



California Regulatory Notice Register

REGISTER 2013, NO. 31-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

AUGUST 2, 2013

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict of Interest Codes — Notice File No. Z2013-0723-01 1129

Adoption

Multi-County Agency: Cachuma Resource Conservation District

Amendment

State Agency: California Energy Commission

TITLE 2. SECRETARY OF STATE

Business Entity Names — Notice File No. Z2013-0723-04 1130

TITLE 4. CALIFORNIA HORSE RACING BOARD

Application for License to Operate Minisatellite Wagering Facility —

Notice File No. Z2013-0723-02 1133

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

General Industry Safety Orders 5120, Safe Patient Handling — Notice File No. Z2013-0719-02 1136

DECISION NOT TO PROCEED

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Concerning General Safety Order, Strap-On Foot Protectors 1141

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

Notice of Intent to List a Chemical by the “Formally Required to be Labeled or Identified” Mechanism:

Chloramphenicol Sodium Succinate 1141

(Continued on next page)

*Time-
Dated
Material*

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	1143
Sections Filed February 27, 2013 to July 24, 2013	1145

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.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

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

ADOPTION

MULTI-COUNTY

AGENCY: Cachuma Resource Conservation District

AMENDMENT

STATE AGENCY: California Energy Commission

A written comment period has been established commencing on **August 2, 2013** and closing on **September 16, 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/her 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/her 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 **September 16, 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 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 Barbara Smith, 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 Barbara Smith, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. SECRETARY OF STATE

**Amending Sections 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007, 21008 and 21009
Adding Sections 21001.1, 21001.2 and 21001.3
Title 2 California Code of Regulations
(Business Entity Names)**

Notice is hereby given that the Secretary of State intends to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

Hearing Date: No hearing date is 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 contact person listed no later than 15 days prior to the close of the written comment period.

Written Public Comment Period: August 5, 2013, through September 30, 2013.

PROPOSED REGULATORY ACTION

The Secretary of State proposes the following regulatory action: Amend provisions of 2 California Code of Regulations sections 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007, 21008 and 21009 and add sections 21001.1, 21001.2 and 21001.3 to reflect statutory changes effective January 1, 2014 and further implement and interpret the requirements of Corporations Code sections 201, 2106, 2601, 5122, 7122, 9122, 12302, 15901.08, 15909.05, 17701.08 and 17708.02.

AUTHORITY AND REFERENCE

Authority cited: Corporations Code sections 8, 110, 201, 2106, 2601, 5008, 5122, 7122, 9122, 12214, 12302, 13409, 15901.08, 15909.05, 17701.08 and 17708.02.

Reference cited: Corporations Code sections 8, 167, 171, 201, 2101, 2106, 2601, 5008, 5122, 6910, 7122, 8910, 9122, 12302, 13409, 15901.02, 15901.08, 15901.09, 15909.02, 15909.05, 17701.02, 17701.08, 17701.09, 17708.02 and 17708.05.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Secretary of State proposes to amend sections 21000 through 21009 of Title 2 of the California Code of Regulations, which implement, interpret or make specific sections 201, 2601, 5122, 7122, 9122, 12302, 15901.08 and 17701.08 of the Corporations Code. These sections concern the availability of business entity names for Corporations, Foreign Corporations, Limited Liability Companies, Foreign Limited Liability Companies, Limited Partnerships and Foreign Limited Partnerships. The proposed amendments are intended to reflect the new statutory standards for limited liability companies effective January 1, 2014. The amendments are also intended to clear up ambiguities and inconsistencies identified in the first four years of administering the Business Entity Name Regulations.

The specific benefits anticipated by the proposed amendment of these regulations include helping persons and businesses trying to determine the availability of business entity names prior to filing their documents with the Secretary of State. The existing regulations will not reflect the statutory standards, effective January 1, 2014, that are required to be used in evaluating limited liability company proposed names. Leaving the existing regulations intact would result in confusion among applicants. Amending the regulations to be consistent with the California Revised Uniform Limited Liability Company Act and clarifying existing ambiguities should result in fewer documents being rejected by the Secretary of State based on unavailable business entity names, which will save those individuals and businesses time and money.

The Secretary of State has considered any other related regulations and statutes on this matter and has determined that this proposed amendment is not inconsistent or incompatible with existing regulations and statutes. The Secretary of State is the only state office responsible for administering the California Revised Uniform Limited Liability Company Act.

Specifically, through this proposed rulemaking, the Secretary of State proposes to amend 2 California Code of Regulations in the following respects:

1) The changes to Subsection 21000(a) update the references to reflect numbering changes to other sections of the Business Entity Name Regulations. The

phrase “distinguishable on the records” is changed to “distinguishable in the records” to correctly reflect the statutory language.

2) Changes to Subsection 21001(d) change the term “business entity ending” to “business entity identifier” and no longer requires the entity identifier to be at the end of the name to denote existence as a business entity.

3) Changes to Subsection 21001(d)(3) add business entity identifiers from Subsection 21009(d) (being renumbered to Subsection 21005.5(b)) for foreign Limited Liability Limited Partnerships.

4) Changes to Subsection 21001(e) will apply the term “existing corporate name,” “existing LLC name” and “existing LP name” to corporations, limited liability companies and limited partnership respectively when the term “existing name” is used. Changes to Subsection 21001(e)(2)(C) will update the statutory reference relating to a future effective date for limited liability company documents filed by the Secretary of State. Changes to Subsection 21001(e)(3)(C) will update the statutory reference relating to a future effective date for limited partnership documents filed by the Secretary of State.

5) Changes to Subsection 21001(f) will apply the term “proposed corporate name,” “proposed LLC name” and “proposed LP name” to corporations, limited liability companies and limited partnerships respectively when the term “proposed name” is used. Changes to Subsection 21001(f)(3) remove the distinction between limited partnerships that are and are not subject to the Uniform Limited Partnership Act of 2008.

6) Changes to Subsection 21001(g)(3) will update the statutory reference relating to the definition of a limited liability company.

7) Changes to Subsection 21001(g)(4) will update the statutory reference relating to the definition of a foreign limited liability company.

8) Changes to Subsection 21001(g)(5) will update the statutory reference relating to the definition of a limited partnership.

9) Section 21001.1 is being added to define the three corporate name evaluation standards (deceptively similar, substantially the same as, and likely to mislead the public) applicable to proposed corporate names.

10) Section 21001.2 is being added to apply the statutory name standard (“distinguishable in the records of the Secretary of State”) to proposed limited liability company names. Section 21001.2 also makes changes to apply the “likely to mislead the public” standard to limited liability company names in the same section.

11) Section 21001.3 is being added for organization and clarity purposes to apply the applicable name evaluation standard to proposed limited partnership names.

12) Subsection 21002(a) is being deleted. The applicable standard has been moved to Section 21001.1(a).

13) Subsection 21002(b) is renumbered to Section 21002.

14) Changes to Subsection 21002(b)(3) (being renumbered to Subsection 21002(c)) change the reference from “business entity endings” to “business entity identifiers” consistent with the changes to Subsection 21001(d). Also, the example using a limited liability company name is deleted since limited liability companies are no longer subject to the deceptively similar standard.

15) Subsection 21003(a) is being deleted. The applicable standard has been moved to Subsection 21001.1(b).

16) Subsection 21003(b) is renumbered to Subsection 21003(a). Changes to Subsection 21003(b) (being renumbered to Subsection 21003(a)) change the reference from “business entity endings” to “business entity identifiers” consistent with the changes to Subsection 21001(d).

17) Subsection 21003(c) is renumbered to Subsection 21003(b). Changes to Subsection 21003(c) (being renumbered to Subsection 21003(b)) change the reference from “business entity endings” to “business entity identifiers” consistent with the changes to Subsection 21001(d).

18) Subsection 21003(d) is renumbered to Subsection 21003(c).

19) Subsection 21003(e) is renumbered to Subsection 21003(d).

20) Subsection 21003(f) is renumbered to Subsection 21003(e). The reference to Subsection 21003(b) is updated to Subsection 21003(a).

21) Changes to Subsection 21004(a)(3) clarify that the proposed name must be included in the consent letter in order for consent to be express.

22) Subsection 21004(a)(4) is deleted to eliminate the requirement that the consent letter include the name of the person or entity to whom consent is given.

23) Subsection 21004(a)(5) is renumbered to Subsection 21004(a)(4). The terms “partner” and “manager” are deleted from Subsection 21004(a)(5).

24) Subsection 21004(b) is corrected to reflect that the requirement that the consent letter include the name of the person or entity to whom consent is given is eliminated.

25) Subsection 21005(a) is being deleted and moved into Subsections 21001.1(c) and 21001.2(b).

26) Subsections 21005(b)(1)–(5) is renumbered to Subsections 21005(a)–(e). Changes to Subsection 21005(b) change the reference from “business entity endings” to “business entity identifiers” consistent with the changes to Subsection 21001(d). Also, the pronoun

in Subsection 21005(b)(1) (being renumbered to Subsection 21005(a)) is clarified.

27) Section 21007 is renumbered to Section 21004.5. Changes to Subsection 21007(a)(8) (being renumbered to Subsection 21004.5(a)(8)) clarify that Subsection 21003(a) (being renumbered to Subsection 21001.1(b)) still requires translation of some geographic abbreviations. In Subsection 21007(b) (being renumbered to Subsection 21004.5(b)) the phrase “distinguishable on the records” is changed to “distinguishable in the records” to correctly reflect the statutory language.

28) Section 21009 is renumbered to Section 21005.5. The title is changed to reflect that the statutory name standard is no longer applicable to only limited partnerships that are governed under the Uniform Limited Partnership Act of 2008. The introductory paragraph and subsections (a) and (b) are deleted because the “distinguishable in the record” name standard application to limited partnerships is being moved to Subsection 20001.3. Subsections (c) and (d) are renumbered (a) and (b). The phrase “distinguishable on the records” is changed to “distinguishable in the records” to correctly reflect the statutory language. References to “business entity endings” are changed to “business entity identifiers” consistent with the changes to Subsection 21001(d). The list of entity endings is deleted and moved to Section 21001. One example is changed from a limited partnership to limited liability company. The reference to LLP is corrected to read LLLP.

WRITTEN COMMENT PERIOD

Any interested person, or the interested person’s authorized representative, may submit written comments relevant to the proposed regulatory action to the Secretary of State. The written comment period closes at 5:00 p.m. on September 30, 2013. The Secretary of State will consider only comments received at the Secretary of State’s office by that time. Submit comments to:

Janessa M. Joseph, Senior Attorney
 Secretary of State
 1500 11th Street, Third Floor
 Sacramento, CA 95814
 Telephone: 916–653–6244

The backup contact person for comment submission is:

Susan Lapsley, Deputy Secretary of State and Counsel
 Secretary of State
 1500 11th Street, Sixth Floor
 Sacramento, CA 95814
 Telephone: 916–651–7837

All inquiries regarding this proposed rulemaking, including requests for obtaining the Final Statement of Reasons, should be directed to Janessa Joseph at the address listed above.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Secretary of State has made the following initial determinations:

1. **Mandate on local agencies and school districts:** None.
2. **Costs or savings to any state agency:** None beyond those budgeted or expected to be budgeted for the Secretary of State.
3. **Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:** None.
4. **Other nondiscretionary costs or savings imposed on local agencies:** None.
5. **Costs or savings in federal funding to the state:** None.
6. **Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** None.
7. **Cost impacts on a representative private person or businesses:** The Secretary of State anticipates negligible overall cost savings to private persons and businesses. The proposed changes to the regulations will help persons and businesses determine the availability of business entity names prior to filing their documents with the Secretary of State and will reflect statutory changes based on the California Revised Uniform Limited Liability Company Act. This should result in fewer documents being rejected by the Secretary of State based on unavailable business entity names, which will save those individuals and businesses time and money. The net result is expected to be neutral or result in a very small savings to applicants.
8. **Adoption of these amendments will not:**
 - (A) create or eliminate jobs within California;
 - (B) create new businesses or eliminate existing businesses within California; or
 - (C) affect the expansion of businesses currently doing business within California.
9. **Significant effect on housing costs:** None.
10. **Effect on small business:** None. The proposed amendments do not impose any mandatory fees on small businesses or require any forms or reports be prepared or filed by any business.

RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

The proposed regulatory amendments reflect the statutory changes in the California Revised Uniform Limited Liability Company Act and clear up existing inconsistencies. Accordingly, no jobs in California will be created or eliminated, no new businesses in California will be created or existing businesses eliminated, and no existing businesses in California will be expanded or eliminated.

Amending the Business Entity Name Regulations will help persons and businesses trying to determine the availability of business entity names prior to filing their documents with the Secretary of State and will reflect statutory changes based on the California Revised Uniform Limited Liability Company Act. The existing regulations will not reflect the statutory standards, effective January 1, 2014, in evaluating limited liability company proposed names and left intact would result in confusion among applicants. Amending the regulations to be consistent with the California Revised Uniform Limited Liability Company Act and clarifying existing ambiguities should result in fewer documents being rejected by the Secretary of State based on unavailable business entity names, which will save those individuals and businesses time and money.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Secretary of State 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 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.

The Secretary of State invites persons to present statements or arguments with respect to alternatives to the proposed amendments during the written comment period.

AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS

The Secretary of State will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice of Proposed Rulemaking, the regulations as proposed, and the Initial

Statement of Reasons. The rulemaking file includes all the information upon which the proposed action is based. Copies are posted on the Secretary of State's website at <http://www.sos.ca.gov/admin/regulations/proposed/> and may also be obtained from the contact person indicated above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After considering all timely and relevant comments received, the Secretary of State may adopt the proposed regulations substantially as described in this Notice of Proposed Rulemaking. If the Secretary of State makes modifications that 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 Secretary of State adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the contact person indicated above. The Secretary of State will accept written comments on the modified regulations for 15 days after the date on which the modified regulations are made available.

AVAILABILITY OF RULEMAKING
DOCUMENTS AND THE FINAL STATEMENT
OF REASONS

Copies of rulemaking documents can be accessed through the Secretary of State's website at <http://www.sos.ca.gov/admin/regulations/proposed/>. Upon completion, the Final Statement of Reasons will be posted on the Secretary of State's website or obtained from the contact person indicated above.

**TITLE 4. CALIFORNIA HORSE RACING
BOARD**

NOTICE OF PROPOSAL TO AMEND
RULE 2066. APPLICATION FOR LICENSE TO
OPERATE A MINISATELLITE
WAGERING FACILITY.

The California Horse Racing Board (Board/CHRB) proposes to amend the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 2066, Application for License to Operate a Minisatellite Wagering Fa-

cility, to increase the term of license to operate a minisatellite wagering facility from two years to five years.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, September 19, 2013**, or as soon after that as business before the Board will permit, at the **Sheraton Fairplex Suites, 601 W. McKinley Avenue, Pomona, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m., on September 16, 2013**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Leeland Turner, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone (916) 263-6026
Fax: (916) 263-6022
E-mail: lturner@chr.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19420, 19440, and 19605.25, Business and Professions Code. Reference: Sections 19410.7, 19460 and 19605.25, Business and Professions Code.

Business and Professions Code sections 19420, 19440 and 19460 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific sections 19410.7, 19440, 19460, and 19605.25, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 19410.7 states "minisatellite wagering site" means a location where satellite wagering may be conducted, with the approval of the board, provided that the wagering occurs in an area that is restricted to those who are 21 years of age or older. Business and Professions Code section

19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board (CHRB/Board). Business and Professions Code section 19440 states that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering, and administration and enforcement of all laws, rules and regulations affecting horse racing and pari-mutuel wagering. Business and Professions Code section 19460 provides that all licenses granted under this chapter are subject to all rules, regulations and conditions from time to time prescribed by the Board. Business and Professions Code section 19605.25 authorizes the Board to license 45 California minisatellite wagering facilities, 15 in each of the northern, central, and southern zones, as specified. Subsection 19605.25(h) provides that the Board shall license a minisatellite facility for up to five years.

The Board proposes to amend Rule 2066, Application for License to Operate a Minisatellite Wagering Facility, to increase the term of license to operate a minisatellite wagering facility from two years to five years.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 2066 will increase the term of license from two years to five years. The longer term of licensure will assist applicants in planning for their business' futures. It will lower the cost to owners by lowering the number of required future renewals while increasing current stability. This will benefit existing minisatellites as well as attract more applicants to the idea of opening a minisatellite facility. Opening more minisatellite facilities will expand wagering opportunities for horseracing, potentially increasing handle, commissions, and purses. This will help to ensure the continued viability of the sport of horseracing in California. The authority citation of Business and Professions Code section 19590 refers to horse racing meetings and advance deposit wagering, but does not refer to satellite wagering and has therefore been removed.

Consistency with Existing State Regulations: During the process of developing these regulations and amendments, The California Horse Racing Board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURE REGARDING THE
PROPOSED ACTION/RESULTS OF THE
ECONOMIC IMPACT ANALYSIS

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: Due to the longer license term CHRB may incur minimal savings in a reduction of applications for renewal license to operate a minisatellite wagering facility.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630: none.

Other non-discretionary costs or savings imposed upon local agencies: none.

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

The Board has made an initial determination that the proposed addition of Rule 2066 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 following studies/relevant data were relied upon in making the above determination: none.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

The adoption of the proposed amendment to Rule 2066 may create jobs within the State of California by increasing the number of new minisatellites in California. Business and Professions Code 19605.4 allows for a possible 45 minisatellites throughout the state of California. There are currently six operating minisatellites in California. The proposed amendment of Rule 2066 may increase new businesses in California by making investing in minisatellites more attractive. The proposed amendment of Rule 2066 may make adding a minisatellite to an existing restaurant or bar a more attractive investment. This may increase the number of existing businesses that expand to operate a minisatellite facility.

Effect on small businesses: none. The proposal to amend Rule 1658 does not affect small businesses because horse racing is not a small business under Government Code Section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed,

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

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

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Leeland Turner, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6026
E-mail: lturner@chr.ca.gov

If the person named above is not available, interested parties may contact:

Harold Coburn,
Regulation Analyst
Telephone: (916) 263-6397

AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND TEXT
OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Leeland Turner, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made

available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulation should be sent to the attention of Leeland Turner at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Leeland Turner at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulation and the initial statement of reasons. The Board's web site address is: www.chrb.ca.gov.

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

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

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC

MEETING: On September 19, 2013, at 10:00 a.m.
in Room 1 of the Harris State Building
1515 Clay Street, Oakland, California.

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

PUBLIC

HEARING: On September 19, 2013, at 10:00 a.m.
in Room 1 of the Harris State Building
1515 Clay Street, Oakland, California.

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

BUSINESS

MEETING: On September 19, 2013, at 10:00 a.m.
in Room 1 of the Harris State Building
1515 Clay Street, Oakland, California.

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

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

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

**NOTICE OF PROPOSED CHANGES TO TITLE 8
OF THE CALIFORNIA CODE OF REGULATIONS
BY THE OCCUPATIONAL SAFETY AND
HEALTH STANDARDS BOARD**

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **September 19, 2013**.

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
 Division 1, Chapter 4, Subchapter 7,
 Article 106, New Section 5120
Safe Patient Handling

Descriptions of the proposed changes are as follows:

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**
 Division 1, Chapter 4, Subchapter 7,
 Article 106, New Section 5120
Safe Patient Handling

INFORMATIVE DIGEST OF PROPOSED
 ACTION/POLICY STATEMENT OVERVIEW

Pursuant to California Labor Code Section 142.3, the Occupational Safety and Health Standards Board (Board) may adopt, amend, or repeal occupational safety and health standards or orders. Section 142.3 permits the Board to prescribe, where appropriate, suitable protective equipment and control or technological procedures to be used in connection with occupational hazards and provide for monitoring or measuring employee exposure for their protection.

In 2011, Assembly Bill 1136, the Hospital Patient and Health Care Worker Injury Protection Act, was enacted with the stated purpose of protecting registered nurses and other health care workers from patient handling injuries and to provide patients with safe and appropriate care. AB 1136 created a new Labor Code (LC) Section 6403.5 which took effect January 1, 2012. This section requires general acute care hospitals (GACHs) to implement specific safe practices for handling patients as part of their existing Injury and Illness Prevention Plans (IIPP), already required by the Injury and Illness Prevention Program standard, Section 3203. LC Section 6403.5 does not apply to GACHs within the Department of Corrections and Rehabilitation or the State Department of Developmental Services.

LC Section 6403.5 requires the hospital to adopt a patient protection and health care worker back and musculoskeletal injury prevention plan (Plan). The Plan is intended to implement a safe patient handling policy that includes requiring the replacement of manual lifting and transferring of patients with powered patient transfer devices, lifting devices, and lift teams, as appropriate for the specific patient and consistent with the employer's safety policies and the professional judgment and clinical assessment of the registered nurse. LC Section 6403.5 also requires employers to provide training to staff members who conduct the patient handling to enable them to use the techniques and equipment that are to be used for this purpose. This LC Section also provides employees with specific protection from dis-

crimination on the part of the employer for a refusal to conduct a patient handling action that seems unsafe to either the employee or the involved patient.

The Division of Occupational Safety and Health (Division) developed this proposal with the assistance of advisory stakeholders in order to ensure that the proposal provided sufficient protection for employees in these work settings and provided employers with sufficient flexibility to address these risks in the least burdensome manner.

Specific Effects of the Proposed Standard

Proposed subsection (a) establishes that all general acute care hospitals are required to comply with the provisions of this section in order to be consistent with AB 1136, the Hospital Patient and Health Care Worker Injury Protection Act. The intended effect is to identify the affected employers.

The effect of Exception (1) is to exempt from this standard GACHs within the Department of Corrections and Rehabilitation and the State Department of Developmental Services in order to be consistent with LC Section 6403.5(h) which excludes these institutions from the requirements of the section.

The effect of Exception (2) is to exempt units within GACHs that are designated by the California Department of Health Services, Licensing and Certification Division as "distinct parts" even though they are included in the license that is issued to the GACH that maintains the unit as specified in Title 22 Sections 70625 and 70627. These units provide care that is similar in nature to skilled nursing facilities that are not covered by LC Section 6403.5, and consequently, are not covered by the requirements of the proposed section.

Proposed Note to subsection (a) establishes that this proposed section does not prevent the application of Section 3203 or other safety orders to patient handling issues in other health care facilities, services and operations that are not within the scope of this subsection. The effect is to clarify that employers are still responsible for identifying and correcting health and safety issues as has been required by Section 3203 and other sections of these orders before this rulemaking. The note also establishes that the proposed section does not preclude the application of other sections of Title 8, including, but not limited to Sections 3203 and 5110, to patient handling in GACHs. The effect of this provision is to inform hospitals of existing legal requirements.

Subsection (b) of the proposed standard includes a number of definitions. The effect of these definitions is to establish the exact meanings for the terms as used within the context of the requirements of Section 5120 and to clarify that the terms, as used, may have more specific meaning for safe patient handling than they would in the more general usage.

Subsection (c) requires employers to establish, implement and maintain an effective written Plan. The subsection allows the Plan to be incorporated into the hospital's IIPP, or kept as a separate document. The effect of the subsection is to establish the basic elements that an employer would be responsible for addressing through its IIPP under Section 3203, as required by LC Section 6403.5. Since the LC does not list detailed elements for the Plan, the proposal specifies appropriate elements, listed in subsections (c)(1)–(c)(9), which include an effective safe patient handling policy component, the designation of person(s) responsible for the Plan implementation, methods the hospital will use to coordinate the implementation of the Plan with other employers whose employees have work assignments that include being present on patient care units, procedures to ensure that supervisory and non-supervisory employees comply with the Plan and use specified procedures and equipment when performing a patient handling activity, procedures for identifying and evaluating patient handling hazards, procedures for the investigation of musculoskeletal injuries related to patient handling, procedures for correcting hazards related to patient handling, procedures for communicating with employees regarding safe patient handling matters, and procedures for providing training to employees who may be present in patient care units. These elements reflect requirements in Section 3203 for an IIPP, as they are applied to patient handling activities.

Subsection (c)(10) requires a GACH to make a list of the corrective measures identified as required by subsection (c)(7)(B) that cannot be implemented by the effective date of this standard. This list will include the control measure, method of implementation, reason for the delay, and schedule for implementation. Implementation is to be completed within one year of the effective date of the standard. The effect of this is to establish a process and time frame for the GACH to correct equipment issues.

Subsection (c)(11) requires procedures for reviewing, at least annually, the effectiveness of the Plan in each patient care unit, which shall include a review of injury data and trends. The review of injury data is intended to provide a meaningful basis for determining if the Plan is working over time and in comparison with other, similar care units. The Plan is also required to include an effective procedure for obtaining the active involvement of employees in reviewing and updating the Plan with respect to the procedures performed by employees in their respective work areas or departments. The intended effect is to allow the employer to have a process to identify and correct problems with the Plan, correct other deficiencies, and prevent further injuries

to employees and patients in accordance with subsection (c)(6) and Section 3203.

The effect of proposed subsection (d) is to establish requirements for the employer to provide training to employees whose work assignments require them to be present in patient care units, on safe patient handling activities they are reasonably anticipated to perform. This general requirement is established by LC Section 6403.5(b). The proposal establishes the details of the training as follows:

Subsection (d)(1) establishes the frequency of the different categories of training. Training would be required at the time of initial assignment and at least annually for designated health care workers, lift team members, designated registered nurses and supervisors covered by the Plan. Additional training would be required when new equipment or work practices are introduced.

Subsection (d)(2) establishes the content of the initial training for designated health care workers, lift team members, designated registered nurses and supervisors of employees who work in patient care units. The content is consistent with LC Section 6403.5(b). It requires the training to include elements that are applicable to the employee's assignment.

Exception to (d)(2) establishes that employers who have provided initial safe patient handling training to their employees prior to the effective date of this standard may limit the content of training to elements listed in (d)(2)(A)–(N) that were not included in the previous training. The intended effect is to make the training less burdensome for employers who complied with LC Section 6403.5(b) while assuring that the content of this subsection is provided to their employees.

Subsection (d)(3) establishes refresher training content for designated health care workers, lift team members, designated registered nurses and supervisors as applicable to the employee's assignment.

Subsection (d)(4) establishes the requirement for employers to provide awareness training for employees other than those identified in subsections (d)(2) and (d)(3) whose job assignment includes being present on patient care units. This training content includes the recognition of the patient interactions that require the involvement of designated health care workers, or lift teams, how to obtain that involvement when necessary, and procedures to follow for emergencies relating to safe patient handling.

The effect of proposed subsection (e) is to establish recordkeeping requirements applicable to all employers covered by this section. The effect of subsection (e)(1)(A) is to provide documentation for the process of equipment evaluation, selection, and implementation. The effect of subsection (e)(1)(B) is to provide documentation for inspections related to patient handling procedures. The effect of (e)(1)(C) is to document the investigations of occupational injuries and illnesses required by subsection (c)(5). General acute care hospitals that are operated by local governmental entities are subject to Section 3203(b)(2)C Exception No. 4 and thus are not required to keep records concerning the steps taken to implement and maintain the Plan specified in subsections (e)(1)(A)–(B).

The effect of subsection (e)(2) is to require employers to have records for the training established in subsection (d). The intent is to assure that employees have received the training required by this Section and to be consistent with Section 3203(b)(2). The subsection also establishes that these records are to be maintained for a minimum of one year to assure that the administrative personnel overseeing the training process can identify the personnel who require training over time, and comply with the refresher training requirement.

The effect of subsection (e)(3) is to provide that the records required by this subsection must be made available to the Chief of the Division and his or her representatives for examination and copying. This is consistent with Section 3204 and numerous other sections in Title 8 and the effect is to allow the Division to determine if an employer is complying with the requirements of this Section.

The effect of subsection (e)(4) is to provide that the records required by subsection (e) must be made available to employees and their representatives for examination and copying as employee exposure records in accordance with Section 3204(e)(1). The intended effect is to be consistent with Section 3204 and LC Section 6408.

The effect of subsection (e)(5) is to require that records of injury investigations not include medical information as defined by Civil Code Section 56.05. This is intended to create a non-confidential record of the injury investigation that can be included in the review of the Plan.

The effect of subsection (e)(6) establishes that occupational injury and illness occurrences may require separate records that are required by Title 8, Division 1, Division of Labor Statistics and Research, Chapter 7, Subchapter 1, Occupational Injury or Illness Reports and Records. These include the Cal/OSHA Form 300, Log of Work-Related Injuries and Illnesses; the Cal/OSHA Form 300A, Summary of Work-Related Injuries and Illnesses; the Cal/OSHA Form 301, Injury and

Illness Incident Report; or equivalent forms, as well as the Form 5020, Employer’s Report of Occupational Injury or Illness Form; and Form 5021, Rev. 4, Doctor’s First Report of Occupational Injury or Illness.

Appendix A (non-mandatory) contains examples of professional occupational safety guidelines for the protection of patients and health care workers in health care facilities. This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board is “the only agency in the state authorized to adopt occupational safety and health standards.” When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- Differs from existing federal regulations, in that federal OSHA does not have a specific counterpart standard for safe patient handling in general acute care hospitals.
- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system’s component regulations is provided by such things as the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their federal counterparts and the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).
- The proposal will enhance the safety of employees and patients with the implementation of a health care worker back and musculoskeletal injury prevention plan, and is the least burdensome alternative for achieving compliance with LC 6403.5.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action. Assembly Bill 1136, passed in 2011, amended the Labor Code creating LC 6403.5 that went into effect on January 1, 2012. LC 6403.5 required general acute care hospitals to imple-

ment safe patient handling procedures and adopt a policy for doing so by adding it to the existing Injury and Illness prevention programs that are required by Labor Code 6401.7 and CCR T8 GISO 3203 enforced by the Division of Occupational Safety and Health. This proposed standard establishes more detailed language to clarify the more general requirements in AB 1136. These requirements are consistent with Section 3203 and existing requirements in Title 22, already followed by general acute care hospitals, without creating requirements that were not established by the legislation, and therefore do not impose costs beyond what have been created by the legislation itself. The proposal also exempts general acute care hospitals within the State Department of Corrections and Rehabilitation or the State Department of Developmental Services.

Impact on Housing Costs

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

Impact on Businesses/Significant Statewide Adverse Economic Impact Directly Affecting Businesses Including the Ability of California Businesses to Compete

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. Assembly Bill 1136, passed in 2011, amended the Labor Code creating LC 6403.5 that went into effect on January 1, 2012. LC 6403.5 required general acute care hospitals to implement safe patient handling procedures and adopt a policy for doing so by adding it to the existing IPPs that are required by LC 6401.7 and CCR T8 GISO 3203 enforced by the Division. This proposed standard establishes more detailed language to clarify the more general requirements in AB 1136. These requirements are consistent with Section 3203 and existing requirements in Title 22, already followed by acute care hospitals, and therefore do not impose costs beyond what have been created by the legislation itself.

Cost Impact on Private Persons or Businesses

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

Costs or Savings in Federal Funding to the State

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

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

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

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

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

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. There are no costs to any local government or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments will not affect small businesses. This proposed standard establishes more detailed language to clarify the more general requirements in AB 1136.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

These requirements are consistent with Section 3203 and existing requirements in Title 22, already followed by acute care hospitals, without creating requirements that were not established by the legislation, and therefore do not impose costs beyond what have been created by the legislation itself.

Therefore, the adoption of the proposed amendments to these standards 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.

BENEFITS OF THE REGULATION

This proposal should reduce the number of injuries, many of which are career-ending, suffered by health care workers who conduct patient handling procedures by requiring GACH employers to identify and utilize equipment and techniques that reduce the force required to lift and maneuver patients. This should also reduce the number of injuries to patients by lowering the risk that they will be inadvertently dropped or otherwise injured. Consequently the number of workers' compensation claims and patient injury claims against GACHs should also decrease. Labor Code 6403.5 (AB 1136) requires GACHs to address safe patient handling through various means. This proposal creates an enforceable regulation that provides clear guidance to employers and employees regarding how to implement this law.

ALTERNATIVES STATEMENT

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons 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.

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

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

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than **September 13, 2013**. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on **September 19, 2013**, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposals substantially as set forth without further notice.

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

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

Inquiries concerning either the proposed administrative action or the substance of the proposed changes

may be directed to Marley Hart, Executive Officer, or Mike Manieri, Principal Safety Engineer, at (916) 274-5721.

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

DECISION NOT TO PROCEED

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF DECISION NOT TO PROCEED

Pursuant to Government Code Section 11347, the Occupational Safety and Health Standards Board of the State of California decided not to proceed with Title 8, General Industry Safety Orders, Chapter 4, Subchapter 7, Article 10, Section 3385, Strap-On Foot Protectors, (**Part of Notice** File No. Z-2013-0122-05, published February 1, 2013, in the California Notice Register 201, No. 5-Z, page 142); and therefore, withdraws this proposed action.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE OF INTENT TO LIST A CHEMICAL BY THE "FORMALLY REQUIRED TO BE LABELED OR IDENTIFIED" MECHANISM: CHLORAMPHENICOL SODIUM SUCCINATE

AUGUST 2, 2013

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHA) intends to list the chemical identified in the table below as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of

1986¹. This action is being proposed under the “formally required to be labeled or identified” listing mechanism².

Chemical	CAS No.	Toxicological Endpoint	Reference
Chloramphenicol sodium succinate	982-57-0	Cancer	NLM (2012); APP (2008)

Background on listing via the formally required to be labeled or identified mechanism: A chemical must be listed under Proposition 65³ and its implementing regulations (Section 25902⁴) when a state or federal agency has formally required it to be labeled or identified as causing cancer or reproductive toxicity.

According to Section 25902(b):

- “ ‘[F]ormally required’ means that a mandatory instruction, order, condition, or similar command, has been issued in accordance with established policies and procedures of an agency of the state or federal government to a person or legal entity outside of the agency. The action of such agency may be directed at one or more persons or legal entities and may include formal requirements of general application;”
- “ ‘[L]abeled’ means that a warning message about the carcinogenicity or reproductive toxicity of a chemical is printed, stamped, written, or in any other manner placed upon the container in which the chemical is present or its outer or inner packaging including any material inserted with, attached to, or otherwise accompanying such a chemical;”
- “ ‘[I]dentified’ means that a required message about the carcinogenicity or reproductive toxicity of the chemical is to be disclosed in any manner to a person or legal entity other than the person or legal entity who is required to make such disclosure”; and
- “ ‘As causing cancer’ means: “For chemicals that cause cancer, the required label or identification uses any words or phrases intended to communicate a risk of cancer or tumors.”

OEHHA is the lead agency for Proposition 65 implementation. After a state or federal agency has required that a chemical be labeled or identified as causing can-

cer or reproductive toxicity, OEHHA evaluates whether listing under Proposition 65 is required pursuant to the definitions set out in Section 25902.

OEHHA’s determination: *Chloramphenicol sodium succinate* has been identified or labeled to communicate a risk of cancer (NLM, 2012; APP, 2008) in accordance with formal requirements by the U.S. Food and Drug Administration (FDA).

Language from the FDA-approved product labels which meets the requirements of Section 25902 is quoted below:

Chloramphenicol sodium succinate

Cancer Endpoint (*Under boxed WARNING*)

Under boxed WARNING: “Serious and fatal blood dyscrasias (aplastic anemia, hypoplastic anemia, thrombocytopenia and granulocytopenia) are known to occur after the administration of chloramphenicol. In addition, there have been reports of aplastic anemia attributed to chloramphenicol which later terminated in leukemia. Blood dyscrasias have occurred after both short-term and prolonged therapy with this drug. Chloramphenicol must not be used when less potentially dangerous agents will be effective, as described in the INDICATIONS section. *It must not be used in the treatment of trivial infections or where it is not indicated, as in colds, influenza, infections of the throat; or as a prophylactic agent to prevent bacterial infections.*”

Request for comments: OEHHA is requesting comments as to whether this chemical meets the criteria set forth in the Proposition 65 regulations for listings via the formally required to be labeled or identified mechanism (Section 25902). Because these are ministerial listings, comments should be limited to whether FDA requires that chloramphenicol sodium succinate be labeled to communicate a risk of cancer or tumors. OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by FDA when it established the labeling requirement and will not respond to such comments if they are submitted.

In order to be considered, **OEHHA must receive comments by 5:00 p.m. on TUESDAY, SEPTEMBER 3, 2013.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov. Please include “chloramphenicol sodium succinate” in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below.

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25902.

³ See Health and Safety Code section 25249.8(b).

⁴ All referenced sections are from Title 27 of the Cal. Code of Regulations.

Mailing Address: Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California
95812-4010

Fax: (916) 323-2265

Street Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA web site after the close of the comment period.

If you have any questions, please contact Ms. Oshita at cynthia.oshita@oehha.ca.gov or at (916) 445-6900.

References

APP, a division of Fresenius Kabi U.S.A. LLC (APP, 2008). Label for the drug *Chloramphenicol sodium succinate*. Available on the APP web site at:

http://editor.apppharma.com/Pls/Chloramphenicol_for_Inj_45841E_Jan_08.pdf

[Accessed on July 9, 2013].

National Library of Medicine DailyMed web site (NLM, 2012). NLM, National Institutes of Health, Health and Human Services, Bethesda Maryland. Label for the drug *Chloramphenicol sodium succinate*. Available at:

<http://dailymed.nlm.nih.gov/dailymed/lookup.cfm?setid=aed29594-211d-49ef-813f-131975a8d0e3>

[Accessed on July 9, 2013].

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# 2013-0617-03
BOARD OF EQUALIZATION
Change in Ownership — Joint Tenancies

The California State Board of Equalization in this rulemaking amends title 18, section 462.040 of the California Code of Regulations. This amendment

makes the regulation consistent with current law, which provides that the transfer of a joint tenancy interest to a trust severs the joint tenancy. The amendment clarifies that all transferor(s) must be among the joint tenants for the transfer to be excluded from change in ownership. The amendments also clarify that the elimination of a joint tenant does not create “original transferor” status in any of the remaining joint tenants. This amendment also updates the regulation to include transfers between registered domestic partners.

Title 18
California Code of Regulations
AMEND: 462.040
Filed 07/24/2013
Effective 10/01/2013
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2013-0611-02
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
Approval of Vocational Nursing and Psychiatric Technician Programs

In this action, the Board of Vocational Nursing and Psychiatric Technicians amends several sections in title 16 of the California Code of Regulations as a change without regulatory effect. These modifications essentially replace the term “accredit” or “accreditation” with “approve” or “approval” to reflect the statutory language used in the Business and Professions Code. The Board further changed the reference citations in section 2582 to accurately cite the Business and Professions Code sections related to the subject regulation.

Title 16
California Code of Regulations
AMEND: 2502, 2516, 2525, 2526, 2526.1, 2527, 2529, 2530, 2535, 2562, 2575, 2580, 2581, 2581.1, 2582, 2584, 2585, 2885.1
Filed 07/23/2013
Agency Contact: Mark Ito (916) 263-7864

File# 2013-0703-04
CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY
Capital Access Program for Small Businesses

The California Pollution Control Financing Authority (Authority) submitted this Certificate of Compliance amending two provisions of section 8072 pertaining to the Capital Access Program for Small Businesses under title 4, division 11, Article 7 of the California Code of Regulations. Legislation that became effective on January 1, 2013, requires financial institutions to notify the Authority within 15 days after the date on which the loan is made of certain matters, such as inter-

est rate, dollar amount of loan, disbursement, etc. The regulation previously required this to be done in 10 days. This amendment will conform the regulation to be consistent with the statute. In addition, the Authority is also amending the time period within which it responds to the application for enrollment of the qualified loan. The Authority will have 15 days after receipt of the documentation and fees to determine whether a loan shall be enrolled (The regulations previously allowed for 10 days.).

Title 4
California Code of Regulations
AMEND: 8072
Filed 07/22/2013
Effective 07/22/2013
Agency Contact:
Jillian Franzoia (916) 653-3993

File# 2013-0624-01
CALIFORNIA TAX CREDIT ALLOCATION
COMMITTEE
CTCAC Regulations Implementing the Federal and
State LIHTC Laws

This File/Print action by the California Tax Credit Allocation Committee amends three regulations in Title 4 of the California Code of Regulations governing the federal and state Low Income Housing Tax Credit (LIHTC) programs. The amendments were adopted by the Committee at its meeting on May 15, 2013 pursuant to the procedure in Health and Safety Code section 50199.17. This action is exempt from the review of OAL.

Title 4
California Code of Regulations
AMEND: 10322, 10325, 10326
Filed 07/22/2013
Effective 05/15/2013
Agency Contact: Gina Ferguson (916) 651-7707

File# 2013-0621-06
DEPARTMENT OF INSURANCE
Annual CAARP Rate Application Submission

The Insurance Commissioner is amending the California Automobile Assigned Risk Plan (CAARP) to increase premiums for private passenger automobiles by an overall 20.5%. This action is a rate, price or tariff and is exempt from the Administrative Procedure Act pursuant to Government Code section 11343(a).

Title 10
California Code of Regulations
AMEND: 2498.5
Filed 07/17/2013
Effective 07/17/2013
Agency Contact: Mike Riordan (415) 538-4226

File# 2013-0607-01
DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY
Form 303 Household Hazardous Waste Collection
Report

This rulemaking action by the Department of Resources Recycling and Recovery (CalRecycle) amends title 14 of the California Code of Regulations by updating and streamlining the household hazardous waste collection reporting process performed by local government agencies.

Title 14
California Code of Regulations
ADOPT: 18751.2.2, 18751.2.3 AMEND: 18751.2,
18751.2.1
Filed 07/22/2013
Effective 07/22/2013
Agency Contact: Ty Moore (916) 341-6756

File# 2013-0715-01
NEW MOTOR VEHICLE BOARD
Conflict of Interest Code (Approved for FPPC for
Filing)

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 13
California Code of Regulations
AMEND: 599
Filed 07/24/2013
Effective 08/23/2013
Agency Contact:
Mr. Dana F. Winterrowd (916) 445-1888

File# 2013-0621-02
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Fire Control, Update of References to NFPA 13
Standard, Installation of Sprinkler Systems

These amendments update sprinkler installation standards.

Title 8
 California Code of Regulations
 AMEND: 1933, 5541, 5543, 5559, 5600, 6170
 Filed 07/23/2013
 Effective 10/01/2013
 Agency Contact: Marley Hart (916) 274-5721

Title 16
 California Code of Regulations
 ADOPT: 1398.15
 Filed 07/24/2013
 Effective 10/01/2013
 Agency Contact: Sarah Conley (916) 561-8210

File# 2013-0715-02
 OFFICE OF STATEWIDE HEALTH PLANNING
 AND DEVELOPMENT
 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 2
 California Code of Regulations
 AMEND: 35101
 Filed 07/23/2013
 Effective 08/22/2013
 Agency Contact: Beth Herse (916) 326-3613

File# 2013-0627-01
 PUBLIC EMPLOYEES' RETIREMENT SYSTEM
 Risk Adjustment for Healthcare Premiums

The California Public Employees' Retirement System (CalPERS) is amending two regulations in Title 2 of the California Code of Regulations. The purpose of this rulemaking is to define "risk adjustment," "risk assessment," and "risk adjusted premium." The regulations also explain the CalPERS risk adjustment procedures.

Title 2
 California Code of Regulations
 AMEND: 599.500, 599.508
 Filed 07/24/2013
 Effective 07/24/2013
 Agency Contact: Anthony Martin (916) 795-9347

File# 2013-0606-01
 OFFICE OF THE STATE FIRE MARSHAL
 Fire Extinguisher Maintenance/Standards Updates

This regulatory action amends regulations for portable fire extinguishers, specifically regarding maintenance for electronic monitoring, extinguisher cabinets, and water mist type extinguishers. It also clarifies fire extinguisher licensee requirements, updates language to be consistent with national standards, and updates versions of several standards for testing of portable fire extinguishers that are incorporated by reference.

Title 19
 California Code of Regulations
 AMEND: 557.4, 557.5, 557.8, 557.13, 557.23, 561.2, 567, 567.8, 573, 574.4, 575.1, 575.3, 575.6, 575.8, 575.13, 575.16, 577.2, 578.6, 591.6, 592.1, 592.2, 593.1, 594.3, 594.4, 594.5, 595.5 and 596
 Filed 07/17/2013
 Effective 10/01/2013
 Agency Contact: Diane Arend (916) 324-9592

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN February 27, 2013 TO
 July 24, 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
 07/24/13 AMEND: 599.500, 599.508
 07/23/13 AMEND: 35101
 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

File# 2013-0611-01
 PHYSICAL THERAPY BOARD OF CALIFORNIA
 Notice to Consumers

This rulemaking action by the Physical Therapy Board of California (Board) adds section 1398.15 to title 16 of the California Code of Regulations. This new section requires licensed physical therapists and physical therapist assistants to provide notice of licensure and other Board information to patients.

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 31-Z

03/29/13	REPEAL: 26100		12225.1, 12233, 12235, 12238, 12239,
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		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
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	05/16/13	AMEND: 10192, 10193, 10194, 10195, 10196, 10197, 10198
03/20/13	AMEND: 1897	05/16/13	ADOPT: 5255, 5256 AMEND: 5170, 5230, 5250, 5560, 5580
03/12/13	AMEND: 1859.2, 1859.77.3	05/03/13	AMEND: 1843.2
03/11/13	ADOPT: 1859.95.1 AMEND: 1859.2, 1859.95	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
Title 3		Title 5	
07/11/13	AMEND: 3591.12(a)	07/10/13	AMEND: 80021.1, 80023, 80023.1, 80023.2, 80025.5 REPEAL: 80024.1, 80024.2, 80024.2.1, 80024.3.2, 80024.4, 80024.5
07/08/13	AMEND: 1701, 1701.1, 1701.2, 1702, 1703.2, 1703.3 REPEAL: 1703.4, 1703.5	06/12/13	ADOPT: 19847 AMEND: 19816, 19816.1, 19818, 19824, 19829, 19837.3
07/02/13	AMEND: 1310	06/05/13	AMEND: 19816, 19816.1, 19839
06/26/13	AMEND: 2751(b)	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
06/19/13	AMEND: 3435(b)	05/14/13	ADOPT: 30737, 30738 AMEND: 30730, 30731, 30733, 30734, 30736
06/19/13	AMEND: 3435(b)	05/01/13	AMEND: 80054
05/23/13	ADOPT: 6558, 6577, 6880, 6884, 6886 AMEND: 6452, 6452.2, 6452.4 (renumbered to 6881), 6890 (renumbered to 6864)	04/03/13	ADOPT: 41906.6
05/22/13	AMEND: 3434(b)	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,
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)		
Title 4			
07/22/13	AMEND: 8072		
07/22/13	AMEND: 10322, 10325, 10326		
07/08/13	ADOPT: 5342, 5343, 5344, 5345, 5346, 5347, 5348		
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,		

20323, 20324, 20325, 20326, 20327,
20328, 20329, 20330, 20331, 20332

Title 8

07/23/13 AMEND: 1933, 5541, 5543, 5559, 5600,
6170
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
AMEND: 9785, 9792.6, 9792.9,
9792.10, 9792.12
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
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
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
06/24/13 AMEND: 8352
05/30/13 AMEND: 4994
05/08/13 AMEND: 5004(d)(2)
05/07/13 AMEND: 17000 Appendix
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
04/24/13 AMEND: 2940.8
04/15/13 AMEND: 354, 371.2, 373, 376.1, 386
03/29/13 AMEND: 9789.31, 9789.34, 9789.35,
9789.39
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

03/18/13 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
03/18/13 AMEND: 344, 344.1
03/14/13 AMEND: 3381
03/13/13 AMEND: 9789.23, 9789.24, 9789.25
02/28/13 AMEND: 4309

Title 9

06/06/13 ADOPT: 14200, 14210, 14220, 14230,
14240
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
03/13/13 AMEND: 7071.2, 7017.5, 7021, 7051,
7053
03/05/13 AMEND: 7141.5, 7143, 7227, 7350,
7351, 7353.6, 7354, 7355, 7356, 7357,
7358

Title 10

07/17/13 AMEND: 2498.5
07/16/13 AMEND: 2498.6
07/15/13 ADOPT: 6650, 6652, 6654, 6658, 6660,
6662, 6664, 6666, 6668, 6670
07/10/13 ADOPT: 6410, 6420, 6422, 6424, 6440,
6442, 6444
07/03/13 AMEND: 2548.3, 2548.19, 2548.21,
2548.24, 2548.25
06/27/13 ADOPT: 6456
06/25/13 AMEND: 2698.401
06/13/13 ADOPT: 2594, 2594.1, 2594.2, 2594.3,
2594.4, 2594.5, 2594.6, 2594.7
05/20/13 AMEND: 2698.95(a)
05/13/13 AMEND: 2632.19
03/29/13 REPEAL: 2690.65
03/29/13 REPEAL: 2690.5
03/29/13 REPEAL: 2690.6
03/29/13 REPEAL: 2690.4
03/29/13 ADOPT: 6426
03/29/13 ADOPT: 6446
03/13/13 AMEND: 2318.6, 2353.1, 2354
03/11/13 ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
03/11/13 AMEND: 2318.6, 2353.1, 2354
03/04/13 AMEND: 2690, 2690.1, 2690.2

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 31-Z

Title 11

07/08/13 AMEND: 1005, 1007, 1008
03/27/13 AMEND: 80.3

Title 13

07/24/13 AMEND: 599
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

Title 14

07/22/13 ADOPT: 18751.2.2, 18751.2.3 AMEND: 18751.2, 18751.2.1
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
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)

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

Title 16

07/24/13 ADOPT: 1398.15
07/23/13 AMEND: 2502, 2516, 2525, 2526, 2526.1, 2527, 2529, 2530, 2535, 2562, 2575, 2580, 2581, 2581.1, 2582, 2584, 2585, 2885.1

07/16/13 AMEND: 4154
07/15/13 ADOPT: 1355.45
07/15/13 AMEND: 1833
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: 3340.29
02/27/13 AMEND: 1575

Title 17

07/16/13 ADOPT: 7000, 7002, 7004, 7006, 7008, 7010, 7012, 7014, 7016
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

Title 18

07/24/13 AMEND: 462.040
 07/16/13 AMEND: 4601, 4603, 4604, 4605
 07/11/13 AMEND: 1532, 1533.1, 1533.2, 1534,
 1535, 1598
 06/25/13 ADOPT: 2000
 05/31/13 ADOPT: 17052.6
 05/28/13 AMEND: 1685.5
 03/11/13 AMEND: 1620

Title 19

07/17/13 AMEND: 557.4, 557.5, 557.8, 557.13,
 557.23, 561.2, 567, 567.8, 573, 574.4,
 575.1, 575.3, 575.6, 575.8, 575.13,
 575.16, 577.2, 578.6, 591.6, 592.1,
 592.2, 593.1, 594.3, 594.4, 594.5, 595.5
 and 596
 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

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

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

Title 25

03/27/13 ADOPT: 6932 REPEAL: 6932

Title 27

07/11/13 AMEND: 25805
 06/25/13 AMEND: 25805
 04/10/13 AMEND: 25805
 03/04/13 AMEND: 27000

Title 28

07/05/13 ADOPT: 1300.67.005
 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,
 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