



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. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Southern California Schools Employee Benefits Association
 STATE: Institute of Regenerative Medicine

ADOPTION

MULTI-COUNTY: Southern California Schools Risk Management

A written comment period has been established commencing on July 3, 2012, and closing on August 27, 2012. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

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

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government

Code Section 87302, employees who must disclose certain investments, interests in real property and income.

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than August 27, 2012. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to 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 4. CALIFORNIA DEBT LIMIT
ALLOCATION COMMITTEE**

NOTICE IS HEREBY GIVEN that the California Debt Limit Allocation Committee (Committee) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

The California Debt Limit Allocation Committee has complied with the requirements to provide notice of proposed rulemaking action pursuant to Government Code section 11346.1(a)(2).

PUBLIC HEARING

The California Debt Limit Allocation Committee has not scheduled a public hearing on this proposed action. However, the Committee will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before 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 regulatory action to the Committee. Comments may also be submitted by facsimile (FAX) at (915) 653-6827 or by e-mail to cdlac@treasurer.ca.gov. The written comment period closes at 5:00 p.m. on August 27, 2012. The Committee will consider only comments received at the Committee offices by that time. Submit comments to:

Sean L. Spear
Executive Director
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

AUTHORITY AND REFERENCE

Authority: Section 8869.94, California Government Code. Section 8869.94 of the Code authorizes the Committee to adopt regulations relating to an allocation system to administer the state unified volume ceiling as proposed regulations and instructs the Office of Administrative Law to consider such regulations to be “necessary for the immediate preservation of the public peace, health and safety or general welfare.”

Reference: Sections 8869.80 to 8869.94, California Government Code. These Regulations implement, interpret and make specific Sections 8869.80 to 8869.94 of the Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The proposed regulations include the adoption of a new self-certification. Current regulations do not have this requirement. This will provide confirmation that the applicable initial and on-going public benefits of a project are adequately tracked and accounted for by the issuer. Current regulations state local land use approvals exclude design review, initial environmental study assessments, variances, and development agreements. Proposed regulations will clarify the requirement that all approvals that are discretionary and/or subject to public appeal must be in place at the time of application. Current regulations allow an award allocation to a rural project if another affordable project is still under development or undergoing initial lease-up. Under the proposed regulation, this policy will be applicable only if the proposed new construction project is marketed to the same population as a project under development. Current regulations for sustainable building methods are being realigned to match regulations adopted by the California Tax Credit Allocation Committee. Proposed regulation changes will ensure projects developed today will continue to be energy efficient throughout their compliance period and revise the point criteria. The proposed regulations will ensure low-income housing developments are following building guidelines and that public benefits are being provided to the residents of these projects.

The objective of these Proposed Regulations is to ensure low-income housing developments are following building guidelines and that public benefits are being provided to the residents of these projects. (Government Code 11346.5(a)(3)(C).)

CDLAC has conducted an evaluation of existing state regulations and has determined that the Proposed Regulations are not inconsistent or incompatible with existing state regulations. (California Government Code 11346.5(a)(3)(D).)

List of forms to be incorporated by reference:

- Universal Qualified Residential Rental Project Application Addendum Non-Competitive (10-1-11)
- Universal Qualified Residential Rental Project Application Addendum Competitive (101-11)
- Standard Qualified Residential Rental Project Application Competitive (10-1-11)
- Standard Qualified Residential Rental Project Application Non-Competitive (10-1-11)
- Industrial Development Bond Application (10-1-11)
- Annual Applicant Public Benefits and Ongoing Compliance Self-Certification (10-1-11)
- Report of Action Taken Regarding the Making of a Carryforward Election and the Issuance of Private Activity Bonds (10-1-11)
- Report of Action Taken Regarding the Issuance of Private Activity Bonds (10-1-11)

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Committee and/or Executive Director have made the following initial determinations:

Mandate on Local Agencies or School Districts: The Executive Director of the Committee has determined that the Regulations do not impose a mandate on local agencies or school districts.

Fiscal Impact: The Executive Director of the Committee has determined that the Regulations do not impose any additional cost or savings requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the California Government Code, any other non-discretionary cost or savings to any local agency or any cost or savings in federal funding to the State. Pursuant to the State Administrative Manual Section 6680, a Fiscal Impact Statement (Form 399) is submitted without the signature of a Project Budget Manager at the Department of Finance, as there are no fiscal impact disclosures required by State Administrative Manual Sections 6600-6670. There will be no cost or savings to any State Agency pursuant to Government Code Section 11346.1(b) or 11346.5(a)(6).

Housing Costs: The Executive Director of the Committee has determined that the Regulations do not have a significant effect on housing costs.

Significant, Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of

California Businesses to Compete: The Executive Director of the Committee has determined that the Regulations do not have an adverse economic impact affecting California businesses.

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

Business Reporting Requirement: The proposed regulations do not require any reports by businesses other than those for which an award of Allocation was granted. The reporting required is limited to certifications of compliance with the Committee's resolution that transferred the award to the business.

Small Business Determination: The proposed regulations will not have an adverse impact on small businesses in California as the awards of the state ceiling will only encourage the development of housing or facilities developed or operated primarily by small businesses.

Results of the Economic Impact Analysis: The proposed regulations will not have an effect on the creation or elimination of jobs within the State of California. The proposed regulations will not affect the creation of new businesses or the elimination of existing business with the State of California. The proposed regulations will not have an effect on the expansion of businesses currently doing business within the State of California. The proposed regulations will ensure low-income housing developments are following building guidelines and that public benefits are being provided to the residents of these projects.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Committee must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would 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.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Sean L. Spear
Executive Director
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

The back-up contact person for these inquiries is:

Misti Armstrong
Program Manager
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, forms to be incorporated by reference, or other information upon which the rulemaking is based to Misti Armstrong at the above address.

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

The Committee will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, the forms to be incorporated by reference, and the initial statement of reasons. Copies may be obtained by contacting Misti Armstrong.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the written comment period hearing and considering all timely and relevant comments received, the Committee may adopt the proposed regulations substantially as described in this notice. If the Committee makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Committee adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Misti Armstrong at the address indicated above. The Committee will accept written comments

on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Misti Armstrong at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikethrough can be accessed through our website at <http://www.treasurer.ca.gov/cdlac/index.asp>.

TITLE 4. CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE

NOTICE IS HEREBY GIVEN that the California Debt Limit Allocation Committee (Committee) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

The California Debt Limit Allocation Committee has complied with the requirements to provide notice of proposed rulemaking action pursuant to Government Code section 11346.1(a)(2).

PUBLIC HEARING

The California Debt Limit Allocation Committee has not scheduled a public hearing on this proposed action. However, the Committee will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before 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 regulatory action to the Committee. Comments may also be submitted by facsimile (FAX) at (915) 653-6827 or by e-mail to cdlac@treasurer.ca.gov. The written comment period closes at 5:00 p.m. on August 27, 2012. The Committee will consider only comments received at the Committee offices by that time. Submit comments to:

Sean L. Spear
 Executive Director
 California Debt Limit Allocation Committee
 915 Capitol Mall, Room 308
 Sacramento, CA 95814

AUTHORITY AND REFERENCE

Authority: Section 8869.94, California Government Code. Section 8869.94 of the Code authorizes the Committee to adopt regulations relating to an allocation system to administer the state unified volume ceiling as proposed regulations and instructs the Office of Administrative Law to consider such regulations to be “necessary for the immediate preservation of the public peace, health and safety or general welfare.”

Reference: Sections 8869.80 to 8869.94, California Government Code. These Regulations implement, interpret and make specific Sections 8869.80 to 8869.94 of the Code.

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

On January 1, 2012, statutory changes enacted under SB562 regarding performance deposits became effective. Under current CDLAC regulations, the Committee will approve the Allocation with the deposit fully refundable if 100% of the Allocation is used to issue bonds; or in the case of a Drawdown bond Issuance, the minimum amount of Allocation is used to issue bonds. For Mortgage Credit Certificate Programs, the deposit is fully refundable if the Allocation is converted to mortgage credit certificate authority and at least one mortgage credit certificate is issued. New language is proposed to reflect changes to statute, which provide the Committee the flexibility to incorporate a more realistic requirement that reflects the common practice of a bond issue. The proposed regulations would allow for a reduced issuance amount of 80% or more of the Committee’s allocation award without penalty. Performance deposits would be fully refundable in this instance, but a partial forfeiture would be due to the Committee if less than 80% of the award is issued.

The objective of these Proposed Regulations is to ensure low-income housing developments and public benefits are being provided to the residents of these projects. (Government Code 11346.5(a)(3)(C).)

CDLAC has conducted an evaluation of existing state regulations and has determined that the Proposed Regulations are not inconsistent or incompatible with existing state regulations. (California Government Code 11346.5(a)(3)(D).)

List of forms to be incorporated by reference:

- Performance Deposit Certification form for an Application for an Allocation of Qualified Private Activity Bonds (revised 1-18-12)

DISCLOSURES REGARDING THE
 PROPOSED ACTION

The Committee and/or Executive Director have made the following initial determinations:

Mandate on Local Agencies or School Districts: The Executive Director of the Committee has determined that the Regulations do not impose a mandate on local agencies or school districts.

Fiscal Impact: The Executive Director of the Committee has determined that the Regulations do not impose any additional cost or savings requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the California Government Code, any other non-discretionary cost or savings to any local agency or any cost or savings in federal funding to the State. Pursuant to the State Administrative Manual Section 6680, a Fiscal Impact Statement (Form 399) is submitted without the signature of a Project Budget Manager at the Department of Finance, as there are no fiscal impact disclosures required by State Administrative Manual Sections 6600-6670. There will be no cost or savings to any State Agency pursuant to Government Code Section 11346.1(b) or 11346.5(a)(6).

Housing Costs: The Executive Director of the Committee has determined that the Regulations do not have a significant effect on housing costs.

Significant, Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete: The Executive Director of the Committee has determined that the Regulations do not have an adverse economic impact affecting California businesses.

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

Business Reporting Requirement: The proposed regulations do not require any reports by businesses other than those for which an award of Allocation was granted. The reporting required is limited to certifications of compliance with the Committee’s resolution that transferred the award to the business.

Small Business Determination: The proposed regulations will not have an adverse impact on small businesses in California as the awards of the state ceiling will only encourage the development of housing or faci-

lities developed or operated primarily by small businesses.

Results of the Economic Impact Analysis: The proposed regulations will not have an effect on the creation or elimination of jobs within the State of California. The proposed regulations will not affect the creation of new businesses or the elimination of existing business with the State of California. The proposed regulations will not have an effect on the expansion of businesses currently doing business within the State of California. The proposed regulations will ensure low-income housing developments are following building guidelines and that public benefits are being provided to the residents of these projects.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Committee must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would 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.

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

CONTACT PERSONS

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Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, forms to be incorporated by reference, or other information upon which the rulemaking is based to Misti Armstrong at the above address.

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

The Committee will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, the forms to be incorporated by reference, and the initial statement of reasons. Copies may be obtained by contacting Misti Armstrong.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the written comment period hearing and considering all timely and relevant comments received, the Committee may adopt the proposed regulations substantially as described in this notice. If the Committee makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Committee adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Misti Armstrong at the address indicated above. The Committee will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Misti Armstrong at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at <http://www.treasurer.ca.gov/cdlac/index.asp>.

**TITLE 4. CALIFORNIA DEBT LIMIT
ALLOCATION COMMITTEE**

NOTICE IS HEREBY GIVEN that the California Debt Limit Allocation Committee (Committee) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

The California Debt Limit Allocation Committee has complied with the requirements to provide notice of proposed rulemaking action pursuant to Government Code section 11346.1(a)(2).

PUBLIC HEARING

The California Debt Limit Allocation Committee has not scheduled a public hearing on this proposed action. However, the Committee will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before 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 regulatory action to the Committee. Comments may also be submitted by facsimile (FAX) at (915) 653-6827 or by e-mail to cdlac@treasurer.ca.gov. The written comment period closes at 5:00 p.m. on August 27, 2012. The Committee will consider only comments received at the Committee offices by that time. Submit comments to:

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Executive Director
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

AUTHORITY AND REFERENCE

Authority: Section 8869.94, California Government Code. Section 8869.94 of the Code authorizes the Committee to adopt regulations relating to an allocation system to administer the state unified volume ceiling as proposed regulations and instructs the Office of Administrative Law to consider such regulations to be “necessary for the immediate preservation of the public peace, health and safety or general welfare.”

Reference: Sections 8869.80 to 8869.94, California Government Code. These Regulations implement, in-

terpret and make specific Sections 8869.80 to 8869.94 of the Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The Proposed Regulations are being revised to realign with the Tax Credit Allocation Committee’s (TCAC) recent changes. The Proposed Regulations will establish rent-change standards for updating the market study and other timeliness requirements. This will also clarify that rural new construction projects with a tax credit reservation are equivalent to projects under construction for purposes of the rural “build-and-fill” policy. Current regulations state project sites must be within a certain distance to public schools. Proposed Regulations will realign with TCAC and state the site must be within 1/4 mile of a public elementary school; 1/2 mile of a public middle school; or one (1) mile of a public high school, (an additional 1/2 mile for each public school type for Rural projects). To realign with TCAC regulation changes, CDLAC regulations for medical clinics are being amended to require on-site physician, or physician’s assistant, or nurse practitioner at least 40 hours per week. To realign with TCAC regulation changes, CDLAC regulations are being amended to require a minimum square footage for Projects seeking points for close proximity to grocery markets. Current regulations do state a square footage minimum is required. Due to the dissolution of redevelopment agencies, language is being revised to omit the mentioning of said agencies. Proposed Regulations will clarify the requirements for exceeding the minimum rent restrictions and include language to include all unit types must be at least 20% below the market rents in order to receive points in this category and that the Applicant will receive points for the average percentage below 20% of the market rents. For Projects seeking points for WiFi site amenity, the Proposed Regulations will clarify service must be in place by the Project’s placed in service date. High speed internet service, with a minimum average download speed of 768 kilobits/second must be made available to each unit for a minimum of 10 years, free of charge to the tenants, and available at the time of the project’s placed-in-service date. Under the recently adopted Sustainable Building Methods point criteria, a mechanical engineer certification is no longer acceptable evidence of Project eligibility. Proposed Regulations will omit this certification option and amend certifications to include additional architect information, including company name, address, and phone number. Architect letterhead requirements will be omitted. Proposed Regulations will amend the Annual Applicant Public Benefits and Ongoing Compliance Self-

Certification to include a specific Single Family Housing Program self-certification section.

The objective of these Proposed Regulations is to ensure low-income housing developments and public benefits are being provided to the residents of these projects. (Government Code 11346.5(a)(3)(C).)

CDLAC has conducted an evaluation of existing state regulations and has determined that the Proposed Regulations are not inconsistent or incompatible with existing state regulations. (California Government Code 11346.5(a)(3)(D).)

List of forms to be incorporated by reference:

- Annual Applicant Public Benefits and Ongoing Compliance Self-Certification (3-21-12)
- Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) (3-21-12)
- Non-Competitive Application For Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) (3-21-12)
- Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) Universal Application Addendum (3-21-12)
- Non-Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) Universal Application Addendum (3-21-12)

DISCLOSURES REGARDING THE PROPOSED ACTION

The Committee and/or Executive Director have made the following initial determinations:

Mandate on Local Agencies or School Districts: The Executive Director of the Committee has determined that the Regulations do not impose a mandate on local agencies or school districts.

Fiscal Impact: The Executive Director of the Committee has determined that the Regulations do not impose any additional cost or savings requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the California Government Code, any other non-discretionary cost or savings to any local agency or any cost or savings in federal funding to the State. Pursuant to the State Administrative Manual Section 6680, a Fiscal Impact Statement (Form 399) is submitted without the signature of a Project Budget Manager at the Department of Finance, as

there are no fiscal impact disclosures required by State Administrative Manual Sections 6600-6670. There will be no cost or savings to any State Agency pursuant to Government Code Section 11346.1(b) or 11346.5(a)(6).

Housing Costs: The Executive Director of the Committee has determined that the Regulations do not have a significant effect on housing costs.

Significant, Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete: The Executive Director of the Committee has determined that the Regulations do not have an adverse economic impact affecting California businesses.

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

Business Reporting Requirement: The proposed regulations do not require any reports by businesses other than those for which an award of Allocation was granted. The reporting required is limited to certifications of compliance with the Committee's resolution that transferred the award to the business.

Small Business Determination: The proposed regulations will not have an adverse impact on small businesses in California as the awards of the state ceiling will only encourage the development of housing or facilities developed or operated primarily by small businesses.

Results of the Economic Impact Analysis: The proposed regulations will not have an effect on the creation or elimination of jobs within the State of California. The proposed regulations will not affect the creation of new businesses or the elimination of existing business with the State of California. The proposed regulations will not have an effect on the expansion of businesses currently doing business within the State of California. The proposed regulations will ensure low-income housing developments are following building guidelines and that public benefits are being provided to the residents of these projects.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Committee must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would 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

tive in implementing the statutory policy or other provision of law than the proposal described in this Notice.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Sean L. Spear
Executive Director
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

The back-up contact person for these inquiries is:

Misti Armstrong
Program Manager
California Debt Limit Allocation Committee
915 Capitol Mall, Room 308
Sacramento, CA 95814

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, forms to be incorporated by reference, or other information upon which the rulemaking is based to Misti Armstrong at the above address.

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

The Committee will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, the forms to be incorporated by reference, and the initial statement of reasons. Copies may be obtained by contacting Misti Armstrong.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the written comment period hearing and considering all timely and relevant comments received, the Committee may adopt the proposed regulations substantially as described in this notice. If the Committee makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) avail-

able to the public for at least 15 days before the Committee adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Misti Armstrong at the address indicated above. The Committee will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Misti Armstrong at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at <http://www.treasurer.ca.gov/cdlac/index.asp>.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD #0312-01

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM #1 AB 98 Subsidized Employment as amended by SB 72 and AB 106

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held August 29, 2012, as follows:

Office Building # 8
744 P St. Room 103
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on August 29, 2012.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Office of Regulations Development
California Department of Social
Services
744 P Street, MS 8-4-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

CDSS Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards Manual, Chapter 41-400 (Deprivation of Parental Support or Care), Section 41-440 (Unemployed Parent Program); Chapter 42-700 (Welfare-to-Work), Sections 42-716 (Welfare-to-Work Activities) and 42-717 (Job Retention Services); and Chapter 44-200 (AU Composition and Need) Section 44-207 (Income Eligibility).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill (SB) 72 (Chapter 8, Statutes of 2011) and Assembly Bill (AB) 106 (Chapter 32, Statutes of 2011)

amended the California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work (WTW) Program. The CalWORKs WTW program is the employment and training component of CalWORKs, California's version of the federal Temporary Assistance for Needy Families (TANF) Program.

Federal welfare reform enacted the TANF program through the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996, limiting federally funded cash aid to a family with an adult to a total of five years. The intent of the WTW program is to provide employment and training services to the maximum possible number of the adult CalWORKs population to aid them in achieving economic self-sufficiency within this time frame.

Subsidized employment is a WTW activity, and one category of subsidized employment is provided through the AB 98 subsidized employment program. AB 98 was originally implemented on January 1, 2008 and then suspended in 2009 due to the availability of subsidized employment funding from the TANF Emergency Contingency Fund (ECF) under the American Recovery and Reinvestment Act of 2009. At the conclusion of the TANF ECF program, AB 98 subsidized employment was re-implemented effective October 1, 2010. Effective March 24, 2011, SB 72 expanded the AB 98 subsidized employment program in order to encourage counties to establish or expand AB 98 subsidized employment programs to assist CalWORKs families with the goal of self-sufficiency.

The Legislature designed the AB 98 subsidized employment program to be cost neutral to the state budget by redirecting existing resources without increasing funding. The cost neutrality of the program is intended to be achieved by offsetting the cost of the state's contribution toward AB 98 wage subsidies outside of the single allocation, with grant savings achieved as a result of the subsidized employment income.

Following the implementation of the SB 72 changes to AB 98 subsidized employment, the eligible populations for the AB 98 subsidized employment program are current CalWORKs recipients, individuals who cure their sanctions through participation in the AB 98 program, and individuals who have exceeded CalWORKs time limits and receive Safety Net benefits for their eligible children. Current recipients and Safety Net individuals may continue in an AB 98 program if their families become ineligible for CalWORKs due to AB 98 income. Safety Net participants in the AB 98 program can continue to participate in AB 98 subsidized employment instead of participating in community service to receive job retention services.

AB 98 wage subsidies are limited to six months for each participant upon entry into the AB 98 program, unless the county determines a longer subsidy will benefit

the employer and the participant, in which case AB 98 wage subsidies can be available up to a total of 12 months. Individuals who apply for CalWORKs after leaving aid due to AB 98 income shall be considered current recipients for determining CalWORKs financial eligibility and work requirements if the individual applies within three calendar months of the subsidized employment ending.

AB 106 changes the 60-month time limit for CalWORKs cash aid to 48 months. Additionally, AB 106 expands WTW job retention services for CalWORKs individuals who exceed the 48-month time limit and are receiving Safety Net cash-aid benefits for their eligible children. Safety net individuals may enter or continue participation in AB 98 subsidized employment instead of participating in community service.

Additionally, the proposed regulations will make other technical, conforming changes, such as adding and renumbering of sections and amending cross-references as necessary.

This regulatory action will benefit the health and welfare of California residents by providing increased subsidized employment opportunities for CalWORKs clients. Worker safety and the state's environment will not be impacted by these amended regulations. This regulatory action does not make changes to regulations involving worker safety or the state's environment.

The Department finds that these proposed regulations are compatible and consistent with the intent of the Legislature in adopting SB 72 and AB 106, as well as with existing state regulations.

COST ESTIMATE

1. **Costs or Savings to State Agencies:** Results in a net state fund savings of \$773,000 in FY 2011-12 and \$1,384,000 annually. These savings are already reflected in the 2012 May Revision of the FY 2012-13 Governor's Budget. In total, this policy is assumed to be cost neutral as these grant savings offset the services costs of providing the AB 98 employment subsidy.
2. **Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500-17630:** None
3. **Nondiscretionary Costs or Savings to Local Agencies:** Savings of approximately \$360,000 in FY 2011-12 and \$645,000 annually. These savings are already reflected in the 2012 May Revision of the FY 2012-13 Governor's Budget. In total, this policy is assumed to be cost neutral as these grant savings offset the services costs of providing the AB 98 employment subsidy.

4. **Federal Funding to State Agencies:** Services costs are offset by grant savings, resulting in a net cost in federal funding of \$1,133,000 in FY 2011-12 and \$2,029,000 annually. These costs are already reflected in the 2012 May Revision of the FY 2012-13 Governor's Budget. This policy is assumed to be cost neutral as the total costs of providing the AB 98 employment subsidy are fully offset by total grant savings.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate upon local agencies or on school districts. There are no "state-mandated local costs" in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because these regulations do not mandate that local agencies implement the AB 98 subsidized employment program or welfare-to-work services for CalWORKs recipients who exceed the 48-month time limit. Any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS 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. This determination was made based on the proposed regulatory action, which is for a statutory program that provides monetary incentive for employers wanting to participate in the AB 98 subsidized employment program to hire CalWORKs clients. Furthermore, the program as amended by SB 72 was designed to be cost neutral so that any costs associated with AB 98 subsidies would be offset by equal decreases to the costs for CalWORKs cash grants. Cost neutrality avoids impact on the state budget and the impact that additional costs to the state might have on business.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Businesses that choose to participate in the AB 98 subsidized employment program will have standard employment costs associated with voluntarily hiring CalWORKs clients that will be partially covered by the AB 98 subsidy.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact to small businesses as a result of filing these regulations. These regulations are mandated by Senate Bill 72 and are only applicable to CalWORKs program recipients; therefore, they do not have a cost impact on the private sector, including small businesses.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments may create but will not eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

This regulatory action will benefit the health and welfare of California residents by providing increased subsidized employment opportunities for CalWORKs clients. Worker safety and the state's environment will not be impacted by these amended regulations. This regulatory action does not make changes to regulations involving worker safety or the state's environment.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS did not consider any other alternatives because no alternatives were proposed. Additionally, the Legislature mandated that regulations be adopted for these amendments and additions to the Welfare and Institutions Code Sections 11320.15, 11322.63 and 11323.25 by SB 72 (Section 42).

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553 and 10554 of the Welfare and Institutions Code. Subject regulations implement and make specific Sections 11320.15, 11322.63, and

11323.25, Welfare and Institutions Code [SB 72 (Chapter 8, Statutes of 2011) and AB 106 (Chapter 32, Statutes of 2011)].

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Everardo Vaca (916) 657-2586
Backup: Zaid Dominguez (916) 657-2586

EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD#0412-03

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM#2 CalWORKs 48-Month Time Limit and Good Cause Exemption (SB 72 and AB 106)

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held August 29, 2012, as follows:

Office Building # 8
744 P St. Room 103
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The CDSS will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on August 29, 2012.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the CDSS considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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California Department of Social
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E-MAIL: ord@dss.ca.gov

CHAPTERS

CDSS Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards Manual, Chapter 40-100 (General), Section 40-107 (County Responsibility); Chapter 42-300 (General Time Limit Requirements), Sections 42-301 (General Time Limit Requirements for Adults), and 42-302 (60-Month Time Limit Requirements for Adults); Chapter (Residence), Section 42-431 (Eligibility Requirements); Chapter 42-700 (Welfare-to-Work), Sections 42-712 (Exemptions from Welfare-to-Work Participation), 42-713 (Good Cause for not Participating), 42-716 (Welfare-to-Work Activities), 42-717 (Job Retention Services), and 42-721 (Noncompliance with Program Requirements); Chapter 44-100 (Income), Section 44-133 (Treatment of Income — CalWORKs); Chapter 44-300 (Aid Payments), Sections 44-307 (Voucher/Vendor Payments), and 44-316 (Reporting Changes Affecting Eligibility and Grant Determinations and

County Actions); and Chapter 82-800 (Assistance Unit), Section 82-833 (Timed-out Adults).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

SB 72 amends the CalWORKs WTW program. The CalWORKs WTW program is the employment and training component of CalWORKs, California's version of the federal Temporary Assistance for Needy Families (TANF) program.

Federal welfare reform enacted the TANF program through the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996, limiting federally funded cash aid to a family with an adult to a total of five years. The intent of the WTW program is to provide employment and training services to the maximum possible number of the adult CalWORKs population to aid them in achieving economic self-sufficiency within this time frame.

Assembly Bill (AB) 106 as well as SB 72 impacted the CalWORKs program significantly. AB 106 continued the approximate reduction of \$376 million to the CalWORKs single allocation in the 2011-12 fiscal year, and SB 72 extended statutory changes which affect funding and exemptions in the CalWORKs program. In crafting SB 72, the Legislature still allowed for more effective utilization of limited resources for CalWORKs services and provided counties additional flexibility to address funding constraints.

In order to achieve these goals, the proposed regulations extended the two temporary CalWORKs exemptions for young children and reduced the number of months in which an aided adult in the Assistance Unit (AU) receives CalWORKs benefits to 48 months.

The proposed regulations also extend the two CalWORKs exemptions that were set forth in 2009 by AB X4 4 (Chapter 4, Statutes of the Fourth Extraordinary Session of 2009) for one additional year. These exemptions apply to clients who are caring for young children and to clients who may be granted good cause from WTW participation due to a lack of supportive services. Clients who receive the exemption for young children will not be required to participate in WTW activities and will have their CalWORKs time clock stopped until they no longer meet these criteria, or until July 1, 2012, whichever comes first. Clients who are granted good cause from WTW participation due to a lack of supportive services will also have their CalWORKs time clock stopped until they no longer meet these criteria, or until July 1, 2012, whichever comes first.

The proposed regulations are consistent and compatible with existing regulations. These regulations simply extend the inoperable date of the provisions already put

in place by regulations adopted in December 2010 under OAL File No. 2010–1115–01C.

PRWORA limited the number of months that a family could be aided by TANF to 60 months. CalWORKS previously imposed a 60–month time limit on the number of months an adult in the AU could receive benefits, unless otherwise exempt from the time limit.

SB 72 and AB 106 reduced the number of months in which an aided adult in the AU can receive CalWORKS benefits to 48 months including TANF months of aid received from other states after January 1, 1998, unless otherwise exempt from the time limit due to the reasons listed under MPP Sections 42–302.11–12 and 42–302.21.

Additionally, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross–references as necessary.

The benefit of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment is that it allows counties more effective utilization of limited resources for CalWORKS program services and provides counties additional flexibility to address funding constraints due to the continued reduction to the CalWORKS single allocation.

COST ESTIMATE

1. Costs or Savings to State Agencies: These regulations include a savings of approximately \$1,701,000 in FY 2011–12, and \$3,775,000 annually ongoing beginning FY 2012–2013.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: These regulations include a savings of approximately \$325,000 in FY2011–12 and \$835,000 annually ongoing beginning FY 2012–13.
4. Federal Funding to State Agencies: These regulations include a savings of approximately \$461,173,000 in FY 2011–12, and \$106,896,000 annually and ongoing beginning FY 2012–2013.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate on local agencies. If the Commission on State Mandates determines that these regulations contain reimbursable costs mandated by the state, reimbursement to local agencies for those costs shall be made pursuant to Part 7 (com-

mencing with Section 17500) of Division 4 of Title 2 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS 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. This determination was made because this regulatory action only affects CalWORKS program recipients.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

These regulations, mandated by SB 72 (Chapter 8, Statutes of 2011), are only applicable to CalWORKS program recipients. The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed regulations do not have a cost impact on the private sector.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefit of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment is that it allows counties more effective utilization of limited resources for CalWORKS program services and provides counties additional flexibility to address funding constraints due to the continued reduction to the CalWORKS single allocation.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS did not consider any other alternatives than the one proposed because there were no other alternatives proposed. The statute is prescriptive and does not provide the flexibility to consider other approaches for implementation.

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed actions or would be more cost effective to affected private persons and equally effective in implementing that statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553 and 10554 of the Welfare and Institutions Code and SB 72 (Ch. 8, Stats. of 2011), Section 42. Subject regulations implement and make specific Sections 11320.3, 11454, 11454.2, and 11454.5, Welfare and Institutions Code.

Contact Person: Gladine Pittman (916) 657-2586
 Backup: Zaid Dominguez (916) 657-2586

EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD #0512-05

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM #3 CalWORKs Earned Income Disregards for Determining Eligibility and Grant Amounts for Recipients

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writ-

ing relevant to the proposed regulations at a public hearing to be held August 29, 2012, as follows:

Office Building # 8
 744 P St. Room 103
 Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on August 29, 2012.

Following the public hearing, CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahw.net.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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 California Department of Social Services
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FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

CDSS Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards Manual, Chapter 40–100 (General), Section 40–105 (Applicant and Recipient Responsibility); Chapter 44–100 (Income), Sections 44–111 (Payments Excluded or Exempt from Consideration as Income), 44–113 (Net Income) and 44–133 (Treatment of Income — CalWORKs); Chapter 44–300 (Aid Payments), Section 44–315 (Amount of Aid); Chapter 89–200 (Minor Parent), Section 89–201 (Minor Parent Requirement).

INFORMATIVE DIGEST

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which, through a combination of state and county funds and federal funds received through the Temporary Assistance for Needy Families (TANF) program, each county provides cash assistance and other benefits to qualified low-income families. To qualify for the program, a family’s total net nonexempt income must be below a certain dollar amount. In calculating that net income, a portion of earned income is disregarded.

Existing law establishes maximum aid grant amounts to be provided under the CalWORKs program, subject to specified adjustments. Existing law reduces the maximum aid payments in effect on September 1, 2007, by 4%, commencing July 1, 2009. SB 72 reduces the maximum aid payments in effect on July 1, 2009, by an additional 8%, and authorized implementation of this reduction by all-county letters or similar instructions from the CDSS, pending the adoption of regulations, as specified.

Existing law provides that certain amounts are exempt from the calculation of income of the family for purposes of determining financial eligibility for the CalWORKs program. These exempt amounts include \$225 of disability-based unearned income, and an amount of otherwise exempt earned income as specified. SB 72 revises the above earned income calculation when the amount of disability-based unearned income is less than \$225, to exempt the total amount of the disability-based unearned income plus the lesser of (1) \$112 of earned income that is not otherwise exempt, or (2) the amount of otherwise nonexempt earned income that represents the difference between the amount of unearned disability-based income and \$225 (up to \$112), and 50% of any additional earned income.

The Manual of Policies and Procedures (MPP) is being amended to mirror changes made to the Earned Income Disregard (EID) implemented by SB 72. The MPP contains several handbook sections with exam-

ples of application of the income disregards in determining eligibility and aid payment levels. These handbook sections and examples are being updated with the revised method for calculating net income based upon Welfare and Institutions Code Section 11451.5, the applicable current Maximum Aid Payment (MAP) levels in Welfare and Institutions Code Sections 11450 and 11453(c)(6), and the Minimum Basic Standard of Adequate Care (MBSAC) levels as determined per Welfare and Institutions Code Section 11453.

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment are as follows:

- Counties are allowed more effective utilization of limited resources for CalWORKs services and provides counties additional flexibility to address funding constraints due to the continued reduction to the State General Fund and the CalWORKs single allocation.

The CDSS finds that these proposed regulations are compatible and consistent with the intent of the Legislature as well as with existing state regulations.

COST ESTIMATE

1. Costs or Savings to State Agencies: These proposed regulations will save approximately \$5,587,000 FY 2011–12, and \$6,172,000 million annually and ongoing beginning FY 2012–13.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: These proposed regulations will save approximately \$1,998,000 in FY 2011–12, and \$2,149,000 million in FY 2012–13 and ongoing annually.
4. Federal Funding to State Agencies: These proposed regulations will save approximately \$76,768,000 in FY 2011–12, and \$89,570,000 annually and ongoing beginning FY 2012–13.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate on local agencies, but not on school districts. If the Commission on State Mandates determines that these regulations contain reimbursable costs mandated by the state, reimbursement to local agencies for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide ad-

verse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because this regulatory action only affects CalWORKs recipients who qualify for Earned Income Disregards.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

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

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows:

- Counties are allowed more effective utilization of limited resources for CalWORKs services and provides counties additional flexibility to address funding constraints due to the continued reduction to the State General Fund and the CalWORKs single allocation.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS did not consider any other alternatives than the one proposed because there were no other alternatives proposed.

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less

burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553 and 10554 of the Welfare and Institutions Code and Senate Bill 72 (Ch. 8, Statutes of 2011) Section 42. Subject regulations implement and make specific sections 11450, 11451.5 and 11453, Welfare and Institution Code.

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Gladine Pittman (916) 657-2586
 Backup: Zaid Dominguez (916) 657-2586

GENERAL PUBLIC INTEREST

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Unified Program State Surcharge Fee Change

NOTICE IS HEREBY GIVEN that the California Secretary for Environmental Protection is adjusting the Unified Program State Surcharge according to the California Health and Safety Code (HSC), Division 20, Chapter 6.11, Section 25404.5(b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240.

The Unified Program State Surcharge is an assessment on each entity regulated under the Unified Program. The State Surcharge is used to fund the necessary and reasonable costs of all State Agencies responsible for program implementation, ongoing maintenance, and oversight of the Unified Program. Assembly Bill 2286 (Chapter 571 Statutes of 2008) provided for an increase in the Oversight portion of the State Surcharge for three years to fund the implementation of mandatory electronic reporting. The three-year timeframe for this increased surcharge ends on June 30, 2012 and the Oversight portion of the State Surcharge will be reduced to \$35.00 per year per regulated facility. The Underground Storage Tank and California Accidental Release Prevention Program portions remain unchanged.

The State Surcharge was publicly noticed in the California Regulatory Notice Register (Z-Register) for

a 30–day comment period beginning May 25, 2012 and Cal/EPA held a public workshop on June 14, 2012. No comments were received during the comment period and the workshop attendees made no suggestions for change. Cal/EPA has amended the state surcharge to those shown below. Certified Unified Program Agencies will be responsible for collecting the new Surcharge as part of their Single Fee System effective on publishing in the Z–Register, expected to be July 13, 2012.

STATE SURCHARGE

For fiscal year 2012/13 forward, the State Surcharge is set as follows:

Oversight	\$35.00 (reduced from \$49.00)
Underground Storage Tank	\$15.00 (unchanged)
California Accidental Release Prevention Program	\$270.00 (unchanged)

OAL REGULATORY DETERMINATIONS

OFFICE OF ADMINISTRATIVE LAW

DETERMINATION OF ALLEGED UNDERGROUND REGULATION (Summary Disposition)

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

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: June 29, 2012
 To: Anthony Crawford
 From: Chapter Two Compliance Unit
 Subject: **2012 OAL DETERMINATION NO. 7(S)**
(CTU2012–0524–01)
 (Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))
 Petition challenging as an underground regulation California Code of Regulations, title 15, section 3006(a), concerning possession of wireless communication devices in prisons

On May 24, 2012, we received your petition to the Office of Administrative Law (OAL) asking for a determination as to whether California Code of Regulations, title 15, section 3006(a), concerning possession of wireless communication devices in prisons constitutes an underground regulation.

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.

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

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

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

On October 5, 2011, Governor Edmund G. Brown Jr. signed into law urgency legislation (Senate Bill 26) which took effect immediately enacting section 4576 of the Penal Code concerning wireless communication devices in prisons. CDCR has certified as an Operational Necessity under Penal Code section 5058.3 that amendments to section 3000, and others, of title 15 of the California Code of Regulations be adopted as an emergency to implement the changes made by the enactment of section 4576 of the Penal Code. The amendment to

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.

section 3000 was filed with the Secretary of State on December 9, 2011, and was effective on that date. CDCR certified completion of the rulemaking process and the final rule was filed with the Secretary of State on June 6, 2012, and was effective on that date.

For the reasons discussed above, we find that the rule challenged by your petition 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
Assistant Chief Counsel/
Acting Director
/s/
Kathleen Eddy
Senior Counsel

Copy: Matthew Cate
Tim Lockwood

<p>SUMMARY OF REGULATORY ACTIONS</p>

**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)

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.

653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2012-0613-02
BOARD OF EQUALIZATION
Records

The State Board of Equalization amended section 3301 of title 18 of the California Code of Regulations to change the words "fee payer" to "feepayer" as a change without regulatory effect.

Title 18
California Code of Regulations
AMEND: 3301
Filed 07/03/2012
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2012-0613-04
BOARD OF EQUALIZATION
Roll Corrections

The State Board of Equalization amended section 263 of title 18 of the California Code of Regulations to (1) eliminate a subdivision designation, (2) change the "S" in "Section" to lower case, and (3) add errors or omissions from failure to reflect a decline in taxable value of floating homes and manufactured homes to those incorrect entries on a roll that must be corrected within one year after making the assessment. The latter change was made to conform to changes made to Revenue and Taxation Code section 4831 by SB 947 (Stats. 2011, ch. 351). The proposed regulatory action was submitted to the Office of Administrative Law as a change without regulatory effect under section 100 of title 1 of the California Code of Regulations.

Title 18
California Code of Regulations
AMEND: 263
Filed 07/03/2012
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2012-0606-01
BOARD OF PILOT COMMISSIONERS
Duties of Pilots and Inland Pilots

The Board of Pilot Commissioners (Board) amended section 219 of title 7 of the California Code of Regulations to delete language in subdivision (g) regarding the Port Agent's responsibility to notify the Executive Director of the Board when the Port Agent becomes aware of a navigational incident involving a pilot. The requirement is more specifically provided for in subdivision (d)(7) of section 218.

Title 7
California Code of Regulations
AMEND: 219
Filed 07/03/2012
Effective 08/02/2012
Agency Contact:
Amanda Esquivias (916) 324-7514

File# 2012-0525-02
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Automated Case Plan Pilot Program

This regulatory action implements a pilot program to use an automated case planning tool in conjunction with an automated needs assessment tool to provide a case plan for offenders which identifies rehabilitative programs that are likely to aid in the offender's successful reentry to society and ultimately reduce recidivism.

Title 15
California Code of Regulations
ADOPT: 3999.12
Filed 07/02/2012
Effective 07/02/2012
Agency Contact: Sarah Pollock (916) 445-2266

File# 2012-0524-02
DEPARTMENT OF FISH AND GAME
SHARE Program Expansion

This regulatory action by the Department of Fish and Game added section 602 to title 14 of the California Code of Regulations. The purpose of this addition is to expand the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program from a pilot program into a functioning general use program. This new regulation defines the landowner enrollment process, public access permit application process, permitted uses of SHARE properties, and various other aspects of the program.

Title 14
California Code of Regulations
ADOPT: 602
Filed 07/02/2012
Effective 08/01/2012
Agency Contact: Victoria Barr (916) 445-4034

File# 2012-0605-02
DEPARTMENT OF HEALTH CARE SERVICES
Drug Medi-Cal Rates (2011-2012)

This certificate of compliance makes permanent the prior emergency regulatory action (OAL file no. 2011-1215-02E) that updated the Medi-Cal reimbursement rates for substance abuse (Drug Medi-Cal) services for Fiscal Year 2010-2011 that appear in sec-

tion 51516.1 of Title 22 of the California Code of Regulations. There are also a few non-substantive changes made to the same section.

Title 22
California Code of Regulations
AMEND: 51516.1
Filed 07/03/2012
Effective 07/03/2012
Agency Contact: Lori Manieri (916) 650-6825

File# 2012-0619-01
DEPARTMENT OF MOTOR VEHICLES
Business Partner Automation (BPA) Program

The Department of Motor Vehicles (DMV) has an existing program called the "Business Partner Automation Program" (the "BPA Program") under which DMV authorizes private industry partners to provide services such as vehicle registration and titling transactions which would otherwise be provided directly by DMV staff, as authorized by Vehicle Code section 1685.

In the current rulemaking, the DMV amends a number of the regulations (including incorporated documents) to make changes, clarifications and corrections to BPA Program provisions. The amendments will remove the ceiling on document processing fees. The amendments will also authorize business partners to process permanent fleet registration transactions and original and salvage and non-repairable transactions. It also expands the type of license plates business partners will be authorized to issue. Significantly, these amendments revise the relationship that the department has with second-line partners and remove all bond requirements from them. In addition, a number of other BPA Program forms (incorporated by reference) are being amended.

Title 13
California Code of Regulations
AMEND: 225.00, 225.03, 225.09, 225.12, 225.15, 225.18, 225.21, 225.24, 225.35, 225.36, 225.38, 225.42, 225.45, 225.54, 225.60, 225.63, 225.66, 225.69, 225.72 REPEAL: 225.06
Filed 06/29/2012
Effective 07/01/2012
Agency Contact: Randi Calkins (916) 657-8898

File# 2012-0525-01
DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY
Rigid Plastic Packaging Containers Amendments

This rulemaking action revises, clarifies, simplifies, and updates regulations in Title 14 of the California Code of Regulations governing the compliance certification process, compliance formulas and calculations, alternative compliance method, and penalty calcula-

tions for the manufacturers of products sold or offered for sale in California which are contained in rigid plastic packaging containers.

Title 14
 California Code of Regulations
 ADOPT: 17944.1, 17945.1, 17945.4, 17946, 17946.5, 17948.1, 17948.2 AMEND: 17943, 17944, 17946(a)–(h) renumber as 17945.2, 17946(i) renumber as 17945.3, 17946.5 renumber as 17945.5, 17947, 17948, 17948.5, 17949 REPEAL: 17942, 17944.2, 17944.5, 17945
 Filed 06/28/2012
 Effective 01/01/2013
 Agency Contact: Ty Moore (916) 341–6756

File#2012–0529–01
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT
 Premium Rates for Health Facilities Construction Loan Insurance

The Office of Statewide Health Planning is amending Title 22, section 91477 of the California Code of Regulations. This amendment implements a discounted refinancing premium on loan proceeds insured by the Health Facilities Construction Loan Insurance Program. The new discounted premium rate is a change to the current rates published in the California Code of Regulations.

Title 22
 California Code of Regulations
 AMEND: 91477
 Filed 06/28/2012
 Effective 06/28/2012
 Agency Contact:
 Donald F. Morey (916) 326–3615

File# 2012–0523–01
VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
 Rule 649.32 Verification of Income or Support Loss

This rulemaking action amends section 649.32 of Title 2 of the California Code of Regulations to require improved documentation of lost income resulting from being the victim or derivative victim of a crime. The rulemaking also prohibits the payment of lost income if the victim or derivative victim can only prove the existence of a job offer and had not begun working at the time of the qualifying crime.

Title 2
 California Code of Regulations
 AMEND: 649.32
 Filed 06/28/2012
 Effective 07/28/2012
 Agency Contact:
 Geoff Feusahrens (916) 491–3863

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN February 8, 2012 TO
 July 4, 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**
- 06/28/12 AMEND: 649.32
 - 06/19/12 AMEND: 56800
 - 06/04/12 ADOPT: 18313.6
 - 05/29/12 AMEND: 20811(c)
 - 05/15/12 AMEND: 1859.2
 - 05/10/12 AMEND: 1859.2, 1859.82
 - 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

- Title 3**
- 06/19/12 ADOPT: 6970, 6972 AMEND: 6000
 - 05/17/12 AMEND: 4603(i)
 - 05/01/12 AMEND: 3423(b)

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 28-Z

04/16/12	AMEND: 3591.19	04/19/12	ADOPT: 10192, 10193, 10194, 10195, 10196, 10197, 10198, 10199
04/16/12	AMEND: 3439	04/17/12	AMEND: 53
04/12/12	AMEND: 3591.21(b)	04/12/12	AMEND: 10317, 10325
04/12/12	ADOPT: 3435(c)	04/11/12	AMEND: 10302, 10310, 10315, 10317, 10322, 10325, 10327, 10328
04/12/12	AMEND: 3434(b)&(c)	04/04/12	AMEND: 5000, 5170, 5200, 5230, 5370, 5500, 5540
04/03/12	ADOPT: 3639	03/29/12	AMEND: 12008, 12335, 12342, 12345, 12357, 12359
04/03/12	ADOPT: 3439	03/21/12	AMEND: 12200, 12200.9, 12200.10A, 12200.11, 12200.13, 12220, 12220.13, 12342, 12464
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	03/08/12	AMEND: 10032, 10033, 10034, 10035
03/20/12	AMEND: 1430.5, 1430.6, 1430.35, 1430.36, 1430.37, 1430.38	03/08/12	AMEND: 60, 60.5
03/09/12	AMEND: 3436(b)	03/06/12	ADOPT: 4075
03/08/12	AMEND: 3437(b)	03/05/12	AMEND: 10152, 10153, 10154, 10155, 10157, 10159, 10160, 10161, 10162 REPEAL: 10156, 10158, 10164
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	03/02/12	AMEND: 8070
02/28/12	ADOPT: 2320.1, 2320.2, 2322, 2322.1, 2322.2, 2322.3, 2323 AMEND: 2300, 2300.1, 2302, 2303, 2320, 2321	02/29/12	AMEND: 8070, 8072, 8073, 8074
02/23/12	AMEND: 3700(c)	02/22/12	AMEND: 10176, 10177, 10178, 10182, 10188
02/13/12	AMEND: 3591.2(a)	02/16/12	AMEND: 12572
Title 4		02/14/12	AMEND: 1844
06/25/12	AMEND: 8070, 8071, 8072, 8078, 8078.2	02/14/12	AMEND: 1843.3
06/25/12	AMEND: 1663	02/08/12	AMEND: 66
06/06/12	AMEND: 1843.3	Title 5	
06/01/12	ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133	06/12/12	ADOPT: 18004 AMEND: 18000, 18001, 18002, 18003
05/15/12	REPEAL: 61.3	05/29/12	AMEND: 42600
05/04/12	ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060	04/25/12	AMEND: 80028, 80301, 80442
04/30/12	ADOPT: 511 AMEND: 399	04/20/12	AMEND: 18013, 18054, 18111 REPEAL: 18006, 18200, 18201, 18202, 18203, 18205, 18206, 18207
04/26/12	AMEND: 2066	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
		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
		Title 7	
		07/03/12	AMEND: 219

Title 8

05/21/12 ADOPT: 10582.5, 10770.1 AMEND:
10770
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

Title 9

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

Title 10

05/31/12 AMEND: 2318.6, 2353.1, 2354
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

Title 11

06/26/12 AMEND: 1005, 1007, 1008
06/21/12 AMEND: 1005, 1007
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

Title 12

06/04/12 AMEND: 506

Title 13

06/29/12 AMEND: 225.00, 225.03, 225.09,
225.12, 225.15, 225.18, 225.21, 225.24,
225.35, 225.36, 225.38, 225.42, 225.45,
225.54, 225.60, 225.63, 225.66, 225.69,
225.72 REPEAL: 225.06

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

04/10/12 ADOPT: 553.30 AMEND: 553, 553.10,
553.20, 553.50, 553.70, 553.72

02/29/12 AMEND: 553

02/13/12 REPEAL: 158.00

Title 14

07/02/12 ADOPT: 602

06/28/12 ADOPT: 17944.1, 17945.1, 17945.4,
17946, 17946.5, 17948.1, 17948.2
AMEND: 17943, 17944, 17946(a)-(h)
renumber as 17945.2, 17946(i) renumber
as 17945.3, 17946.5 renumber as
17945.5, 17947, 17948, 17948.5, 17949
REPEAL: 17942, 17944.2, 17944.5,
17945

06/25/12 AMEND: 791.7

06/06/12 ADOPT: 18950, 18951, 18952, 18953,
18954, 18955, 18955.1, 18955.2,
18955.3, 18956, 18957, 18958

06/01/12 REPEAL: 660

05/30/12 AMEND: 11960

05/29/12 AMEND: 360, 361, 362, 363, 364, 365,
708.12

05/21/12 AMEND: 703

05/21/12 AMEND: 7.50

05/21/12 AMEND: 705

05/17/12 AMEND: 7.50

05/07/12 ADOPT: 18835, 18836, 18837, 18838,
18839

05/01/12 AMEND: 27.80

05/01/12 ADOPT: 4870, 4871, 4872, 4873, 4874,
4875, 4876, 4877

05/01/12 AMEND: 791.7, 870.17

04/30/12 AMEND: 632

04/27/12 AMEND: 228, 228.5

04/05/12 AMEND: 28.29, 52.10, 150.16

04/03/12 ADOPT: 791.6 AMEND: 791.7, 795, 796

03/28/12 AMEND: 11900, 11945

03/26/12 AMEND: 11960

03/22/12 AMEND: 27.80

02/24/12 AMEND: 29.15

02/13/12 AMEND: 29.17, 127

02/08/12 AMEND: 1257

Title 15

07/02/12 ADOPT: 3999.12

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 28-Z

06/26/12 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757

06/26/12 ADOPT: 3079, 3079.1 AMEND: 3000, 3075.2, 3075.3

06/26/12 AMEND: 3000, 3076.1, 3076.3, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.2, 3521.2

06/06/12 AMEND: 3000, 3006, 3170.1, 3172.1, 3173.2, 3315, 3323

05/10/12 ADOPT: 3375.6 AMEND: 3000, 3375

04/11/12 AMEND: 3187, 3188

04/09/12 AMEND: 3172.2

04/05/12 AMEND: 3341.5, 3375.2, 3377.1

04/02/12 ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000

03/28/12 ADOPT: 3352.3 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358

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

03/12/12 ADOPT: 3999.11

03/08/12 ADOPT: 8006

03/08/12 AMEND: 3315, 3323

02/22/12 AMEND: 173

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

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06/18/12 ADOPT: 1727.2 AMEND: 1728

06/18/12 AMEND: 443

06/14/12 ADOPT: 302.5

05/25/12 ADOPT: 1399.364, 1399.375, 1399.377, 1399.381, 1399.384 AMEND: 1399.301, 1399.302, 1399.303, 1399.320, 1399.330, 1399.352.7, 1399.353, 1399.360, 1399.370, 1399.374, 1399.376 (renumbered to 1399.382), 1399.380, 1399.382 (renumbered to 1399.383), 1399.383 (renumbered to 1399.385), 1399.384 (renumbered to 1399.378), 1399.385 (renumbered to 1399.379), 1399.395 REPEAL: 1399.340, 1399.381, 1399.387, 1399.388, 1399.389, 1399.390, 1399.391

05/17/12 ADOPT: 4544, 4600, 4602, 4604, 4606, 4608, 4610, 4620, 4622 AMEND: 4422, 4440, 4446, 4470

05/14/12 AMEND: 932

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)

04/27/12 AMEND: 407, 428

04/26/12 AMEND: 3605

04/23/12 AMEND: 3005

04/16/12 ADOPT: 2295, 2295.1, 2295.2, 2295.3 AMEND: 2252, 2275, 2284

03/30/12 AMEND: 3340.43, 3394.3, 3394.4, 3394.5, 3394.6, 3394.7

03/29/12 AMEND: 109, 116, 117, 121

03/19/12 AMEND: 4155

03/08/12 AMEND: 318

03/07/12 AMEND: 2615, 2620

03/07/12 AMEND: 1889.2 REPEAL: 1832.5

03/07/12 AMEND: 2615, 2620

03/07/12 AMEND: 1889.2 REPEAL: 1832.5

02/27/12 AMEND: 2, 8.2, 9.1, 26, 49, 58, 59, 62, 65, 75.4, 87, 87.5, 88, 88.1, 88.2, 89, 90, 94 REPEAL: 5.1, 7, 7.2

02/16/12 AMEND: 1397.60, 1397.61, 1397.62, 1397.63, 1397.64, 1397.65, 1397.66, 1397.67, 1397.68, 1397.69, 1397.70, 1397.71

02/09/12 AMEND: 28 REPEAL: 30

02/08/12 ADOPT: 1018.05 AMEND: 1020

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06/15/12 AMEND: 6508

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, 95990, 95993, 95994, 96021 REPEAL: 95893, 95943

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07/03/12 AMEND: 3301

07/03/12 AMEND: 263

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	04/10/12	AMEND: 2631
Title 19		04/09/12	ADOPT: 3969.1
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	04/05/12	AMEND: 645
Title 22		03/21/12	ADOPT: 3969
07/03/12	AMEND: 51516.1	03/21/12	ADOPT: 3939.41
06/28/12	AMEND: 91477	03/21/12	ADOPT: 3939.44
06/21/12	AMEND: 50195, 50197, 50256, 50258, 50258.1, 50262, 50268, 50815, 51000.53	03/15/12	ADOPT: 3939.43
06/12/12	AMEND: 66261.32	03/12/12	AMEND: 2922
05/24/12	AMEND: 90417	03/09/12	ADOPT: 3919.11
05/22/12	ADOPT: 60098, 64400.05, 64400.29, 64400.36, 64400.41, 64400.66, 64400.90, 64402.30, 64400.46 AMEND: 60001, 60003, 63790, 63835, 64001, 64211, 64212, 64213, 64252, 64254, 64256, 64257, 64258, 64259, 64400.45, 64415, 64463.1, 64463.4, 64470, 64481, 64530, 64531, 64533, 64534, 64534.2, 64534.4, 64534.6, 64534.8, 64535, 64535.2, 64535.4, 64536.6, 64537, 64537.2 REPEAL: 60430, 64002, 64439, 64468.5	02/29/12	ADOPT: 3939.42
05/17/12	AMEND: 51240, 51305, 51476	02/27/12	ADOPT: 3919.12
05/04/12	AMEND: 123000	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
04/11/12	AMEND: 97174	Title 25	
03/15/12	ADOPT: 123000 and Appendices REPEAL: 123000 and Appendices	06/07/12	ADOPT: 4326, 4328 AMEND: 4004, 4200, 4204, 4208
02/21/12	AMEND: 51003	03/13/12	ADOPT: 6932 REPEAL: 6932
02/21/12	AMEND: 66261.21(a)(3), 66261.21(a)(4)	Title 27	
02/08/12	AMEND: 66261.33, 66268.40	06/18/12	AMEND: 25705
Title 23		03/26/12	AMEND: 25705
04/23/12	ADOPT: 3979.4	03/15/12	AMEND: 25705
		Title MPP	
		06/25/12	AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-133.54(QR), 44-315.39(QR), 89-201.513
		06/25/12	AMEND: 41-440, 42-716, 42-717, 44-207
		06/25/12	AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-716, 42-717, 42-721, 44-133, 44-307, 44-316, 82-833
		04/11/12	AMEND: 47-230, 47-240, 47-401
		03/15/12	AMEND: 25705