



California Regulatory Notice Register

REGISTER 2014, NO. 35-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

AUGUST 29, 2014

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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

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TITLE 2. STATE ALLOCATION BOARD

THE STATE ALLOCATION BOARD PROPOSES TO AMEND VARIOUS REGULATION SECTIONS, ALONG WITH ASSOCIATED FORMS, AND TO ADOPT THREE REGULATION SECTIONS, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

REGULATION SECTIONS PROPOSED FOR AMENDMENT: 1859.2, 1859.77.4, 1859.106.1, 1859.160, 1859.161, 1859.162, 1859.163, 1859.163.1, 1859.163.4, 1859.163.5, 1859.164, 1859.164.1, 1859.164.2, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.167.4, 1859.167.5, 1859.168, 1859.171, AND 1859.172.

FORMS PROPOSED FOR AMENDMENT

Application for Funding, Form SAB (Revised 05/13 05/14), referenced in Regulation Section 1859.2 and is incorporated by reference.

Application for Charter School Preliminary Apportionment, Form SAB 50–09 (Revised 12/11 05/14), referenced in Regulation Section 1859.2 and is incorporated by reference.

REGULATION SECTIONS PROPOSED FOR ADOPTION: 1859.167.1, 1859.167.2, AND 1859.167.3.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt and amend the above-referenced Regulation Sections, including the associated forms, 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 adopt and amend the above-referenced regulation sections under the authority provided by Section 17070.35 of the Education Code. The proposed and existing Regulation sections noted above operate under the authority of 17078.63, 17078.64, 17078.72(l) of the Education Code and Section 1771.3 of the Labor Code, and makes specific reference Sections 17071.25, 17071.75, 17075.10, 17075.15, 17076.10(c), 17078.52, 17078.53, 17078.54, 17078.56, 17078.58, 17078.62, 17078.63, 17250.30, and 101012(a)(8) of the Education Code, and Section 1771.3 of the Labor 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 28, 2014 meeting, adopted proposed regulations to the SFP Regulations that address the supplemental grant components and calculations for the Final Charter School Apportionment, Labor Compliance Program or prevailing wage monitoring costs, and Excessive Cost Hardship grant for Charter School Facilities Program (CSFP) rehabilitation projects. The purpose of the proposed regulations is to align the supplemental grants for CSFP rehabilitation projects with Education Code requirements in order to ensure that the appropriate state and local contributions are correctly calculated for the project. Without these proposed regulatory amendments, the funding contributed by the state would be considered a gift of public funds for CSFP rehabilitation projects.

Bond Funds Impacted

- 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 1D)

Background and Problem Being Resolved

The proposed regulations resolve the problem of CSFP rehabilitation projects being out of compliance with Education Code requirements. Without these proposed regulations, the funding structure of existing SFP regulation sections (these sections provide supplemental grants for CSFP rehabilitation projects on the same basis as modernization projects) would continue to provide excess funding for the State's contribution to CSFP rehabilitation projects, resulting in a gift of public funds which is not consistent with the Legislative and voter intent of the school bonds. These existing regulation sections affect modernization projects which are statutorily funded on a 60/40 state and local share basis whereas the CSFP rehabilitation projects are statutorily funded on a 50/50 state and local share basis. Therefore, implementing these proposed regulations will ensure compliance with requirements outlined in the Education Code and the integrity of the SFP and the CSFP will be maintained.

Legislative History

Assembly Bill (AB) 16. The proposed regulations help to correctly apportion school construction projects under AB 16, Chapter 33, Statutes of 2002 (Hertzberg), for CSFP projects because this is the statute which established the CSFP as a pilot program to determine the optimum method for providing school facilities funding for charter schools under the Kindergarten–University Public Education Facilities Bond Acts of 2002 and 2004 (Propositions 47 and 55). The following funding amounts were established under Propositions 47 and 55, respectively:

- \$100 million, and
- \$300 million

AB 127. The proposed regulatory amendments will help to correctly apportion school construction projects under AB 127, Chapter 35, Statutes of 2006 (Perata/Nunez). AB 127 continued to provide funding in the amount of \$500 million for the CSFP under Proposition 1D.

Anticipated Benefits of the Proposed Regulations

The proposed regulations promote fairness and assists in the State's general welfare by aligning the supplemental grants for CSFP rehabilitation projects with Education Code requirements in order to ensure that the calculations for state and local contributions are correctly distributed for these types of projects. Without these proposed regulations, the funding structure of existing SFP regulations would continue to provide excess funding for the State's contribution to CSFP rehabilitation projects, resulting in a gift of public funds which is not consistent with the Legislative and voter intent of the school bonds.

The proposed regulations are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of these proposed regulations will have a positive impact on the State's general welfare while carrying out the Legislative and voter intent that the school bonds will be used for charter school purposes.

The proposed regulations will directly impact the State's economy as well as the local economies because school bond apportionments affect local businesses, manufacturing, and construction industries such as architects, engineers, trades and municipalities, along with the potential creation of an unspecified number of jobs. This is in direct alignment with the Governor's directive.

Summary of the proposed regulatory amendments, including associated forms, and the proposed adoption of three regulation sections are as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed regulatory amendments add a reference to a new regulation subsection that provides a grant for prevailing wage monitoring and enforcement costs, and make minor non–substantive changes.

Existing Regulation Section 1859.77.4 sets forth a point system based upon construction industry–recognized High Performance Rating Criteria, for school districts to qualify for a SFP additional grant, including a \$250,000 High Performance Base Incentive Grant for projects evaluated using the 2009 CA–CHPS criteria, by including “high performance” design and materials in their new construction projects on existing sites and in modernization projects. The proposed regulatory amendments add a reference to clarify that CSFP rehabilitation projects will remain eligible to receive High Performance Incentive grants and make non–substantive changes.

Existing Regulation Section 1859.106.1 implements alternative actions upon a school district's failure to repay SAB–approved SFP funds due to the State within 60 days. Either the OPSC will initiate collection procedures as outlined in Education Code Section 17076.10(c)(1), or the school district may request a repayment schedule of up to five years upon showing that a lump sum repayment would put the school district in fiscal distress. The proposed regulatory amendments make non–substantive changes.

Existing Regulation Section 1859.160 instructs charter schools to file a specific form if seeking a preliminary apportionment for new school facilities construction. The proposed regulatory amendments make non–substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.161 specifies the timeframes for submitting applications for the CSFP. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.162 sets forth the eligibility criteria for a preliminary apportionment for charter schools. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.163 provides a collaborative effort between the California School Finance Authority and the SAB in approving charter school applications for funding. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.163.1 establishes construction cost funding caps for Preliminary Charter School Apportionment determinations, based upon grade level(s) of the project and urban or non-urban location. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.163.4 sets forth eligibility criteria whereby a school district or a charter school can apply for a Preliminary Charter School Rehabilitation Apportionment. The proposed regulatory amendments make non-substantive changes.

Existing Regulation Section 1859.163.5 provides the calculation that determines a Preliminary Charter School Rehabilitation Apportionment based on the eligible square footage included in the project and additional supplemental grants. The proposed regulatory amendments: 1) clarify the calculation of supplemental grants, and the requirements and calculations for initiating and enforcing a Labor Compliance Program as well as for prevailing wage monitoring and enforcement; 2) align CSFP rehabilitation supplemental grants with Education Code requirements, specifically Section 17078.54(d); and 3) make non-substantive changes.

Existing Regulation Section 1859.164 sets forth the funding prioritization and processing if the estimated total apportionments for all financially sound Preliminary Charter School Applications exceed the funds available. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.164.1 sets forth the calculation of preference points used to prioritize Preliminary Charter School Applications in case the estimated total apportionments for all qualified applications exceeds the funds available. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.164.2 sets forth criteria for the release of funds to charter school applicants from Preliminary Charter School Apportionments. This Section also provides for the advance releases of funds for specified design costs and site acquisition costs for qualified charter schools that maintain financial soundness. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.165 provides the criteria necessary for the conversion of the Preliminary Charter School Apportionment to the Final Charter School Apportionment. This Section also specifies that there may be no increase of the number of pupils for a project when the preliminary apportionment is converted to a final apportionment. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.166 provides a four-year time limit to convert a Preliminary Charter School Apportionment to a Final Charter School Apportionment. This Section also details the process of rescinding Preliminary Charter School Apportionments which are not converted timely, including the appropriate transfer of funds, and restoring new construction eligibility to the affected school district. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.166.1 specifies that a one-year extension to the time limit as set forth in Regulation Section 1859.166 above may be requested under certain conditions. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.167 sets forth the Final Charter School Apportionment funding process for those Charter School Preliminary Apportionments provided by the SAB on February 23, 2005. This Section also distinguishes the process of converting Preliminary Charter School Apportionments to Final Charter School Apportionments for preliminary apportionments approved by the SAB either on or after July 2, 2003. For approvals after July 2, 2003, this Section clarifies which regulations will be applied, eligibility criteria, grant limitations, allowable funding increases for specified costs, and specified accounts to handle the funds. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code, along with renumbering corrections.

Proposed adoption of Regulation Section 1859.167.1 describes the components and calculation of the Final Charter School Apportionment for CSFP rehabilitation projects, based on a square footage grant in lieu of a

per-pupil grant. This Section simplifies the alignment of regulations with statute.

Proposed adoption of Regulation Section 1859.167.2 describes the components and calculation of the additional grant for Labor Compliance Program costs or for the costs of prevailing wage monitoring and enforcement. This Section simplifies the alignment of regulations with statute.

Proposed adoption of Regulation Section 1859.167.3 describes the components and calculation of the Excessive Cost Hardship grant for CSFP rehabilitation projects. This Section addresses geographic location, small size, urban location, security requirements and impacted site, handicapped accessibility and fire code requirements, two-stop elevators and additional elevator stops beyond two stop elevators. This Section simplifies the alignment of regulations with statute.

Existing Regulation Section 1859.167.4 establishes Conversion Increase Fund accounts and processes for the return of CSFP funds to the Program resulting from rescissions of Preliminary Charter School Apportionments. The proposed regulatory amendments make minor non-substantive changes, including the renumbering of this regulation section.

Existing Regulation Section 1859.167.5 establishes criteria and the prioritization for the use of funds in the Unrestricted Charter School Fund accounts for the purposes outlined in Sections 1859.163.3 and 1859.167(a) and (b), and Education Code Section 17078.58. The proposed regulatory amendment renumbers this regulation section because of the proposed adoption of the three regulation sections noted above.

Existing Regulation Section 1859.168 specifies that the Preliminary Charter School Apportionment, once it has been converted to a Final Charter School Apportionment, is subject to the district matching share requirement and that the matching share requirement may be met through lease payments. The proposed regulatory amendments make a minor non-substantive change.

Existing Regulation Section 1859.171 provides provisions for the use of or disposal of a charter school facility once a facility is no longer occupied by the original applicant or in cases where an applicant has received advance site acquisition funding but has not met the specified time limits in regulation. The proposed regulatory amendments make non-substantive changes that are consistent with the Education Code.

Existing Regulation Section 1859.172 specifies that before funds are released for site acquisition or new construction Final Charter School Apportionments, documentation must be submitted regarding title to project facilities, based on certain criteria. The proposed regulatory amendments make minor non-substantive changes that are consistent with the Education Code.

Existing Form SAB 50-04, *Application for Funding*, (incorporated by reference) is submitted by school districts to apply for State funding for new construction or modernization projects. The proposed regulatory amendments provide for the following:

- Adds a new numbered paragraph that sets forth document submittal requirements for Final Charter School Apportionments for CSFP rehabilitation projects.
- Separates the specific instructions for Modernization additional grant requests and CSFP rehabilitation additional grant requests, including excessive cost hardship requests.
- Separates data fields for Modernization additional grant requests and CSFP rehabilitation additional grant requests, including excessive cost hardship requests.
- Renumbers existing paragraphs because of newly-inserted paragraphs and sections.
- Makes other non-substantive changes.

Existing Form SAB 50-09, *Application for Charter School Preliminary Apportionment*, (incorporated by reference) is used by school districts and charter schools for purposes of requesting a preliminary apportionment for the new construction of charter school facilities. The proposed regulatory amendments make minor non-substantive grammatical changes, as well as non-substantive changes that are consistent with the Education Code.

Determination of Inconsistency or Incompatibility with Existing State Regulations:

The proposed regulations resolve the problem of CSFP rehabilitation projects being out of compliance with Education Code requirements. Without these proposed regulations, the funding structure of existing SFP regulation sections (these sections provide supplemental grants for CSFP rehabilitation projects on the same basis as modernization projects) would continue to provide excess funding for the State's contribution to CSFP rehabilitation projects, resulting in a gift of public funds which is not consistent with the Legislative and voter intent of the school bonds. These existing regulation sections affect modernization projects which are statutorily funded on a 60/40 state and local share basis whereas the CSFP rehabilitation projects are statutorily funded on a 50/50 state and local share basis. Therefore, implementing these proposed regulations will ensure compliance with requirements outlined in the Education Code and the integrity of the SFP and the CSFP will be maintained.

The State's economy will be stimulated because school districts and/or charter schools receiving State apportionments for CSFP rehabilitation projects will award their construction contracts. Such construction

projects will create and maintain professional and trades jobs such as architects, engineers, surveyors, planners, equipment operators, installers of all types of building materials, framers, plumbers, roofers, electricians, installers of electronics, painters, finishers, landscapers, and administrators. Jobs are also created and sustained in manufacturing all building materials and components, including green technology and energy-saving components.

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

Due to the large amount of proposed regulatory text and two associated forms, this information is not attached and may be reviewed on the OPSC Web site at www.dgs.ca.gov/opsc. Copies of the proposed regulatory text and forms will be mailed to any person requesting this information by using the OPSC contact information set forth below under “Submission of Comments, Documents and Additional Information” (page 9). The proposed regulations 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.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do 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 school districts or charter schools to incur additional costs in order to comply with the proposed regulations.

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 regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or 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 regulations create 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.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

Proceeding with the implementation of these regulatory amendments will have a positive impact on California businesses, such as local businesses, manufacturing, “green” technology and construction industries (i.e., architects, engineers, trades and municipalities), along with maintaining or creating an unspecified number of jobs. This will result when school districts and charter schools bid their projects, which will expand businesses and stimulate the State’s economy, as well as the local economies. This is in direct alignment with the Governor’s directive, and carries out the Legislative and voter intent that the school bonds will be utilized prudently, and the integrity of the SFP and the CSFP will continue to be maintained.

Therefore, the proposed regulations provide a positive impact to the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

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

- The proposed regulatory amendments benefit the health and safety of pupils, staff, and others on California school sites, and to the State’s environment because the proposed regulations will facilitate and accelerate the rehabilitation of charter schools. The CSFP funds rehabilitation projects that improve energy and water efficiency, indoor environmental quality, and natural lighting,

low toxin materials, and improved acoustics for schools.

- The proposed regulations promote fairness and the State's general welfare by aligning the supplemental grants for CSFP rehabilitation projects with Education Code requirements in order to ensure that the calculations for state and local contributions are correctly distributed for these types of projects. Without these proposed regulations, the funding structure of existing SFP regulation sections would continue to provide excess funding for the State's contribution to CSFP rehabilitation projects, resulting in a gift of public funds which is not consistent with the Legislative and voter intent of the school bonds.
- The proposed regulations have a direct benefit to California businesses because once State bond funding has been released school districts and charter schools are able to use the funds for rehabilitation projects; thus, expanding construction-related trades and businesses and stimulating the State's economy. These actions are in direct alignment with the Governor's directive. In addition, the dollars associated with these proposed regulations will benefit the school district communities by stimulating the local economies.
- The proposed regulations increase the investment in the State because school facilities are rehabilitated for the students' health and safety, and overall academic success.
- The proposed regulations provide incentive for innovation because more school districts and charter schools are introducing high performance components such as natural lighting, energy and water efficiency, and air quality that enhance the learning environment into their plans for CSFP rehabilitation projects.

EFFECT ON SMALL BUSINESSES

It has been determined that the amendments to the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. The regulations only apply 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 October 13, 2014, at 5:00 p.m. The express terms of the proposed regulations 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 Koeppel at (916) 375–2032. If Mr. Koeppel 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 regulations 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 regulations.

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 regulations should be addressed to the agency's regulations coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE
A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations 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 regulations 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 Web site 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 regulations coordinator named in this notice or may be accessed on the Website listed above.

TITLE 4. CALIFORNIA ALTERNATIVE
ENERGY AND ADVANCED
TRANSPORTATION
FINANCING AUTHORITY

The California Alternative Energy and Advanced Transportation Financing Authority (the Authority or CAEATFA), organized and operating pursuant to Division 16 (commencing with Section 26000) of the California Public Resources Code — pursuant to the authority vested in it by the Public Resources Code Section 26009 to promulgate regulations and Public Resources Code Section 26060 to establish the PACE Loss Reserve Program — proposes to amend and adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Authority proposes to adopt Title 4, Division 13, Article 4, Sections 10080 through 10087 of the California Code of Regulations (the Regulations) concerning the implementation of the PACE Loss Reserve Program (the Program). These regulations were initially adopted under the emergency rulemaking process on March 10, 2014 (OAL File No. 2014-0227-03E), pursuant to Public Resources Code 26009. These proposed regulations are similar to those enacted on March 10, 2014, under the emergency rulemaking process. The current rulemaking action would make those regulations permanent.

PUBLIC HEARING

A public hearing regarding the regulations has been scheduled from 10 a.m. until business is concluded on October 14, 2014 at 915 Capitol Mall, Room 587, Sacramento, California 95814. Any additional public hearings will be publicized on the Authority’s website located at <http://www.treasurer.ca.gov/caeatfa/>.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the regulations to the Authority. **The written comment period on the regulations ends at 5:00 p.m. on October 14, 2014.** All comments must be submitted in writing to the Agency Contact Person identified in this Notice by that time in order for them to be considered by the Authority.

In the event that substantial changes are made to the regulations during the written comment period, the Authority will also accept additional written comments

limited to any changed or modified regulations for fifteen (15) calendar days after the date on which such regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Article 2, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AUTHORITY AND REFERENCE

Authority: Public Resources Code Sections 26009 and 26060. Public Resources Code 26009 authorizes CAEATFA to adopt necessary regulations relating to its authority established by the Act, and Public Resources Code 26060 provides the authority to develop and implement the PACE Loss Reserve Program.

Reference: Public Resources Code Division 16, Chapter 4. This regulation will implement, interpret, and make specific sections 26050 through 26082 of the Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law establishes the California Alternative Energy and Advanced Transportation Financing Authority and authorizes the Authority to develop and administer a PACE risk mitigation program known as the PACE Loss Reserve Program (the Program) for PACE programs (as defined in Public Resources Code Section 26055) to increase the acceptance of PACE loans in the marketplace and protect against the risk of default and foreclosure. See Public Resources Code Sections 26050 through 26064 (as modified by Senate Bill 96, Chapter 356, Statutes of 2013). The proposed regulations will allow the Authority to administer the Program pursuant to Public Resources Code Section 26060, *et seq.*

Authority staff (Staff) published an initial draft of the regulations on January 16, 2014, and held a public workshop on January 24, 2014, to receive comments from stakeholders. After receiving extensive comments, Staff published revisions to the initial draft of the regulations on February 4, 2014, and requested additional written comments from the public. The regulations were also provided at a publicly noticed meeting of the Authority's Board on February 18, 2014. The regulations were adopted through the emergency rulemaking process on March 10, 2014.

The proposed regulations establish application, claim, and participation withdrawal procedures and criteria; specify Program coverage; and establish reporting, certification, and fee requirements for the Program in accordance with Public Resources Code Section

26060, *et seq.* These regulations will enable the Authority to assist residential PACE programs in California by addressing some of the concerns raised by the Federal Housing Finance Agency (FHFA) regarding the risk to mortgage lenders from PACE financing, and by collecting data on the financial performance of PACE assessments over time. With this assistance from the Authority, these PACE programs should be able to offer expanded financing for residential energy efficiency and renewable energy retrofit projects. By promoting residential PACE financing, the Program promotes California-based jobs, the reduction of greenhouse gases, and the reduction of air and water pollution and energy consumption.

Article 4. Establishes the PACE Loss Reserve Program.

Section 10080. Definitions. The proposed regulation establishes the specific meaning of several terms that are a prerequisite for interpreting the other proposed regulations necessary for the implementation of Public Resources Code Section 26060, *et seq.*

Section 10081. Application by PACE Program to the PACE Loss Reserve. This section outlines the Program's minimum underwriting criteria and the documentation required for an application to be considered complete, including: formation documents; proof of meeting the minimum underwriting criteria; a description transactional activities, quality assurance requirements, any credit enhancements associated with the financing; a summary of the financing portfolio; and a statement consenting to an audit by the Authority. This section also establishes the time limit for reviewing an application.

Section 10082. Coverage of PACE Loan Portfolios. This section establishes which Loans will be covered under the Program upon enrollment and how to enroll Loans originated after initial Program enrollment. This section has been amended to specify the effective date of the regulations as the original effective date of the emergency regulations on March 10, 2014.

Section 10083. Claims Against the Loss Reserve Pool. This section establishes the types of losses PACE programs may claim from the Program's loss reserve.

Section 10084. Claims Procedure. This section establishes the procedure and required documentation for making claim from the Program's loss reserve.

Section 10085. PACE Program Reporting and Administrative Fee. This section establishes the reporting requirement under the Program and outlines how administrative fees will be calculated. This section also specifies when the Authority may review the administrative fees and the consequences of a PACE Program's failure to comply with the reporting requirements. This section has been amended to specify on which date the Authority will begin reviewing the fee.

Section 10086. Termination and Withdrawal from the Program. This section establishes the procedure by which a PACE Program may withdraw from participation in the Program and the procedure and grounds for terminating a PACE Program's participation in the Program. This section also clarifies portfolio coverage in the event a PACE Program withdraws or is terminated from the Program.

Section 10087. Certification of Reports and Claims. This section establishes the certifications required for all applications, reports, and claims submitted to the Authority.

The Authority's legal counsel reviewed the California Code of Regulations and found no existing regulations dealing with this issue. Therefore, CAEATFA believes that the proposed regulation is neither inconsistent nor incompatible with existing state regulations. The proposed regulations, their purpose, and alternatives considered by the Authority are discussed in detail in the Initial Statement of Reasons.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Executive Director of the Authority has made the following determinations regarding the effects of the regulations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The Budget Act of 2013 appropriated \$810,000 for the initial administrative costs of implementing the Program.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: None.

Other non-discretionary cost or savings imposed on local agencies: None.

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

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: The Authority has made the determination that the regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

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

Small business: The regulation will not have an adverse impact on small business in California and will not affect small businesses since they do not impose additional restrictions or cost on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS

The Authority anticipates that the proposed regulations will have little to no effect on (1) the creation or elimination of jobs within the state; (2) the creation of new businesses or the elimination of existing businesses within the state; and (3) the expansion of businesses currently doing business within the state; and (4) may have an indirect, non-monetary benefit on the health and welfare of California residents and the state's environment.

By assisting PACE Programs, the Program may facilitate investment in home retrofits that will create jobs for contractors in California; however, these benefits are not quantifiable at this time. The Program will also have non-monetary benefits from reduced energy consumption, air pollution and greenhouse gas emissions resulting from residential PACE retrofits.

CONSIDERATION OF ALTERNATIVES

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

The Authority invites interested persons to present statements with respect to alternatives to the regulations during the written comment period.

AGENCY CONTACT PERSON

Written comments, inquiries and any questions regarding the substance of the regulations shall be submitted or directed to:

Noah Proser, Analyst
California Alternative Energy and
Advanced Transportation Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: 916-653-3032
Email: Noah.Proser@treasurer.ca.gov

Ashley Bonnett, Analyst
California Alternative Energy and
Advanced Transportation Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: 916-651-5100
Email: Ashley.Bonnett@treasurer.ca.gov

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

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Room 457, Sacramento, California 95814, during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, the proposed text of the regulations, and the Economic Impact Statement. Copies of these items are available upon request from the Agency Contact Person designated in this Notice or at the Authority's website located at <http://www.treasurer.ca.gov/caeatfa/>.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After the public hearing and the written comment period ends, the Authority may adopt the regulations substantially as described in this Notice, without further notice. If the Authority 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 fifteen (15) calendar days before the Authority adopts the proposed regulations, as modified. Inquiries about and request for copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice. The Authority will accept written comments on the modified regulations for fifteen (15) calendar days after the date on which they are made available.

**AVAILABILITY OF FINAL STATEMENT
OF REASONS**

Upon completion, a copy of the Final Statement of Reasons may be requested from the Agency Contact Person designated in this Notice or at the Authority's website located at <http://www.treasurer.ca.gov/caeatfa/>.

**AVAILABILITY OF MATERIALS ON
THE INTERNET**

Materials prepared for this rulemaking, including this Notice, the Initial Statement of Reasons, the text of the proposed regulations, and the Economic Impact Analysis may be accessed on the Authority's website located at <http://www.treasurer.ca.gov/caeatfa/>.

**TITLE 14. FISH AND
GAME COMMISSION**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 3003.1, 3800, 4009.5, and 4150, of the Fish and Game Code and to implement, interpret, or make specific sections 200, 201, 202, 203, 203.1, 206, 207, 355, 2003, 3800, and 4150 of said Code, proposes to amend Sections 465 and 472, Title 14, California Code of Regulations, relating to take of nongame animals.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Section 2003 of Fish and Game Code (FGC), subsection (a) prohibits offering prizes or other inducements "for the taking of game birds, mammals, fish, reptiles or amphibians in an individual contest, tournament or derby." However, Section 2003, FGC, then goes on to provide limited exceptions to this rule. These exceptions permit take of game fish if permitted by the Department of Fish and Wildlife (Department), frog-jumping contests, fish contests conducted in the waters of the Pacific Ocean, and, in subsection (d), the offering of prizes "for the taking of game birds and mammals, if the total value of all prizes or other inducements is less than five hundred dollars (\$500)." The Commission's proposed regulatory changes resolve the potential inconsistent treatment of "game" and "nongame mammals" in subsections (a) and (d) by clarifying that Section 2003, FGC, prohibits offering prizes or inducements for take of all mammals (game, nongame, and furbearers) in subsection (a), and, in subsection (d) permits prize offerings of less than \$500 only for the take of game mammals.

The Commission reasons the word "game" preceding "birds" in subsection (a) was not intended to apply to "mammals" because the use of a comma between "birds" and "mammals" makes clear that "game" only applies to "birds" in this general prohibition. Subsection (a) is clearly a longstanding broad prohibition protecting game birds and all mammals, fish, reptiles, and amphibians. Turning to subsection (d), the Commission further reasons that in this later added subsection the

word “game” preceding “birds” was intended to apply to “mammals.”

The Commission views the alternative reading of subsection 2003(d), FGC, permitting inducements for the unlimited take of furbearers and nongame mammals as unsportsmanlike and likely not the intent of the legislature in the 2004 amendment adding subsection (d). The Commission believes that offering inducements for hunting contests of animals with no regulated take does not reflect good sportsmanship or the likely intent of the legislature. Therefore, the Commission believes the changes to sections 465 and 472 clarify the proper interpretation of subsection 2003(d), FGC, and recognize and encourage sportsmanlike behavior.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate take and possession of nongame mammals (Sections 203 and 4150). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to offering prizes or other inducements for the take of furbearers and nongame animals.

Benefits of the Proposed Regulations

Adoption of clear instruction about the legal hunting of furbearers and nongame mammals provides for the conservation, maintenance, and utilization of the living resources of the state’s wildlife under the jurisdiction of the state for the benefit of all the citizens of the state. The proposed regulations provide continued recreational opportunity to the public, afford opportunities for multi-generational family activities, and promote respect for California’s environment by the future stewards of the State’s resources. The fees that hunters pay for licenses and stamps are used for conservation.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mount Shasta Hatchery Museum, 1 North Old Stage Road, Mount Shasta, California, on Wednesday, October 8, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Airtel Plaza Hotel, 7277 Valjean Avenue, Van Nuys, California, on Wednesday, December 3, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard.

It is requested, but not required, that written comments be submitted on or before November 20, 2014, at the address given below, or by fax at (916) 653-5040, or by email to FGC@fgc.ca.gov. **Written comments mailed, faxed or emailed to the Commission office, must be received before 12:00 noon on November 26, 2014.** All comments must be received no later than December 3, 2014, at the hearing in Van Nuys, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Caren Woodson at the preceding address or phone number. **Caren Woodson, Fish and Game Commission, phone 916-651-1329, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) 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 proposal clarifies and strengthens the enforceability of portions of the current regulation.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

The Commission does not anticipate any impacts the proposed action would have on the creation or elimination of jobs or businesses in California or on the expansion of businesses in California; and, does not anticipate benefits to worker safety, because the proposal only clarifies the application of a specific section of Fish and Game Code.

The Commission anticipates benefits to the health and welfare of California residents. The proposed regulations are intended to provide continued recreational opportunity to the public. Hunting provides opportunities for multi-generational family activities and promotes respect for California’s environment by the future stewards of the State’s resources.

The Commission anticipates benefits to the environment by the sustainable management of California’s upland game resources. The fees that hunters pay for licenses and stamps are used for conservation.

- (c) Cost Impacts on a Representative Private Person or Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, 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.

TITLE 20. CALIFORNIA ENERGY COMMISSION

Adoption of Section 1609 of Title 20 of the California Code of Regulations Establishing an Administrative Enforcement Process for *Appliance Efficiency Regulations*

California Energy Commission
Docket No. 12-AAER-1
August 5, 2014

The California Energy Commission (“Commission”) proposes to adopt regulations establishing an administrative enforcement process for the *Appliance Efficiency Regulations* set forth in Title 20, section 1601 *et seq.* of the California Code of Regulations. The proposed action is taken under the authority of sections 25213 and 25402.11 of the Public Resources Code (PRC), and

would establish the administrative enforcement process authorized by PRC section 25402.11.

NOTICE THAT A PUBLIC HEARING
IS SCHEDULED

MONDAY OCTOBER 20, 2014

Beginning 10:00 a.m.
CALIFORNIA ENERGY COMMISSION
Hearing Room A 1516 9th Street
Sacramento, CA 95814

Hearing Room A is wheelchair-accessible.

ORAL AND WRITTEN STATEMENTS

Any interested person, or his or her authorized representative, may present oral and written comments on the proposed regulations at the hearing, or may submit written comments relevant to the proposed regulatory action to the Energy Commission. The written comment period closes at **5:00 p.m. on October 20, 2014**. The Energy Commission will consider only comments received at the Energy Commission by that time. Submit written comments to:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-AAER-1
1516 Ninth Street
Sacramento, CA 95814-5512

Please include the rulemaking docket number 12-AAER-1 and indicate "Appliance Efficiency Enforcement Rulemaking" in the subject line or first paragraph of your comments.

The Energy Commission encourages comments by electronic mail (email). Please include your Organization's name or your name in the name of the file. Those submitting comments by email should provide them in either Microsoft Word format or as a Portable Document Format (PDF) to [docket@energy.state.ca.us].

PUBLIC ADVISER

The Commission's Public Adviser's Office is available to assist any person who wishes to participate in this proceeding. For assistance from the Public Adviser's Office, please call (916) 654-4489, or toll-free in California at (800) 822-6228, or e-mail publicadviser@energy.ca.gov.

AUTHORITY AND REFERENCE
(Government Code section 11346.5(a)(2))

Public Resources Code (PRC) sections 25213 and 25402.11 authorize the Energy Commission to adopt these proposed regulations. The proposed regulations will be located in California Code of Regulations, Title 20, section 1609, and will establish the administrative enforcement process authorized by PRC section 25402.11.

The proposed regulations establish a process to enforce the existing *Appliance Efficiency Regulations* set forth in Title 20, section 1601-1608, of the California Code of Regulations, which the Energy Commission is required to promulgate pursuant to PRC section 25402(c). PRC section 25402.11(b) provides for civil and administrative enforcement processes whereby monetary penalties can be imposed for violations of the *Appliance Efficiency Regulations*

INFORMATIVE DIGEST
(Government Code section 11346.5(a)(3))

Summary of Existing Laws and Regulations
(Government Code section 11346.5(a)(3)(A))

Existing law [PRC section 25402(c)(1)] requires the Energy Commission to set efficiency standards for appliances sold in California. The purpose is to reduce the unnecessary or wasteful use of energy and water. These standards and related requirements are located in the State's *Appliance Efficiency Regulations* (California Code of Regulations, Title 20, sections 1601-1608).

Existing law [PRC section 25402.11] establishes a penalty of up to \$2500 for a violation of the Appliance Efficiency Standards, enforceable through either a civil proceeding, or an administrative proceeding pursuant to an administrative process the Energy Commission may establish.

Policy Statement Overview (Government Code section 11346.5(a)(3)(C))

The objective of the proposed regulations is to provide for the efficient enforcement of the *Appliance Efficiency Regulations* through an administrative process. The proposed regulations specify what types of violations of the *Appliance Efficiency Regulations* may be subject to a monetary penalty, what factors must be considered in determining the amount of a monetary penalty, what process must be followed to impose a monetary penalty, what alternatives may be available to alleged violators instead of a monetary penalty, and how to appeal a decision by the Energy Commission.

Anticipated Benefit of Proposed Rulemaking
(Government Code section 11346.5(a)(3)(C))

It is anticipated that better compliance with the *Appliance Efficiency Regulations* will benefit California

businesses, consumers, the environment, and public health. Enforcement of the energy and water efficiency standards, with the added authority to impose monetary penalties for violations, will protect legitimate businesses located in California and elsewhere, both large and small, from unfair competition. Manufacturers that properly design, manufacture, test, mark and certify their appliances to meet California’s standards and requirements, often complain about companies that have not invested the same amount of time, effort and resources into making compliant products. Companies that manufacture and sell appliances that are not in compliance profit from this lack of compliance and put businesses that “play-by-the rules” at a financial disadvantage. The adoption of an administrative enforcement process, which establishes an efficient process to assess monetary penalties for non-compliance, will help “level the playing field” for legitimate businesses that make and sell only appliances that meet the state’s energy and water efficiency standards, and may increase their market share.

Better compliance with the existing standards will also protect consumers from the hidden long-term costs of operating appliances that needlessly waste energy or water, and will lower their utility bills. It will also save energy statewide, resulting in reduced growth in the demand for energy, and less need to build new power plants, resulting in the avoidance of associated greenhouse gas emissions and air pollution.

CONSISTENCY WITH STATE REGULATIONS
(Government Code section 113456.5(a)(3)(D))

These regulations are consistent with and will support compliance with the State’s existing *Appliance Efficiency Regulations*.

The Energy Commission has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Energy Commission has concluded that these are the only regulations that concern the enforcement of the California *Appliance Efficiency Regulations*.

FEDERAL LAW
(Government Code sections 11346.2 and 11346.9)

Pursuant to authority established in the United States Code, Title 42, Chapter 77, Subchapter III, Part A and Part A-1, the U.S. Department of Energy promulgates efficiency standards for certain appliances, codified in Code of Federal Regulations (CFR), Title 10, Chapter II, Parts 429, 430, and 431. In some cases, these federal regulations preempt some of the State of California’s

Appliance Efficiency Standards set forth in Title 20, section 1601 *et seq.* of the California Code of Regulations.

The State of California’s Appliance Efficiency Regulations are enforceable only to the extent they are not preempted by federal law, including Title 10, Chapter II, Parts 429, 430, and 431 of the Code of Federal Regulations. The proposed regulations create an administrative enforcement process for the state of California’s *Appliance Efficiency Regulations* only to the extent they are not preempted by federal law.

**FISCAL IMPACT DETERMINATION
REGARDING THE PROPOSED ACTION**
(Government Code sections 11346.5(a)(5)(6)&(7))

The Energy Commission has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

**RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT**
(Government Code sections 11346.3(b) and 11346.5(a)(6)&(7))

The Energy Commission has made the Initial Determination relating to the economic and fiscal impacts of the proposed regulation by checking box A-1(h) on the Form 399 *Economic and Fiscal Impact Statement*. The Energy Commission concludes that (1) it is unlikely that the regulations will create or eliminate jobs in California, (2) it is unlikely that the regulations will create any new businesses or eliminate any existing businesses, (3) it is unlikely that the regulations will cause the expansion of businesses currently doing business in California.

The proposed regulations may subject businesses not complying with the *Appliance Efficiency Regulations* to an administrative penalty, which is substantially similar to the civil penalty that may be assessed pursuant to existing law in PRC section 25402.11(b). By creating an administrative process for enforcement, the proposed regulations will lower the cost of enforcement for both the Energy Commission and potential respon-

dents. The proposed regulations also add three factors to the seven set forth in PRC section 25402.11(a)(2) that may be considered in mitigation of a potential penalty including the number of persons responsible for the violation, the responsible party's efforts to correct the violation prior to the initiation of enforcement action, and the responsible party's cooperation with the Energy Commission during its investigation, which may reduce the penalties incurred by some violators of the *Appliance Efficiency Regulations*.

As a general matter, enforcing the *Appliance Efficiency Regulations* will help ensure that consumers achieve the monetary savings associated with the reductions in energy and water use from the *Appliance Efficiency Regulations*. It will also help protect legitimate California businesses, including small businesses from unfair competition from businesses not complying with existing law.

For additional analysis of the benefits of the proposed regulatory action, see the discussion "Anticipated Benefits" in the Informative Digest, *supra*.

HOUSING COSTS

(Government Code section 11346.5(a)(12))

The proposed changes to the regulations will not have a significant effect on housing costs.

INITIAL DETERMINATION RE SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES, INCLUDING ABILITY TO COMPETE

(Government Code section 11346.3(a), 11346.5(a)(7), and 11346.5(a)(8))

The Commission finds that the proposed regulations will not have a significant statewide adverse economic, fiscal, or environmental impact directly affecting businesses, including small businesses, and including the ability of California businesses to compete with businesses in other states. This determination is based upon the fact that the proposed regulations impose no new requirements, but rather create an alternative procedure to enforce existing law.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

(Government Code section 11346.5(a)(10))

Because the regulations create an alternative mechanism for enforcing existing law, the proposed regulations would not affect the creation or elimination of jobs within California, the creation of new businesses within California, the elimination of existing businesses with-

in California, or the expansion of businesses currently doing business within the state.

COST IMPACTS ON REPRESENTED PERSON OR BUSINESS

(Government Code section 11346.5(a)(9))

The Energy Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This is because the proposed regulations do not create a requirement that must be complied with by any person or business.

BUSINESS REPORTS

(Government Code sections 11356.5(a)(11) and 11346.3(d))

The proposed regulations do not require any business to file a report.

SMALL BUSINESS IMPACTS

(1 Cal. Code of Regulations section 4)

The proposed regulation may affect small businesses that are engaged in the business of manufacturing, selling or distributing appliances covered by the *Appliance Efficiency Regulations*, and which are complying with the *Appliance Efficiency Regulations*, by protecting them from unfair competition from businesses not complying with the *Appliance Efficiency Regulations*.

The proposed regulations may also benefit small businesses which are out of compliance with the *Appliance Efficiency Regulations*, by providing for an enforcement process that is less costly than the civil enforcement process provided for in PRC section 25402.11(b). However, the proposed regulations may incur a detriment upon small businesses that are out of compliance with the *Appliance Efficiency Regulations*, if the Energy Commission would not have had the resources to pursue enforcement against them under the more resource intensive civil enforcement process, but the Commission is able to pursue enforcement through the more efficient administrative enforcement process.

ALTERNATIVES STATEMENT

(Government Code section 11346.5(a)(14))

The Energy Commission has determined that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private per-

sons 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.

CONTACT PERSONS

(Government Code section 11346.5(a)(13))

Inquiries concerning the proposed regulations may be directed to:

John Nuffer, Project Manager
Appliances & Existing Buildings Office
California Energy Commission
1516 Ninth Street, MS 25
Sacramento, California 95814
Telephone: (916) 653-5851
John.Nuffer@energy.ca.gov

The backup contact person for these inquiries is:

Galen Lemei, Senior Attorney
Office of Chief Counsel
California Energy Commission
1516 Ninth Street, MS 14
Sacramento, California 95814
Telephone: (916) 654-4873
Galen.Lemei@energy.ca.gov

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

(Government Code section 11346.5(a)(16))

The Commission has prepared an Initial Statement of Reasons for the proposed regulations. To obtain a copy of the initial statement of reasons or the express terms of the proposed regulations, please visit the Commission's website at: <http://www.energy.ca.gov/appliances/enforcement/documents/index.html> or contact John Nuffer as indicated above at (916) 653-5851.

Additionally, the Commission has available all the information upon which the proposed regulations are based; copies can be obtained by accessing the above website or contacting the Docket Office at DOCKET@energy.ca.gov or by calling (916) 654-5076.

The Energy Commission will have the entire rule-making file available for inspection and copying throughout the rulemaking process at its office at the address above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

(Government Code section 11346.5(a)(18))

After considering all timely and relevant comments received, the Energy Commission may adopt the proposed regulations substantially as described in this notice. If the Energy Commission 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 Energy Commission adopts the regulations as revised. Please send requests for copies of any modified regulations to Galen Lemei at the address above. The Energy Commission will accept comments on the modified regulations for 15 days after the date on which they were made available.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

(Government Code section 11346.5(a)(19))

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting John Nuffer at the address above, or at the Commission's website at: <http://www.energy.ca.gov/appliances/enforcement/documents/index.html>.

**AVAILABILITY OF DOCUMENTS ON
THE INTERNET**

(Government Code section 11346.4(a)(6)
& 11346.5(a)(20))

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

Served on the following list server:
<http://www.energy.ca.gov/appliances/index.html>.

**TITLE 22. DEPARTMENT OF HEALTH
CARE SERVICES**

**SUBJECT: Authorization of Orthotic and
Prosthetic Appliances and Services
DHCS-08-003**

NOTICE IS HEREBY GIVEN that the Department of Health Care Services (Department) proposes to adopt Sections 51315.1 and 51315.2 and amend Sections 51161 and 51315, Title 22, Division 3, Chapter 3, of the California Code of Regulations (CCR), after considering all public comments, objections, and recommendations.

WRITTEN COMMENT PERIOD

Any interested person or his or her duly authorized representative may submit written comments to the Department relevant to the regulatory action described in this notice.

Please label any comments as pertaining to Authorization of Orthotic and Prosthetic (O&P) Appliances and Services, DHCS-08-003, and submit using any of the following methods:

- Mail Delivery: Department of Health Care Services
Office of Regulations, MS 0015
P.O. Box 997413
Sacramento, CA 95899-7413
- Hand Delivery: Department of Health Care Services
Office of Regulations
1501 Capitol Avenue, Suite 5084
Sacramento, CA 95814
- FAX: (916) 440-5748
- Email: regulations@dhcs.ca.gov

The written comment period closes at **5:00 p.m., on October 13, 2014**; any written comments regardless of the method of transmittal, must be received by the Office of Regulations by **5:00 p.m.** on this date for consideration.

Written comments should include the author's contact information so the Department can provide notification of any further changes to the regulation proposal.

A public hearing has not been scheduled for this rule-making. However, the Department will conduct a hearing if a written request for a public hearing is received from any interested person or his or her duly authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8.

The Department shall consider all comments received regarding the proposal equally, whether submitted in writing or through oral testimony at a public hearing.

AUTHORITY AND REFERENCE

These regulations are being proposed under the following authorities:

Section 20, Health and Safety Code; and Sections 10725, 14103.7, 14105 and 14124.5, Welfare and Institutions (W&I) Code.

These regulations implement, interpret, or make specific the following:

Sections 14103.7, 14105.21, 14131, 14132, 14133, 14133.1, 14133.3 and 14133.9, W&I Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Medi-Cal, California's Medicaid Program, is administered by the Department. Medi-Cal provides health care services for low income individuals, including children, families with children, seniors, persons with disabilities, children in foster care, and pregnant women.

W&I Code Sections 10725, 14103.7 and 14124.5, authorize the director of the Department to adopt, amend, or repeal regulations as necessary and proper to carry out the purpose and intent of the laws enforced by the Department. Specifically, under the W&I Code, Chapter 7, Basic Health Care, Section 14000 states that the purpose of this chapter is to afford qualifying individuals health care services. The uniform schedule of health care benefits under Medi-Cal are specifically described under Section 14131, et seq., and include O&P appliances and services, as specified under W&I Code Section 14132(k).

This regulatory proposal will amend and establish requirements (including medical necessity criteria) that are specific for the prior authorization and reimbursement of O&P appliances and services under Medi-Cal, which is consistent with W&I Code Section 14133.9, regarding the development and publication of such medical criteria. The establishment of these requirements is also consistent with W&I Code Section 14133.3, which specifies that providers shall offer fully documented medical justification demonstrating that the requested services are medically necessary.

Anticipated Benefits or Goals of the Regulations

Establishing and amending O&P requirements within the CCR, will benefit Medi-Cal providers who prescribe and those who furnish the O&P appliances and services, by clearly outlining the criteria that must be met in a prior authorization process. This in turn will facilitate access to and delivery of the O&P appliances and services to the beneficiaries. These requirements will also serve as a principal assessment tool for Department representatives during the prior authorization review process, which supports utilization control for Medi-Cal, as required and authorized by W&I Code Section 14133, et seq. and Title 42, United States Code Section 1396a(a)(30) (see also, CCR Sections 51003 and 51159).

As required by the authorizing statutes (as described above), these proposed regulations ensure the proper and efficient administration of the Medi-Cal program, and safeguard against unnecessary utilization, waste and fraud, in accordance with the federal and state laws that govern Medi-Cal. The proposed regulations also benefit the health and welfare of California residents by

providing Medi-Cal beneficiaries the delivery of medically necessary O&P appliances and services.

Consistency and Compatibility with Existing State Regulations

The Department has conducted an evaluation of the related existing state regulations in CCR, Title 22, Division 3, and has determined the proposed regulations are consistent and compatible with those regulations.

Regulatory Sections

Specifically, this regulatory action:

1. Amends Section 51161, to define medical terms and phrases related to the prior authorization process of O&P appliances and services.
2. Amends Section 51315, to:
 - Specify the type of providers that may prescribe and those that may furnish O&P appliances and services.
 - Identify the circumstances under which O&P appliances and services shall and shall not be authorized.
 - Specify the requirements (medical necessity criteria) that shall be met for the prior authorization of O&P appliances and services.
 - Establish written prescription and electronic image/data transmission prescription requirements.
 - Indicate supporting medical documentation requirements (clinical notes) and the circumstances under which these requirements shall be met for prior authorization to be granted.
 - Clarify how cumulative costs for O&P appliances and services impact prior authorization.
 - Make non-substantive changes, including formatting, re-designations and punctuation.
3. Adopts Section 51315.1, to provide requirements (including medical necessity criteria) specific to the prior authorization of orthotic appliances and services.
4. Adopts Section 51315.2, to provide requirements (including medical necessity criteria) specific to the prior authorization of prosthetic appliances and services.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Estimated Fiscal Impact Statement

- A. Costs to any Local Agency or School District that is not reimbursable by the State: None.
Costs to any Local Agency or School District that is required to be reimbursed Under Part 7 (commencing with Section 17500), Division 4 of the Government Code: None.
- B. Costs or Savings to any State Agency: None.
- C. Costs or Savings in Federal Funding to the State: None.
- D. Other Nondiscretionary Costs or Savings Including Revenue Changes Imposed on State or Local Governments: None.

All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

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.

Mandates on Local Agencies or School Districts

The Department has determined that the proposed regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

Significant Statewide Adverse Economic Impact Affecting Businesses

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

Results of the Economic Impact Assessment (Analysis)

In accordance with Government Code Section 11346.3(b)(1), the Department has made the following assessments and has determined that the proposed regulations would not significantly affect the following:

- (1) The creation or elimination of jobs in California.
- (2) The creation or elimination of businesses in California.
- (3) The expansion of businesses currently doing business in California.

Impact on Jobs and Businesses

California's Medicaid program, Medi-Cal, continues to be a joint federal/state public health program that offers health care services for eligible low-income individuals who choose to enroll and participate in the program. This regulatory proposal establishes requirements (including medical necessity criteria) specific for

the authorization and reimbursement of O&P appliances and services under Medi-Cal. These requirements serve as a principal assessment tool for Department representatives during the authorization process, which supports utilization control for Medi-Cal. This regulatory proposal will impact only those providers who choose to participate in Medi-Cal and who prescribe and furnish O&P appliances and services to Medi-Cal beneficiaries. The requirements (medical necessity criteria) and other requirements as proposed to be adopted and amended through these regulations are not anticipated to have an impact on the creation or elimination of jobs, the creation of new business, the elimination of existing business or the expansion of businesses in California.

Benefits of the Proposed Regulation

The Department has determined that the proposed regulations will not specifically affect worker safety or the state’s environment. However, the proposed regulations will benefit the health and welfare of California residents by providing Medi-Cal beneficiaries the delivery of medically necessary O&P appliances and services. This regulatory proposal ensures the proper and efficient administration of Medi-Cal, in accordance with federal and state laws.

Effect on Small Businesses

The Department has determined that the proposed regulations would only affect small businesses that voluntarily participate in the Medi-Cal program and provide O&P appliances and services.

Housing Costs Determination

The Department has determined that the proposed regulations would have no effect on housing costs.

CONSIDERATION OF ALTERNATIVES

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

The Department has determined that the proposed regulations are the most effective way to identify medical necessity criteria and other requirements under which O&P appliances and services shall be authorized. The regulations are consistent with W&I Code Sections 14133.9 and 14133.3 regarding the develop-

ment and publication of such medical criteria and provide convenient access to this information for providers of O&P appliances and services.

ASSISTIVE SERVICES

For individuals with disabilities, the Department can provide assistive services such as the conversion of written materials into Braille, large print, audiocassette and computer disk. For public hearings, assistive services can include sign-language interpretation, real-time captioning, note takers, reading or writing assistance. To request these assistive services, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email — regulations@dhcs.ca.gov, or write to the Office of Regulations at the address noted above. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

The Department shall provide, upon request from a person with a visual disability or other disability for which effective communication is required under state or federal law, a narrative description of the additions to, and deletions from, the California Code of Regulations or other publication in a manner that allows for accurate translation by reading software used by the visually impaired. Providing this description may require extending the period of public comment for the proposed action pursuant to Government Code Section 11346.6.

CONTACT PERSONS

Inquiries regarding the substance of the regulations described in this notice may be directed to: Janice Spitzer, Chief, Benefits Analysis Section, at (916) 552-9422.

All other inquiries concerning the regulatory action described in this notice may be directed to Lori Manieri, Office of Regulations, at (916) 650-6825, or to the designated backup contact person, Lynette Cordell, at (916) 440-7695.

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Regulations, at the address noted above, will be the location of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file). In addition, a copy of the final statement of reasons (when

prepared) will be available upon request from the Office of Regulations.

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available by the Department's Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) are posted to the Department's Internet site at: <http://www.dhcs.ca.gov/formsandpubs/laws/Pages/ProposedRegulations.aspx>.

In order to request a copy of this public notice, the regulation text, and the initial statement of reasons be mailed to you, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email regulations@dhcs.ca.gov, or write to the Office of Regulations at the address noted above.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD #1113-12

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

ITEM #1 Child Fatality Reporting and Disclosure

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held October 15, 2014 as follows:

Office Building #8
744 P Street, Room 103
Sacramento, California

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

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile

to the address/number listed below. All comments must be received by 5:00 p.m. on October 15, 2014.

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

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

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

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

CHAPTERS

Manual of Policies and Procedures (MPP), Chapter 31-500

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill (SB) 39 (Chapter 468, Statutes of 2007) added Section 10850.4 to the Welfare and Institutions (W&I) Code, and specifically requires the custodian of records for a county child welfare agency to release specified child fatality information to the public. This statute is promulgated by MPP sections 31-502.3 through .35, which have been repealed, rewritten and expanded in order to meet the conditions of the California Superior Court decision in *Butterfield v. Lightbourne*.

The W&I Code section 10850.4(c) indicates specific documents required for disclosure when a child fatality

was the result of abuse and/or neglect and differentiates which types of documents are released when the child resided with a parent/guardian rather than a foster care provider. This statute was promulgated in MPP sections 31–502.33 and .34 and the court decision found that these regulations erroneously required that abuse and/or neglect be inflicted by a parent/guardian or a foster care provider in order to prompt disclosure. However, the court decision found that conditioning the release of information upon the identity of the perpetrator is arbitrary and leads to inconsistencies in reporting. Accordingly, existing language has been replaced and expanded to address a broader range of frequent and/or complicated scenarios encountered by county child welfare services (CWS) agencies, including abuse and/or neglect inflicted by a parent, guardian, foster care provider, other known individual, non–residential child care, by an unidentified individual or by a combination thereof.

The decision also found that the regulations in MPP section 31–502 erroneously use the term “resulted in” rather than “led to” in describing the causality of abuse and/or neglect that “resulted in” the death of a child. Because W&I Code section 10850.4(b) prompts disclosure for cases where abuse and/or neglect “led to” a child’s death, the court decision found the Department’s use of the term “resulted in” problematically required that a child’s death be the direct result of abuse and/or neglect in order to prompt disclosure of case file information. This excludes cases in which abuse and/or neglect contributed to the child’s death but were the not the direct cause. Accordingly, the new regulations provide a more expansive clarification of the circumstances that prompt a determination that abuse and/or neglect resulted in a child’s death. Specifically, such a determination was expanded to cases where abuse and/or neglect were a material contributing factor to the child’s death.

Additionally, the court decision called for clarification of regulations regarding disclosure of licensing records for non–residential licensed child care providers. Such records are typically included within juvenile case file records maintained by CWA agencies in most counties. The W&I Code section 10850.4(o) explicitly states that the custodian of records, i.e. CWA agencies, shall not be required to obtain records not contained in the case file in order to meet the statutory disclosure requirements. Because of contention regarding the release of such records, clarification has been added as verified by the plaintiffs in the court decision.

Anticipated Benefits of Proposed Action

See benefits description under “STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT” on page 1532.

Evaluation of Inconsistency or Incompatibility With Existing State Regulations

After conducting an evaluation for any related regulations on this area, CDSS has determined that these are the only regulations dealing with Child Fatality Reporting and Disclosure. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

COST ESTIMATE

1. Costs or Savings to State Agencies: The local assistance fiscal impact is absorbable (\$122 state share) for FY 2014–15 and ongoing.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: The local assistance fiscal impact is absorbable (\$122 county share) for FY 2014–15 and ongoing.
3. Nondiscretionary Costs or Savings to Local Agencies: The local assistance fiscal impact is absorbable (\$122 county share) for FY 2014–15 and ongoing.
4. Federal Funding to State Agencies: The local assistance fiscal impact is absorbable (\$120 federal share) for FY 2014–15.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not on school districts. There are no “state–mandated local costs” in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

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

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

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

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

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action indicate which specific documents are required for the disclosure of a child fatality when it results from abuse and/or neglect, and differentiates which types of documents are released when the child resided with a parent/guardian rather than a foster care provider. The proposed regulations will benefit the public by offering more complete and accurate child fatality reporting information and, thereby, create better government transparency.

STATEMENT OF EFFECT ON HOUSING COSTS

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

STATEMENT OF ALTERNATIVES CONSIDERED

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

AUTHORITY AND REFERENCE CITATIONS

Sections 10553 and 10554 of the W&I Code grants CDSS the authority to develop the regulations and Section 10850.4 of the W&I Code is being referenced to make the regulations more specific.

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Oliver Chu: (916) 657-2586
Zaid Domiguez: (916) 657-2586

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**CESA CONSISTENCY DETERMINATION
REQUEST FOR
Oxford Suites Hotel Project
(2080-2014-011-03)
Sonoma County**

The Department of Fish and Wildlife (CDFW) received a notice on August 14, 2014, that the Oxford Hotel Group proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves construction of a five-story 163-room hotel, a fast-food restaurant, and parking for these facilities; widening of Dowdell Avenue; improvements to sidewalk; and landscaping next to sidewalks. The proposed project will occur at 67 Golf Course Drive West in the City of Rohnert Park, Sonoma County, California.

The U.S. Fish and Wildlife Service (Service) issued a federal biological opinion (Service File No. 08ESMF00-2014-F-0028)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on August 13, 2014, which considered the effects of the proposed project on the state threatened and federally endangered California tiger salamander (*Ambystoma californiense*).

Pursuant to California Fish and Game Code section 2080.1, Oxford Hotel Group is requesting a determination that the BO and associated ITS are consistent with CESA for purposes of the proposed project. If CDFW determines the BO and associated ITS are consistent with CESA for the proposed project, Oxford Hotel Group will not be required to obtain an incidental take

permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING AND BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

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 and Business Meeting:

PUBLIC MEETING: On October 16, 2014,
 at 10:00 a.m.
 in the Council Chambers of the
 Walnut Creek City Hall
 1666 N. Main Street,
 Walnut Creek, 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.

BUSINESS MEETING: On October 16, 2014,
 at 10:00 a.m.
 in the Council Chambers of
 the Walnut Creek City Hall
 1666 N. Main Street,
 Walnut Creek, 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 statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The statewide 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.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

DAVE THOMAS, Chairman

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

NOTICE TO INTERESTED PARTIES August 29, 2014

ANNOUNCEMENT OF THE CARCINOGEN IDENTIFICATION COMMITTEE MEETING SCHEDULED FOR NOVEMBER 19, 2014 AND THE AVAILABILITY OF HAZARD IDENTIFICATION MATERIALS FOR DIBENZANTHRACENES AND N-NITROSOMETHYL-*n*-ALKYLAMINES

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986¹ (Proposition 65). The Carcinogen Identification Committee (CIC) advises and assists OEHHA in compiling the list of chemicals known to the State to cause cancer as required by Health and Safety Code section 25249.8. The Committee serves as the State's qualified experts for determining whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause cancer.

Two groups of chemicals, dibenzanthracenes and N-nitrosomethyl-*n*-alkylamines, will be considered for possible listing by the CIC at its next meeting scheduled for **Wednesday, November 19, 2014**. The CIC may choose to list each group, or individual chemicals within each group that are not already on the list. The

¹ Health and Safety Code section 25249.5 et seq.

meeting will be held in the Sierra Hearing Room at the Cal/EPA Headquarters building, 1001 I Street, Sacramento, CA. The meeting will begin at 10:00 a.m. and will last until all business is conducted or until 5:00 p.m. The agenda for the meeting will be provided in a future public notice published in advance of the meeting.

OEHHA announces the availability for public review of the hazard identification documents entitled: "Evidence on the Carcinogenicity of Dibenzanthracenes" and "Evidence on the Carcinogenicity of N-Nitrosomethyl-n-alkylamines." The CIC will consider these documents in making any listing decisions on these chemicals. In preparing these documents, OEHHA issued requests for information relevant to the evidence of carcinogenicity of Dibenzanthracenes and N-Nitrosomethyl-n-alkylamines (also known as N-Methyl-N-nitroso-1-alkylamines). The data call-in period for the dibenzanthracenes opened on November 10, 2011 and closed on January 10, 2012. The data call-in period for the N-nitrosomethyl-n-alkylamines opened on March 22, 2013 and closed on May 21, 2013. No information was received on either set of chemicals.

Copies of the documents are available from OEHHA's website at the following address: <http://www.oehha.ca.gov/prop65.html>. The documents may also be requested from OEHHA's Proposition 65 Implementation Office by calling (916) 445-6900.

This notice marks the beginning of a 45-day public comment period on these two documents. **OEHHA must receive comments and any supporting documentation by 5:00 p.m. on Monday, October 13, 2014.** 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 "HIM — Dibenzanthracenes" or "HIM — N-Nitrosomethyl-n-alkylamines" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address:
 Ms. Monet Vela
 Office of Environmental Health Hazard Assessment
 P.O. Box 4010, MS-58D
 Sacramento, California 95812-4010
 Street Address:
 1001 I Street
 Sacramento, California 95814
 Fax: (916) 323-2265

OEHHA will organize and index the comments received and forward the information to the CIC members prior to the meeting at which the chemicals will be considered. Comments will also be posted on the OEHHA website in advance of the meeting.

DISAPPROVAL DECISION

NATURAL RESOURCES AGENCY

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of the disapproval decision is available at www.oal.ca.gov under the "Publications" tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

**State of California
 Office of Administrative Law**

In re:
Natural Resources Agency

Regulatory Action:
Title 14, California Code of Regulations
Amend sections: 4351.1, 4360
Repeal sections: 4351

**DECISION OF DISAPPROVAL OF
 REGULATORY ACTION**

Government Code Section 11349.3

OAL File No. 2014-0630-04S

SUMMARY OF REGULATORY ACTION

On June 28, 2013, the Department of Parks and Recreation issued a Notice of Proposed Action, informing the public of its intent to amend sections 4351.1 and 4360 and repeal section 4351 in title 14, division 3, chapter 2 of the California Code of Regulations (CCR). The proposed amendments would delineate trail uses and users on trails in the State Park System, what tools may be used, and under what circumstances the tools may be used in cultural and natural preserves. The Agency also clarifies that permanent structures and installations are allowed in wilderness and preserves where necessary for natural or cultural heritage protection.

On June 30, 2014, the Natural Resources Agency (Agency), rather than the Department of Parks and Recreation, submitted the regulatory action to the Office of Administrative Law (OAL) for review. On August 12, 2014, OAL notified the Agency that OAL disapproved the proposed regulations because the regulations failed to comply with the authority and clarity standards of

Government Code section 11349.1. The Agency also failed to follow procedures required by the Administrative Procedure Act (APA). This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

For purposes of this disapproval decision, because the Natural Resources Agency submitted this rulemaking action to OAL for review, this decision refers to the Agency. However, the Natural Resources Agency and the Department of Parks and Recreation should both take note of this disapproval decision because the Legislature granted rulemaking authority to the Department of Parks and Recreation and the rulemaking action was conducted by the Department of Parks and Recreation.

DECISION

OAL disapproved the above-referenced regulatory action for the following reasons:

1. The proposed regulations failed to comply with the authority standard of Government Code section 11349.1, subdivision (a)(2);
2. The proposed regulations failed to comply with the clarity standard of Government Code section 11349.1, subdivision (a)(3); and
3. The Agency failed to follow the required APA procedures by omitting to:
 - a. summarize and respond to all of the public comments submitted regarding the proposed action pursuant to Government Code section 11346.9, subdivision (a)(3); and
 - b. include in the rulemaking file all data and other factual information, technical, theoretical, and empirical studies or reports, if any, on which the Agency relied, pursuant to Government Code section 11347.3, subdivision (b)(7).

All APA issues must be resolved prior to OAL's approval of any resubmission.

CONCLUSION

For the reasons stated above, OAL disapproved this regulatory action proposed by the Agency. If you have any questions, please contact me at (916) 323-6824.

Date: August 19, 2014

Thanh Huynh
Senior Attorney

FOR: Debra M. Cornez
Director

Original: Lester Snow, Natural Resources Agency
Copy: Lisa Mangat, Department of Parks and Recreation
Alexandra Stehl

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# 2014-0804-01
BOARD OF STATE AND COMMUNITY CORRECTIONS
2007 Local Youthful Offender Rehabilitative Facilities Construction Financing Program

The Board of State and Community Corrections (Board) submitted this emergency action to make comprehensive amendments to their Local Youthful Offender Rehabilitative Facility Construction Financing Program. The action adopted six sections, amend 27 sections, and repeal one section in title 15 of the California Code of Regulations, and adopt two incorporated by reference documents. The action updated the regulations for the 2007 program to conform to recent statutory changes to allow currently approved projects to continue in compliance with statute and to allow the Board to commence with a second round of proposals for projects in compliance with statute scheduled to begin on September 12, 2014.

Title 15
California Code of Regulations
ADOPT: 1830.1, 1840.1, 1847.1, 1848.5, 1849.1, 1850.1 AMEND: 1800, 1806, 1812, 1814, 1830, 1831, 1840, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857
Filed 08/14/2014
Effective 08/14/2014
Agency Contact: Ginger Wolfe (916) 341-7325

File# 2014-0701-03
CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY
Children's Hospital Program of 2008

This change without regulatory effect filing amends regulations dealing with the Children's Hospital Bond Act of 2008. The Act, passed by the voters on November 4, 2008, charges the California Health Facilities Financing Authority with implementing a \$980 million grant program funded by general obligation bonds for California children's hospitals. These amendments remove hyphens, reword references to citations and change Department of Health Services to Department of Public Health.

Title 4
California Code of Regulations
AMEND: 7051, 7052, 7057, 7058, 7059, 7065, 7066, 7068
Filed 08/13/2014
Agency Contact: Rosalind Brewer (916) 653-8243

File# 2014-0701-04
CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY
Children's Hospital Program of 2004

This change without regulatory effect filing amends regulations dealing with the Children's Hospital Bond Act of 2004. The Act, passed by the voters on November 2, 2004, provides grant funding to the Children's Hospital Program through sales of general obligation bonds. These amendments remove hyphens, reword references to citations and change Department of Health Services to Department of Public Health.

Title 4
California Code of Regulations
AMEND: 7030, 7031, 7036, 7037, 7038, 7044, 7045, 7047
Filed 08/13/2014
Agency Contact: Rosalind Brewer (916) 653-8243

File# 2014-0708-01
COURT REPORTERS BOARD OF CALIFORNIA
Scope of Practice

This rulemaking action by the Court Reporters Board amends Title 16 of the California Code of Regulations to clarify what constitutes the provision of court reporting services.

Title 16
California Code of Regulations
ADOPT: 2403
Filed 08/19/2014
Effective 10/01/2014
Agency Contact: Yvonne Fenner (916) 263-4081

File# 2014-0723-02
DENTAL HYGIENE COMMITTEE OF CALIFORNIA
Sponsoring Entity Registration

This filing of changes without regulatory effect updates an agency form and makes non-substantive changes to 16 CCR § 1150. Specifically, there is a punctuation change to one of the subdivisions of the cited section, and updates to contact information, the names of a division and an agency, and a form number. S.B. 1039 (Steinberg, Chapter 147, Statutes of 2012) eliminated the "State and Consumer Services Agency" and established the "Business, Consumer Services, and Housing Agency", and the form letterhead needed to be changed accordingly. The processing of the form has also transitioned to a new office, prompting changes to contact information on the form and requiring a change to the form name in 16 CCR § 1150.

Title 16
California Code of Regulations
AMEND: 1150
Filed 08/18/2014
Agency Contact: Donna Kantner (916) 263-1978

File# 2014-0701-05
DEPARTMENT OF BUSINESS OVERSIGHT
Department of Business Oversight Clean-up Regulations — Part C

This action by the Department of Business Oversight makes various changes without regulatory effect to Title 10 of the California Code of Regulations. The purpose of this action is to change all references to the Departments of Corporations and Financial Institutions and the Commissioner of Corporations to the Department of Business Oversight and the Commissioner of Business Oversight, respectively.

Title 10
California Code of Regulations
AMEND: 250.9, 250.10, 250.11, 250.15, 250.60, 250.61, 260.100.1, 260.100.3, 260.102.8, 260.102.14, 260.102.16, 260.102.19, 260.103.6, 260.105.33, 260.110, 260.131, 260.140.71.2, 260.141.50, 260.146, 260.151, 260.165, 260.241, 260.302, 260.507, 260.608, 260.608.2, 280.100, 280.150, 280.152, 280.153, 280.200, 280.250, 280.300, 280.400, 310.002, 310.100.2, 310.101, 310.106, 310.156.1, 310.156.2, 310.156.3, 310.303, 310.304, 1404, 1436, 1454, 1718, 1723, 1726, 1787.1, 1799, 1805.204.1, 1950.122.2, 1950.122.4, 1950.204.3, 1950.206, 1950.314.8, 2030 REPEAL: 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, 2031.7, 2031.8, 2031.9, 2031.10

Filed 08/13/2014
 Agency Contact: Karen Fong (916) 322-3553

File# 2014-0708-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Pest Ratings and Mitigating Actions

This rulemaking action establishes the process for determining pest ratings (priorities) and the mitigating actions, if any, that may be taken depending on the priority of each rated pest.

Title 3
 California Code of Regulations
 ADOPT: 3162
 Filed 08/18/2014
 Effective 01/01/2015
 Agency Contact: Stephen S. Brown (916) 654-1017

File# 2014-0707-01
 DEPARTMENT OF HEALTH CARE SERVICES
 Psychiatry Services: Removal of Utilization Cap

This action by the Department of Health Care Services (Department) makes changes without regulatory effect to section 51305, in Title 22 of the California Code of Regulations. Specifically, this action removes the utilization cap of eight (8) psychiatry services without prior authorization. This change is required to make section 51305 conform to new Welfare and Institutions Code, section 14132.03, enacted by Statutes 2013, Chapter 4 (SB X1-1). Welfare and Institutions Code, section 14132.03, is also added as a reference citation.

Title 22
 California Code of Regulations
 AMEND: 51305
 Filed 08/18/2014
 Agency Contact: Kenneisha Moore (916) 552-9183

File# 2014-0707-02
 DEPARTMENT OF HEALTH CARE SERVICES
 Psychology Services: Removal of Utilization Cap

This action by the Department of Health Care Services (Department) makes changes without regulatory effect to sections 51309 and 51331, in Title 22 of the California Code of Regulations. Specifically, this action removes certain limitations on psychological services to make sections 51309 and 51331 conform to new Welfare and Institutions Code, section 14132.03, enacted by Statutes 2013, Chapter 4 (SB X1-1). Welfare and Institutions Code, section 14132.03, is also added as a reference citation.

Title 22
 California Code of Regulations
 AMEND: 51309, 51331
 Filed 08/18/2014
 Agency Contact: Kenneisha Moore (916) 552-9183

File# 2014-0703-02
 DEPARTMENT OF INSURANCE
 Life Settlements

These changes without regulatory effect by the Department of Insurance (DOI) amend five sections of title 10 of the California Code of Regulations, making non-substantive formatting changes and statutory adjustments to filing and application fees applicable to life settlements. Insurance Code section 12978 provides in relevant part, "...the commissioner may increase or decrease the fees set forth in this code as necessary to allow the department to meet the appropriation authorized by the annual Budget Act." On December 16, 2013, the Insurance Commissioner published a bulletin that increased all fees set forth in the Insurance Code by 10 percent. The fee increases took effect on March 17, 2014. These changes bring the regulations into conformity with the new fee schedule.

Title 10
 California Code of Regulations
 AMEND: 2548.3, 2548.19, 2548.21, 2548.24, 2548.25
 Filed 08/14/2014
 Agency Contact: Audrie Lee (415) 538-4434

File# 2014-0808-01
 GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT
 California Competes Tax Credit

The Governor's Office of Business and Economic Development (GO-Biz) submitted this emergency readoption action to maintain the effectiveness of five sections and to repeal three sections in title 10 of the California Code of Regulations that were adopted in OAL file no. 2014-0210-01E. The proposed action makes amendments to the five sections adopted in the emergency action and being retained in this action. The emergency regulations implement Revenue and Taxation Code sections 17059.2, 18410.2, and 23689. Pursuant to those sections, GO-Biz is authorized to administer, on or after January 1, 2014, a tax credit against the "net tax" or the "tax," as defined in Revenue and Taxation Code section 17039 and section 23036, respectively, owed by a taxpayer. The amount of the tax credit is to be negotiated by GO-Biz and the taxpayer and requires approval by the California Competes Tax Credit Committee. The purpose of this legislation and the implementing regulations is to provide incentives for busi-

nesses to stay in California and to attract out-of-state businesses to move to California, for existing California businesses to expand, and to stimulate the growth of jobs.

Title 10
California Code of Regulations
ADOPT: 8000, 8010, 8020, 8030, 8070 (re-numbered to 8040)
REPEAL: 8040, 8050, 8060
Filed 08/18/2014
Effective 08/18/2014
Agency Contact: William Koch (916) 322-0661

File# 2014-0709-01
PHYSICIAN ASSISTANT BOARD
Section 100 Changes: Sponsored Free Health Care Events — Revised Form

This action by the Physician Assistant Board makes changes without regulatory effect to section 1399.621 of title 16 of the California Code of Regulations. The purpose of this action is to amend Form 901-A, incorporated by reference in section 1399.621, to include updated contact information.

Title 16
California Code of Regulations
AMEND: 1399.621
Filed 08/13/2014
Agency Contact: Glenn L. Mitchell (916) 561-8783

File# 2014-0710-02
STATE ALLOCATION BOARD
Leroy F. Greene School Facilities Act 1998, PIF for ORG/CTEFP/CSFP

The State Allocation Board filed an action amending four sections in title 2 of the California Code of Regulations pertaining to the School Facility Program. The amendments require school districts and charter schools seeking funding for projects under the Overcrowding Relief Grant Program, Career Technical Education Facilities Program, or Charter School Facilities Program (excluding advance release of design and/or site acquisition funds from a Preliminary Charter School Apportionment) to participate in the priority funding process. The amendments will subject these projects to the non-participation provisions in title 2, CCR, section 1859.90.3, which now provides if any of these projects receive two occurrences of non-participation, the bond authority associated with the project will be rescinded and returned to the specific program.

Title 2
California Code of Regulations
AMEND: 1859.90.2, 1859.90.3, 1859.193, 1859.197
Filed 08/19/2014
Effective 10/01/2014
Agency Contact: Lisa Jones (916) 376-1753

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN March 19, 2014 TO
August 20, 2014**

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
08/19/14 AMEND: 1859.90.2, 1859.90.3, 1859.193, 1859.197
08/12/14 ADOPT: 18700.3 AMEND: 18438.5 REPEAL: 18703.1
08/12/14 ADOPT: 649.24 AMEND: 649, 649.4, 649.8, 649.26, 649.29, 649.32, 649.40, 649.43
08/07/14 ADOPT: 18422, 18422.5 AMEND: 18215, 18427.1 REPEAL: 18412
07/30/14 AMEND: 679
07/14/14 AMEND: 549
05/30/14 REPEAL: 649.56
05/29/14 AMEND: 22600, 22600.1, 22600.2, 22600.5, 22600.6, 22600.7, 22600.8, 22600.9, 22601, 22601.3, 22601.4, 22601.7 REPEAL: 22601.1
05/19/14 ADOPT: 1181.1, 1181.2, 1181.3, 1181.4, 1181.5, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.9, 1182.10, 1182.11, 1182.12, 1182.13, 1182.14, 1182.15, 1182.16, 1183.1, 1183.2, 1183.3, 1183.4, 1183.5, 1183.6, 1183.7, 1183.8, 1183.9, 1183.10, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.1, 1186.2, 1186.3, 1186.4, 1186.5, 1186.6

1186.7, 1187.1, 1187.2, 1187.3, 1187.4,
 1187.5, 1187.6, 1187.7, 1187.8, 1187.9,
 1187.10, 1187.11, 1187.12, 1187.13,
 1187.14, 1187.15, 1188.1, 1188.2,
 1190.1, 1190.2, 1190.3, 1190.4, 1190.5
 REPEAL: 1181, 1181.1, 1181.2, 1181.4,
 1182, 1182.1, 1182.2, 1182.3, 1182.4,
 1182.5, 1183, 1183.01, 1183.02, 1183.03,
 1183.04, 1183.05, 1183.06, 1183.07,
 1183.08, 1183.081, 1183.09, 1183.1,
 1183.11, 1183.12, 1183.13, 1183.131,
 1183.14, 1183.2, 1183.21, 1183.25,
 1183.30, 1183.31, 1183.32, 1184.5,
 1184.6, 1184.7, 1184.8, 1184.9, 1184.10,
 1184.11, 1185, 1185.1, 1185.2, 1185.21,
 1185.3, 1185.4, 1185.5, 1185.6, 1185.7,
 1186, 1186.5, 1186.51, 1186.52, 1186.53,
 1186.54, 1186.55, 1186.6, 1186.61,
 1186.62, 1186.63, 1186.64, 1186.65,
 1186.7, 1186.71, 1186.72, 1186.73, 1187,
 1187.2, 1187.3, 1187.4, 1187.5, 1187.6,
 1187.7, 1187.8, 1187.9, 1188, 1188.1,
 1188.2, 1188.3, 1188.31, 1188.4, 1189,
 1189.1, 1189.2, 1189.3, 1189.6, 1189.61,
 1190, 1190.01, 1190.02, 1190.03,
 1190.04, 1190.05
 05/01/14 ADOPT: 18706.1 AMEND: 18706
 05/01/14 AMEND: 18950.1
 05/01/14 AMEND: 18705.2 REPEAL: 18704.2
 04/30/14 AMEND: 18704
 04/30/14 AMEND: 18707.9
 04/16/14 ADOPT: 599.760.1 AMEND: 599.757,
 599.759, 599.761, 599.768, 599.769
 REPEAL: 599.755, 599.760, 599.764,
 599.765, 599.766, 599.767

Title 3

08/18/14 ADOPT: 3162
 08/06/14 AMEND: 6000, 6196, 6400, 6624
 REPEAL: 6446, 6446.1
 08/05/14 REPEAL: 3277
 07/22/14 AMEND: 3591.13(a)
 07/10/14 AMEND: 3424
 06/27/14 AMEND: 1430.142
 06/24/14 AMEND: 3435(b)
 06/17/14 AMEND: 3435(b)
 06/02/14 AMEND: 3435(b)
 05/14/14 ADOPT: 1280, 1280.1, 1280.8, 1280.10
 AMEND: 1280.7
 05/12/14 AMEND: 3591.20(a)
 04/24/14 AMEND: 3435(b)
 04/04/14 AMEND: 3435(b)
 03/19/14 AMEND: 3406(b)

Title 4

08/13/14 AMEND: 7051, 7052, 7057, 7058, 7059,
 7065, 7066, 7068
 08/13/14 AMEND: 7030, 7031, 7036, 7037, 7038,
 7044, 7045, 7047
 08/06/14 ADOPT: 10170.1, 10170.2, 10170.3,
 10170.4, 10170.5, 10170.6, 10170.7,
 10170.8, 10170.9, 10170.10, 10170.11,
 10170.12, 10170.13, 10170.14, 10170.15
 08/06/14 ADOPT: 10170.16, 10170.17, 10170.18,
 10170.19, 10170.20, 10170.21,
 10170.22, 10170.23, 10170.24
 08/05/14 ADOPT: 7113, 7114, 7115, 7116, 7117,
 7118, 7119, 7120, 7121, 7122, 7123,
 7124, 7125, 7126, 7127, 7128, 7129
 07/10/14 ADOPT: 5600, 5610, 5620, 5630, 5640
 AMEND: 5000, 5144, 5170, 5200, 5205,
 5230, 5240, 5255, 5350, 5370
 06/30/14 AMEND: 10030, 10031, 10032, 10033,
 10034, 10035, 10036
 06/18/14 AMEND: 12505
 06/18/14 AMEND: 8070, 8072
 06/16/14 AMEND: 4001 ADOPT: 4002.9
 06/13/14 AMEND: 8034
 06/11/14 ADOPT: 12387 AMEND: 12360, 12386
 06/09/14 ADOPT: 4402, 4403, 4496, 4496.1,
 4496.2, 4496.3, 4496.4, 4496.5, 4496.6
 05/19/14 AMEND: 7030, 7032, 7033, 7034, 7035,
 7036, 7037, 7040, 7042
 05/15/14 ADOPT: 7113, 7114, 7115, 7116, 7117,
 7118, 7119, 7120, 7121, 7122, 7123,
 7124, 7125, 7126, 7127, 7128, 7129
 05/12/14 AMEND: 1632
 04/07/14 AMEND: 1656, 1658
 04/03/14 AMEND: 10030, 10031, 10032, 10033,
 10034, 10035, 10036
 04/02/14 AMEND: 2066
 03/28/14 AMEND: 10302, 10305, 10315, 10317, 10
 320, 10322, 10325, 10326, 10327, 10328,
 10337
 03/24/14 ADOPT: 10170.1, 10170.2, 10170.3,
 10170.4, 10170.5, 10170.6, 10170.7,
 10170.8, 10170.9, 10170.10, 10170.11,
 10170.12, 10170.13, 10170.14, 10170.15

Title 5

07/28/14 ADOPT: 15494, 15495, 15496, 15497
 07/23/14 AMEND: 850, 851, 852, 853, 853.5, 855,
 857, 858, 859, 861, 862, 862.5, 863, 864
 REPEAL: 854, 864.5, 865, 866, 867,
 867.5, 868
 07/11/14 ADOPT: 80693, 80694
 06/26/14 ADOPT: 9517.3

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06/13/14 ADOPT: 19810 REPEAL: 19810, 19812, 19813, 19814, 19815, 19816, 19816.1, 19817, 19817.1, 19817.2, 19817.5, 19818, 19819, 19820, 19821, 19821.5, 19822, 19823, 19824, 19824.1, 19825, 19825.1, 19827, 19828, 19828.1, 19828.2, 19828.3, 19828.4, 19829, 19829.5, 19830, 19830.1, 19831, 19832, 19833, 19833.5, 19833.6, 19834, 19835, 19836, 19837, 19837.1, 19837.2, 19837.3, 19838, 19840, 19841, 19843, 19844, 19845, 19845.1, 19845.2, 19846, 19846.1, 19847, 19848, 19849, 19850, 19851, 19851.1, 19852, 19853, 19854, 19854.1, 19855

05/19/14 AMEND: 80035.5

05/05/14 ADOPT: 14037, 14038, 14039, 14040, 14041, 14042

05/05/14 ADOPT: 3051.19, 3051.20, 3051.21, 3051.22, 3051.23, 3051.24 AMEND: 3001, 3023, 3025, 3029, 3030, 3031, 3040, 3043, 3051, 3051.1, 3051.2, 3051.3, 4, 3051.5, 3051.6, 3051.7, 3051.75, 3051.8, 3051.9, 3051.10, 3051.11, 3051.12, 3051.13, 3051.14, 3051.15, 3051.16, 3051.17, 3051.18, 3060, 3061, 3064, 3065, 3068, 3083, 3084, 3088 REPEAL: 3054

04/15/14 AMEND: 70020

04/01/14 AMEND: 80303

04/01/14 ADOPT: 15498, 15498.1, 15498.2, 15498.3

Title 8

07/31/14 AMEND: 4542

07/31/14 ADOPT: 5120

07/10/14 ADOPT: 32036, 32037, 32610, 32611, 32806, 32808, 32810, 95000, 95010, 95020, 95030, 95040, 95045, 95050, 95070, 95080, 95090, 95100, 95150, 95160, 95170, 95180, 95190, 95200, 95300, 95310, 95320, 95330 AMEND: 31001, 32020, 32030, 32040, 32050, 32055, 32060, 32075, 32080, 32085, 32090, 32091, 32100, 32105, 32120, 32122, 32130, 32132, 32135, 32136, 32140, 32142, 32145, 32147, 32149, 32150, 32155, 32162, 32164, 32165, 32166, 32168, 32169, 32170, 32175, 32176, 32178, 32180, 32185, 32190, 32200, 32205, 32206, 32207, 32209, 32210, 32212, 32215, 32220, 32230, 32295, 32300, 32305, 32310, 32315, 32320, 32325, 32350, 32360, 32370, 32375, 32380, 32400, 32410, 32450, 32455, 32460, 32465, 32470, 32500, 32602, 32605, 32612, 32615, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32645, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 32700, 32720, 32721, 32722, 32724, 32726, 32728, 32730, 32732, 32734, 32735, 32736, 32738, 32739, 32740, 32742, 32744, 32746, 32748, 32750, 32752, 32754, 32761, 32762, 32763, 32770, 32772, 32774, 32776, 32980, 32990, 32992, 32993, 32994, 32995, 32996, 32997

06/24/14 AMEND: 5155

06/03/14 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.37, 9789.39

06/02/14 AMEND: 5605

05/30/14 ADOPT: 13660, 13660.1, 13661, 13662, 13663, 13663.5, 13664, 13665, 13665.5, 13666, 13666.1, 13666.2, 13666.5, 13667, 13667.1, 13667.40 REPEAL: 13660, 13661, 13662

05/29/14 AMEND: 1598, 1599

05/14/14 ADOPT: 344.76, 344.77

05/05/14 AMEND: 1529, 1532, 1532.1, 1532.2, 1535, 3204, 5150, 5157, 5161, 5189, 5190, 5191, 5192, 5194, 5197, 5198, 5200, 5201, 5202, 5206, 5207, 5208, 5208.1, 5209, 5210, 5211, 5212, 5213, 5214, 5215, 5217, 5218, 5219, 5220, 8358, 8359

05/05/14 ADOPT: 1929 AMEND: 1504, 1930, 1931, 1932, 1934, 1935, 1936, 5154, 5191, 5194, 5415, 5417, 5449, 5451, 5531, 5532, 5533, 5534, 5535, 5537, 5538, 5541, 5542, 5543, 5545, 5546, 5547, 5549, 5555, 5556, 5558, 5560, 5566, 5568, 5569, 5570, 5573, 5574, 5575, 5576, 5577, 5578, 5579, 5580, 5583, 5585.1, 5589, 5590, 5592, 5593, 5594, 5595, 5596, 5597, 5598, 5599, 5601, 5602, 5606, 5607, 5608, 5616, 5617, 5618, 5619, 5620, 5621, 5622, 5624

04/28/14 AMEND: 2940.2, 2940.7, 8602, 8610, 8611, 8615

04/16/14 AMEND: 10205.14 REPEAL: 9788.01, 9788.1, 9788.11, 9788.2, 9788.3, 9788.31, 9788.32, 9788.4, 9788.45, 9788.5, 9788.6, 9788.7, 9788.8, 9788.9, 9788.91

04/14/14 AMEND: 3650

04/14/14 AMEND: 5001

04/09/14 AMEND: 1619.1(b)

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04/03/14	AMEND: 4355		2963, 3000, 3002, 3004, 3006, 3007,
04/01/14	AMEND: 1520, 3384		3007.2, 3007.6, 3009, 3013, 3100, 3101,
Title 9			3104, 3106, 3107
08/12/14	AMEND: 531, 532, 532.1, 532.2, 532.3,	06/30/14	ADOPT: 6520, 6522, 6524, 6526, 6528,
	532.4, 532.5, 532.6, 533, 534, 535		6530, 6532, 6534, 6536, 6538
07/29/14	AMEND: 1840.205, 1850.325	06/30/14	ADOPT: 6408, 6410, 6450, 6452, 6454,
06/23/14	AMEND: 4500		6470, 6472, 6474, 6476, 6478, 6480,
Title 10			6482, 6484, 6486, 6490, 6492, 6494,
08/18/14	ADOPT: 8000, 8010, 8020, 8030, 8070		6496, 6498, 6500, 6502, 6504, 6506,
	(re-numbered to 8040) REPEAL: 8040,		6508, 6510, 6600, 6602, 6604, 6606,
	8050, 8060		6608, 6610, 6612, 6614, 6616, 6618,
08/14/14	AMEND: 2548.3, 2548.19, 2548.21,	06/26/14	ADOPT: 6700, 6702, 6704, 6706, 6708,
	2548.24, 2548.25		6710, 6712, 6714, 6716, 6718
08/13/14	AMEND: 250.9, 250.10, 250.11, 250.15,	06/26/14	ADOPT: 2696.20, 2696.22, 2696.24,
	250.60, 250.61, 260.100.1, 260.100.3,		2696.26, 2696.28, 2696.30, 2696.32
	260.102.8, 260.102.14, 260.102.16,	06/19/14	AMEND: 2698.200
	260.102.19, 260.103.6, 260.105.33,	06/18/14	AMEND: 2698.602
	260.110, 260.131, 260.140.71.2,	06/16/14	ADOPT: 6458
	260.141.50, 260.146, 260.151, 260.165,	06/16/14	AMEND: 2699.200, 2699.207
	260.241, 260.302, 260.507, 260.608,	06/10/14	AMEND: 2699.100, 2699.200,
	260.608.2, 280.100, 280.150, 280.152,		2699.201, 2699.205, 2699.207,
	280.153, 280.200, 280.250, 280.300,		2699.209, 2699.210, 2699.400
	280.400, 310.002, 310.100.2, 310.101,		REPEAL: 2699.202, 2699.208, 2699.211
	310.106, 310.156.1, 310.156.2,	06/04/14	AMEND: 2698.401
	310.156.3, 310.303, 310.304, 1436,	06/02/14	ADOPT: 6540, 6542, 6544, 6546, 6548,
	1454, 1718, 1723, 1726, 1787.1, 1799,		6550, 6552
	1805.204.1, 1950.122.2, 1950.122.4,	05/21/14	ADOPT: 6460
	1950.204.3, 1950.206, 1950.314.8, 2030	05/12/14	ADOPT: 6650, 6652, 6654, 6656, 6657,
	REPEAL: 2031.1, 2031.2, 2031.3,		6658, 6660, 6662, 6664, 6666, 6668,
	2031.4, 2031.5, 2031.6, 2031.7, 2031.8,		6670
	2031.9, 2031.10	05/07/14	AMEND: 2498.4.9
07/31/14	ADOPT: 6456	04/29/14	AMEND: 2509.1, 2509.3, 2509.4,
07/23/14	ADOPT: 10.190500, 10.190501		2509.5, 2509.6, 2509.7, 2509.8, 2509.9,
07/21/14	ADOPT: 6650, 6652, 6654, 6656, 6657,		2509.10, 2509.11, 2509.12, 2509.13,
	6658, 6660, 6662, 6664, 6666, 6668,		2509.14, 2509.15, 2509.16, 2509.17,
	6670		2509.18, 2509.19, 2509.20
07/17/14	ADOPT: 1600, 1601, 1602, 1603, 1604,	04/28/14	AMEND: 2498.6
	1605, 1606, 1606.1, 1607, 1608, 1609,	04/23/14	AMEND: 3541, 3568
	1610, 1611, 1612, 1613, 1614, 1615,	04/23/14	AMEND: 2498.5
	1616, 1617, 1618 AMEND: 1550	04/21/14	ADOPT: 2907.1, 2907.2, 2907.3, 2907.4
	REPEAL: 1580, 1581, 1582, 1583, 1584,	04/10/14	ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
	1585, 1586, 1587, 1588, 1589, 1590,	04/01/14	ADOPT: 6700, 6702, 6704, 6706, 6708,
	1591, 1592, 1593, 1594, 1595, 1596		6710, 6712, 6714, 6716, 6718
07/01/14	ADOPT: 6800, 6802, 6804, 6806	04/01/14	ADOPT: 6408, 6410, 6450, 6452, 6454,
06/30/14	AMEND: 2705, 2710, 2713, 2718,		6470, 6472, 6474, 6476, 6478, 6480,
	2725.5, 2729, 2729.5, 2731, 2742, 2743,		6482, 6484, 6486, 6490, 6492, 6494,
	2746, 2752, 2758.4, 2758.5, 2761, 2763,		6496, 6498, 6500, 6502, 6504, 6506,
	2790, 2790.8, 2791, 2792.1, 2792.2,		6508, 6510, 6600, 6602, 6604, 6606,
	2792.18, 2792.32, 2793, 2795, 2799.2,		6608, 6610, 6612, 6614, 6616, 6618,
	2801.5, 2806, 2807.4, 2809, 2809.1,		6620
	2809.3, 2810.5, 2831, 2840, 2842, 2845,	04/01/14	ADOPT: 6800, 6802, 6804, 6806
	2846, 2846.7, 2846.8, 2847, 2847.3,	04/01/14	ADOPT: 6520, 6522, 6524, 6526, 6528,
	2848, 2849.01, 2851, 2860, 2910, 2911,		6530, 6532, 6534, 6536, 6538
	2912, 2922, 2930, 2940, 2945.2, 2945.4,		

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03/25/14 ADOPT: 6456

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08/11/14 AMEND: 999.121, 999.129, 999.133, 999.137, 999.141, 999.143, 999.144, 999.145, 999.146, 999.165, 999.166, 999.168, 999.171, 999.172, 999.173, 999.174, 999.176, 999.178, 999.179, 999.190, 999.191, 999.192, 999.193, 999.195, 999.203, 999.204, 999.206, 999.207, 999.209, 999.210, 999.211, 999.217, 999.219, 999.220, 999.221, 999.223

06/11/14 AMEND: 1005, 1007, 1008

06/05/14 AMEND: 1005, 1007, 1008, 1052

05/29/14 AMEND: 48.6

05/20/14 AMEND: 1082

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07/10/14 AMEND: 1962.1, 1962.2

06/26/14 AMEND: 550.10, 551, 551.1, 551.6, 553.40, 583, 598

06/25/14 AMEND: 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 21, 25.22, 28.23

06/19/14 REPEAL: 28.22

06/09/14 AMEND: 1160.1, 1160.2, 1160.4

05/19/14 ADOPT: 227.00, 227.02, 227.04, 227.06, 227.08, 227.10, 227.12, 227.14, 227.16, 227.18, 227.20, 227.22, 227.24, 227.26, 227.28, 227.30, 227.32, 227.34, 227.36, 227.38, 227.42, 227.44, 227.46, 227.48, 227.50, 227.52

05/01/14 AMEND: 125.02

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08/12/14 AMEND: 632

08/11/14 ADOPT: 550, 550.5, 551, 630 AMEND: 552, 703 REPEAL: 550, 551, 553, 630

08/07/14 AMEND: 13055

08/04/14 AMEND: 228

07/31/14 AMEND: 18660.23, 18660.24, 18660.25, 18660.33, 18660.34

07/10/14 AMEND: 791.7

07/08/14 AMEND: 7.50

07/02/14 ADOPT: 5200, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307

06/27/14 ADOPT: 1761, 1780, 1781, 1782, 1783, 1783.1, 1783.2, 1783.3, 1783.4, 1788

06/25/14 AMEND: 28.20

06/23/14 AMEND: 360, 361, 362, 363, 364

06/19/14 AMEND: 916.2, 936.2, 956.2

06/11/14 ADOPT: 923, 923.1, 923.2, 923.3, 923.4, 923.5, 923.6, 923.7, 923.8, 923.9, 923.9.1, 943, 943.1, 943.2, 943.3, 943.4,

943.5, 943.6, 943.7, 943.8, 943.9, 943.9.1, 963, 963.1, 963.2, 963.3, 963.4, 963.5, 963.6, 963.7, 963.8, 963.9, 963.9.1 AMEND: 895.1, 914.7, 914.8, 915.1, 916.3, 916.4, 916.9, 934.7, 934.8, 935.1, 936.3, 936.4, 936.9, 954.7, 954.8, 955.1, 956.3, 956.4, 956.9, 1034, 1051.1, 1090.5, 1090.7, 1092.09, 1093.2, 1104.1 REPEAL: 918.3, 923, 923.1, 923.2, 923.3, 923.4, 923.5, 923.6, 923.7, 923.8, 923.9.1, 938.3, 943, 943.1, 943.2, 943.3, 943.4, 943.5, 943.6, 943.7, 943.8, 943.9, 943.9.1, 958.3, 963, 963.1, 963.2, 963.3, 963.4, 963.5, 963.6, 963.7, 963.8, 963.9

06/11/14 AMEND: 3550.8

05/22/14 AMEND: 165

05/21/14 AMEND: 360

05/19/14 AMEND: 149, 149.1

04/30/14 AMEND: 27.80

04/11/14 AMEND: 3550.15

04/07/14 AMEND: 790, 820.01

04/01/14 AMEND: 27.80

03/26/14 AMEND: 916.9(g)(2)(A), 936.9(g)(2)(A), 956.9(g)(2)(A)

03/25/14 ADOPT: 5200, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307

03/24/14 AMEND: 228(a)

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08/14/14 ADOPT: 1830.1, 1840.1, 1847.1, 1848.5, 1849.1, 1850.1 AMEND: 1800, 1806, 1812, 1814, 1830, 1831, 1840, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857

07/22/14 AMEND: 3044, 3190, 3315

07/17/14 ADOPT: 3620, 3621, 3622, 3623, 3624, 3625, 3626 AMEND: 3000, 3521.1, 3521.2, 3545, 3800.2 REPEAL: 3620, 3625, 3999.14

07/07/14 ADOPT: 1712.2, 1714.2, 1730.2, 1740.2 AMEND: 1700, 1706, 1712, 1712.1, 1714, 1714.1, 1730, 1730.1, 1731, 1747, 1747.1, 1747.5, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792

06/02/14 AMEND: 3000, 3075.1, 3076.4, 3269, 3357

05/14/14 AMEND: 3000, 3040, 3040.1, 3041, 3041.3, 3043, 3043.5, 3043.6, 3044,

	3046, 3074.3, 3075.1, 3077.1, 3078.4, 3170.1, 3190, 3375.2, 3375.4, 3375.5, 3375.6, 3376, 3379, 3383	05/05/14	AMEND: 6050, 6051, 6070
05/12/14	AMEND: 3043	04/16/14	AMEND: 1230, 2641.57
04/21/14	REPEAL: 3999.12	04/16/14	AMEND: 54342
03/28/14	ADOPT: 3999.17	04/10/14	AMEND: 60201, 60203, 60205, 60207, 60210
03/24/14	AMEND: 3044, 3190, 3282, 3335		
Title 16		Title 18	
08/19/14	ADOPT: 2403	07/31/14	AMEND: 1802
08/18/14	AMEND: 1150	06/18/14	AMEND: 4902
08/13/14	AMEND: 1399.621	06/11/14	AMEND: 1655
07/30/14	ADOPT: 4146.5, 4147.5 AMEND: 4101, 4147	06/05/14	REPEAL: 1525.2, 1525.3
08/04/14	ADOPT: 1107	05/15/14	AMEND: 1603
07/30/14	ADOPT: 4146.5, 4147.5 AMEND: 4101, 4147	05/14/14	ADOPT: 17942
07/30/14	AMEND: 1399.15	05/13/14	AMEND: 1699
07/23/14	ADOPT: 1441 AMEND: 1403, 1444.5	04/09/14	REPEAL: 18641, 19513
07/10/14	ADOPT: 2010.2, 2014.1 AMEND: 2002, 2009, 2010, 2010.1, 2014, 2015, 2015.1, 2068.6, 2071 REPEAL: 2062	04/02/14	AMEND: 1705
07/07/14	AMEND: 3363.1, 3363.2, 3363.3, 3363.4	Title 19	
06/23/14	AMEND: 3394.2, 3394.3, 3394.4	06/24/14	AMEND: 208
06/16/14	AMEND: 419, 3061, 3064	Title 20	
06/11/14	AMEND: 1240, 1241, 1242, 1246 REPEAL: 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291	04/22/14	AMEND: 1601, 1602, 1602.1, 1603, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608
05/21/14	AMEND: 3340.29	Title 21	
05/19/14	AMEND: 1023.16, 1023.17	07/08/14	AMEND: 6612(c), 6613.3, 6613.4, 6633(d), 6633.5, 6645.1(b), 6731(c)
05/05/14	AMEND: 120	Title 22	
04/24/14	AMEND: 1495.1, 1495.2	08/18/14	AMEND: 51305
04/23/14	AMEND: 940	08/18/14	AMEND: 51309, 51331
04/22/14	AMEND: 1419(c)	08/05/14	AMEND: 97232
04/21/14	AMEND: 1508.1	08/05/14	AMEND: 97234, 97267
04/14/14	AMEND: 1749	07/21/14	ADOPT: 20100.5
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06/27/14	AMEND: 6540	06/18/14	ADOPT: 60301.050, 60301.080, 60301.180, 60301.190, 60301.370, 60301.390, 60301.450, 60301.455, 60301.575, 60301.625, 60301.670, 60301.680, 60301.685, 60301.690, 60301.705, 60301.770, 60301.780, 60301.810, 60301.840, 60301.850, 60301.855, 60301.860, 60301.870, 60301.910, 60320.100, 60320.102, 60320.104, 60320.106, 60320.108, 60320.110, 60320.112, 60320.114, 60320.116, 60320.118, 60320.120, 60320.122, 60320.124, 60320.126, 60320.128, 60320.130, 60320.200, 60320.201, 60320.202, 60320.204, 60320.206, 60320.208, 60320.210, 60320.212, 60320.214, 60320.216, 60320.218, 60320.220, 60320.222, 60320.224, 60320.226, 60320.228, 60320.230 AMEND: 60323 REPEAL: 60320
06/26/14	ADOPT: 95894, 95895, 95923, 95979.1, AMEND: 65802, 95811, 95812, 95813, 95814, 95830, 95831, 95832, 95833, 95834, 95841.1, 95851, 95852, 95852.1.1, 95852.2, 95853, 95856, 95857, 95870, 95890, 95891, 95892, 95893, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95942, 95970, 95971, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95982, 95983, 95984, 95985, 95986, 95987, 95990, 96022	05/28/14	AMEND: 64213, 64431, 64432, 64447.2, 64463, 64465, 64481, 64530,
05/20/14	ADOPT: 6550, 6551, 6553, 6553.1, 6555, 6557, 6557.1, 6557.2, 6557.3		

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	64534, 64534.2, 64535.8, 64535.4, 64671.80	04/14/14	ADOPT: 1300.67.005
Title 22			
05/22/14	AMEND: 51510, 51510.1, 51510.2, 51510.3, 51511, 51511.5, 51511.6, 51535, 51535.1, 54501	07/08/14	AMEND: 44-352
04/07/14	REPEAL: 75040, 75041, 75042, 75043, 75044	07/07/14	AMEND: 40-181, 40-188, 40-190, 42-101, 42-213, 42-302, 42-712, 44-133, 44-316, 80-301, 82-820, 82-832
04/03/14	AMEND: 97212, 97215, 97225, 97226, 97227, 97228, 97229, 97244, 97248, 97258, 97259, 97260, 97261	06/30/14	ADOPT: 40-039 AMEND: 22-071, 22-072, 22-305, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 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, 44-315, 44-316, 44-318, 44-325, 44-327, 44-340, 44-350, 44-352, 48-001, 80-301, 80-310, 82-612, 82-812, 82-820, 82-824, 82-832, 89-110, 89-201
03/25/14	AMEND: 97225, 97226, 97227		
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07/28/14	ADOPT: 863, 864, 865		
07/16/14	ADOPT: 875, 878.3 AMEND: 878.1, 879		
07/14/14	ADOPT: 3991		
07/11/14	ADOPT: 13.2, 21, 22, 23, 24, 25, 27, 29 AMEND: 13, 13.1, 13.2 (renumbered to 13.3), 20, 21 (renumbered to 26), 26 (renumbered to 28), 28 (renumbered 30) REPEAL: 23, 24, 25, 27		
07/02/14	ADOPT: 3979.7		
06/09/14	AMEND: 3939.7, 3939.11	06/26/14	AMEND: 11-403
06/03/14	ADOPT: 3929.11	06/13/14	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
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05/22/14	ADOPT: 3929.12		
05/19/14	ADOPT: 3949.9		
05/07/14	ADOPT: 3929.10		
Title 25			
04/07/14	AMEND: 4353, 4369		
03/24/14	ADOPT: 6932 REPEAL: 6932		
Title 27			
07/17/14	AMEND: 27001		
05/13/14	AMEND: 27000		
04/30/14	AMEND: 10013, 10014		
04/16/14	AMEND: 25302, 25304		
Title 28			
05/07/14	AMEND: 1300.43.3, 1300.65, 1300.71, 1300.80.10	04/23/14	AMEND: 40-105, 42-422, 82-504
04/28/14	ADOPT: 1300.67.241	04/23/14	AMEND: 40-105, 42-422, 82-504