 REPEAL:
 3340.17, 3340.22, 3340.22.1, 3340.23, 3340.28, 3340.29, 3340.30, 3340.31, 95125
 3340.50, 3351.1 3340.16.4 3306, 3340.1, 3340.10, 3340.15, 3340.16.5, 3340.17,
 3340.22, 3340.22.1, 3340.23, 3340.28, 3340.29, 3340.30, 3340.31, 3340.50,
 3351.1
 01/19/12 ADOPT: 1379.40, 1379.42, 1379.44, 1379.46, 1379.48, 1379.50, 1379.52,
 1379.54, 1379.56, 1379.58, 1379.68, 1379.70, 1379.72, 1379.78
 01/17/12 ADOPT: 1707.6 AMEND: 1707.2
 01/11/12 AMEND: 109, 117, 121
 01/10/12 AMEND: 12, 12.5, 98 REPEAL: 9, 11.5
 01/10/12 AMEND: 2328.1
 01/06/12 ADOPT: 3340.38
 12/28/11 AMEND: 1399.157, 1399.160, 1399.160.3, 1399.160.6
 12/22/11 ADOPT: 601.6, 601.7, 601.8, 601.9, 601.10 AMEND: 600.1

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04/18/12 AMEND: 100607, 100608
 03/28/12 AMEND: 100080
 03/15/12 ADOPT: 58883
 03/15/12 AMEND: 6020, 6035, 6051, 6065, 6070, 6075
 03/12/12 AMEND: 95307
 02/21/12 AMEND: 95486
 02/15/12 AMEND: 95802, 95833, 95841.1, 95852, 95852.1.1, 95852.2, 95870, 95891, 95892, 95914, 95920, 95971, 95974, 95975, 95977.1, 95979, 95980, 95981, 95981.1, 95985, 95986, 95987,

Title 18

05/01/12 AMEND: 1685.5
 03/26/12 ADOPT: 25137-8.2 AMEND: 25137-8 (re-numbered to 25137-8.1)
 02/27/12 ADOPT: 25136-2
 02/07/12 AMEND: 1807, 1828
 01/11/12 AMEND: 1616
 01/09/12 AMEND: 1532, 1533.1, 1534, 1535
 12/27/11 AMEND: 1570

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02/16/12 ADOPT: 560.4 AMEND: 557.19, renumber 560.4, 560.5, and 560.6 as 560.5, 560.6, and 560.7, respectively

Title 22

05/04/12 AMEND: 123000
 04/11/12 AMEND: 97174
 03/15/12 ADOPT: 123000 and Appendices REPEAL: 123000 and Appendices
 02/21/12 AMEND: 51003
 02/21/12 AMEND: 66261.21(a)(3), 66261.21(a)(4)
 02/08/12 AMEND: 66261.33, 66268.40
 02/06/12 AMEND: 80001, 80075, 83000, 83001, 84001, 84061, 86001, 88001
 01/31/12 ADOPT 126010, 126020, 126030, 126040, 126042, 126050, 126055, 126060, 126070, 126072, 126074, 126076, 126090 126010, 126020, 126030, 126040, 126042, 126050, 126055, 126060, 126070, 126072, 126074, 126076, 126090

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01/26/12	AMEND 50273	03/21/12	ADOPT: 3939.41
12/28/11	AMEND: 97232, 97240, 97247	03/21/12	ADOPT: 3939.44
12/27/11	AMEND: 51516.1	03/15/12	ADOPT: 3939.43
12/20/11	ADOPT: 69401, 69401.1, 69401.2, 69402, 69402.1, 69402.2, 69402.3, 69402.4, 69402.5, 69402.6, 69403, 69403.1, 69403.2, 69403.3, 69403.4, 69403.5, 69403.6, 69403.7, 69403.8, 69403.9, 69403.10, 69403.11, 69403.12, 69403.13, 69403.14, 69403.15, 69403.16, 69403.17, 69404, 69404.1, 69404.2, 69404.3, 69404.4, 69404.5, 69404.6, 69404.7, 69404.8, 69404.9, 69404.10, 69405, 69405.1, 69405.2, 69405.3, 69405.4, 69405.5, 69405.6, 69405.7, 69405.8, 69406, 69406.1, 69406.2, 69406.3, 69407, 69407.1, 69407.2	03/12/12	AMEND: 2922
		03/09/12	ADOPT: 3919.11
		02/29/12	ADOPT: 3939.42
		02/27/12	ADOPT: 3919.12
		02/15/12	ADOPT: 20, 21, 22, 23, 24, 25, 26, 27 AMEND: 4, 5, 5.1, 9, 10, 11, 12, 13, 14, 16, 17, 23 (re-numbered to 28), 103, 109, 110, Appendix A REPEAL: 20, 21, 22
		12/29/11	ADOPT: 862
		12/20/11	ADOPT: 3929.8
		12/19/11	ADOPT: 3939.40
		Title 25	
		03/13/12	ADOPT: 6932 REPEAL: 6932
		Title 27	
		03/26/12	AMEND: 25705
		03/15/12	AMEND: 25705
		01/25/12	AMEND: 27001
		01/09/12	AMEND: 25705
		Title MPP	
		04/11/12	AMEND: 47-230, 47-240, 47-401
		03/15/12	AMEND: 25705
Title 23			
04/23/12	ADOPT: 3979.4		
04/10/12	AMEND: 2631		
04/09/12	ADOPT: 3969.1		
04/05/12	AMEND: 645		
03/21/12	ADOPT: 3969		