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PROPOSED ACTION ON REGULATIONS

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*Time-Dated
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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

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT OF INTEREST CODE

AMENDMENT

STATE AGENCY: California Public Employees' Retirement System

A written comment period has been established commencing on **June 18, 2004**, and closing on **August 2, 2004**. Written comments should be directed to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

The Executive Director or the Commission, upon his or her own motion or at the interest of any interested person, will approve, or revise and approve, or return the amendment to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the

proposed amendment to the conflict of interest code. Any written comments must be received no later than August 2, 2004. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) is proposing to take the action described in the Informative Digest. A public hearing is not scheduled for this proposal. 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**. Any person interested may present statements or arguments in writing relevant to the action proposed to the person

designated in this Notice as the contact person by **5:00 p.m. on August 2, 2004**. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 407, 24012 and 24013 of the Food and Agricultural Code, and to implement, interpret or make specific section 24012 of said Code, the Department is considering changes to section 1280.2 of Chapter 6, Division 2 of Title 3, of the California Code of Regulations, as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Law, Food and Agricultural Code sections 24000 through 24018, authorize the Department to ensure the integrity of public horse shows, horse competitions, and horse sales through the control of performance and disposition enhancing medications while limiting permitted therapeutic usage at horse shows and competitions. The Department's Animal Health Branch, Equine Medication Monitoring Program (EMMP), enforces the requirements of these sections of law by conducting random drug testing at public horse shows, competitions, and sales. Every event manager charges and collects a fee for each horse entered or exhibited in an event or consigned for public sale, and submits the fees to the Department. Fee limits are set in statute, and the Department's EMMP advisory committee recommends the specific fee amount to the Secretary of the Department pursuant to Food and Agricultural Code section 24012(b).

Existing section 1280.2 of Title 3 of the California Code of Regulations specifies the fee for each horse entered per event at horse shows and competitions are \$3.00, and the same fee applies for a horse entered in simultaneous multiple events held as single performances. The fees collected are used to fund the EMMP administered by the Department's Animal Health Branch pursuant to Food and Agricultural Code section 24012.

This proposal amends section 1280.2 to increase the applicable fees from \$3.00 to \$5.00 for each horse entered in public events, competitions, and sales, as well as simultaneous multiple events held as single performances. As amended, this section also specifies the effective date of the fee increase to begin January 1, 2005.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Department has made an initial determination that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. This proposal affects individuals and businesses choosing to participate in various equine events held throughout California. This proposal promotes the economy of the state by ensuring fair and competitive equine competitions and sales, and benefits consumers by serving to ensure the industry operate in a fair and honest manner. In making these determinations, the Department has considered alternatives that would lessen any adverse economic impact on businesses. The alternatives available to the Department were to seek a fee increase measurably less than \$2.00, or not seek any fee increase. However, these are not viable alternatives based upon the following:

- The existing \$3.00 fee specified in section 1280.2, or any amount measurably less than \$5.00, will not fund the operation of EMMP with an adequate program reserve beyond Fiscal Year 2004/05.
- The \$2.00 fee increase will ensure the continuity of program service for the next several years as projected. This equates to the preservation of the integrity of competition and sales that in turn directly benefits the public and the state's economy.
- The \$2.00 fee increase is necessary to maintain and/or retain the level of professional staffing that is necessary to administer the EMMP. Professional staffing is essential to ensure comprehensive drug-testing and monitoring services that are state-of-the-art.

The Department invites the public to submit alternatives to this proposal during the written comment period.

Impact on Jobs/New Businesses: The Department has made an initial determination that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impacts on Private Persons or Entities: 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. This proposal affects individuals and businesses choosing to participate in various equine events held throughout California.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Department has made an initial determination that the proposed regulations will affect small businesses.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing (if a hearing is requested from the public), or during the public comment period.

INITIAL STATEMENT OF REASONS

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing (if a hearing is requested) or during the public comment period upon request from the Department of Food and Agriculture, 1220 N Street, Room A-114, Sacramento, CA 95814.

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

All the information upon which the proposed regulations are based is contained in the rulemaking

file, which is available for public inspection by contacting the persons named below.

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

CONTACT PERSONS

Inquires concerning the substance of this proposal is to be addressed to the following:

Name: Timothy Boone, DVM
 Address: Department of Food
 and Agriculture
 Animal Health and Food
 Safety Services
 1220 N Street, Room A-114
 Sacramento, CA 95814
 Telephone No.: (916) 694-1267
 Fax No.: (916) 653-4249
 E-mail address: tboone@cdfa.ca.gov

The backup contact person is:

Name: Nancy Grillo, Associate Analyst
 Address: Department of Food
 and Agriculture
 Animal Health and Food
 Safety Services
 1220 N Street, Room A-114
 Sacramento, CA 95814
 Telephone No.: (916) 651-7280
 Fax No.: (916) 653-4249
 E-mail address: ngrillo@cdfa.ca.gov

Written comments, facsimiles or e-mails regarding this proposal are to be addressed to the following:

Name: Nancy Grillo, Associate Analyst
 Address: Department of Food
 and Agriculture
 Animal Health and Food
 Safety Services
 1220 N Street, Room A-114
 Sacramento, CA 95814
 Telephone No.: (916) 651-7280
 Fax No.: (916) 653-4249
 E-mail address: ngrillo@cdfa.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at <http://www.cdfa.ca.gov>

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3700, subsection (c), of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action that

was effective on May 3, 2004. 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 31, 2004.

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. 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 may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before August 2, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations, as he deems necessary, to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code Section 5322).

The amendment of Section 3700(c) established that *Abies grandis* (grand fir), *Aesculus hippocastanum* (horse chestnut), *Arbutus unedo* (strawberry tree), *Camellia reticulata* (a camellia), *Camellia x williamsii* (a camellia), *Castanea sativa* (sweet chestnut), *Corylus cornuta* (California hazelnut), *Fagus sylvatica* (European beech), *Kalmia latifolia* (mountain laurel), *Leucothoe fontanesiana* (drooping leucothoe), *Pieris formosa* var. *forrestii* (Chinese pieris), *Pieris formosa* var. *forrestii* x *Pieris japonica* (pieris), *Pittosporum undulatum* (Victorian box), *Pyracantha koidzumii* (Formosa firethorn), *Quercus cerris* (European turkey oak), *Quercus falcata* (Southern red oak), *Quercus ilex* (Holm oak), *Quercus rubra* (Northern red oak), *Rhamnus purshiana* (cascara), *Rubus spectabilis* (salmonberry), *Syringa vulgaris* (lilac), *Taxus baccata* (European yew), *Toxicodendron diversiloba* (poison oak), *Vaccinium vitis-idaea* (lingonberry), *Viburnum davidii* (David viburnum), *Viburnum farreri* (= *V. fragrans*) (Fragrant viburnum), *Viburnum lantana* (Wayfaringtree viburnum), *Viburnum opulus* (European cranberrybush viburnum), *Viburnum x burkwoodii* ((burkwood viburnum), *Viburnum x*

carlcephalum x V. utile (viburnum) and *Viburnum x pragense* (Prague viburnum) are associated articles and are included as regulated articles and commodities.

The effect of the amendment is to establish the authority for the State to regulate the movement of these associated articles as hosts or potential carriers of the disease from the regulated area to prevent the artificial spread of the disease caused by *Phytophthora ramorum*. There is no existing, comparable federal regulation or statute regarding intrastate movement of regulated articles and commodities.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3700 does not impose a new mandate on local agencies or school districts. There is an ongoing mandate created by the original adoption of this regulation. However, the amendment of this regulation, adding new articles and commodities covered, does not impose a new mandate on the local agencies. These local agencies are enforcing an ongoing mandate not impacted by the regulatory action. Additionally, the agricultural commissioners of Alameda, Contra Costa, Humboldt, Marin, Monterey, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma counties requested the amendment of this regulation. Therefore, no additional reimbursement is required for Section 3700(c) under Section 17561 of the Government Code.

The Department has also determined that the amended regulation will involve no additional costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable savings to local agencies or costs or savings to school districts under Section 17561 of the Government Code and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture 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.

AUTHORITY

The Department amended Section 3700, subsection (c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3700, subsection (c) to implement, interpret and make specific Sections 24.5, 5321 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov.

In his absence, you may contact Kris Peebles at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

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 action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the 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 amended 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of amendment by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3700, subsection (c), of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action that was effective on April 20, 2004. 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 18, 2004.

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. 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 may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before August 2, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests

(Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations, as he deems necessary, to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code Section 5322).

The amendment of Section 3700(c) established that leaves of the wood rose (*Rosa gymnocarpa*) are included as regulated articles and commodities. The effect of the amendment is to establish the authority for the State to regulate the movement of this new host or potential carrier of the disease from the regulated area to prevent the artificial spread of the disease caused by *Phytophthora ramorum*. There is no existing, comparable federal regulation or statute regarding intrastate movement of regulated articles and commodities.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3700 does not impose a new mandate on local agencies or school districts. There is an ongoing mandate created by the original adoption of this regulation. However, the amendment of this regulation, adding new articles and commodities covered, does not impose a new mandate on the local agencies. These local agencies are enforcing an ongoing mandate not impacted by the regulatory action. Additionally, the agricultural commissioners of Alameda, Contra Costa, Humboldt, Marin, Monterey, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma counties requested the amendment of this regulation. Therefore, no additional reimbursement is required for Section 3700(c) under Section 17561 of the Government Code.

The Department has also determined that the amended regulation will involve no additional costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable savings to local agencies or costs or savings to school districts under Section 17561 of the Government Code and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture 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.

AUTHORITY

The Department amended Section 3700, subsection (c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3700, subsection (c) to implement, interpret and make specific Sections 24.5, 5321 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov.

In his absence, you may contact Kris Peeples at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdffa.ca.gov/cdfa/pendingregs).

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 action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the 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 amended 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of amendment by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture proposes to repeal Section 3902 and amend Subsections 3877(a) and 3885(a) and (b), and Sections 3883 and 4603, pertaining to fees for sampling and testing seed, in Title 3, Division 4, of the Code of Regulations.

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. 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.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before August 2, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law, Section 52331, Food and Agricultural Code, provides that the Secretary shall, by regulations, establish a reasonable schedule of fees for seed testing and other services except those that are required for quarantine or other purposes, not directly related to the enforcement of the California Seed Law. Existing law also provides that the Department may establish charges sufficient to recover its costs for providing non-regulatory services (Food and Agricultural Code, Section 5851). Existing law also provides that the Department may establish, by regulation, a schedule of charges to cover the Department's costs for the specific non-regulatory services it provides. Existing law also provides that regulations establishing charges adopted by the Secretary shall not be subject to review, approval, or disapproval by the Office of Administrative Law (Food and Agricultural Code, Section 5852).

The proposed action will repeal Section 3902 and amend Subsections 3877(a) and 3885(a) and (b), and Sections 3883 and 4603. Existing Section 3902 provides a schedule of fees for the non-regulatory sampling and testing of agricultural and vegetable seed. The proposed repeal of this section will enable a new schedule of fees for the non-regulatory sampling and testing of agricultural and vegetable seed to be established under a new proposed Subsection 4603(f). The effect of these proposed regulatory changes is to repeal, relocate and consolidate the charges for services provided by the Department for seed under the appropriate Chapter 7, Miscellaneous Rulings and Subchapter 1, Service Charges, of the Code of Regulations.

Existing Subsection 3877(a) establishes the schedules for the fees for certification services performed by the Secretary as shown in Section 3902, Schedule IV. The proposed amendment of this subsection will delete the reference to Section 3902, Schedule IV, and reference the new proposed Subsection 4603(f), where the schedules for the fees for certification services performed by the Secretary are proposed to be located. The effect of this amendment will be to direct interested parties to the correct subsection for the schedule of fees for certification services.

Existing Section 3883 establishes that fees for tests other than those made free of charge are shown in Section 3902, Schedule IV. The proposed amendment of this section will delete the reference to Section 3902, Schedule IV, and reference the new proposed Subsection 4603(f), where the schedules for the fees for certification services performed by the Secretary are proposed to be located. The effect of this amendment will be to direct interested parties to the correct subsection for the fees for tests other than those made free of charge.

Existing Subsections 3885(a) and (b) establish the fees for germination tests for types of mixtures of seed, including a purity analysis and that such fees are established in Section 3902. The proposed amendment of these subsections will delete the reference to Section 3902 and reference the new proposed Subsection 4603(f), where the schedules for the fees for certification services performed by the Secretary are proposed to be located. The effect of this amendment will be to direct interested parties to the correct subsection for germination tests and purity analyses pertaining to certain types of seed mixtures.

Existing Section 4603, Schedule of Charges, establishes the schedule of charges for analytical, diagnostic, inspection, testing and other non-regulatory services related to nursery stock, plants, seed, or other plant pests and diseases. The proposed amendment of this section will add a new Subsection 4603(f) which will contain the schedules for the fees pertaining to services provided by the Department for seed inspection, analysis, etc. Additionally, this proposed amendment will increase the fees to reflect the current approximate Departmental costs for providing these services to those that request them. The effect of this amendment will be to establish the schedule of fees for certification services, for tests other than those made free of charge and for germination tests and purity analyses pertaining to certain types of seed mixtures. The effect will also be to enable the Department to recover its current costs for providing such services.

The proposed action does not differ from any existing comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the proposed repeal of Section 3902 and amendments of Subsections 3877(a) and 3885(a) and (b), Sections 3883 and 4603, do not impose a mandate on local agencies or school districts. The Department also 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.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture 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.

AUTHORITY

The Department proposes to repeal Section 3902 pursuant to the authority vested by Sections 407 and 52331 of the Food and Agricultural Code of California.

The Department proposes to amend Subsections 3877(a) and 3885(a) and (b), Sections 3883 and 4603 pursuant to the authority vested by Sections 407, 5851, 5852 and 52331 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes to repeal Section 3902 to implement, interpret and make specific Section 52331 of the Food and Agricultural Code.

The Department proposes to amend Subsections 3877(a) to implement, interpret and make specific Sections 5851, 5852, 52331 and 52422 of the Food and Agricultural Code.

The Department proposes to amend Subsections 3885(a) and (b) and Sections 3883 and 4603 to implement, interpret and make specific Sections 5851, 5852 and 52331 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The adoption of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Kris Peeples at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

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 action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the 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, the final statement of reasons is 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 5. EDUCATION AUDIT APPEALS PANEL

NOTICE OF PROPOSED RULEMAKING

*Audits of K-12 Local Education Agencies
Fiscal Year 2004-05*

The Education Audit Appeals Panel (EAAP) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

EAAP will hold a public hearing starting at 1:30 p.m. on August 2, 2004, in the Cedar Room at 915 L Street, Sacramento, CA 95814. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. EAAP requests that any person desiring to present statements or arguments orally notify EAAP's Regulations Coordinator of such intent. EAAP requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period closes at **5:00 p.m. on August 2, 2004**. EAAP will consider only written comments received by the Regulations Coordinator by that time (in addition to those comments received at the public hearing). Written comments for EAAP's consideration should be directed to:

Chris Pentoney, Regulations Coordinator
Education Audit Appeals Panel
770 L Street, Suite 1100
Sacramento, CA 95814
Fax: (916) 445-7626
e-mail: cpentoney@eaap.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Section 14502.1, Education Code.
Reference: sections 14501, 14502.1, 14503, and 41020, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

EAAP proposes to amend Section 19814, and adopt sections 19814.1 and 19832 through 19837 in Title 5 of the California Code of Regulations, Division 1.5, Chapter 3. The purpose of these regulations is to provide guidance to auditors in the conduct of the annual audits of local education agencies (LEAs) that serve kindergarten or any of grades 1 through 12 (K-12) required by Education Code Section 41020. These regulations provide definitions of terms and specification of procedures to guide accountants in the conduct of the required financial and compliance audits in six areas proposed by the Controller for inclusion in the audit guide for the 2004-05 fiscal year.

Article 2, Audit Reports, includes definitions of terms in Section 19814. Subdivision (e) of Section 19814 is being amended to include reference to the state compliance requirements “that are applicable to the year audited,” and to include specification of the numbers of audit procedures proposed for inclusion in the audit guide for the 2004–05 fiscal year. Section 19814.1, Applicability of Audit Procedures by Audit Year, is being added to specify which sections of the audit guide are applicable to each audit year.

Article 3, State Compliance Requirements, lists the particular state-funded education programs that are required to be audited and sets forth procedures that direct auditors to the documents and reports and guide auditors in steps to determine whether an auditee was in compliance with the relevant statutory and regulatory requirements during the period audited. For the 2004–05 fiscal year, the areas proposed for inclusion in the audit guide are

- § 19832 State Funded Child Development: Attendance and Family Fees;
- § 19833 School Construction Funds;
- § 19834 Alternative Pension Plans;
- § 19835 Proposition 20 Lottery Funds (Cardenas Textbook Act of 2000);
- § 19836 State Lottery Funds (California State Lottery Act of 1984); and
- § 19837 California School Age Families Education (Cal-SAFE) Program.

DISCLOSURES REGARDING THE PROPOSED ACTION

- 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 section 17561: None
- Other non-discretionary cost or savings imposed upon local educational agencies: None
- Cost or savings in federal funding to the state: None
- Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
- Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Adoption of these regulations will not:
 - (1) create or eliminate jobs within California;
 - (2) create new businesses or eliminate existing businesses within California; or

(3) affect the expansion of businesses currently doing business within California.

- Significant affect on housing costs: EAAP has made an initial determination that the proposed regulatory action would not affect housing costs.
- Effect on small businesses: The proposed regulations will have no effect on small businesses because they do not materially alter the requirements for LEA audits.

CONSIDERATION OF ALTERNATIVES

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

EAAP invites interested persons to present statements or arguments regarding alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other technical information upon which the rulemaking is based, and questions on the proposed administrative action, may be directed to Chris Pentoney, Regulations Coordinator, at (916) 445-7745 or by e-mail: cpentoney@eaap.ca.gov. The back-up contact person for general inquiries is Carolyn Pirillo at (916) 445-7745.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed

text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address stated above. The Regulations Coordinator will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, and Final Statement of Reasons will be accessible, through the Education Audit Appeals Panel website: www.eaap.ca.gov

TITLE 16. BOARD OF PSYCHOLOGY

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter "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 Horton Grand Hotel, 311 Island Avenue, San Diego, California, at 10:00 a.m., on August 14, 2004. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on Thursday, August 12, 2004 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 proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 2915(g) and 2930 of the Business and Professions Code, and to implement, interpret or make specific Section 2915 of

said Code, the board is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, section 1397.62 does not grant an exemption from continuing education requirements for a licensed psychologist in active military duty that is stationed in California or has been outside of California for less than one year. This proposed amendment would allow for an exemption for those licensed psychologists/soldiers.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

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

AND

The following studies/relevant data were relied upon in making the above determination:

Correspondence from Senator Ashburn (Attachment A)

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

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

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulation would affect small businesses.

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 either be more effective in carrying out the

purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

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

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The board has prepared an initial statement of 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 Board of Psychology at 1422 Howe Avenue, Suite 22, Sacramento, California 95825.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file 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

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

Name: Kathy Bradbury
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-0712
Fax No.: (916) 263-2697
E-Mail Address: kathy_bradbury@dca.ca.gov

The backup contact person is:

Name: Jeffrey Thomas
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-1617
Fax No.: (916) 263-2697
E-Mail Address: jeff_thomas@dca.ca.gov

WEBSITE ACCESS

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

**TITLE 22. EMPLOYMENT
DEVELOPMENT DEPARTMENT**

Amendment of Title 22, California Code of Regulations, Section 2051-3

VERIFICATION CRITERIA

NOTICE OF PROPOSED RULEMAKING

The Employment Development Department (Department) proposes to amend California Code of Regulations (CCR), title 22, section 2051-3, to conform to the list of documents in federal regulations used to verify an individual's true identity and legal right to work.

The Department will adopt these amendments after considering all comments, objections, or recommendations regarding the proposed action.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The Workforce Investment Act (WIA) requires the Department's Job Service (JS) activities to be coordinated and delivered, in partnership with the programs funded under WIA, through the One-Stop Career Center (OSCC) system. The Department's JS staff and WIA funded partner staff are co-located in OSCCs throughout the State. Federal law and regulation require WIA funded partners to determine an individual's right to work as a condition of eligibility for program services. Likewise, State law requires the Department's JS to verify an individual's legal status and right to work before employment services can be provided. The WIA partners rely on Immigration and Naturalization (INS) direction for acceptable documentation while State law and regulation outline the documents acceptable for the Department's JS verification. The lists of acceptable documentation under both programs are, with minor exceptions, similar.

The INS has revised the list of valid employment eligibility and identification verification documents. The INS issued changes to INS Form I-9, Employment Eligibility Verification Form, that either eliminated or clarified the use of INS forms as acceptable identity and work authorization documents. With these changes, California regulations permit documents to be accepted that are no longer considered valid proof of right to work by the INS.

The INS changes to Form I-9 were effective September 30, 1997, by interim rule published at 62 Fed.Reg. 51001-51006 removing four documents from the list of acceptable documents. The change also clarified a subsequent interim rule of February 9, 1999, explaining when receipts may be used in lieu of original documents in two situations when INS Form I-94 is used.

Based on the INS changes, the Department's Workforce Investment Division issued Information Bulletin Number WIAB01-41 on October 30, 2001, transmitting these changes to One-Stop Career Center partners to establish eligibility for WIA Title I-B services.

The list of employment eligibility and identity verification forms used by the JS is based on California legislation in CCR, title 22, section 2051-3. Since section 2051-3 has not been amended to reflect the INS changes, the JS is using an obsolete list of documents and a different list than used by WIA One-Stop Career Center staff. As a result, a customer may be found eligible or not eligible for program services based on which program staff, JS or WIA, does the initial assessment of eligibility. Section 2051-3 needs to be amended to conform to federal law and eliminate and clarify for Department staff which INS forms are acceptable.

If there is no amendment to CCR, title 22, section 2051-3, some One-Stop customers may be provided service when not eligible or may be denied service when eligible. The San Diego WIA area has reported that some legal residents have been denied services because of this confusion. One of the goals of the WIA is to provide integrated service. It will be difficult to meet this goal if disparate, obsolete documents are being applied to determine eligibility. Staff of both local JS and WIA programs must use the same list of documents to determine program eligibility.

If CCR, title 22, section 2051-3, is amended, it will clarify to Department staff what employment verification documents are acceptable and help avoid providing or denying services inappropriately. It would also improve coordination between the Department and its One-Stop Career Center partners.

AUTHORITY AND REFERENCE

Authority: Sections 305 and 306, Unemployment Insurance Code.

Reference: Sections 9601.5 and 9601.7, Unemployment Insurance Code.

FISCAL IMPACT

Anticipated costs or savings in federal funding to the State: None

Anticipated costs or savings to any State Agency: None

Anticipated costs or savings to any local agency or school district: None

Significant statewide adverse economic impact: The Department does not anticipate this regulatory action will result in any costs to the federal government, to State government, to local county governments, to private individuals, or to businesses and small businesses. Thus, no costs are shown on the Economic and Fiscal Impact Statement.

The Department 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 because this regulation makes only technical, non-substantive or clarifying changes to current regulations. The Department has determined that the proposed amendments will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The costs impact on representative persons or businesses: 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.

Anticipated impact on housing costs: These proposed amendments will have no effect on housing costs.

Anticipated nondiscretionary costs or savings imposed upon local agencies: None

SMALL BUSINESS IMPACT

The Department has determined the proposed amendments will have no impact on small businesses, as the proposed amendments will not impose any new mandates, requirements or cost from the enforcement of this regulation on small businesses.

LOCAL MANDATE DETERMINATION

The Department has determined that these proposed amendments will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4 of the Government Code.

CONSIDERATION OF ALTERNATIVES

In accordance with section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative considered 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 regulatory amendments.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments on the proposed action to Laura Colozzi via U.S. mail, e-mail, or fax (see U.S. mail and e-mail addresses and fax number indicated below). E-mail comments

should include true name and mailing address of the commentor. **Written comments submitted via U.S. mail, e-mail, or fax, must be received by the Department no later than August 2, 2004, at 5 p.m.** Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

CONTACT PERSONS

Inquiries or comments should be directed to:
(Mailing address) Laura Colozzi, Legal Analyst
Employment Development
Department
P. O. Box 826880
Legal Office, MIC 53
Sacramento, CA 94280-0001

(Hand delivery) Laura Colozzi, Legal Analyst
Employment Development
Department
800 Capitol Mall, Room 5020
Legal Office, MIC 53
Sacramento, CA 95814

Telephone No.: (916) 654-7712
Fax No.: (916) 654-9069
E-Mail Address: eddlegal@edd.ca.gov

Note: In the event Laura is unavailable, inquiries should be directed to the following backup contact persons at the same address as noted above:

Name: Penny Ayers, Legal Analyst
Telephone No.: (916) 654-8410

Questions regarding the substance of the proposed regulatory action should be directed to:

Name: Dana Flanagan-McBeth,
Staff Counsel
Telephone No.: (916) 654-8410

INTERNET WEBSITE ACCESS

The Department has posted on its Internet website <http://www.edd.ca.gov> materials regarding the proposed regulatory action. Select "Proposed EDD Regulations."

PUBLIC HEARING

No public hearing has been scheduled on the proposed action. However, if any person desires to submit oral comments, the Department will schedule a public hearing upon that person's written request. **Such request must be received no later than 15 days prior to the close of the written comment period which is 5 p.m. on August 2, 2004.** A request for hearing can be made by contacting the persons noted above.

MODIFICATION OF PROPOSED ACTION

If the Department makes any additional changes based on public testimony, those changes (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted. Copies of any additional changes regarding the proposed regulatory action will be mailed to all persons who testified or submitted written comments at the public hearing (if one is scheduled); whose comments were received by the agency during the public comment period; and who requested notification from the agency of the availability of such changes.

FINAL STATEMENT OF REASONS

After the close of the 45-day public comment period, the Department will summarize and respond to all public comments in a written final statement of reasons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

FURTHER INFORMATION

The Department has prepared and has available for review, upon request, the text of the proposed regulatory amendments discussed in this notice, written in plain English; a statement of reasons setting forth the purpose of the amendments; and the information upon which the Department relied in proposing the amendments. (If you received this notice by mail, a copy of the text of the proposed amendments and the statement of reasons were enclosed.) To obtain a copy, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

All the information upon which the proposed amendments are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations' process, contact the persons noted above.

**RULEMAKING PETITION
DECISIONS**

AIR RESOURCES BOARD

DECISION DENYING PETITION

**IN THE MATTER OF A PETITION BY:
SMILAND PAINT COMPANY**

Pursuant to Government Code section 11340.7, the Air Resources Board (ARB or Board) hereby responds to the petition submitted by the Law Offices of

Smiland & Khachigian (Petition) on behalf of the Smiland Paint Company and its subsidiaries (SPC). The Petition requests the ARB to repeal or amend the Board's *Nonvehicular Source, Consumer Products, and Architectural Coatings Fee Regulations* ("Fee Regulations"; title 17, California Code of Regulations, sections 90800.75–90804). As discussed below, the ARB denies the Petition.

The Petition was received by the ARB on May 10, 2003. This is the second petition received from SPC on the Fee Regulations. The first petition was received on August 4, 2003 and denied by the ARB on August 21, 2003. The reasons for the denial are set forth in Decision Denying Petition dated August 21, 2003. Basically, the petition was denied because it was premature; the ARB had not yet completed the administrative process of adopting the regulations. The Fee Regulations were subsequently adopted by the ARB on January 6, 2004, when the ARB Executive Officer signed Executive Order No. G-03-068. On February 5, 2004, the Office of Administrative Law approved the Fee Regulations and filed them with the Secretary of State. The regulations became legally operative the same day, on February 5, 2004.

This most recent SPC Petition contains nine numbered paragraphs setting forth the reasons why the Petition should be granted. These nine paragraphs summarize the main issues raised in a long comment letter entitled "*Ten Reasons Why the Air Resources Board Should Not Adopt the Proposed Regulations Imposing Fees on Architectural Coatings Sold by Manufacturers in California.*" This comment letter is attached to the Petition and is incorporated by reference therein. The identical comment letter was submitted to the ARB during the 45-day public comment period prior to the July 24, 2003 public hearing on the Fee Regulations. Each of the numerous issues raised in this comment letter have been summarized and responded to by ARB staff in the Final Statement of Reasons for Rulemaking (FSOR), as required by the California Administrative Procedure Act (see Government Code section 11346.9). This FSOR is available on the ARB's internet site at <http://www.arb.ca.gov/regact/feereg03/feereg03.htm>.

The Petition simply asserts, with no elaboration or discussion, that the FSOR does not comply with the requirements of the Administrative Procedure Act because it does not discuss and analyze the issues listed in the Petition. This assertion is not correct. The FSOR analyzes each of these issues in detail and discusses why they are not grounds for amending or delaying the adoption of the Fee Regulations as requested by SPC. These discussions can be found in the FSOR on pages 23–25, 38–41, 56–64, 73, 77, 88–90, 100, 106–112, and 114–115. There is no reason

to repeat this discussion here since all of the issues raised by SPC are thoroughly analyzed in the FSOR.

Based on the reasons stated above, the Petition of the Smiland Paint Company is denied. If you have any questions, please call the agency contact person: Robert Jenne, Senior Staff Counsel, at (916) 322-3762. Interested persons may obtain a copy of the Petition from the ARB upon request.

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.

AIR RESOURCES BOARD
Area Designations 2004

This action amends existing provisions governing State ambient air quality area designations and adds a fine particulate matter (PM2.5) standard to the list of regional pollutants that are designated by air basin.

Title 17
California Code of Regulations
ADOPT: 60210 AMEND: 60200, 60201, 60202, 60206, 70302, 70303, 70303.1, 70303.5, 70304, Appendix 1, Appendix 2, Appendix 3
Filed 06/07/04
Effective 07/07/04
Agency Contact: George Poppic (916) 322-3940

AIR RESOURCES BOARD
Tables of Maximum Reactivity (MIR)

This action updates the Board's list of organic compounds and their associated maximum incremental activity values based upon the scientific research of Dr. William Carter.

Title 17
California Code of Regulations
AMEND: 94700
Filed 06/07/04
Effective 07/07/04
Agency Contact:
Robert C. Jenne (916) 322-2884

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 25-Z

CALIFORNIA ENERGY COMMISSION Conflict of Interest Code

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

Title 20
California Code of Regulations
AMEND: 2401
Filed 06/02/04
Effective 07/02/04
Agency Contact:
Arlene L. Ichien (916) 654-3959

DEPARTMENT OF FOOD AND AGRICULTURE Oak Mortality Disease Control

This action is the Certificate of Compliance filing making permanent the December 2003 emergency revisions to the Oak Mortality Disease Control regulation. The prior emergency regulation was OAL file number 03-1229-03E.

Title 3
California Code of Regulations
AMEND: 3700(c)
Filed 06/09/04
Effective 06/09/04
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HEALTH SERVICES Established Place of Business

This is the third emergency readoption of amendments to Medi-Cal regulations defining and requiring an established place of business for Medi-Cal providers.

Title 22
California Code of Regulations
ADOPT: 51200.01 AMEND: 51000.4, 51000.30, 51000.45, 51000.50, 51000.55, 51200, 51451
Filed 06/08/04
Effective 06/08/04
Agency Contact:
Jasmin Delacruz (916) 657-0501

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT Cal HOME

The regulatory action deals with the following aspects of the CalHome Program: loan servicing requirements, reuse accounts, legal documents and reporting requirements. (Prior OAL file 03-0815-09S.)

Title 25
California Code of Regulations
AMEND: 7723, 7724, 7752, 7754
Filed 06/04/04
Effective 07/04/04
Agency Contact: Lenora Frazier (916) 323-4475

DEPARTMENT OF MANAGED HEALTH CARE Assessment for University of California Analysis of Proposed Mandate

This action sets forth the procedure the Department will use for determining the annual fee to be assessed each full service health plan for the purpose of funding research by the University of California on the comparative costs and benefits of proposed changes in required health benefits coverage.

Title 28
California Code of Regulations
ADOPT: 1011
Filed 06/02/04
Effective 06/02/04
Agency Contact:
Elaine Paniewski (916) 324-9024

DEPARTMENT OF SOCIAL SERVICES Care of Persons with Dementia in RCFEs

In this regulatory action, the Department of Social Services adopts and amends regulations pertaining to Residential Care Facilities for the Elderly (RCFEs). The regulations principally pertain to the care of persons with dementia in RCFEs.

Title 22, MPP
California Code of Regulations
ADOPT: 87725, 87725.1, 87725.2 AMEND: 87101, 87111, 87222, 87451, 87565, 87566, 87569, 87570, 87582, 87591, 87593, 87724
Filed 06/03/04
Effective 07/03/04
Agency Contact:
Maureen Miyamura (916) 653-1925

DEPARTMENT OF SOCIAL SERVICES Educational Awards/Scholarships and Eligible Teens' Exemption

In this regulatory action, the Department of Social Services amends California Work Opportunity and Responsibility to Kids (CalWORKS) regulations to reflect changes contained in Senate Bill 1264, Chapter 439, Statutes of 2002 relating to educational awards and scholarships and relating to an eligible teens' exemption.

Title MPP
California Code of Regulations
ADOPT: 42-712, 42-719, 44-111
Filed 06/02/04
Effective 06/02/04
Agency Contact:
Maureen Miyamura (916) 653-1925

**DEPARTMENT OF SOCIAL SERVICES
CalWORKs and Food Stamp Programs**

Assembly Bill 231 (Chapter 743, Statutes of 2003) became effective January 1, 2004. AB 231 adopted Welfare and Institutions Code section 18901.9 which requires that the vehicle resource rules governing the Food Stamp Program be aligned with an alternative program. The emergency regulatory action aligned these rules with those of the CalWORKS Child Care Program and, consequently, vehicles are exempt from being counted as resources when determining food stamp eligibility. Existing law requires CalWORKS to use the Food Stamp Program vehicle evaluation rules when determining CalWORKS eligibility. AB 231 eliminated this requirement and amended Welfare and Institutions Code section 11155 to establish the treatment of motor vehicles when determining CalWORKS eligibility. This filing is a certificate of compliance for an emergency regulatory action which made changes to the regulations governing CalWORKS to reflect this change in the law.

Title
California Code of Regulations
AMEND: 42-207, 42-215, 63-501, 63-1101
Filed 06/08/04
Effective 06/08/04
Agency Contact:
Maureen Miyamura (916) 653-1925

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL
Characteristic of Toxicity**

The Department of Toxic Substances Control is amending section 66261.24, title 22, California Code of Regulations pertaining to "Characteristics of Toxicity." The amendment to subsection (a)(3)(c) brings that particular section into compliance with Stats. 1995, Chapter 638 where the acute oral LD50 less than 2,500 milligrams per kilogram was changed from the acute oral LD50 less than 5,000 milligrams per kilogram. The formula to calculate LD50 is being corrected to comply with the formula as it read in Register 85, No. 2 when it was section 66696, title 22, California Code of Regulations, as part of the Department of Health Services. A block of regulations transferred to the Department of Toxic Substances Control from the Department of Health Services in Register 91, No. 22.

Title 22
California Code of Regulations
AMEND: 66261.24
Filed 06/03/04
Effective 06/03/04
Agency Contact: Joan Ferber (916) 322-6409

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

Title 22 Corrections to misspellings and typographical errors

This is a nonsubstantive action correcting various typographical errors and misspellings.

Title 22
California Code of Regulations
AMEND: 66261.6, 66262.32, 66262.34, 66262.41, 66262.53, 66262.70, 66264.73, 66264.75, 66264.113, 66265.71, 66265.73, 66265.75, 66265.113, 66265.222, 66265.1028, 66266.100, 66262.102, 66268.1, 66268.7, 66268.45, 66270.1, 67450.3, 67450.4, 67450.25
Filed 06/07/04
Effective 06/07/04
Agency Contact: Joan Ferber (916) 322-6409

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

Authorized Treatment of Universal Waste Electronic Devices

The emergency regulatory action deals with the authorized treatment of universal waste electronic devices. (Department of Toxic Substances Control file R-03-19.)

Title 22
California Code of Regulations
ADOPT: 66260.201 AMEND: 66260.10, 66261.9, Appendix X, 66273.1, 66273.3, 66273.6, 66273.8, 66273.9, 66273.12, 66273.13, 66273.14, 66273.20, 66273.32, 66273.33, 66273.34, 66273.40, 66273.51, 66273.53, 66273.56, 66273.82, 66273.83, 66273.90
Filed 06/07/04
Effective 06/07/04
Agency Contact: Joan Ferber (916) 322-6409

**PUBLIC EMPLOYMENT RELATIONS BOARD
Meeting**

This rulemaking action makes permanent the emergency regulations which clarified existing regulations, and adopted and amended regulations in response to recent statutory changes in four areas: adoption of the Transit Employer-Employee Relations Act, which covers supervisory employees of the Los Angeles County Metropolitan Transportation Authority, amendment of Educational Employment Relations Act and Higher Education Employer-Employee Relations Act to provide for mandatory card check recognition, and amendment of the Meyers-Milias Brown Act relating to the Board's authority.

Title 8
California Code of Regulations
ADOPT: 32017, 32018, 51096, 71010, 71026, 71037, 71030, 71035, 71040, 71050, 71055, 71060,

71070, 71080, 71090, 71095, 71100, 71110, 71115,
71120, 71130, 71140, 71200, 71210, 71225, 71230,
71235, 71300, 71310, 71320, 71330, 71340, 71680,
71685, 71700, 71
Filed 06/08/04
Effective 06/08/04
Agency Contact:
Bernard McMonigle (916) 327-8386

STATE LANDS COMMISSION
Marine Invasive Species Control Fund Fee

This action is the Certificate of Compliance filing making permanent the prior emergency increase in the existing Marine Invasive Species Control Fund fee from \$200 to \$500 per vessel voyage effective February 1, 2004. The prior emergency file was OAL file number 04-0106-01E.

Title 2
California Code of Regulations
AMEND: 2270, 2271
Filed 06/03/04
Effective 06/03/04
Agency Contact:
Livin D. Prabhu (562) 499-6312

STATE WATER RESOURCES CONTROL BOARD
Control of Diazinon and Orchard Pesticides in Sacto and Feather Rivers

This basin plan amendment establishes site-specific, numeric water quality objectives for diazinon in the Sacramento and Feather Rivers. It also establishes a diazinon Total Maximum Daily Load and associated allocations, establishes a program of implementation designed to meet the diazinon water quality objectives, and establishes a surveillance and monitoring program to evaluate compliance with the revised diazinon objectives and to determine whether alternatives are causing water quality problems.

Title 23
California Code of Regulations
ADOPT: 3947
Filed 06/09/04
Effective 06/09/04
Agency Contact: Greg Frantz (916) 341-5553

SUPERINTENDENT OF PUBLIC INSTRUCTION
Regional Market Rate

This certificate of compliance makes permanent the previous emergency regulatory actions (OAL file nos. 03-0828-01E and 03-1222-02EE) that deal with the regional market rate for payments to child care providers, including changing the definitions of certain rate categories and providing conditions and limitations on the use of certain rates and adjustment factors.

Title 5
California Code of Regulations
ADOPT: 18074, 18074.1, 18074.2, 18074.3,
18074.4, 18074.5, 18074.6, 18075, 18075.1,
18075.2, 18076, 18076.1, 18076.2, 18076.3,
18220.6 AMEND: 18413, 18428 REPEAL: 18021
Filed 06/08/04
Effective 06/08/04
Agency Contact: Debra Strain

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN FEBRUARY 4, 2004
TO JUNE 9, 2004**

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

Title 1

03/29/04 ADOPT: 1395, 1398 AMEND: 1314,
1321, 1322, 1323, 1324, 1332, 1334,
1354, 1390, 1392

Title 2

06/03/04 AMEND: 2270, 2271
06/01/04 ADOPT: 20107
06/01/04 ADOPT: 1859.163.1, 1859.163.2,
1859.164.2, 1859.167.1 AMEND:
1859.2, 1859.145, 1859.145.1, 1859.160,
1859.161, 1859.162, 1859.163, 1859.164,
1859.164.1, 1859.165, 1859.166,
1859.167, 1859.168, 1859.171
05/25/04 ADOPT: 59152
05/21/04 ADOPT: 1859.123.1 AMEND: 1859.2,
1859.73.1, 1859.81, 1859.83, 1859.90,
1859.120, 1859.121, 1859.122,
1859.122.1, 1859.122.2, 1859.123,
1859.124, 1859.124.1, 1859.125,
1859.125.1, 1859.126, 1859.127,
1859.129, 1859.130
05/17/04 AMEND: 50
05/17/04 ADOPT: 250
05/17/04 AMEND: 50
05/17/04 AMEND: 48000
05/17/04 AMEND: 18616
05/13/04 ADOPT: 18531.61 AMEND: 18531.6
05/11/04 ADOPT: 22100 (renumbered to 22100
and 22100.1), 22110 (renumbered to

22100.2), 22120 (renumbered to 22100.3), and 22130 (renumbered to 22100.4)

04/26/04 ADOPT: 585

04/22/04 AMEND: 1142

04/15/04 AMEND: 599.508

04/13/04 ADOPT: 599.511 AMEND: 599.500

03/23/04 AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145

03/23/04 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859.171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1

03/23/04 ADOPT: 649.23, 649.24, 649.25, 649.26, 649.27, 649.28

03/22/04 AMEND: 1859.77.2

03/22/04 ADOPT: 599.517

03/11/04 AMEND: 18703.1, 18703.2, 18703.3, 18703.4, 18703.5

03/11/04 AMEND: Div. 8, Ch. 53, Section 54200

03/09/04 ADOPT: 22500, 22501, 22502, 22503, 22504, 22505, 22506, 22507, 22508, 22509, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519

03/02/04 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2

03/01/04 AMEND: 1555

02/26/04

02/23/04 AMEND: 1181.1

02/23/04 AMEND: 59150

02/20/04 AMEND: Div. 8, Ch. 4, Sec. 25001

02/20/04 ADOPT: 58600

02/09/04 ADOPT: 599.893, 599.898, 599.906, 599.907, 599.909 AMEND: 599.894, 599.895, 599.896, 599.898 (renumbered to 599.897), 599.903, 599.904, 599.905, 599.906 (renumbered to 599.908), 599.910

02/05/04 AMEND: 20107

Title 3

06/09/04 AMEND: 3700(c)

05/27/04 AMEND: 3428(b)

05/27/04 AMEND: 3423(b)

05/27/04 AMEND: 1180(a)

05/17/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 9784

05/13/04 AMEND: 3700(b)

05/03/04 AMEND: 3700(c)

04/27/04 ADOPT: 6487.1, 6487.2, 6487.3, 6487.4, 6487.5, 6609 AMEND: 6000, 6416, 6800, 6486.6 REPEAL: 6486.1, 6486.2, 6486.3, 6486.4, 6486.5, 6486.8, 6557, 6570, 6802

04/26/04 AMEND: 6130

04/26/04 AMEND: 3601(g)

04/23/04 ADOPT: 797.5 AMEND: 820.8 REPEAL: 820.7

04/20/04 AMEND: 3700(c)

04/20/04 AMEND: 2676, 2681, 2735, 2783

04/01/04 AMEND: 3700(d)

03/23/04 AMEND: 6462

03/23/04 AMEND: 3423(b)

02/17/04 AMEND: 3430(b)

02/05/04 AMEND: 3417(b)

Title 4

06/01/04 ADOPT: 12370, 12371

04/26/04 ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337

04/22/04 ADOPT: 4145, 4146, 4147, 4148 AMEND: 4140

04/13/04 ADOPT: 144

03/29/04 ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162

03/23/04 AMEND: 4001

03/05/04 ADOPT: 12204, 12205, 12210, 12211, 12212, 12213, 12214, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232 AMEND: 12200, 12201, 12202, 12203, 12206, 12207, 12208, 12209, 12220, 12221, 12222, 12223, 12226

02/27/04 ADOPT: 12270, 12271, 12272

02/20/04 ADOPT: 12300, 12301, 12301.1, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12309 REPEAL: 12303, 12307

02/05/04 ADOPT: 12370, 12371

02/05/04 AMEND: 12202, 12212, 12213, 12220, 12221, 1222, 12223, 12224, 1225, 12226, 12227, 12228, 12229, 12230, 12231, 12232

Title 5

06/08/04 ADOPT: 18074, 18074.1, 18074.2, 18074.3, 18074.4, 18074.5, 18074.6, 18075, 18075.1, 18075.2, 18076, 18076.1, 18076.2, 18076.3, 18220.6 AMEND: 18413, 18428 REPEAL: 18021

06/01/04 REPEAL: 80032.2, 80058.2, 80466, 80523.3

05/25/04 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153

05/24/04 AMEND: 11973, 11974, 11975, 11977, 11978, 11979

05/19/04 ADOPT: 1204.5, 1211.5, 1218.6
AMEND: 1200, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1215, 1217 REPEAL: 1212, 1218.5, 1219.5

05/10/04 ADOPT: 19800, 19801, 19803, 19804, 19805

04/22/04 ADOPT: 876

03/15/04 ADOPT: 19810, 19811, 19812, 12913, 19814, 19815, 19816, 19817, 19818, 19819, 19820, 19821, 19822, 19823, 19824, 19825, 19826, 19827, 19828, 19829, 19830, 19831

03/11/04 ADOPT: 19802

03/08/04 AMEND: 30060

02/27/04 ADOPT: 6100, 6101, 6102, 6103, 6014, 6110, 6111, 6112, 6115

02/10/04 AMEND: 11960

Title 8

06/08/04 ADOPT: 32017, 32018, 51096, 71010, 71026, 71037, 71030, 71035, 71040, 71050, 71055, 71060, 71070, 71080, 71090, 71095, 71100, 71110, 71115, 71120, 71130, 71140, 71200, 71210, 71225, 71230, 71235, 71300, 71310, 71320, 71330, 71340, 71680, 71685, 71700, 71

05/24/04 AMEND: 1600, 1601

05/20/04 AMEND: 5001(b), 5008(b)

04/29/04 AMEND: 3427

04/23/04 AMEND: 14300.10, 14300.12, 14300.29, Appendix A, Appendix B, Appendix D, Appendix E

04/22/04 ADOPT: 10202.1, 10203.1, 10203.2
AMEND: 10200, 10201, 10203, 10204

04/20/04 AMEND: 8403

04/19/04 AMEND: 20299, 20390

04/13/04 AMEND: 5044, 5046, 5049. and Table S-1, Table S-1a, Table S-11, Table S-12, Table S-13, and Table S-14.

04/01/04 AMEND: 3427

03/22/04 AMEND: 1529(g)

03/18/04 ADOPT: 5148

Title 9

05/04/04 REPEAL: 7336, 7337, 7338, 7339, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7347.1, 7347.2, 7348, 7349

04/29/04 AMEND: 1921, 1922

03/04/04 ADOPT: 7000.2, 7001.2, 7001.5, 7002.5, 7006, 7006.3, 7009.1, 7013.2, 7013.6, 7014, 7014.1, 7017.2, 7017.5, 7017.7,

7018.4, 7019.5, 7021.5, 7024.7, 7028.1, 7028.6, 7028.8, 7029.1, 7029.6, 7029.7, 7029.9, 7035, 7037, 7038, 7098, 7128, 7129, 7130, 7130.5, 7

Title 10

05/27/04 REPEAL: 2670.1, 2670.2, 2670.3, 2670.4, 2670.5, 2670.6, 2670.7, 2670.8, 2670.9, 2670.10, 2670.11, 2670.12, 2670.13, 2670.14, 2670.15, 2670.16, 2670.17, 2670.18, 2670.19, 2670.20, 2670.21, 2670.22, 2670.23, 2670.24

05/17/04 AMEND: 260.102.14

05/04/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45

04/29/04 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12

04/26/04 AMEND: 250.30

04/20/04 ADOPT: 2020, 2021 AMEND: 250.51

04/19/04 AMEND: 2498.6

04/13/04 AMEND: 260.102.14

03/25/04 ADOPT: 2695.40, 2695.41, 2695.42, 2695.43, 2695.44, 2695.45

03/15/04 ADOPT: 2361

03/08/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8

03/01/04 ADOPT: 2698.102, 2698.600, 2698.602, 2698.604 AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.501,

Title 11

05/05/04 AMEND: 51.20

04/30/04 ADOPT: 51.21

04/30/04 ADOPT: 51.20

04/26/04 ADOPT: 999.15, 999.16, 999.17, 999.18, 999.19, 999.20, 999.21, 999.22, 999.23
AMEND: 999.10, 999.11, 999.12, 999.13, 999.14 REPEAL: Appendix A

Title 13

05/13/04 AMEND: 110.01, 110.02

04/28/04 AMEND: 2415

04/09/04 REPEAL: 55.01, 55.02, 55.03, 55.04, 55.05, 55.06

03/01/04 ADOPT: 159.00

02/25/04 AMEND: 1900, 1960.1(k), 1961(a)(d), 1962

Title 14

06/01/04 AMEND: 1.18

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 25-Z

05/13/04 AMEND: 27.80
 05/11/04 ADOPT: 3808.5
 05/10/04 ADOPT: 18660.5, 18660.6, 18660.7,
 18660.8, 18660.9, 18660.10, 18660.11,
 18660.12, 18660.13, 18660.14, 18660.15,
 18660.16, 18660.17, 18660.18, 18660.19,
 18660.20, 18660.21, 18660.22, 18660.23,
 18660.24, 18660.25, 18660.30, 18660.31,
 18660.32, 18660.33, 18
 05/10/04 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4,
 1665.5
 05/10/04 AMEND: 851.6
 05/03/04 ADOPT: 8100, 8100.01, 8100.02,
 8100.03, 8100.04, 8100.05, 8100.06,
 8100.07, 8100.08, 8100.09, 8100.10,
 8100.11, 8100.12, 8100.13
 04/30/04 AMEND: 27.60, 27.67, 27.82, 28.28,
 28.29, 28.55
 04/29/04 AMEND: 27.60, 28.55
 03/30/04 AMEND: 27.60, 27.65, 27.82, 28.27
 03/29/04 AMEND: 150, 150.02, 150.03, 150.05
 03/29/04 AMEND: 2000, 2200, 2305, 2310, 2320,
 2401, 2500, 2501, 2518
 03/08/04 AMEND: 3698, 3699
 03/02/04 AMEND: 18464, 18465
 02/24/04 AMEND: 1.17, 1.59, 2.10, 5.00, 5.50,
 5.75, 7.00, 7.50, 8.00, 27.60, 29.15, 43,
 195
 02/09/04 AMEND: 630

Title 15

05/27/04 ADOPT: 3194, 3195 AMEND: 3006,
 3044, 3092, 3100, 3101, 3107, 3138,
 3161, 3190, 3191, 3192, 3193 REPEAL:
 3044, 3092, 3138, 3190
 05/18/04 AMEND: 3426
 05/13/04 AMEND: 2000, 2400, 2403
 05/03/04 AMEND: 3040, 3041, 3041.1, 3041.2,
 3043.5
 05/03/04 AMEND: 3043.5, 3043.6, 3044
 04/15/04 ADOPT: 2251.5 AMEND: 2041, 2057,
 2072, 2073, 2074 REPEAL: 2050, 2051,
 2052, 2054, 2055, 2056, 2701
 03/03/04 AMEND: 2005

Title 16

05/17/04 AMEND: 1912
 05/13/04 ADOPT: 1258.4, 1277, 1277.5
 05/04/04 AMEND: 1079.3
 04/29/04 AMEND: 2030.2
 04/22/04 ADOPT: 1399.330, 1399.349, 1399.352.5
 AMEND: 1399.301, 1399.321, 1399.350,
 1399.351, 1399.352, 1399.353, 1399.356,
 1399.395 REPEAL: 1399.330, 1399.331,
 1399.333

04/15/04 ADOPT: 1399.700, 1399.701, 1399.702,
 1399.703, 1399.704, 1399.705, 1399.706,
 1399.707 AMEND: 1399.650, 1399.700,
 1399.705
 04/12/04 AMEND: 2756
 03/09/04 ADOPT: 4150, 4151, 4152, 4153, 4154,
 4155
 03/03/04 ADOPT: 1829 AMEND: 1816.2, 1816.3,
 1877 REPEAL: 1815

Title 17

06/07/04 AMEND: 94700
 06/07/04 ADOPT: 60210 AMEND: 60200, 60201,
 60202, 60206, 70302, 70303, 70303.1,
 70303.5, 70304, Appendix 1, Appendix 2,
 Appendix 3
 06/01/04 AMEND: 50604, 50608, 54326, 54370,
 56003, 56082, 57540, 58510, 58671
 04/29/04 AMEND: 54342, 57332
 04/12/04 AMEND: 54001, 54010
 02/05/04 ADOPT: 90800.75, 90800.9, 90804
 AMEND: 90800.8, 90801, 90802, 90803

Title 18

05/25/04 AMEND: 1614
 05/18/04 ADOPT: 1828
 05/06/04 AMEND: 6001

Title 20

06/02/04 AMEND: 2401

Title 22

06/08/04 ADOPT: 51200.01 AMEND: 51000.4,
 51000.30, 51000.45, 51000.50, 51000.55,
 51200, 51451
 06/07/04 ADOPT: 66260.201 AMEND: 66260.10,
 66261.9, Appendix X, 66273.1, 66273.3,
 66273.6, 66273.8, 66273.9, 66273.12,
 66273.13, 66273.14, 66273.20, 66273.32,
 66273.33, 66273.34, 66273.40, 66273.51,
 66273.53, 66273.56, 66273.82, 66273.83,
 66273.90
 06/07/04 AMEND: 66261.6, 66262.32, 66262.34,
 66262.41, 66262.53, 66262.70, 66264.73,
 66264.75, 66264.113, 66265.71,
 66265.73, 66265.75, 66265.113,
 66265.222, 66265.1028, 66266.100,
 66262.102, 66268.1, 66268.7, 66268.45,
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05/03/04 AMEND: 123000
 04/26/04 ADOPT: 51008.1 AMEND: 51104,
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 04/12/04 AMEND: 12000
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 03/23/04 AMEND: 5200
 03/22/04 AMEND: 66260.10
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