



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

TITLE 1. DEPARTMENT OF FINANCE

Standardized Regulatory Impact Assessment for Major Regulations — Notice File No. Z2013-0628-02 1023

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2013-0702-01 1025

Amendment

STATE AGENCY: California State University Risk Management Authority

TITLE 2. STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998; One Year Extension of Additional Grant for General Site Development — Notice File No. Z2013-0702-02 1026

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

Mountain Lion Possession Permitting — Notice File No. Z2013-0628-01 1031

(Continued on next page)

Time-Dated Material

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	1034
Sections Filed February 6, 2013 to July 3, 2013	1038

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 1. DEPARTMENT OF FINANCE

NOTICE IS HEREBY GIVEN that the Department of Finance is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 915 L Street, Redwood Room, Sacramento, California, at 9 a.m. on August 29, 2013. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Department at its office not later than 5:00 p.m. on August 26, 2013 or must be received by the Department at the hearing. The Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 11346.3 and 11346.36 of the Government Code, and to implement, interpret or make specific Sections 11342.548, 11346.3, 11346.36 and 11349.1.5 of said Code, the Department is considering adopting regulations in Division 3 of Title 1 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

SB 617 (Chap. 496, Stats. 2011) and subsequent follow-up legislation (SB 1520, Chap. 766, Stats. 2012) require the Department of Finance (Department) to adopt regulations for conducting the standardized regulatory impact assessment (“SRIA”) required for the adoption of a major regulation on or after November 1, 2013 and to

review, from time to time, the standardized regulatory impact analyses submitted by agencies for adherence to the regulations described above.

This proposal would implement, interpret and make specific the laws listed above, as follows: It would clarify the term “major regulation” and “economic impact” for purposes of conducting the required standardized regulatory impact analysis. It would require an agency to notify the Department by a set time of any anticipated major regulations and to provide specified information to the Department regarding those regulations. It would also require an agency proposing a major regulation to contact and involve those who would be subject to or affected by the regulations, including other state and local agencies.

This proposal would also identify the characteristics which a method or approach to economic impact assessment must possess, would provide guidance with respect to certain aspects of assessing economic impact, and would prescribe those elements required to be included within that assessment.

This proposal would specify the timeframe for submitting an SRIA to the Department and the information that must be contained in the SRIA, including the contents of a form that must accompany the SRIA.

Finally, this proposal would describe how the Department will respond to an agency that has failed to comply in whole or in part with these regulations.

B. Policy Statement Overview/Anticipated Benefits of Proposal

These regulations would provide the guidance to state agencies in assessing the economic impact of proposed major regulations, as required by SB 617 (Chap. 496, Stats. 2011) and subsequent follow-up legislation (SB 1520, Chap. 766, Stats. 2012). Those bills require the Department of Finance (Department) to adopt regulations for conducting the standardized regulatory impact analyses required for the adoption of major regulations on or after November 1, 2013.

Benefits of Proposal:

These regulations would increase openness and transparency in government because affected individuals, businesses and governmental agencies must be offered the opportunity to participate in the regulation development process. They would provide consistency and greater transparency to the process of estimating the economic impact of a major regulation. They would also promote the health and welfare of

California residents because they should result in better, more cost-effective regulations.

C. Consistency and Compatibility with Existing State Regulations

The Department has evaluated this regulatory proposal and it is not inconsistent nor incompatible with existing state regulations, as a search of the California Code of Regulations reveals that there are no regulations currently in existence that describe the methodology to be used in assessing the economic impact of a proposed regulation.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Costs of \$1.4 to \$2.3 million annually.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

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

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

The proposed regulations do not impact businesses. They apply only to the processes used by state agencies that are proposing major regulations.

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

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed regulations would not affect small businesses because the proposed regulations do not impact businesses. They apply only to the processes used by state agencies that are proposing major regulations.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Department has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The Department has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment: These regulations would increase openness and transparency in government because affected individuals, businesses and governmental agencies must be offered the opportunity to participate in the regulation development process. They would also promote the health and welfare of California residents because they should result in better, more cost-effective regulations.

CONSIDERATION OF ALTERNATIVES

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

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Department of Finance, attention: Forecasting, Labor and Transportation Unit, at 915 L Street, Sacramento, California 95814.

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

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

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

CONTACT PERSON

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

Name: Chris Ryan
 Address: 915 L Street,
 Sacramento, CA 95814
 Telephone No.: (916) 322-2263
 E-mail Address: Chris.Ryan@dof.ca.gov

The backup contact person is:

Name: Dennis Meyers
 Address: 915 L Street,
 Sacramento, CA 95814
 Telephone No.: (916) 322-2263
 E-Mail Address: Dennis.Meyers@dof.ca.gov

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODE
 AMENDMENT

STATE AGENCY: California State University
 Risk Management Authority

A written comment period has been established commencing on **July 12, 2013** and closing on **August 26, 2013**. 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 26, 2013**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest code shall approve the code 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 2. STATE ALLOCATION BOARD

THE STATE ALLOCATION BOARD PROPOSES TO AMEND REGULATION SECTION 1859.76, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend Regulation Section 1859.76, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposal substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above-referenced regulation section under the authority provided by Section 17070.35 of the Education Code. The proposal interprets and makes specific reference Sections 17070.35, 17072.12 and 17072.35 of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on October 8, 1999.

The SAB, at its May 22, 2013 meeting, adopted a proposed regulatory amendment to the School Facility Program (SFP) Regulations to extend for one year the additional grant to school districts for new construction general site development costs. This additional grant helps school districts cover the extra costs for items such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields. School districts may be eligible for the additional grant when building new schools and for additions to existing school sites where additional acreage is acquired.

Bond Funds Impacted

The following four State school bonds were authorized by the Legislature and approved by the State's electorate for purposes of school facility construction:

- Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998 (Proposition 1A)
- Kindergarten–University Public Education Facilities Bond Act of 2002 (Proposition 47)
- Kindergarten–University Public Education Facilities Bond Act of 2004 (Proposition 55)
- Kindergarten–University Public Education Facilities Bond Act of 2006 (Proposition 1 D)

Background and Problem Being Resolved

The SAB adopted the additional grant for general site development costs at its June 28, 2006 meeting, which was approved by the OAL and filed with the Secretary of State on September 5, 2006. This additional grant helps school districts cover the extra costs for items such as landscaping, finish grading, driveways, walk-

ways, outdoor instructional play facilities, permanent playground equipment, and athletic fields. School districts may be eligible for the additional grant when building new schools and for additions to existing school sites where additional acreage is acquired.

As first implemented, the additional grant for general site development costs was to be suspended “no later than January 1, 2008” unless extended by the SAB. The following is a sequence of events extending the additional grant for general site development:

- **First One–Year Extension:** The SAB, at its December 12, 2007 meeting, approved emergency regulations extending the suspension date to “no later than January 1, 2009,” which was approved by the OAL and filed with the Secretary of State on March 3, 2008.
- **Second One–Year Extension:** The SAB, at its February 25, 2009 meeting, approved extending the suspension date to “no later than January 1, 2010,” which was approved by the OAL and filed with the Secretary of State on September 18, 2009.
- **Third One–Year Extension:** The SAB, at its November 4, 2009 meeting, approved extending the suspension date to “no later than January 1, 2011,” which was approved by the OAL and filed with the Secretary of State on April 8, 2010.
- **Fourth One–Year Extension:** The SAB, at its June 23, 2010 meeting, approved extending the suspension date to “no later than January 1, 2012,” which was approved by the OAL and filed with the Secretary of State on April 27, 2011.
- **Proposed Two–Year Extension:** Most recently the SAB, at its July 12, 2011 meeting, approved extending the suspension date to “no later than January 1, 2014,” which was approved by the OAL and filed with the Secretary of State on December 28, 2011.

The proposed regulatory amendment continues to be extended until a complete analysis of the new construction base grant can be completed. The analysis must determine whether the extra costs associated with the additional grant for general site development (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields), are included in the SFP per–pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the projects.

Attached to this Notice is the specific regulatory language of the proposed regulatory amendment. You may also review the proposed regulatory language on the OPSC Website at www.dgs.ca.gov/opsc. Copies of the amended regulatory text will be mailed to any person requesting this information by using the OPSC contact information set forth below. The proposed regulation would amend the SFP Regulations under the CCR, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Financial Impact

From its inception in 2006 through May 22, 2013, 461 school facility projects have received the general site development additional grant, averaging \$549,758 per project in State bond cost. School districts may be eligible for the additional grant when building new schools and for additions to existing school sites where additional acreage is acquired.

The SAB is currently providing unfunded project approvals until further successful bond sales by the State Treasurer or other sources of New Construction funding such as SFP project rescissions or fund transfers have occurred.

The bond funds apportioned to date for the general site development grant are:

	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12	FY 2012/13	TOTAL
# of Projects	127	141	71	69	19	11	23	461
Total \$ Apportioned (in millions)	\$62.3	\$71.6	\$46.3	\$42.3	\$8.9	\$5.1	\$16.8	\$253.3

Statutory Authority and Implementation

Education Code Section 17070.35. (a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5

(commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the

act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Anticipated Benefits of the Proposed Regulation

Extending the SFP general site development grant for another year will have a positive impact on California businesses providing landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields, including the companies which supply the materials for these improvements. Failure to implement this regulation may require reducing the scope of work for some school projects.

This regulation affects various business, manufacturing, and construction-related industries such as architecture, engineering, trades and municipalities, along with the creation of an unknown amount of [temporary] jobs. The regulation has a direct effect on business because once State bond funding has been released, school districts must competitively bid their projects, which expands businesses and effects a positive impact to the State by stimulating the economy.

There is a public health and safety impact assigned to this regulation. School site occupants, especially young children, will have less risk of injury and safer ingress and egress when driveways and walkways are wide, level, and extensive, when finish grading is thorough, when play facilities are of high quality on safe ground-cover material, and athletic fields are well-designed with safe playing surfaces, adequate protective fences, and appropriate walkways.

The proposed regulatory amendment is therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of this regulatory amendment will have a positive impact on public health and safety at K-12 public schools because school site occupants will have less risk of injury for the reasons noted above.

Summary of the Proposed Regulatory Amendment

The proposed amendment is as follows:

Existing Regulation Section 1859.76 provides new construction additional grants for specific types and amounts of site development costs. It provides that the additional grant for general site development costs shall be suspended “no later than January 1, 2014” unless extended by the SAB. The proposed amendments extend the suspension of the additional grant for general site development costs until “no later than January 1, 2015.”

Determination of Inconsistency or Incompatibility with Existing State Regulations

The proposed regulatory amendment continues to be extended until a complete analysis of the new construction base grant can be completed. The analysis must determine whether the extra costs associated with the additional grant for general site development (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields), are included in the SFP per-pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the projects.

School districts may be eligible for the additional grant when building new schools and for additions to existing school sites where additional acreage is required.

After conducting a review, the SAB has concluded that this is the only regulation on this subject area, and therefore, the proposed regulation is neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulatory amendment is within the SAB’s authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulation does not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies, school districts, or charter schools to incur additional costs in order to comply with the proposed regulation.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulation creates no costs to school districts beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulation creates no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.
- Creates an unknown amount of (temporary) jobs in landscaping, concrete, asphalt, finishing, playground and athletic field equipment, and other construction trades, along with stimulating the economy, which is in direct alignment with the Governor’s directive; and
- Could potentially create savings for a school district to utilize towards another high priority capital outlay project.

Further, by extending the SFP general site development grant for another year, it will have a positive impact on California businesses providing landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields, including the companies which supply the materials for these improvements because school districts will be able to more fully afford them. Failure to implement this regulation may require reducing the scope of work for some school projects.

This regulation affects various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities, along with the creation of 70 [temporary] jobs. The regulation has a direct effect on business because once State bond funding has been released, school districts must competitively bid their projects, which expands businesses and effects a positive impact to the State by stimulating the economy.

Benefits to Public Health and Welfare, and the State’s Environment

- There is a health and safety impact assigned to this regulatory amendment. School site occupants, especially young children, will have less risk of injury and safer ingress and egress when driveways and walkways are wide, level, and extensive, when finish grading is thorough, when play facilities are of high quality on safe ground–cover material, and athletic fields are well–designed with safe playing surfaces, adequate protective fences, and appropriate walkways.
- Extending the SFP general site development grant for another year will have a positive impact on California businesses providing landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields, including the companies which supply the materials for these improvements. Failure to

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

There is a positive economic impact to California business by extending for one year the SFP general site development grant. This will provide the funds to school districts building new construction projects to contract with businesses and suppliers for necessary landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields, thus supporting jobs in these construction–related industries.

The proposed regulation:

- Continues to be extended until a complete analysis of the new construction base grant can be completed. The analysis must determine whether the extra costs associated with the additional grant for general site development (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields), are included in the SFP per–pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the projects;
- Extends this additional grant until “no later than January 1, 2015”;
- Adds an average \$549,758 per project in State bond funds to the SFP new construction funding model, which includes the pupil grant base amount and other additional grants;
- Reduces the availability of State school bonds for new construction at an accelerated rate;

implement this regulation may require reducing the scope of work for some school projects.

- This regulation affects various business, manufacturing, and construction-related industries such as architecture, engineering, trades and municipalities, along with the creation of 70 [temporary] jobs. The regulation has a direct effect on business because once State bond funding has been released, school districts must competitively bid their projects, which expands businesses and effects a positive impact to the State by stimulating the economy.
- There is no impact to the State's environment from the proposed regulation.

EFFECT ON SMALL BUSINESSES

It has been determined that the amendment to the regulation section will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. This regulation only applies to school districts and charter schools for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OPSC no later than August 26, 2013, at 5:00 p.m. The express terms of the proposed regulation as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones,
Regulations Coordinator

Mailing Address: Office of Public School
Construction
707 Third Street, 9th Floor
West Sacramento, CA 95605

E-mail Address: lisa.jones@dgs.ca.gov

Fax No.: (916) 375-6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ron Koepl at (916) 375-2032. If Mr. Koepl is unavailable, these questions may be directed to the backup contact person, Ms. Lisa Jones, Supervisor, Regulations Team, at (916) 376-1753.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulation substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulation.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulation during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulation with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulation for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to

the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Website at: <http://www.dgs.ca.gov/opsc> under “Resources,” then click on “Laws and Regulations,” then click on “SFP Pending Regulatory Changes.”

ALTERNATIVES

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency’s regulation coordinator named in this notice or may be accessed on the Web site listed above.

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

In response to recent legislation, the California Department of Fish and Wildlife (Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a public hearing meeting on September 19, 2013, at 1416 9th Street, Sacramento, California, at 1:30 p.m. in the first floor auditorium. The auditorium is wheelchair accessible. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons making oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below no later than 5:00 p.m. on September 19, 2013. All written comments must include the true name and mailing address of the commenter.

Written comments may be submitted by mail, facsimile or email as follows:

California Department of Fish and Wildlife
Wildlife Branch
Mountain Lion Possession
1812 Ninth Street
Sacramento, CA 95814
Fax: (916) 445-4048
Email: wildlifemgt@wildlife.ca.gov

AUTHORITY AND REFERENCE

Fish and Game Code Section 702 authorizes the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Sections 702 and 4800 of the Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Under current regulations (Section 251.4, Title 14, CCR), a mountain lion, or parts thereof, may only be possessed by a person with a permit from the Department of Fish and Wildlife (Department), and only for animals that were in a person’s possession on or before June 6, 1990. The current regulations require a \$5.00 permit fee and tagging by the Department.

Senate Bill 769 (Fuller, Chapter 388, Statutes of 2011, Fish and Game Code section 4800) authorized an exemption to possess a mountain lion carcass or a part or product of a mountain lion carcass if it is prepared or being prepared for display, exhibition, or storage, for a bona fide scientific or educational purpose, at a non-profit museum or government-owned facility generally open to the public or at an educational institution, if the mountain lion was taken in California consistent with the requirements of the California Wildlife Protection Act of 1990, and any other applicable law.

The purpose of this regulation proposal is to implement and make specific Fish and Game Code Section 4800 through a permitting modification related to possession of mountain lion carcasses or mountain lion parts or products for scientific and educational purposes; and to make consistent, and clarify, the overall permitting requirements for possession of mountain

lion carcasses or mountain lion parts or products. The proposed regulation will authorize entities to possess mountain lion carcasses or parts or products thereof for scientific or educational purposes.

The proposed regulation requires that mountain lion carcasses or products or parts thereof be uniquely identified using a method approved in advance by the Department.

The proposed regulation would establish a Mountain Lion Possession Permit to be issued in the form of a letter from the Department, provided the applicant submits the following information:

- (1) Name of the person requesting a permit. If an entity is requesting a permit, the request must be made on official letterhead.
- (2) Physical address where the mountain lion carcass or part or product thereof shall be located.
- (3) Description of the mountain lion carcass or mountain lion part or product subject to the permit.
- (4) Description of how the mountain lion carcass or mountain lion part or product will be uniquely identified by the applicant.
- (5) Description of how the mountain lion carcass or part or product shall be used and the anticipated length of time for use.

The permit will not be transferable. Any person not wishing to continue possessing a mountain lion, or parts or products thereof, shall transfer possession to the Department. The Department is proposing to repeal the \$5.00 permit fee and tagging requirement.

The Department anticipates benefits to the State's environment in that the display of mountain lion carcasses in museums and government-owned facilities open to the public will enable a better understanding by the public of mountain lions and their role in the ecosystem. The Department anticipates benefits to the State's environment through information gleaned from scientific research of mountain lion carcasses or parts.

The Department is unaware of any inconsistencies or incompatibilities with state regulations. The Department has searched the California Code of Regulations and finds no other state agency with authority to promulgate mountain lion regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandates on local agencies or school districts: NONE.

Costs or savings to any state agency: NONE.

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

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

Costs or savings in federal funding to the state: NONE.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change will allow a small number of educational institutions or non-profit entities to display or store mountain lion carcasses or parts or products thereof for bona fide scientific or educational purposes.

Cost impacts on a representative private person or business:

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

Significant effect on housing costs: NONE.

Small Business Determination: The Department has determined that the proposed regulations do not affect small businesses. The Department did not identify any for-profit entities adversely affected by the proposed regulation.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change will allow a small number of educational institutions or non-profit entities to display or store mountain lion carcasses or parts or products thereof for bona fide scientific or educational purposes. Since the affected parties are small and/or non-profit businesses the regulatory action is anticipated to generate only minor direct, indirect and induced economic impacts. The environmental education services provided are specific to California eco-systems, and thus not in competition with other states.

The Department anticipates benefits to the State's environment in that the display of mountain lion carcasses in museums and government-owned facilities open to the public will enable a better understanding by the public of mountain lions and their role in the ecosystem. The Department anticipates benefits to the State's environment through information gleaned from scientific research on mountain lion carcasses or parts.

The Department does not anticipate benefits to worker safety, the prevention of discrimination, the promotion of fairness and social equity, or to the increase in openness and transparency in business and government.

Because of the small number of permits likely to be issued to individuals, nonprofit museums, or educational institutions, the Department does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

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

Name: Eric Loft
Address: 1812 Ninth Street
 Sacramento, CA 95814
Tel. No.: (916) 445-3555
Fax No.: (916) 445-4048
Email: wildlifemgt@wildlife.ca.gov

The back-up contact person is:

Name: Marc Kenyon
Address: 1812 Ninth Street
 Sacramento, CA 95814
Tel. No.: (916) 445-3515
Fax No.: (916) 445-4048
Email: wildlifemgt@wildlife.ca.gov

Website Access: Material regarding this proposal can be found at: www.dfg.ca.gov/news/pubnotice/regulations.html.

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

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 1812 Ninth Street, Sacramento, CA 95811. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Dr. Eric Loft.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Dr. Eric Loft at the address above. The Department 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 Dr. Eric Loft 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: www.dfg.ca.gov/news/pubnotice/regulations.html.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

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

File# 2013-0528-01
 AIR RESOURCES BOARD
 Section 100 Disclosure of Public Records

In this action, the Air Resources Board amends section 91022 of title 17 of the California Code of Regulations as a change without regulatory effect to make it consistent with the statutory changes. Subdivision (e) of section 91022 currently refers to Government Code section 6256.1, which was repealed by Senate Bill No. 143 (1997-1998 Reg. Sess.). The Bill further renumbered the existing Government Code section 6253 and added a new section 6253 to the Code, which essentially replaced Government Code section 6256.1. Thus, this amendment removes the reference to Government Code section 6256.1 and replaces it with section 6253.

Title 17
 California Code of Regulations
 AMEND: 91022
 Filed 06/26/2013
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2013-0612-03
 BOARD OF FORESTRY AND FIRE PROTECTION
 Section 100 Filing to Correct Existing Regulation
 Section 1059(a)

The Board of Forestry and Fire Protection (BOFFP) submitted this change without regulatory effect to amend title 14, section 1059(a) of the California Code of Regulations (CCR). In 2009 BOFFP adopted amendments to several sections in title 14 of the CCR. These amendments included the deletion of subsections and the re-lettering of the remaining sections. These subsections were cross-referenced in title 14, section 1059(a) of the CCR, but were not updated during the 2009 rulemaking. BOFFP is now correcting those cross-references to reflect the correct subsections.

Title 14
 California Code of Regulations
 AMEND: 1059(a)
 Filed 06/26/2013
 Agency Contact: Eric Huff (916) 616-8643

File# 2013-0619-01
 CALIFORNIA HEALTH BENEFIT EXCHANGE
 Fingerprinting and Criminal Background Checks

This emergency rulemaking by the California Health Benefit Exchange (HBEX) adopts section 6456 in title 10 of the California Code of Regulations relating to the fingerprinting and criminal history requirements for specified employees, prospective employees, contractors, subcontractors, volunteers, or vendors of HBEX. Pursuant to Government Code section 100504, subdivision (a)(6), the "adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare."

Title 10
 California Code of Regulations
 ADOPT: 6456
 Filed 06/27/2013
 Effective 06/27/2013
 Agency Contact:
 Gabriela Ventura Gonzales (916) 323-3509

File# 2013-0530-01
 CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE
 Conflict-of-Interest Code

This is an amendment to a Conflict-of-Interest Code that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 17
 California Code of Regulations
 AMEND: 100000
 Filed 07/01/2013
 Effective 07/31/2013
 Agency Contact: C. Scott Tocher (415) 396-9136

File# 2013-0618-02
 DEPARTMENT OF FISH AND WILDLIFE
 Suction Dredging; Use of Vacuum and Suction Dredge Equipment

The Department of Fish and Wildlife (Department) submitted this emergency action to amend the definition of suction dredging in title 14, California Code of Regulations, section 228(a) for purposes of Fish and Game Code sections 5653 and 5653.1. In this context, suction dredging or suction dredge mining is a method

of vacuuming material from rivers, streams, or lakes for the extraction of minerals. There is currently a statutory moratorium on suction dredge mining pursuant to Fish and Game Code section 5653.1(b). The existing definition of suction dredging in section 228(a) is prescriptive and has resulted in members of the public evading compliance with the Fish and Game Code by modifying suction dredging equipment. The Department's proposed amendment to the definition of suction dredging closes the loophole in the current definition in order to allow the Department to enforce its regulatory and statutory authority over suction dredge mining activities.

Title 14
 California Code of Regulations
 AMEND: 228
 Filed 06/28/2013
 Effective 06/28/2013
 Agency Contact: Craig Martz (916) 653-4674

File# 2013-0524-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Informal Hearings

In this rulemaking action, the Department of Food and Agriculture adds a number of statutes to the list of those which, if allegedly violated, may be contested by way of an informal hearing.

Title 3
 California Code of Regulations
 AMEND: 1310
 Filed 07/02/2013
 Effective 10/01/2013
 Agency Contact: Nancy Grillo (916) 900-5033

File# 2013-0516-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Setting the Commercial Feed License Fee

This regulatory action increases the annual commercial feed license fee from \$300 to \$400 for each manufacturer/distributor location beginning July 1, 2013.

Title 3
 California Code of Regulations
 AMEND: 2751(b)
 Filed 06/26/2013
 Effective 06/26/2013
 Agency Contact: Gary Castro (916) 229-3049

File# 2013-0603-02
 DEPARTMENT OF INSURANCE
 Life Settlements

These changes without regulatory effect by the Department of Insurance amend sections of Title 10 of the California Code of Regulations, making non-substan-

tive formatting changes and statutory adjustments to filing and application fees applicable to life settlements. The fee increases were effective June 15, 2013.

Title 10
 California Code of Regulations
 AMEND: 2548.3, 2548.19, 2548.21, 2548.24, 2548.25
 Filed 07/03/2013
 Agency Contact: Audrie Lee (415) 538-4434

File# 2013-0617-01
 DEPARTMENT OF PUBLIC HEALTH
 HIV Screening Testing by Laboratories

Current regulatory language restricts licensed California laboratories to the use of HIV testing protocols recommended by the Centers for Disease Control (CDC) for laboratory screening testing for HIV. This emergency regulatory action by the Department of Public Health amends the current HIV screening testing protocols to allow a newly developed HIV testing algorithm developed by federal public health agencies and national HIV laboratory associations, as well as CDC, to be used by licensed California laboratories for laboratory screening testing for HIV.

Title 17
 California Code of Regulations
 AMEND: 1230, 2641.57
 Filed 06/26/2013
 Effective 06/26/2013
 Agency Contact: Jennifer Decker (916) 445-6517

File# 2013-0620-07
 DEPARTMENT OF SOCIAL SERVICES
 Semi-Annual Reporting (SAR) in the CalWORKs Program

The Department of Social Services in this rulemaking amends sixty-one sections, repeals four and adopts one section of the Manual of Policies and Procedures (MPP). The majority of the amendments are a result of the requirements of new legislation. AB 6 (Chap. 501, Statutes of 2011) mandates Semi-Annual Reporting (SAR) to replace the current quarterly reporting for the California Work Opportunity and Responsibility to Kids (CalWORKs) program. AB 6 is broad legislation that requires a number of changes in CalWORKs and requires them "to be effective as early as April 1, 2013 and no later than October 1, 2013." AB 6 also mandates that SAR be implemented in a cost-effective manner that promotes compatibility between CalWORKs and CalFresh (the food stamp) programs. In addition to the changes to conform to the mandates of AB 6, this regulation package also contains clean up changes, including repealing outdated MR regulations, and correcting terms and references. It also implements the Cal-

WORKs restoration of aid provisions in Welfare and Institutions Code section 11265.4 as added by AB 959 (Chap. 506, Statutes of 2011).

This matter is a deemed emergency, exempt from OAL review pursuant to section 25 of AB 6 (Chap. 501, Statutes of 2011). The emergency language is effective on 7/1/2013 and will expire on 12/31/2013. The Certificate of Compliance for this action is due no later than 12/30/2013.

Title MPP

California Code of Regulations

ADOPT: 40-038 AMEND: 22-071, 22-072, 22-305, 40-036, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-131, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-302, 42-406, 42-407, 42-716, 42-721, 42-751, 42-769, 44-101, 44-102, 44-111, 44-113, 44-115, 44-133, 44-205, 44-207, 44-211, 44-304, 44-305, 44-313, 44-314, 44-315, 44-316, 44-317, 44-318, 44-325, 44-327, 44-340, 44-350, 44-352, 47-220, 47-320, 48-001, 80-301, 80-310, 82-612, 82-812, 82-820, 82-824, 82-832, 89-110, 89-201 REPEAL: 44-400, 44-401, 44-402, 44-403

Filed 07/01/2013

Effective 07/01/2013

Agency Contact: Zaid Dominguez (916) 657-2586

File# 2013-0522-01

DEPARTMENT OF WATER RESOURCES

Conflict-of-Interest Code

This is a Conflict-of-Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted to the Office of Administrative Law for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 23

California Code of Regulations

AMEND: 595

Filed 07/03/2013

Effective 08/02/2013

Agency Contact:

Jennifer Dong Kawate (916) 651-0860

File# 2013-0620-04

DIVISION OF WORKERS' COMPENSATION

Workers' Compensation — Independent Bill Review

This emergency readoption by the Division of Workers' Compensation continues the amendments of existing sections and adoption of new regulation sections in Title 8 of the California Code of Regulations (CCR) made in OAL File No. 2012-1219-02E. That emergency rulemaking amended sections 9792.5.1, 9793, 9794,

and 9795, and adopted new sections 9792.5.4 through 9792.5.15 intended to implement the "Second Review" and "Independent Bill Review" procedures established by Stats. 2012, c. 363 (SB 863). The readopted regulations continue to incorporate by reference the California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide Version 1.1, California Division of Workers' Compensation Medical Billing and Payment Guide Version 1.1, and forms DWC Form SBR-1 (version 12/2012) and DWC Form IBR-1 (version 2012).

Title 8

California Code of Regulations

ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15

AMEND: 9792.5.1., 9792.5.3, 9793, 9794, 9795

Filed 07/01/2013

Effective 07/01/2013

Agency Contact: George Parisotto (510) 286-0639

File# 2013-0620-02

DIVISION OF WORKERS' COMPENSATION

Workers' Compensation — Interpreter Certification

The Division of Workers' Compensation readopted changes to sections 9795.1 and 9795.3 of title 8 of the California Code of Regulations made by emergency regulatory action, including the addition of the definition of "qualified interpreter for purposes of medical treatment appointments." These changes are made to conform with changes to the Labor Code made in Chapter 363, Statutes of 2012, effective January 1, 2013.

Title 8

California Code of Regulations

AMEND: 9795.1, 9795.3

Filed 07/01/2013

Effective 07/01/2013

Agency Contact: George Parisotto (510) 286-0639

File# 2013-0620-03

DIVISION OF WORKERS' COMPENSATION

Workers' Compensation — Utilization Review, Independent Medical Review

The Division of Workers' Compensation readopted as emergency regulations new sections 9785.5, 9792.6.1, 9792.9.1, and 9792.10.1 through 9792.10.9 and amend sections 9785, 9792.6, 9792.9, 9792.10, and 9792.12 of title 8 of the California Code of Regulations concerning utilization review and independent medical review in order to retain changes made by emergency regulatory action implementing changes made by Senate Bill 863 to the Labor Code on January 1, 2013.

Title 8
 California Code of Regulations
 ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1,
 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5,
 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9
 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12
 Filed 07/01/2013
 Effective 07/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2013-0620-05
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Qualified Medical
 Evaluator Regulations — PDRS

This re-adoption of emergency action no. 2012-1219-03E by the Division of Workers' Compensation amends the Qualified Medical Examiner (QME) regulations in accordance with statutory changes made pursuant to Senate Bill 863 (Stats. 2012, c. 363). The amended rules clarify that the independent medical review process is the sole process for resolving disputes regarding ongoing or continuing medical treatment issues, limit the number of offices a QME may conduct evaluations from, streamline the application process for chiropractors, allow for factual correction of a comprehensive medical-legal report from a QME panel, and amend a number of forms.

Title 8
 California Code of Regulations
 ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30,
 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160
 Filed 07/01/2013
 Effective 07/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2013-0620-01
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Supplemental Job
 Displacement Benefit

This emergency regulatory action is a re-adoption of an initial emergency action (2012-1214-01 E) which made changes to the Supplemental Job Displacement Benefit (SJDB) regulations to reflect statutory changes made pursuant to SB 863 (Chapter 363, Statutes of 2012), which took effect on January 1, 2013. These regulations establish requirements for employers, employees and physicians regarding offers of work, notifications and vouchers for retraining.

Title 8
 California Code of Regulations
 ADOPT: 10133.31, 10133.32, 10133.33, 10133.34,
 10133.35, 10133.36 AMEND: 9813.1, 10116.9,
 10117, 10118, 10133.53, 10133.55, 10133.57,
 10133.58, 10133.60 REPEAL: 10133.51, 10133.52
 Filed 06/26/2013
 Effective 07/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2013-0620-06
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Electronic Document
 Filing and Lien Filing Fee

The Department of Industrial Relations, Division of Workers' Compensation (DWC), submitted this emergency readopt action to maintain the regulations adopted in OAL File No. 2012-1219-01E, which adopted and amended sections of Title 8 of the California Code of Regulations. This implements the mandatory electronic filing process for workers' compensation liens and claims of costs, as well as the lien filing fee and activation fee.

Title 8
 California Code of Regulations
 ADOPT: 10206, 10206.1, 10206.2, 10206.3,
 10206.4, 10206.5, 10206.14, 10206.15, 10207,
 10208 AMEND: 10205, 10205.12
 Filed 06/26/2013
 Effective 07/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2013-0520-04
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Laboratory Accreditation for Diacetyl Analysis

This rulemaking by the Occupational Safety and Health Standards Board makes substantive changes to Title 8, section 5197, Appendix A (c)(1) of the General Industry Safety Orders with regard to diacetyl sampling and analytical protocols. The list of laboratories is expanded by including laboratories accredited by the American Industrial Hygiene Association Laboratory Accreditation Programs, LLC and other International Laboratory Accreditation Cooperation laboratories.

Title 8
 California Code of Regulations
 AMEND: 5197
 Filed 07/01/2013
 Effective 10/01/2013
 Agency Contact: Marley Hart (916) 274-5721

File# 2013-0520-02
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Working on (Dismantling) Pressurized Pipe

This rulemaking action by the Occupational Safety and Health Standards Board amends section 3329 of title 8 of the California Code of Regulations to require employers to ensure that energy in a pressurized pipe system is controlled throughout the entire process of pipe line maintenance, repair or modification.

Title 8
 California Code of Regulations
 AMEND: 3329
 Filed 07/02/2013
 Effective 10/01/2013
 Agency Contact: Marley Hart (916)274-5721

File# 2013-0605-02
 OSTEOPATHIC MEDICAL BOARD OF
 CALIFORNIA
 Change of Address

The Osteopathic Medical Board of California submitted this Section 100 action to change their mailing address provided in title 16, CCR, section 1600 to their new mailing address.

Title 16
 California Code of Regulations
 AMEND: 1600
 Filed 06/26/2013
 Agency Contact: Angie Burton (916)928-7639

File# 2013-0517-01
 STATE WATER RESOURCES CONTROL BOARD
 Amendment to the Water Quality Control Plan for the
 Ocean Water of California

This Government Code section 11353 rulemaking action amends the State Water Resources Control Board's Ocean Plan to add an intermediate level of State Water Quality Protection Area for General Protection. The action also adds a model monitoring program for more consistent Regional Water Board monitoring of point source, storm water, and nonpoint source discharges to ocean water. The action also amends the Ocean Plan to make it consistent with state and federal laws and regulations regarding discharges from ships.

Title 23
 California Code of Regulations
 ADOPT: 3007
 Filed 07/01/2013
 Effective 07/31/2013
 Agency Contact:
 Maria de la Paz Carpio-Obeso (916)341-5858

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN February 6, 2013 TO
 July 3, 2013**

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**
- 06/25/13 ADOPT: 1859.97 AMEND: 1859.2, Form SAB 50-02, 1859.90.2
 - 06/24/13 AMEND: 18247.5, 18413, 18427.1
 - 06/03/13 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009
 - 05/16/13 ADOPT: 59740
 - 05/15/13 AMEND: 599.500, 599.501, 599.502, 599.508
 - 04/16/13 AMEND: 23000
 - 04/12/13 ADOPT: 51.4, 52.11, 56.5, 58.12, 58.13, 61 AMEND: 51.2, 51.6, 52.1, 52.4, 52.8, 53.2, 53.3, 54.1, 55.2, 56.3, 56.4, 57.1, 58.2, 59.1, 59.3, 60.1, 60.3
 - 03/29/13 REPEAL: 26100
 - 03/26/13 ADOPT: 20202, 20203, 20208, 20212, 20217, 20220.5, 20249.5 AMEND: 20200, 20201, 20203, 20204, 20205, 20206, 20207, 20208, 20209, 20210, 20211, 20212, 20213, 20214, 20215, 20216, 20220, 20221, 20222, 20223, 20224, 20225, 20226, 20227, 20230, 20235, 20236, 20245, 20247, 20249, 20250, 20251, 20252, 20253, 20254, 20255, 20256, 20257, 20258, 20259, 20260, 20261, 20262, 20265, 20266, 20267 REPEAL: 20237, 20238
 - 03/25/13 ADOPT: 1859.90.3 AMEND: 1859.2, 1859.51, 1859.61, 1859.90.2, 1859.90.4, 1859.104, 1859.164.2, 1859.184.1
 - 03/20/13 AMEND: 1897
 - 03/12/13 AMEND: 1859.2, 1859.77.3
 - 03/11/13 ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95
 - 02/21/13 AMEND: 599.506
 - 02/14/13 ADOPT: 1896.71, 1896.76, 1896.77, 1896.78, 1896.81, 1896.82, 1896.83, 1896.84, 1896.88, 1896.91, 1896.92, 1896.95, 1896.96, 1896.97 AMEND: 1896.60, 1896.61, 1896.62, 1896.70,

1896.72, 1896.73, 1896.74, 1896.75,
1896.80, 1896.90, 1896.99.100,
1896.99.120 REPEAL: 1896.63,
1896.64, 1896.85, 1896.98

Title 3

07/02/13 AMEND: 1310
06/26/13 AMEND: 2751(b)
06/19/13 AMEND: 3435(b)
06/19/13 AMEND: 3435(b)
05/23/13 ADOPT: 6558, 6577, 6880, 6884, 6886
AMEND: 6452, 6452.2, 6452.4
(renumbered to 6881), 6890 (renumbered
to 6864)
05/22/13 AMEND: 3434(b)
05/20/13 AMEND: 3434(b)
05/06/13 ADOPT: 1350 AMEND: 1354
04/16/13 AMEND: 3435(b)
04/04/13 AMEND: 3435(b)
04/02/13 AMEND: 3435(b)
02/28/13 AMEND: 3437(b)
02/27/13 AMEND: 3435(b)
02/25/13 ADOPT: 1180.24 AMEND: 1180.1,
1180.3.2, 1180.20 REPEAL: 1180.24

Title 4

06/03/13 AMEND: 12101, 12120, 12122, 12126,
12130, 12132, 12140, 12142, 12200,
12200.3, 12200.5, 12200.6, 12200.10B,
12200.14, 12200.20, 12202, 12203,
12203A, 12203.2, 12203.3, 12205.1,
12218, 12218.7, 12218.8, 12218.9,
12220, 12220.3, 12220.5, 12220.6,
12220.14, 12220.20, 12222, 12223,
12225.1, 12233, 12235, 12238, 12239,
12301, 12301.1, 12302, 12303, 12304,
12305, 12309, 12310, 12342, 12345,
12349, 12350, 12351, 12352, 12354,
12357, 12358, 12359, 12370, 12372,
12401, 12402, 12403, 12404, 12464,
12480, 12492, 12496, 12500, 12503,
12505, 12508, 12591
06/03/13 AMEND: 5170, 5190, 5205, 5212, 5230,
5250
05/23/13 ADOPT: 12364 AMEND: 12004
05/22/13 ADOPT: 10050, 10051, 10052, 10053,
10054, 10055, 10056, 10057, 10058,
10059, 10060
05/16/13 AMEND: 10192, 10193, 10194, 10195,
10196, 10197, 10198
05/16/13 ADOPT: 5255, 5256 AMEND: 5170,
5230, 5250, 5560, 5580
05/03/13 AMEND: 1843.2
05/02/13 AMEND: 1658
04/23/13 AMEND: 8035(e)
04/08/13 ADOPT: 8035.5

04/02/13 AMEND: 10032, 10033, 10034, 10035
03/21/13 AMEND: 10178, 10179, 10181, 10182,
10185, 10188
03/20/13 AMEND: 1462
03/19/13 AMEND: 10302, 10315, 10322, 10323,
10325, 10326, 10327, 10337
03/12/13 AMEND: 5000, 5052
02/11/13 AMEND: 10325
02/11/13 AMEND: 8072
02/07/13 ADOPT: 7100, 7101, 7102, 7103, 7104,
7105, 7106, 7107, 7108, 7109, 7110,
7111, 7112

Title 5

06/12/13 ADOPT: 19847 AMEND: 19816,
19816.1, 19818, 19824, 19829, 19837.3
06/05/13 AMEND: 19816, 19816.1, 19839
05/23/13 ADOPT: 30000.5, 30010, 30040,
30040.2, 30040.6, 30041, 30041.5,
30042, 30042.5, 30044.5 AMEND:
30000, 30001, 30002, 30005, 30009,
30020, 30021, 30022, 30030, 30032,
30033
05/14/13 ADOPT: 30737, 30738 AMEND: 30730,
30731, 30733, 30734, 30736
05/01/13 AMEND: 80054
04/03/13 ADOPT: 41906.6
03/13/13 AMEND: 20135, 20136, 20140
REPEAL: 20145, 20300, 20301, 20302,
20303, 20304, 20305, 20306, 20307,
20308, 20309, 20310, 20311, 20312,
20313, 20314, 20315, 20316, 20317,
20318, 20319, 20320, 20321, 20322,
20323, 20324, 20325, 20326, 20327,
20328, 20329, 20330, 20331, 20332
02/12/13 AMEND: 19816, 19816.1, 19839
02/11/13 AMEND: 40405.1, 40405.4, 40500,
40501, 40505, 40506, 40507, 40508
02/07/13 ADOPT: 40203
02/07/13 ADOPT: 42740
02/06/13 ADOPT: 9517.3

Title 8

07/02/13 AMEND: 3329
07/01/13 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6,
9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10,
9792.5.11, 9792.5.12, 9792.5.13,
9792.5.14, 9792.5.15.
AMEND: 9792.5.1., 9792.5.3, 9793,
9794, 9795
07/01/13 AMEND: 5197
07/01/13 AMEND: 9795.1, 9795.3
07/01/13 ADOPT: 9785.5, 9792.6.1, 9792.9.1,
9792.10.1, 9792.10.2, 9792.10.3,
9792.10.4, 9792.10.5, 9792.10.6,
9792.10.7, 9792.10.8, 9792.10.9

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 28-Z

	AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12	05/09/13	AMEND: 7156, 7158.8, 7159, 7160, 7160.5, 7161.5, 7162, 7163, 7211, 7263, 7302, 7310, 7312, 7320, 7321, 7322, 7330, 7332
07/01/13	ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160	03/13/13	AMEND: 7071.2, 7017.5, 7021, 7051, 7053
06/26/13	ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52	03/05/13	AMEND: 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358
06/26/13	ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12	Title 10	
06/24/13	AMEND: 8352	07/03/13	AMEND: 2548.3, 2548.19, 2548.21, 2548.24, 2548.25
05/30/13	AMEND: 4994	06/27/13	ADOPT: 6456
05/08/13	AMEND: 5004(d)(2)	06/25/13	AMEND: 2698.401
05/07/13	AMEND: 17000 Appendix	06/13/13	ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7
05/06/13	AMEND: 1529, 1532, 1532.1, 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, 5194, 5198, 5200, 5201, 5202, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, 5217, 5218, 5220, 8358, 8359	05/20/13	AMEND: 2698.95(a)
04/24/13	AMEND: 2940.8	05/13/13	AMEND: 2632.19
04/15/13	AMEND: 354, 371.2, 373, 376.1, 386	03/29/13	REPEAL: 2690.65
03/29/13	AMEND: 9789.31, 9789.34, 9789.35, 9789.39	03/29/13	REPEAL: 2690.5
03/18/13	ADOPT: 32056, 32121, 32998, 93000, 93005, 93010, 93015, 93020, 93025, 93030, 93035, 93040, 93045, 93050, 93055, 93060, 93065, 93070, 93075, 93080 AMEND: 32150, 32155, 32300, 32305, 32310, 32315, 32320, 32350, 32360, 32370, 32375, 32380, 32410 REPEAL: 15800, 15805, 15810, 15815, 15820, 15825, 15830, 15835, 15840, 15845, 15850, 15855, 15860, 15865, 15870, 15875, 15875.1, 17300	03/29/13	REPEAL: 2690.6
03/18/13	ADOPT: 32091, 61215, 61255, 61275 AMEND: 32132, 32135, 32140, 32147, 32169, 32305, 32320, 32450, 32455, 32615, 32620, 32661, 32798, 61090, 61210, 61220, 61240, 61250, 61260, 61270 REPEAL: 32613, 32810, 32811, 32812, 32813	03/29/13	REPEAL: 2690.4
03/18/13	AMEND: 344, 344.1	03/29/13	ADOPT: 6426
03/14/13	AMEND: 3381	03/29/13	ADOPT: 6446
03/13/13	AMEND: 9789.23, 9789.24, 9789.25	03/13/13	AMEND: 2318.6, 2353.1, 2354
02/28/13	AMEND: 4309	03/11/13	ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
Title 9		03/11/13	AMEND: 2318.6, 2353.1, 2354
06/06/13	ADOPT: 14200, 14210, 14220, 14230, 14240	03/04/13	AMEND: 2690, 2690.1, 2690.2
		Title 11	
		03/27/13	AMEND: 80.3
		Title 13	
		05/07/13	ADOPT: 426.00
		04/18/13	AMEND: 1956.8
		03/07/13	AMEND: 125.12, 125.16, 126.00, 126.02, 127.00, 127.08
		02/07/13	AMEND: 2193
		Title 14	
		06/28/13	AMEND: 228
		06/26/13	AMEND: 1059(a)
		06/25/13	AMEND: 354, 360, 361, 362, 363, 364, 708.9
		06/19/13	AMEND: 816.01(c)(3), 826.01(c)(2), 870.21(d)
		06/17/13	AMEND: 7.50
		04/29/13	AMEND: 27.80
		04/25/13	ADOPT: 709, 709.1
		04/12/13	AMEND: 1.74, 701
		03/27/13	ADOPT: 132.1, 132.2, 132.3, 132.4, 132.5
		03/25/13	AMEND: 27.80
		03/25/13	ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 28-Z

03/06/13 ADOPT: 1299.01, 1299.02, 1299.03, 1299.03(a), 1299.03(b)(1) and most of the document incorporated therein by reference, 1299.03(b)(2)(B), 1299.03(b)(2)(C), 1299.03(c), 1299.04, 1299.05 REPEAL: 1299

03/06/13 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8

03/05/13 AMEND: 265, 365, 366, 478, 708.12, 708.16

02/27/13 AMEND: 670.7(e) & (f)

02/25/13 AMEND: 670.5

02/14/13 ADOPT: 15183.3, Appendix M, Appendix N

02/14/13 AMEND: 27.25, 27.30, 27.35, 27.45, 27.50, 27.65, 28.26, 28.27, 28.28, 28.29, 28.49, 28.54, 28.55, 28.56, 28.58

Title 15

05/16/13 AMEND: 3173.2, 3174

03/11/13 AMEND: 3000, 3002, 3021, 3041, 3041.2, 3045.3, 3075.1, 3075.2, 3082, 3103, 3144, 3172.2, 3177, 3230, 3270, 3275, 3278, 3288, 3324, 3338, 3367, 3368, 3369, 3371.1, 3376, 3379, 3380, 3401.5, 3404, 3415 and CDC 345 (Rev. 5/95)

03/04/13 REPEAL: 3999.10

02/25/13 ADOPT: 3375.6 AMEND: 3000, 3375

02/25/13 ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323

02/21/13 AMEND: 3000, 3190, 3213, 3334

02/12/13 ADOPT: 8004, 8004.1, 8004.2, 8004.3, 8004.4 AMEND: 8000

Title 16

06/26/13 AMEND: 1600

06/25/13 AMEND: 4102, 4114, 4122, 4141, 4163, 4181

06/20/13 AMEND: 1379.50

06/10/13 ADOPT: 5.5, 18, 19, 20, 21, 22 AMEND: 21 (renumbered to 36.1), 26, 98

06/06/13 AMEND: 2006

05/20/13 AMEND: 4402

05/17/13 ADOPT: 3340.4 AMEND: 3340.1, 3340.43

05/08/13 AMEND: 1380.1

05/02/13 ADOPT: 3340.17.1, 3340.17.2, AMEND: 3340.1, 3340.16, 3340.16.4, 3340.16.5, 3340.17, 3340.18, 3340.42, 3340.42.2, 3340.45, 3394.5

04/22/13 AMEND: 2268.2, 2271

04/16/13 ADOPT: 1364.50

04/16/13 AMEND: 1132

04/15/13 ADOPT: 1508, 1508.1, 1508.2, 1508.3

04/10/13 ADOPT: 1149, 1150, 1151, 1152, 1153

04/08/13 AMEND: 2614

04/08/13 AMEND: 40, 43, 45

04/02/13 AMEND: 1888

03/25/13 ADOPT: 1823, 1888.1 AMEND: 1803, 1845, 1858, 1881

03/14/13 ADOPT: 1399.110, 1399.130, 1399.130.1, 1399.156.5 AMEND: 1399.131, 1399.150.3, 1399.151, 1399.155, 1399.156

03/13/13 AMEND: 1746

02/27/13 AMEND: 3340.29

02/27/13 AMEND: 1575

02/13/13 ADOPT: 4187 AMEND: 4184

02/07/13 AMEND: 1495.2

02/06/13 AMEND: 1735.1, 1735.2, 1735.3, 1751.2

Title 17

07/01/13 AMEND: 100000

06/26/13 AMEND: 91022

06/26/13 AMEND: 1230, 2641.57

06/24/13 ADOPT: 95943 AMEND: 95802, 95830, 95833, 95910, 95911, 95912, 95913, 95920, 95921, 95942, 96010, 96022

06/13/13 ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101

05/06/13 ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525

04/25/13 AMEND: 94508, 94509

04/02/13 ADOPT: 54311 AMEND: 54302, 54310, 54314, 54320, 54326, 54332, 54370

03/21/13 AMEND: 100303, 100403, 100603

03/11/13 ADOPT: 58884, 58886, 58887, 58888 AMEND: 50604, 54355, 58543

02/25/13 AMEND: 94010, 94011, 94016, 94150, 94168

02/11/13 ADOPT: 6300.1, 6300.3, 6300.5, 6300.7, 6300.9, 6300.11, 6300.13, 6300.15, 6300.17, 6300.19, 6300.21, 6300.23, 6301.1, 6301.3, 6301.5, 6301.7, 6301.9, 6303.1, 6303.3

02/07/13 ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 28-Z

Title 18

06/25/13 ADOPT: 2000
 05/31/13 ADOPT: 17052.6
 05/28/13 AMEND: 1685.5
 03/11/13 AMEND: 1620

Title 19

03/26/13 REPEAL: 2300, 2301, 2302, 2303, 2304, 2305, 2324, 2325, 2325.1, 2326, 2327, 2328, 2329, 2330, 2331, 2350, 2351, 2352

Title 20

04/18/13 ADOPT: 1680, 1681, 1682, 1683, 1684

Title 21

06/24/13 ADOPT: 2653, 2654, 2655, 2656, 2657, 2658
 02/07/13 AMEND: 1301, 1310, 1312

Title 22

05/30/13 AMEND: 70723, 71523, 71835, 72535, 73525, 74723, 75051, 75335, 76539, 76874, 76919, 78429, 79331, 79781, 79795, 79805
 05/22/13 ADOPT: 64651.12, 64651.13, 64651.15, 64651.48, 64651.52, 64651.54, 64651.61, 64651.62, 64654.8, 64656.5, 64664.2, 64665.5 AMEND: 63011, 63012, 63020, 63021, 63052, 64650, 64651.88, 64652, 64652.5, 64653, 64655, 64656, 64660, 64662, 64663, 64664, 64666 REPEAL: 64657, 64657.10, 64657.20, 64657.30, 64657.40, 64657.50
 05/15/13 ADOPT: 66274.1, 66274.2, 66274.3, 66274.4, 66274.5, 66274.7, 66274.8
 03/25/13 AMEND: 97232
 03/14/13 AMEND: 50273(c)
 03/12/13 AMEND: 70055, 70217, 70263, 70275, 70405, 70483, 70485, 70579, 70619, 70706.1, 70707.8, 70747, 71053, 71215, 71245, 71547, 72003, 72013, 72035, 72037, 72057, 72059, 72075, 72083, 72085, 72087, 72089, 72097, 72105, 72107, 72329, 72329.1, 72351, 72361, 72465, 72467, 73009, 73023, 73031, 73057, 73059, 73073, 73075, 73081, 73083, 73085, 73087, 73103, 73109, 73319, 73411, 73483, 74011, 74013, 74023, 74405, 74615, 74617, 74623, 74631, 74633, 74635, 74641, 74643, 74645, 74647, 74653, 74657, 75002, 75006, 75011, 75012, 75015, 75016, 75018, 75020, 75054, 75081, 75301, 75305, 75307, 75341, 76003, 76013, 76043, 76049, 76051, 76089, 76109, 76111, 76117, 76119, 76121, 76123,

76130, 76131, 76141, 76149, 76151, 76800, 76808, 76809, 76825, 76832, 76894, 76896, 76916, 78033, 78037, 78057, 78067, 78071, 78077, 78081, 78083, 78089, 78091, 78097, 78103, 78347, 79001, 79023, 79070, 79073, 79215, 79311, 79347, 79501, 79519, 79523, 79539, 79541, 79543, 79551, 79559, 79563, 79565, 79573, 79803

02/19/13 ADOPT: 70438.2
 02/11/13 ADOPT: 100144 AMEND: 100135, 100136, 100137, 100139, 100140, 100141, 100142, 100143, 100144, 100145, 100146, 100147, 100148, 100149, 100150, 100151, 100152, 100153, 100154, 100155, 100156, 100157, 100158, 100159, 100160, 100161, 100162, 100163, 100164, 100165, 100166, 100167, 100168, 100169, 100170, 100171, 100172, 100173, 100174, 100175

Title 23

07/03/13 AMEND: 595
 07/01/13 ADOPT: 3007
 06/24/13 ADOPT: 3919.13
 06/04/13 ADOPT: 3939.45
 06/03/13 AMEND: 5000
 04/25/13 AMEND: 2920
 03/28/13 AMEND: 3930
 02/21/13 ADOPT: 3929.9

Title 25

03/27/13 ADOPT: 6932 REPEAL: 6932
 02/19/13 ADOPT: 1142, 1336.4, 2142, 4041.5 AMEND: 1002, 1018, 1020.9, 1034, 1038, 1048, 1102, 1180, 1317, 1320, 1333, 1335.5, 1336.2, 1422, 1438, 1462, 1606, 1750, 2002, 2018, 2020.9, 2034, 2038, 2048, 2102, 2112, 2317, 2327, 2328, 2422, 2438, 2496, 2750, 4011, 4040, 4050

Title 27

06/25/13 AMEND: 25805
 04/10/13 AMEND: 25805
 03/04/13 AMEND: 27000
 02/06/13 AMEND: 27001

Title 28

04/08/13 ADOPT: 1300.74.73

Title MPP

07/01/13 ADOPT: 40-038 AMEND: 22-071, 22-072, 22-305, 40-036, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-131, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-302, 42-406,

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 28-Z

42-407, 42-716, 42-721, 42-751,
42-769, 44-101, 44-102, 44-111,
44-113, 44-115, 44-133, 44-205,
44-207, 44-211, 44-304, 44-305,
44-313, 44-314, 44-315, 44-316,
44-317, 44-318, 44-325, 44-327,

44-340, 44-350, 44-352, 47-220,
47-320, 48-001, 80-301, 80-310,
82-612, 82-812, 82-820, 82-824,
82-832, 89-110, 89-201 REPEAL:
44-400, 44-401, 44-402, 44-403