



California Regulatory Notice Register

REGISTER 2012, NO. 39-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

SEPTEMBER 28, 2012

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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 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture intends to amend Section 3437(b) of the regulations in Title 3 of the California Code of Regulations pertaining to European Grapevine Moth (EGVM) Interior Quarantine.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to sbrown@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on November 12, 2012. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Stephen Brown
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
sbrown@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any inter-

ested person, may adopt the proposal substantially as set forth without further notice.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code (FAC) Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401,403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate the pest (FAC Section 5761).

This proposed action would remove approximately 69 square miles of Solano County from the regulation. Approximately 55 square miles of Solano County would remain under regulation due to finds in Napa County.

The total remaining quarantine area will be approximately 1,234 square miles. The contiguous quarantine area in the counties of Napa (approximately 575 square miles), Sonoma [approximately 228 square miles (It should be noted that due to a previously unaccounted find, approximately three square miles were also added to Sonoma County.)] and Solano (approximately 55 square miles) will be approximately 858 square miles; Santa Clara is still approximately 38 square miles; Santa Cruz is still approximately 34 square miles; and, Nevada County is approximately 74 square miles (Grass Valley area approximately 34 square miles and Nevada City area approximately 40 square miles).

The specific anticipated benefits of the amendment of this regulation are to:

- Enable the Department and affected county agricultural commissioners to save the time and resources which would continue to be used for quarantine enforcement activities in areas where there is no longer a need to do so.
- All eradication activities cease in the deregulated areas and the general public is no longer impacted; applications of organic pesticides, fruit or blossom stripping of grapes and olives will no longer be conducted on homeowners' properties.

- California is faced with constant pressure from other exotic invasive species and has numerous other quarantine projects in place. The proposed reduction of this quarantine area enables the Department's Emergency Quarantine Response Program to focus on these other quarantine projects.
- Previously, the Department estimated that a representative private person or business within the quarantine areas could incur average costs of approximately \$881 annually. There are at least 102 businesses which will no longer be regulated. This results in an annual savings of approximately \$90,000 for these affected businesses.
- A total of 1,222 acres (1,107 acres of grapes, 108 acres of fruit other than grapes and seven acres of nursery stock) will no longer be regulated in Solano County.
- The United States Department of Agriculture (USDA) maintains a parallel federal domestic quarantine regulating the interstate movement of host material which implements the proposed quarantine boundary which was jointly developed. The implementation of this State regulation will remove areas from quarantine; those affected businesses which were previously under quarantine may resume shipping both intrastate and interstate without State or federal restrictions.
- If a business within the previously regulated area had to perform quarantine treatments in order to move host commodities out of the area for either intrastate or interstate movement these treatments would no longer be required. Although there is no known harm caused to the environment by the performance of these treatments, this action eliminates any potential environmental impacts resulting from this activity which is no longer needed.
- There are other businesses located throughout California which do business authorized under the terms of a compliance agreement with businesses located within the area proposed for deregulation. The terms of a compliance agreement are authorized by a State permit and the regulated host commodity requires special handling by the receiver at destination. An example is a business located outside the regulated area which receives bulk grapes for crush from within the regulated area. These shipments of bulk grapes currently require special handling. If the business shipping the bulk grapes becomes deregulated, then these special handling requirements are no longer required by the receiver and the receiver benefits too.
- Canada and Mexico have trade restrictions on host commodities produced or shipped from EGVM regulated areas. The growers and shippers of host commodities located in the deregulated and reduced quarantine areas should benefit by having these trade restrictions lifted. All EGVM quarantine restrictions were lifted from the San Joaquin Valley where most of California's table grapes and stone fruits are exported from. This new area-wide freedom from EGVM instills confidence with our trading partners that we have a successful quarantine program in place.
- The majority of affected growers have been voluntarily performing integrated pest management activities targeting EGVM to reduce its populations which can be a significant cost to the grower. This reduction in the area under quarantine should encourage the remaining affected growers to continue to perform these integrated pest management activities which also benefits the Department's goals of having successful quarantine and eradication programs.
- By the same token, those growers who were removed from the regulated area will no longer be performing integrated pest management activities specifically targeting EGVM and will not incur these added voluntary costs and there will be less pesticide use targeting this exotic pest.
- Nonmonetary benefits include that it demonstrates to those still within the regulated area that the Department is conducting a successful eradication program against the EGVM. This should help encourage those affected businesses and representative private persons who will remain within the quarantine area to continue to comply with the quarantine restrictions.
- The "wine country" is a prominent area for tourism and the uncontrolled spread of an exotic pest such as EGVM may have long-term negative impacts on tourism.
- Existing law, FAC section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce. Existing law, FAC section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in Section 5321. The goal of quarantine regulations is to prevent the artificial spread of

exotic pests by human-assisted movement. The goal of eradication regulations is to eradicate, control or suppress a pest population within a given area. In this case, all of the primary goals of the enabling statutes have been achieved.

- FAC section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” All of the affected counties had agriculturally dependent communities impacted by incipient infestations of EGVM. Conducting successful quarantine and eradication programs enabling four entire counties to be removed from the regulation and reducing the quarantine area in the remaining affected counties is achieving this statutory goal.

The Department has evaluated and determined that the amendment of this regulation is not inconsistent with existing State regulations. There are no other comparable existing State regulations [Gov. Code sec. 11346.5(a)(3)(D)].

There is no existing, comparable federal regulation or statute.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department 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 and no other non-discretionary costs or savings to local agencies or school districts.

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

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

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

Significant effect on housing costs: None.

Small Business Determination: The Department has determined that the proposed regulations may affect small business.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California

The Department is not aware of any specific benefits of the amendment of this regulation to the general health and welfare of California residents or worker safety. The removal and reduction of these quarantine areas benefits the welfare of those California residents which no longer have to comply with unnecessary State restrictions and it promotes the economic well-being of agriculturally dependent rural communities. Quarantine treatment and enforcement activities have ceased in this area and these benefit the environment by eliminating any potential environmental impacts by these activities [Gov. Code sec. 11346.3(b)].

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department adopted Section 3437 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department adopted Section 3437 to implement, interpret and make specific Sections 5301, 5302 and 5322, Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and re-

quest for a public hearing may be directed to: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Lindsay Rains at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 4. CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE

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

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

PUBLIC HEARING

The California Debt Limit Allocation Committee (Committee) has not scheduled a public hearing on this proposed action. However, the Committee will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Committee. Comments may also be submitted by facsimile (FAX) at (915) 653-6827 or by e-mail to cdlac@treasurer.ca.gov. The written comment period closes at 5:00 p.m. on November 12, 2012. The Committee will consider only comments received at the Committee offices by that time. Submit comments to:

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

AUTHORITY AND REFERENCE

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

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In the interests of reducing project costs and simplifying project administration, developers and/or owners may consider financing the new construction and/or rehabilitation of multiple project sites through a single Qualified Residential Rental Program (QRRP) bond issuance. In recent times, affordable housing stakeholders have highlighted to CDLAC staff that as the existing affordable housing inventory throughout the state ages, there is an increasing need for developers and/or own-

ers to rehabilitate their existing housing portfolios in the most cost-efficient manner possible. Additionally, there are increasing opportunities to purchase existing multi-site market-rate housing developments and transform them into affordable housing resources; thereby continuing to increase the availability of affordable units in California's communities.

Historically, the previous and current CDLAC Regulations have permitted this under very limited circumstances. In competitive application periods, these restrictions act to prevent project sites that may not achieve a winning score individually from being able to still receive allocation because of the greater score achieved from the other site(s) (as a blended score). However, particularly in non-competitive application periods, this is not an issue. Moreover, there is a benefit during such periods to facilitating existing housing portfolio transactions and scattered site acquisition/rehabilitation projects within a reasonable distance from each other. Particularly where the CDLAC Application involves fully-leased existing affordable housing with a federal rent subsidy and/or where the project is not proposing a substantial rent increase, it is not necessary to fully justify the rent levels through a new market study. The proposed regulation changes to the CDLAC Regulations will facilitate these types of transactions.

The anticipated cost savings to qualifying projects will not only make them more cost efficient, but may also reduce the amount of public subsidy needed to complete the development project. This in turn may allow those saved public subsidies to be applied to other worthy projects; increasing the production of affordable units in a given community.

Since 2009, CDLAC has maintained a cooperative policy with Housing and Urban Development (HUD) whereby QRRP applications for HUD-assisted projects are permitted to receive a Staff Recommendation Letter (i.e. a 'Forward Commitment') in advance of a final HUD Firm Commitment. Once received from HUD, the application is then added to the list of projects for consideration by the Committee at the next available CDLAC Meeting. The proposed regulation changes will permanently adopt this policy during non-competitive periods.

The proposed regulation changes also include a new question on the QRRP applications regarding redevelopment agencies. With the recent dissolution of all redevelopment agencies in the State of California, many proposed housing developments and rehabilitations have prior committed redevelopment agency funding. The new question on the applications will allow applicants to disclose pertinent information regarding funding at the time of application rather than midway

through CDLAC's review process. The objective is to have any issues vetted early on in the application process so there is adequate time to address any possible delays with awards of allocation.

Due to recent applicant inquiries on the types of evidence for service amenities, clarifying language is being added to address the types of evidence for a project seeking points for proximity to a grocery market or public school. The objective is to ensure projects seeking points are providing the proper paperwork at the time of application.

The overall objective of these Proposed Regulations is to ensure low income housing developments are provided in the State of California. The regulations are being modified to provide clarifying language and to adopt new processes to allow for these developments to occur. (Government Code section 11346.5(a)(3)(C).)

Anticipated Benefits of the Proposed Regulations:

The objective of these Proposed Regulations is to ensure low income housing developments and public benefits are being provided to the residents of these projects. By requiring that proper evidence for grocery markets and schools is provided in the application, CDLAC is ensuring these valuable site amenities will be offered to residents within a close proximity of their home. The new redevelopment questionnaire in the application will ensure there is proper funding for the development, thereby creating more low income housing units for residents of the State. Allowing applicants to pool scattered site projects into one application reduces the cost of preparing multiple applications and streamlines the review process for applications with common financing. Allowing a Forward Commitment option for FHA-financed projects, allows applicants to better coordinate the CDLAC and often lengthy HUD financing approval process, thus ensuring that both sources of financing may be coupled to support the development of affordable housing. (Government Code section 11346.5(a)(3)(C).)

Evaluation of Whether the Proposed Regulations Are Inconsistent or Incompatible: We have conducted a review of any related regulations in this area and have determined that these are the only regulations concerning this subject area. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations. (California Government Code section 11346.5(a)(3)(D).)

List of forms to be incorporated by reference:

- Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) (7-25-12)

- Non-Competitive Application For Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) (7-25-12)
- Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) Universal Application Addendum (7-25-12)
- Non-Competitive Application For An Allocation Of The State Ceiling On Qualified Private Activity Bonds For A Qualified Residential Rental Project (QRRP) Universal Application Addendum (7-25-12)

DISCLOSURES REGARDING THE
PROPOSED ACTION

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

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

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

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

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

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

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

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

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

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

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

The back-up contact person for these inquiries is:

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

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

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

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in

underline and strikeout can be accessed through our website at <http://www.treasurer.ca.gov/cdlac/index.asp>.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

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

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

PUBLIC MEETING: On **November 15, 2012**, at 10:00 a.m. in the Auditorium of the State Resources Building, 1416 9th Street, Sacramento, California.

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

PUBLIC HEARING: On **November 15, 2012**, following the Public Meeting, in the Auditorium of the State Resources Building, 1416 9th Street, Sacramento, California.

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

BUSINESS MEETING: On **November 15, 2012**, following the Public Hearing, in the Auditorium of the State Resources Building, 1416 9th Street, Sacramento, 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 poli-

cies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

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

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

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, Construction Safety Orders; General Industry Safety Orders; and Ship Building, Ship Repairing and Ship Breaking Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **November 15, 2012**.

1. **TITLE 8: CONSTRUCTION SAFETY ORDERS**
 Division 1, Subchapter 4, Article 4
 Sections 1529, 1532, and 1532.1
 Appendix B to Sections 1532.1, 1532.2 and 1535
GENERAL INDUSTRY SAFETY ORDERS
 Division 1, Subchapter 7, Article 107,
 Section 5150
 Article 109, Sections 5189, 5190,
 5191, 5192, and 5194
 Appendices A through G of Sections
 5194 and 5198, and
 Appendix B to Section 5198
 Article 110, Sections 5200, 5201, and
 5202

Appendix A to Sections 5202, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, 5217, 5218 and 5220

SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING SAFETY ORDERS

Division 1, Subchapter 18, Article 4,
 Sections 8358 and 8359

Globally Harmonized System Update to Hazard Communication (Horcher)

Descriptions of the proposed changes are as follows:

1. **TITLE 8: CONSTRUCTION SAFETY ORDERS**
 Division 1, Subchapter 4, Article 4
 Sections 1529, 1532, and 1532.1
 Appendix B to Sections 1532.1, 1532.2 and 1535
GENERAL INDUSTRY SAFETY ORDERS
 Division 1, Subchapter 7, Article 107,
 Section 5150
 Article 109, Sections 5189, 5190,
 5191, 5192, and 5194
 Appendices A through G of Sections
 5194 and 5198, and Appendix B to
 5198
 Article 110, Sections 5200, 5201, and
 5202
 Appendix A to Sections 5202, 5206,
 5207, 5208, 5209, 5210, 5211, 5212,
 5213, 5214, 5217, 5218 and 5220
SHIP BUILDING, SHIP REPAIRING AND SHIP BREAKING SAFETY ORDERS
 Division 1, Subchapter 18, Article 4,
 Sections 8358 and 8359
Globally Harmonized System Update to Hazard Communication — Health (Horcher)

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) intends to adopt the proposed rulemaking action pursuant to Labor Code Section 142.3, which mandates the Board to adopt regulations at least as effective as federal regulations addressing occupational safety and health issues.

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) promulgated regulations on March 26, 2012, addressing Globally Harmo-

nized System (GHS) updates of the Hazard Communication Standard (HCS) and related sections. The changes impact 29 CFR, Parts 1910 (general industry), 1915 (shipyards), and 1926 (construction). The Board is relying on the explanation of the provisions of the federal regulations in Federal Register, Volume 77, No. 58, pages 17574–17896, March 26, 2012, as the justification for the Board’s proposed rulemaking action. The Board proposes to adopt regulations which are the same as the federal regulations except for editorial and format differences.

The proposed regulations address updated requirements for hazard communication as it pertains to updating HCS warning labels, signs and safety data sheets, which are to be consistent with the United Nations GHS classification, and labeling of chemicals to inform workers and other downstream users of manufactured and imported chemical products. The proposed standards also update hazard communication standards for welding, brazing and cutting.

The proposed regulations are substantially the same as the federal standards; therefore, Labor Code Section 142.3(a)(3) exempts the Board from the provisions of Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5, Part 1, Division 3 of Title 2 of the Government Code. However, the Board is still providing a comment period and will convene a public hearing. The primary purpose of the written comments and oral comments at the public hearing is to (1) identify any issues unique to California related to this proposal which should be addressed in a subsequent rulemaking and (2) solicit comments on the proposed effective date. The responses to comments will be available in the rulemaking file on this matter and will be limited to the above areas.

The federal final rule includes changes to the following sections which, due to significant differences with state standards (i.e., state standards may be more protective), cannot be adopted as part of the state’s expedited rulemaking process under Labor Code section 142.3(a)(3). Federal changes to the following sections are proposed to be considered and potentially adopted in whole, or in part, separately using the state’s normal public notice and comment period procedures in order to assure that more protective state standards are preserved and to afford stakeholders with an opportunity to evaluate and comment on the proposed changes.

- 1910.106 Flammable and combustible liquids,
- 1910.107 Spray finishing using flammable and combustible materials,
- 1910.119 Process safety management of highly hazardous chemicals,
- 1910.123 Dipping and coating operations: Coverage and definitions,

- 1910.124 General requirements for dipping and coating operations,
- 1910.125 Additional requirements for dipping and coating operations that use flammable liquids or liquids with flashpoints greater than 199.4 \geq F (93 \geq C),
- 1926.152 Flammable liquids,
- 1926.155 Definitions applicable to Part 1926, Subpart F, Fire Protection and Prevention.

The effective date is proposed to be upon filing with the Secretary of State. The regulations may be adopted without further notice even though modifications may be made to the original proposal in response to public comments or at the Board’s discretion. This regulatory proposal is intended to provide worker safety at places of employment in California.

COST ESTIMATES OF PROPOSED ACTION

According to Section H of the Final Economic Analysis and Voluntary Regulatory Flexibility Analysis of the Final Rule (page 17653), Federal OSHA has determined that the economic impact of the final rule is most likely to consist of a very small increase in prices for affected hazardous chemicals, of about 0.001 percent on average. Chemical manufacturing companies, all of whom must incur the costs of compliance unless they are already doing so, should be able to pass through costs to customers. The additional costs of a one-time revision to safety data sheets and labeling criteria and one-time investments in printing technology are extremely small in relation to the value of the corresponding products, and there are generally no economic substitutes, or alternatives, that would not be subject to the same requirements. It is unlikely that a price increase of this magnitude would significantly alter the types or amounts of goods and services demanded by the public or any other affected customers or intermediaries. If the compliance costs of the final rule can be substantially recouped with a minimal increase in prices, there would be little or no effect on profits. California will be commensurate with federal OSHA regarding these costs.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulations do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these regulations do not constitute a “new pro-

gram or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

These proposed regulations do not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulations require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulations do not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

These proposed regulations do not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES AND RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Board has determined that the proposed amendments may affect small businesses. However, no significant economic impact is anticipated because it is unlikely that a price increase of this magnitude would significantly alter the types or amounts of goods and services demanded by the public or any other affected customers or intermediaries.

Therefore, the proposed regulations will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

ALTERNATIVES STATEMENT

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

or other provision of law than the proposal described in this Notice.

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

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

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than **November 9, 2012**. The official record of the rule-making proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on **November 15, 2012**, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274–5743 or e-mailed at oshsb@dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposals substantially as set forth without further notice.

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

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

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Executive Officer, or Mike Manieri, Principal Safety Engineer, at (916) 274–5721.

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

**TITLE 10. DEPARTMENT OF
INSURANCE**

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
COMMERCIAL AUTOMOBILE INSURANCE
PROCEDURE RATES FOR THE CALIFORNIA
AUTOMOBILE ASSIGNED RISK PLAN**

REG-2012-00021

SUBJECT OF HEARING

California's Insurance Commissioner will hold a public hearing to consider the application of the California Automobile Assigned Risk Plan ("CAARP" or "Plan") for approval of increased rates for the five commercial sub-lines for the Commercial Automobile Insurance Procedure ("CAIP").

**AUTHORITY AND REFERENCE TO
ADOPT RATES**

The Commissioner will consider the application pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the application will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code §11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the application at the following date, time, and place:

Date: November 15, 2012
Time: 11:00 a.m.
**Place: Department of Insurance
45 Fremont Street 22nd Floor Hearing
Room
San Francisco, CA 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to

notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Mike Riordan, Staff Counsel
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Summer Volkmer, Staff Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street 21st Floor
San Francisco, CA 94105
volkmers@insurance.ca.gov
Telephone: (415) 538-4169

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be received by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on November 15, 2012**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346-6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to California Insurance Code Section 11624, the Commissioner establishes rates to be charged to those obtaining commercial automobile coverage through CAIP. Section 11624 provides: "Premium charges for the plan shall not be excessive, inadequate, nor unfairly discriminatory, and shall be actuarially sound so as to result in no subsidy of the plan." Title 10, California Code of Regulations, § 2498.4.9 references the commercial automobile rate manual, which is approved by the Commissioner but not printed in full in the California Code of Regulations.

The Commissioner is holding the hearing referenced above to accept comments on CAARP's recent rate application. CAARP has proposed rate changes for five CAIP sub-lines, amounting to an overall average **9.7 percent rate increase**. The five sub-lines are

- Trucks, Tractor and Trailers;
- Taxis, Limousines and Van Pools;
- All Buses Combined;
- Zone Rated Risks and
- Employers Non-Ownership Liability.

The proposed changes are shown on the attached Explanatory Memorandum. Further details appear in the rate application on file with the Commissioner and available for review as set forth below.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

CAARP is proposing overall rate increases for Trucks, Tractor and Trailers; Taxis, Limousines and Van Pools; All Buses Combined; Zone Rated Risks and Employers Non-Ownership Liability. Although the number of commercial auto applications placed by CAARP is small the proposed rate changes could have a statewide economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed rate changes could also impact competition or competitiveness. The proposal could also affect the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California. However, California Insurance Code section 11624(e) requires that premium charges for the plan shall be actuarially sound so as to result in no subsidy of the plan by the voluntary market. Therefore, if and to the extent that CAARP is able to demonstrate that certain existing rates are no longer actuarially sound and that rate increases are warranted, the Commissioner is required to approve increased rates. Of course, the Commissioner also recognizes that section 11624(e) requires that rates not be excessive, and the Commissioner will not approve an increase that results in excessive rates.

COST IMPACTS ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has determined that there could be potential cost impacts on businesses di-

rectly affected by the proposed rate increases. Although the rate application involves commercial automobile insurance rates, to the extent a rate increase impacts business, it could also impact private persons employed by those businesses. The rate increase could also impact private persons wishing to purchase goods or services from businesses if the price of goods or services is increased to cover the increased cost of insurance coverage.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small businesses.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner 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 or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Documents concerning this proceeding are available on the Department's website. To access them, go to <http://www.insurance.ca.gov>. On the right-hand column of the page, click the drop-down menu under the heading 'For Insurers.' In this section, scroll down until you see the subheading 'Regulations.' Below this subheading, click on the 'Proposed Regulations' link and then click on the 'Search for Proposed Regulations' link. When the 'Search or Browse for Documents for Proposed Regulations' screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

To search, enter "REG-2012-00021" (the Department's regulation file number for these regulations) in the 'Search for' field. Alternatively, search using as your search term the California Insurance Code number of a code section that the regulations implement (for instance, "11624"), or search by keyword ("low cost," for example). Then, click on the 'Submit' button to display links to the various filing documents.

To browse, click on the 'Browse All Regulations' button near the bottom of the screen. A list of the names of regulations for which documents are posted will appear. Find in the list the 'Statistical Plan Enforcement

Remedies' link, and click it. Links to the documents associated with these regulations will then be displayed.

Location: 45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105

**AVAILABILITY OF MODIFIED TEXT
OF REGULATIONS**

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 10. DEPARTMENT OF
INSURANCE**

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
PRIVATE PASSENGER AUTOMOBILE RATES
FOR THE CALIFORNIA AUTOMOBILE
ASSIGNED RISK PLAN**

REG-2012-00022

SUBJECT OF HEARING

The California Insurance Commissioner will hold a public hearing to consider the application of the California Automobile Assigned Risk Plan ("CAARP") to increase private passenger automobile rates referenced in California Code of Regulations, Title 10, Section 2498.5.

AUTHORITY TO ADOPT RATES

The Commissioner will consider the proposed rates pursuant to the authority vested in him by California Insurance Code Sections 11620 and 11624. Government Code Section 11343(a) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed rates at the following date, time, and place:

Date and Time: November 15, 2012
11:00 a.m.

INFORMATIVE DIGEST

Pursuant to California Insurance Code Sections 11620 and 11624, the Commissioner sets rates to be charged to those obtaining coverage through the California Automobile Assigned Risk Plan (CAARP). California Code of Regulations, Title 10, Section 2498.5 references the simplified manual of rules and rates, which is approved by the Commissioner but not printed in full in the California Code of Regulations. CAARP has proposed an overall average **18.6 percent rate increase** for private passenger automobile insurance coverages. The proposed changes are shown on the attached page entitled "Summary of Rate Level Indications". Further details appear in the application on file with the Commissioner, which is available for review, as set forth below.

**TEXT OF RATE APPLICATION AND INITIAL
STATEMENT OF REASONS**

The Insurance Commissioner has prepared an initial statement of reasons for the proposed rate change, in addition to the informative digest included in this notice. Upon written request, the initial statement of reasons will be made available for inspection or copying. Written requests for the statement of reasons, or specific questions regarding this proceeding, should be directed to the contact person for these hearings (listed below).

The file for this proceeding is available for inspection **by prior appointment** at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

ACCESS TO HEARING ROOMS

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person for these hearings (listed below) in order to make special arrangements, if necessary.

**PRESENTATION OF ORAL AND/OR WRITTEN
COMMENTS: CONTACT PERSON**

All persons are invited to submit written comments to the Commissioner prior to the public comment deadline. Comments should be addressed to the following contact person:

California Department of Insurance
Michael Riordan
Staff Attorney
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Phone (415) 538-4226
Fax (415) 904-5490
riordanm@insurance.ca.gov

or

California Department of Insurance
Summer Volkmer
Staff Attorney
45 Fremont Street, 21st Floor
San Francisco, CA 94105
(415) 538-4169
volkmers@insurance.ca.gov

Any interested person may present oral and/or written testimony at the public hearing. Written comments transmitted via facsimile machine will be accepted and considered. The facsimile number is (415) 904-5490. Written comments may also be submitted by e-mail to riordanm@insurance.ca.gov. If submitting written comments please limit them to one of the above-mentioned options.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street, 12th Floor
Los Angeles CA 90013
(213) 346-6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information please contact the Office of the Public Advisor.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on November 15, 2012**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

Because the proposal involves a rate change for private passenger automobile rates, the proposal will not have a significant adverse impact on business, or on small business, including the ability of California businesses to compete with businesses in other states. The proposal will not have an adverse impact on competi-

tion or competitiveness. The proposal will not negatively affect the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

COST IMPACTS ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has determined that the proposal will not impact businesses but will impact private persons who are placed for coverage by CAARP.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small businesses.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner 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 or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on

CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Documents concerning this proceeding are available on the Department's website. To access them, go to <http://www.insurance.ca.gov>. On the right-hand column of the page, click the drop-down menu under the heading 'For Insurers.' In this section, scroll down until you see the subheading 'Regulations.' Below this subheading, click on the 'Proposed Regulations' link and then click on the 'Search for Proposed Regulations' link. When the 'Search or Browse for Documents for Proposed Regulations' screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

To search, enter "REG-2012-00022" (the Department's regulation file number for these regulations) in the 'Search for' field. Alternatively, search using as your search term the California Insurance Code number of a code section that the regulations implement (for instance, "11624"), or search by keyword ("low cost," for example). Then, click on the 'Submit' button to display links to the various filing documents.

To browse, click on the ‘Browse All Regulations’ button near the bottom of the screen. A list of the names of regulations for which documents are posted will appear. Find in the list the ‘Statistical Plan Enforcement Remedies’ link, and click it. Links to the documents associated with these regulations will then be displayed.

**AVAILABILITY OF MODIFIED TEXT
OF REGULATIONS**

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 10. DEPARTMENT OF
INSURANCE**

**REG-2012-0023
NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
LOW COST AUTOMOBILE
INSURANCE RATES**

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to consider an adjustment to rates for the California Low Cost Automobile Insurance program.

Insurance Code Section 11629.72(c) provides that, annually, the California Automobile Assigned Risk Plan (“CAARP”) shall submit to the Commissioner a proposed Low Cost Automobile rate and surcharge schedule for approval. Accordingly, CAARP submitted its 2013 rate recommendation, proposing an overall average rate increase of 6.7%. The Commissioner will consider the current rates and CAARP’s rate proposal and hereby invites public input regarding CAARP’s proposal. Premium rates are specified in the program’s Plan of Operations, approved by the Commissioner. California Code of Regulations, Title 10, Chapter 5, Section 2498.6 references this plan.

**AUTHORITY TO ADOPT RATES
AND REFERENCE**

Authority for the promulgation of rates is vested in the Insurance Commissioner pursuant to California Insurance Code Sections 11620, 11624, 11629.7, 11629.72, and 11629.79. Premium rates are referenced

in Section 27 and Exhibit E of the Program’s Plan of Operations. The proposed regulation implements, interprets, and makes specific Insurance Code sections 11629.72 and 11629.79. Government Code Section 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed rates at the following date, time, and place:

**Date and Time: November 15, 2012
11:00 a.m.**

**Location: 45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the proposed rates prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Michael Riordan, Staff Attorney
California Department of Insurance
Legal Division
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Summer Volkmer, Staff Attorney
California Department of Insurance
Legal Division
45 Fremont Street, 21st Floor
San Francisco, CA 94105
volkmers@insurance.ca.gov
Telephone: (415) 538-4169

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on November 15, 2012**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail and facsimile transmission. Written comments shall be submitted by one method only.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346–6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California Insurance Code Sections 11629.7 through 11629.85 establish, within the California Automobile Assigned Risk Plan, established under Section 11620 of the Insurance Code, a statewide Low Cost Automobile Insurance Program.

Because the program is established and administered through the California Automobile Assigned Risk Plan (“CAARP”), CAARP procedures are applied where appropriate and consistent with the low cost automobile insurance statutes. Insurance Code Sections 11620 and 11624 require the Commissioner to hold a public hearing before amending assigned risk plan rates.

Section 11629.7 of the Insurance Code requires that, after a public hearing, the Commissioner shall approve or issue a reasonable plan for the equitable apportionment, among insurers, of eligible consumers. The plan

also contains rules and rates. This plan, approved by the Commissioner, is referenced in Title 10, Section 2498.6 of the California Code of Regulations.

Under the program, the low-cost auto policy satisfies financial responsibility laws and provides coverage of \$10,000 for liability for bodily injury or death to one person, subject to a cumulative limit of \$20,000 for all persons in one accident, and \$3,000 for liability for damage to property. In addition to eligibility and other requirements, the statute sets forth the annual premium rates. In certain cases, surcharges are added to the base rate. The statute also provides procedures for adjusting the rates. Insurance Code Section 11629.72(c) provides that, annually, CAARP shall submit to the Commissioner a proposed rate and surcharge for approval. Accordingly, CAARP has submitted a proposal to maintain current rates for the liability policy and optional coverages and further proposes to maintain the 25 percent surcharge rate. Further details appear in the application on file with the Commissioner, which is available for review as set forth below.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

COST OR SAVINGS TO STATE OR LOCAL AGENCIES/SCHOOL DISTRICTS /FEDERAL FUNDING

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any state agency or to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other non-discretionary costs or savings to local agencies. Nor will the proposal affect federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

Because the proposal involves rates for private passenger automobiles, the Insurance Commissioner has initially determined that the proposal will not have a

significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has initially determined that the proposal will not impact businesses, but will have a potential cost impact on private persons directly affected.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

EFFECT ON SMALL BUSINESSES

The Insurance Commissioner has initially determined that the proposal will have minimal, if any, effect on small businesses and invites comments.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposal would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner 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 or would be as effective as and less burdensome to affected private persons than the proposed action.

The agency invites interested persons to present statements or arguments with respect to the proposed rate, or other alternatives, at the scheduled hearing or during the written comment period.

PLAIN ENGLISH

The rate application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the rate proposal, in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, the text of regulations, and all the information upon which this proposal is based are available for inspection or copying, and will be provided at no charge upon request to a contact person listed above. Further details of CAARP's rate application are on file with the Commissioner and available for review as set forth below.

QUESTIONS REGARDING REGULATIONS/ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of the proposed rate application. **By prior appointment**, CAARP's Low Cost Automobile rate application is available for inspection at the public viewing rooms at 45 Fremont Street, 22nd Floor, San Francisco, California 94105 by calling (415) 538-4300, and at the Ronald Reagan State Building, 300 South Spring Street, Los Angeles, CA 90013 by calling (213) 346-6707 between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday. Interested persons may direct questions about the proposed rate application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont, 21st Floor, San Francisco, California 94105 between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AVAILABILITY OF MODIFIED TEXT OF REGULATION

In response to public comment, the Commissioner may determine that changes to the proposal are appropriate. If those changes are sufficiently related to the original text that the public had adequate notice of the proposal, as amended, copies of the amended text will be sent to all persons who testified or presented comments at the public hearing or submitted written comments during the comment period, and to anyone who requested information regarding the proposal. Thereafter, the Commissioner will accept written comments, arguments, evidence and testimony, concerning the changes only, for a period of at least 15 days prior to adoption.

FINAL STATEMENT OF REASONS

Once prepared, the Final Statement of Reasons will be made available through the contact persons listed above.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest, is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Documents concerning this proceeding are available on the Department's website. To access them, go to <http://www.insurance.ca.gov>. On the right-hand column of the page, click the drop-down menu under the heading 'For Insurers.' In this section, scroll down until you see the subheading 'Regulations.' Below this subheading, click on the 'Proposed Regulations' link and then click on the 'Search for Proposed Regulations' link. When the 'Search or Browse for Documents for Proposed Regulations' screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

To search, enter "REG-2012-00022" (the Department's regulation file number for these regulations) in the 'Search for' field. Alternatively, search using as your search term the California Insurance Code number of a code section that the regulations implement (for instance, "11624"), or search by keyword ("low cost," for example). Then, click on the 'Submit' button to display links to the various filing documents. To browse, click on the 'Browse All Regulations' button near the bottom of the screen. A list of the names of regulations for which documents are posted will appear. Find in the list the 'Statistical Plan Enforcement Remedies' link, and click it. Links to the documents associated with these regulations will then be displayed.

TITLE 18. BOARD OF EQUALIZATION

The State Board of Equalization Proposes to Adopt Amendments to California Code of Regulations, Title 18, Sections 101, Board-Prescribed Exemption Forms, 171, Board-Prescribed Forms for Property Statements, 252, Content of Assessment Roll, and 1045, Administration of the Annual Racehorse Tax

NOTICE IS HEREBY GIVEN

The State Board of Equalization (Board), pursuant to the authority vested in it by Government Code section 15606 and Revenue and Taxation Code (RTC) section 5781, proposes to adopt amendments to California

Code of Regulations, title 18, sections (Rules) 101, *Board-Prescribed Exemption Forms*, 171, *Board-Prescribed Forms for Property Statements*, 252, *Content of Assessment Roll*, and 1045, *Administration of the Annual Racehorse Tax*. Rules 101, 171, 252, and 1045 implement the provisions of Government Code section 15606 and RTC section 5781 by requiring county assessors to use Board-prescribed forms in the assessment of property for taxation, including the implementation of the annual racehorse tax imposed under part 12 (commencing with section 5701) of division 1, *Property Taxation*, of the RTC.

The proposed amendments revise the title of Rule 171 to better reflect its content, and revise the text of Rule 171 to reflect amendments made to RTC section 441.5, which permit county assessors to accept property statement information provided by alternative means. The proposed amendments to Rule 252 reflect the repeal of RTC section 75.30, which required county assessors to place a "notice of a pending supplemental billing" on the assessment roll. The proposed amendments to Rule 252 clarify the notation used to denote escape assessments on the assessment roll, clarify Rule 252's cross reference to Rule 261, and clarify Rule 252's provisions regarding the entry of the assessed value of exempt property on the assessment roll. The proposed amendments to Rule 252 also provide county assessors with notice of Government Code section 6254.21's prohibitions against posting the home addresses and telephone numbers of appointed or elected officials and their residing spouses and children on the Internet.

In addition, the proposed amendments clarify the existing provisions in Rules 101, 171, and 1045 that require county assessors to use Board-prescribed property tax forms and prescribe the procedures county assessors are required to follow to ensure that their forms meet the applicable rule's requirements. The proposed amendments change the due dates for form checklists specified in Rules 101, 171, and 1045. The proposed amendments add provisions to Rules 101, 171, and 1045 that explain when current law permits county assessors to develop and use their own forms to request relevant information that is not requested in Board-prescribed forms, and encourage county assessors to develop uniform forms for use throughout the state, request that the Board revise its forms or create new forms when needed, and make their current property tax forms available on their websites. The proposed amendments also update the reference note to Rule 101 so that it refers to additional RTC sections that are implemented by Board-prescribed exemption forms, update the reference note to Rule 171 so that it refers to additional RTC sections that are implemented by Board-prescribed property tax forms, and update the reference note to

Rule 252 so that it refers to Government Code section 6254.21 and reflects the repeal of RTC section 75.30.

PUBLIC HEARING

The Board will conduct a meeting in Room 121, at 450 N Street, Sacramento, California, on November 13–15, 2012. The Board will provide notice of the meeting to any person who requests that notice in writing and make the notice, including the specific agenda for the meeting, available on the Board’s Website at www.boe.ca.gov at least 10 days in advance of the meeting.

A public hearing regarding the proposed regulatory action will be held at 9:30 a.m. or as soon thereafter as the matter may be heard on November 13, 14, or 15, 2012. At the hearing, any interested person may present or submit oral or written statements, arguments, or contentions regarding the adoption of the proposed amendments to Rules 101, 171, 252, and 1045.

AUTHORITY

The amendments to Rules 101, 171, 252, and 1045 are proposed under the authority provided by Government Code section 15606. The amendments to Rule 1045 are also proposed under the authority provided by RTC section 5781.

REFERENCE

Rule 101, as proposed to be amended, implements, interprets, and makes specific the provisions of RTC sections 251, 253.5 and 254. Rule 171, as proposed to be amended, implements, interprets, and makes specific the provisions of RTC sections 63.1, 69.3, 69.4, 69.5, 73, 74.3, 74.5, 74.6, 441, 441.5, 452, 480, 480.1, 480.4, and 1063. Rule 252, as proposed to be amended, implements, interprets, and makes specific, the provisions of Government Code section 6254.21 and RTC sections 75.31, 109, 109.5, 109.6, 601, 602, 618, 619, 1612, 1614, 1646, 2152, 2188.2, 2190, 2190.2, and 2601. Rule 1045, as proposed to be amended, implements, interprets, and makes specific, the provisions of Government Code section 15606 and RTC sections 469, 5701, 5721, 5765, 5768, 5781, and 5790.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Laws and Regulations

Government Code section 15606, subdivision (c), authorizes the Board to prescribe rules and regulations

to govern local boards of equalization and assessment appeals boards when equalizing, and county assessors when assessing. Government Code section 15606, subdivision (d), generally authorizes the Board to prescribe and enforce the use of forms for the assessment of property for taxation. In addition, RTC section 5781 authorizes the Board to adopt rules and regulations and prescribe forms to implement part 12 (commencing with § 5701) of division 1 of the RTC, which imposes an annual tax on the owners of racehorses for the privilege of breeding, training, caring for, or racing their racehorses in this state, in lieu of any other property tax that would otherwise be imposed on racehorses under division 1 (hereafter “annual racehorse tax”).

Rule 101 currently requires the use of Board–prescribed forms for claiming property tax exemptions. Rule 171 currently requires the use of Board–prescribed property statement and report forms for reporting interests in personal and real property for assessment purposes. Rule 252 currently prescribes the general content of local assessment rolls county assessors prepare to assess property taxes. Rule 1045 currently requires the use of Board–prescribed Annual Racehorse Tax Returns and Annual Report of Boarded Racehorses forms for reporting the annual racehorse tax. In addition, Rules 101, 171, and 1045 currently grant county assessors the discretion to reproduce Board–prescribed prototype forms or to produce their own forms from the Board–prescribed prototype forms after rearranging the content and altering the size and design of the prototype forms to meet the county assessors’ needs. However, if a county assessor chooses to rearrange the content or alter the size and design of a Board–prescribed prototype form, then Rules 101, 171, and 1045 currently require the county assessor to submit the revised form to the Board for approval that it conforms to the applicable rule’s requirements, along with a form checklist. The Board adopted Rules 101, 171, 252, and 1045, pursuant to Government Code section 15606. The Board also adopted Rule 1045 pursuant to Revenue and Taxation Code section 5781.

The date that property taxes for any fiscal year become a lien on property is referred to as the “lien date.” (RTC § 117.) The lien date was moved from March 1 to January 1 due to amendments made to RTC section 2192 by Statutes 1995, chapter 499. RTC section 5761 provides that the annual racehorse tax shall be determined as of “January 1 of the calendar year for which it is imposed and shall be immediately due and payable to the tax collector of the county in which the racehorse is domiciled.” RTC section 5761 has not been amended since 1972.

Government Code section 6254.21, subdivision (a), was enacted in 1998 (Stats. 1998, ch. 429) to prohibit state and local agencies from posting the home address-

es and telephone numbers of appointed or elected officials on the Internet without obtaining the officials' written permission. In addition, the legislature amended Government Code section 6254.21, subdivision (b), in 2002 (Stats. 2002, ch. 621) to also prohibit any person from knowingly posting the home addresses and telephone numbers of appointed or elected officials' residing spouses and children on the Internet under specified circumstances.

In 2003, RTC section 75.30 was repealed by the enactment of Senate Bill No. (SB) 1062 (Stats. 2003, ch. 471). Section 75.30 previously required county assessors to place a "notice of a pending supplemental billing" on the assessment roll, and Rule 252, subdivision (a)(16), currently contains provisions implementing that requirement.

In 2009, the enactment of SB 822 (Stats. 2009, ch. 204) amended RTC section 441.5 in order to permit county assessors to accept property statement information provided by alternative means, including electronic filing. However, Rule 171 does not currently reflect the 2009 amendments to RTC section 441.5.

In addition, current law authorizes county assessors to request relevant tax information that is not required to be provided in Board-prescribed forms (see, e.g., RTC §§ 217, subd. (g), 441, subd. (d), and 5768) and, in some cases, expressly permits county assessors to develop and use their own forms with the Board's approval. (See, e.g., RTC §§ 75.31, subd. (g), and 534, subd. (d).)

Effect, Objectives, and Benefits of the Proposed Amendments

Board staff initiated a project to update Rules 101, 171, 252, and 1045. The objectives of the project were to:

- Revise the title of Rule 171 to reflect that Rule 171 applies to report forms, in addition to property statements forms, which are already referred to in the rule's title;
- Add provisions to Rule 171 to reflect the amendments made to RTC section 441.5 by SB 822, which permit county assessors to accept property statement information provided by alternative means, including electronic filing;
- Revise Rules 101, 171, and 1045 to further clarify the rules' provisions requiring the use of Board-prescribed property tax forms and prescribing the procedures county assessors are required to follow to ensure that their forms meet the applicable rule's requirements;

- Update the due dates for form checklists specified in Rules 101, 171, and 1045 to reflect the amendments made to RTC section 2192 by Statutes 1995, chapter 499, which moved the lien date from March 1 to January 1, and generally ensure that assessors provide their form checklists to the Board earlier in the year;
- Add provisions to Rules 101, 171, and 1045 that explain when current law permits county assessors to develop and use their own forms to request relevant information that is not requested in Board-prescribed forms, and encourage county assessors to develop uniform forms for use throughout the state, request that the Board revise its forms or create new forms when needed, and make their current property tax forms available on their websites;
- Revise Rule 252 to reflect the repeal of RTC section 75.30 by SB 1062, clarify the notation used to denote escape assessments on the assessment roll, clarify the rule's cross reference to Rule 261, and clarify the provisions regarding the entry of the assessed value of exempt property on the assessment roll;
- Add provisions to Rule 252 to ensure that county assessors who post their local assessment rolls on the Internet are aware of Government Code section 6254.21's prohibitions against posting the home addresses and telephone numbers of appointed or elected officials and their residing spouses and children on the Internet; and
- Update the reference note to Rule 101 to refer to additional RTC sections that are implemented by Board-prescribed exemption forms, update the reference note to Rule 171 to refer to additional RTC sections that are implemented by Board-prescribed report forms or property statements, and update the reference note to Rule 252 to refer to Government Code section 6254.21 and reflect the repeal of RTC section 75.30.

As a result, Board staff issued Letter to Assessors No. (LTA) 2012/015 on April 9, 2012, which informed county assessors and interested parties about the project to amend Rules 101, 171, 252, and 1045. The LTA also included drafts of staff's proposed revisions to the rules and encouraged the county assessors and interested parties to review and comment on the drafts.

The counties generally approved of the draft language. However, a few counties noted that the word "furnished" was inadvertently replaced with the word "furnish" in the original text of Rule 171, subdivision

(f), and that the draft language did not fully illustrate the renumbering of Rule 1045, subdivision (e), as subdivision (h). Also, one county suggested changing the word “question” to the word “questions” in subdivision (a) of Rules 101, 171, and 1045, changing the word “carriers” to the word “carries” in Rule 171, subdivision (d)(1), and reformatting Rules 101, subdivision (d)(2), 171, subdivision (g)(2), and 1045, subdivision (d)(2). As a result, staff made a few grammatical and formatting changes to each subdivision.

Subsequently, Board staff prepared Formal Issue Paper 12–008 and submitted it to the Board for consideration at its August 21, 2012, Property Tax Committee meeting. The issue paper recommended that the Board propose the adoption of staff’s draft revisions to Rules 101, 171, 252, and 1045, with the grammatical and formatting changes noted above.

During its August 21, 2012, Property Tax Committee meeting, the Board determined that staff’s recommended amendments to Rules 101, 171, 252, and 1045 are reasonably necessary to: (1) ensure that the title of Rule 171 reflects the rule’s content and that the text of Rule 171 reflects the amendments made to RTC section 441.5 by SB 822, which permit county assessors to accept property statement information provided by alternative means, including electronic filing; (2) ensure that Rule 252 reflects the repeal of RTC section 75.30, which required county assessors to place a “notice of a pending supplemental billing” on the assessment roll, clarify the notation required by Rule 252 to denote escape assessments on the assessment roll, clarify Rule 252’s cross reference to Rule 261, clarify Rule 252’s provisions regarding the entry of the assessed value of exempt property on the assessment roll, and ensure that county assessors who post their local assessment rolls on the Internet do not violate the prohibitions set forth in Government Code section 6254.21; (3) clarify the provisions in Rules 101, 171, and 1045 requiring the use of Board–prescribed property tax forms; (4) clarify the procedures in Rules 101, 171, and 1045 that county assessors are required to follow to ensure that their forms meet the applicable rule’s requirements; (5) update the due dates for form checklists specified in Rules 101, 171, and 1045 to reflect the amendments made to RTC section 2192 by Statutes 1995, chapter 499, which moved the lien date from March 1 to January 1, and generally ensure that assessors provide their form checklists to the Board earlier in the year; (6) explain when current law permits county assessors to develop and use their own forms to request relevant information that is not requested in Board–prescribed forms, and encourage county assessors to develop uniform forms for use throughout the state, request that the Board revise its forms or create new forms when needed, and make their current property tax forms available on their websites;

and (7) update the reference notes to Rules 101, 171, and 252. Therefore, the Board unanimously voted to propose the adoption of the recommended amendments.

The proposed amendments are anticipated to provide the following specific benefits:

- Ensure that Rule 171 is consistent with the amendments made to RTC section 441.5 by SB 822;
- Ensure that Rule 252 is consistent with the repeal of the requirements previously imposed by RTC section 75.30, and clearly explains how to denote an escape assessment on the assessment roll and how to enter the assessed value of exempt property on the assessment roll;
- Provide county assessors with additional notice regarding the prohibitions in Government Code section 6254.21;
- Clarify the provisions in Rules 101, 171, and 1045 requiring county assessors to use Board–prescribed forms, and prescribing the procedures that county assessors must follow to ensure that they are complying with the applicable rule’s requirements;
- Ensure that Rules 101 and 171 reflect the amendments made to RTC section 2192 by Statutes 1995, chapter 499, which moved the lien date to January 1;
- Provide guidance to county assessors regarding their authority, under current law, to develop and use their own forms to request relevant information that is not requested in Board–prescribed forms, and help encourage county assessors to develop uniform forms for use throughout the state;
- Help encourage county assessors to request that the Board revise its forms or create new forms when needed;
- Help encourage county assessors to make their current property tax forms available on Internet; and
- Promote fairness by helping to ensure the uniformity of property tax forms used throughout the state.

The Board has performed an evaluation of whether the proposed amendments to Rules 101, 171, 252, and 1045 are inconsistent or incompatible with existing state regulations and determined that the proposed amendments are not inconsistent or incompatible with existing state regulations. This is because Rules 101, 171, and 1045 are the only existing state regulations prescribing the requirements that county assessors use Board–prescribed exemption forms, report forms and property statements, and annual racehorse tax forms,

respectively, the proposed amendments to all three rules are consistent, and the proposed amendments to each rule are internally consistent. This is also because article 6 (commencing with Rule 251) of chapter 2 of division 1 of title 18 of the California Code of Regulations contains all of the regulations prescribing the content of assessment rolls and the proposed amendments to Rule 252 are not inconsistent or incompatible with any of the current provisions of the other rules in article 6. In addition, there is no federal property tax and there are no comparable federal regulations or statutes to Rules 101, 171, 252, and 1045.

NO MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

The Board has determined that the adoption of the proposed amendments to Rules 101, 171, 252, and 1045 will not impose a mandate on local agencies or school districts, including a mandate that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code.

NO COST OR SAVINGS TO STATE AGENCIES, LOCAL AGENCIES, AND SCHOOL DISTRICTS

The Board has determined that the adoption of the proposed amendments to Rules 101, 171, 252, and 1045 will result in no direct or indirect cost or savings to any state agency, any cost to local agencies or school districts that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code, other non-discretionary cost or savings imposed on local agencies, or cost or savings in federal funding to the State of California.

NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The proposed amendments to Rules 101, 171, 252, and 1045: (1) make Rule 171 consistent with the amendments made to RTC section 441.5 by SB 822; (2) make Rule 252 consistent with the repeal of RTC section 75.30; (3) clarify the notation assessors use to denote escape assessments on assessment rolls; (4) clarify the procedures for entering the assessed value of exempt property on the assessment roll; (5) provide county assessors with additional notice regarding the prohibitions in Government Code section 6254.21; (6) clarify the provisions in Rules 101, 171, and 1045 requiring county assessors to use Board-prescribed forms in accordance with Government Code section

15606 and RTC section 5781, and prescribing the procedures that county assessors must follow to ensure their forms comply with the applicable rule's requirements; (7) Update the due dates for form checklists specified in Rules 101, 171, and 1045 to reflect the January 1 lien date, and generally ensure that assessors provide their form checklists to the Board earlier in the year; (8) provide guidance to county assessors regarding their authority, under current law, to develop and use their own forms to request relevant information that is not requested in Board-prescribed forms; (9) encourage county assessors to develop uniform forms for use throughout the state; (10) encourage county assessors to request that the Board revise its forms or create new forms when needed; (11) encourage county assessors to make their property tax forms available on the Internet; and (12) generally help promote the use of uniform property tax forms throughout the state. The proposed amendments do not impose any obligations on businesses or change any requirements previously imposed on businesses. Therefore, the Board has made an initial determination that the adoption of the proposed amendments to Rules 101, 171, 252, and 1045 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 adoption of the proposed amendments to Rules 101, 171, 252, and 1045 may affect small business.

NO COST IMPACTS TO PRIVATE PERSONS OR BUSINESSES

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS REQUIRED BY GOVERNMENT CODE SECTION 11346.3, SUBDIVISION (b)

The Board has prepared the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1), and included it in the initial statement of reasons. The Board has determined that the adoption of the proposed amendments to Rules 101, 171, 252, and 1045 will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of the proposed amendments to Rules 101, 171, 252, and 1045 will not affect the health and welfare of California residents, worker safety, or the state's environment.

NO SIGNIFICANT EFFECT ON
HOUSING COSTS

Adoption of the proposed amendments to Rules 101, 171, 252, and 1045 will not have a significant effect on housing costs.

DETERMINATION REGARDING
ALTERNATIVES

The Board must determine that no reasonable alternative considered by it or that has been otherwise 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 than the proposed action.

CONTACT PERSONS

Questions regarding the substance of the proposed amendments should be directed to Bradley M. Heller, Tax Counsel IV, by telephone at (916) 323-3091, by e-mail at Bradley.Heller@boe.ca.gov, or by mail at State Board of Equalization, Attn: Bradley M. Heller, MIC:82, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0082.

Written comments for the Board's consideration, notice of intent to present testimony or witnesses at the public hearing, and inquiries concerning the proposed administrative action should be directed to Mr. Rick Bennion, Regulations Coordinator, by telephone at (916) 445-2130, by fax at (916) 324-3984, by e-mail at Richard.Bennion@boe.ca.gov, or by mail at State Board of Equalization, Attn: Rick Bennion, MIC:80, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080.

WRITTEN COMMENT PERIOD

The written comment period ends at 9:30 a.m. on November 13, 2012, or as soon thereafter as the Board begins the public hearing regarding the proposed amendments to Rules 101, 171, 252, and 1045 during the November 13-15, 2012, Board meeting. Written comments received by Mr. Rick Bennion at the postal address, email address, or fax number provided above, prior to the close of the written comment period, will be presented to the Board and the Board will consider the statements, arguments, and/or contentions contained in those written comments before the Board decides

whether to adopt the proposed amendments to Rules 101, 171, 252, and 1045. The Board will only consider written comments received by that time.

AVAILABILITY OF INITIAL STATEMENT
OF REASONS AND TEXT OF
PROPOSED REGULATION

The Board has prepared underscored and strikethrough versions of the text of Rules 101, 171, 252, and 1045 illustrating the express terms of the proposed amendments and an initial statement of reasons for the adoption of the proposed amendments, which includes the economic impact analysis required by Government Code section 11346.3, subdivision (b)(1). These documents and all the information on which the proposed amendments are based are available to the public upon request. The rulemaking file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed amendments and the initial statement of reasons are also available on the Board's Website at www.boe.ca.gov.

SUBSTANTIALLY RELATED CHANGES
PURSUANT TO GOVERNMENT CODE
SECTION 11346.8

The Board may adopt the proposed amendments to Rules 101, 171, 252, and 1045 with changes that are nonsubstantial or solely grammatical in nature, or sufficiently related to the original proposed text that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. If a sufficiently related change is made, the Board will make the full text of the proposed amendments, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting amendments will be mailed to those interested parties who commented on the original proposed amendments orally or in writing or who asked to be informed of such changes. The text of the resulting amendments will also be available to the public from Mr. Bennion. The Board will consider written comments on the resulting amendments that are received prior to adoption.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

If the Board adopts the proposed amendments to Rules 101, 171, 252, and 1045, the Board will prepare a final statement of reasons, which will be made available for inspection at 450 N Street, Sacramento, California, and available on the Board's Website at www.boe.ca.gov.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

NOTICE TO INTERESTED PARTIES

September 28, 2012

**Availability of Hazard Identification Document
for Xylene**

The Office of Environmental Health Hazard Assessment (OEHHA) announces the availability for public review of the hazard identification document entitled: "Evidence on the Developmental and Reproductive Toxicity of Xylene." This notice marks the beginning of a 60-day public comment period on this document. The public comment period will close on **November 27, 2012**. Copies of the document are available from OEHHA's web site at the following address: <http://www.oehha.ca.gov/prop65.html>. The document may also be requested from OEHHA's Proposition 65 Implementation Office by calling (916) 445-6900.

OEHHA, a department of the California Environmental Protection Agency, is the lead agency for the implementation of Proposition 65¹. The Developmental and Reproductive Toxicant Identification Committee (DARTIC) advises and assists OEHHA in compiling the list of chemicals known to the State to cause reproductive toxicity, as required by Proposition 65. The DARTIC 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 reproductive toxicity. It is in this capacity that the DARTIC will consider xylene at a future meeting. The xylene hazard identification document provides information for the consideration of listing xylene by the DARTIC. The date and

venue of the meeting at which xylene will be considered will be announced in a subsequent public notice. OEHHA will send comments received on the xylene hazard identification document to DARTIC members prior to the meeting.

OEHHA provided an opportunity for input on the document as it was being developed. A data call-in period for xylene opened on January 20, 2012, and closed on March 20, 2012. No public comments were received. In preparing the hazard identification document, OEHHA considered all information that was relevant to the evidence of reproductive toxicity for xylene.

OEHHA must receive comments and any supporting documentation on the xylene document by 5:00 p.m. on Tuesday, November 27, 2012. 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 "Xylene" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below.

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

Fax: (916) 323-8803

Street Address: 1001 I Street
Sacramento, California 95814

DISAPPROVAL DECISIONS

**DECISIONS OF DISAPPROVAL OF
REGULATORY ACTIONS**

Printed below are the summaries of Office of Administrative Law disapproval decisions. The full text of disapproval decisions 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.

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq.

AIR RESOURCES BOARD

State of California
Office of Administrative Law

In re:
Air Resources Board

Regulatory Action: Title 17
California Code of Regulations

Amend sections: 94010, 94011, 94016, 94150, 94168

DECISION OF DISAPPROVAL OF
REGULATORY ACTION

Government Code Section 11349.3

OAL File No. 2012-0730-01 S

SUMMARY OF REGULATORY ACTION

The Air Resources Board (Board) proposed this action to amend sections 94010, 94011, 94016, 95150, and 94168 of title 17 of the California Code of Regulations and related incorporated by reference documents. The incorporated documents provide definitions, certification procedures, and test procedures for the testing and certification of vapor recovery systems and system components used in underground and aboveground gasoline storage tanks. Among other things, the proposed amendments to two of the certification procedure documents included the addition of a section 2.4.5 that purported to clarify the term “effective date” as meaning the date when the first system meeting a new or revised standard or specification is certified.

DECISION

On September 11, 2012, OAL disapproved the proposed regulatory action because the regulations failed to meet the clarity standard of Government Code section 11349.1.

CONCLUSION

For the reasons set forth above, OAL has disapproved the Board’s rulemaking action because it failed to comply with the “clarity” standard in Government Code section 11349.1.

Date: September 17, 2012

Richard L. Smith
Senior Counsel

FOR: DEBRA M. CORNEZ
Director

Original: James Goldstene
Copy: Amy Whiting

GAMBLING CONTROL COMMISSION

State of California
Office of Administrative Law

In re:

California Gambling Control
Commission

Regulatory Action:

Title 4, California Code of
Regulations

Adopt section: 12391(a)(2)

DECISION OF DISAPPROVAL OF
REGULATORY ACTION

Government Code Section 11349.3

OAL File No. 2012-0731-02S

DECISION SUMMARY

On July 31, 2012, the California Gambling Control Commission (CGCC) submitted to the Office of Administrative Law (OAL) the proposed adoption of sections 12391 and 12392 and the amendment of section 12360 of Title 4 of the California Code of Regulations (CCR). These regulations establish requirements for the development and implementation of gambling floor operations and house rules by licensed gambling enterprises.

On September 12, 2012, OAL notified the CGCC that OAL disapproved subdivision (a)(2) of proposed section 12391 for failure to comply with the clarity standard of Government Code section 11349.1(a)(3) and Title 1 CCR section 16(a).

CONCLUSION

For the foregoing reasons, OAL disapproves proposed subdivision (a)(2) of section 12391 in the above-referenced rulemaking action. Pursuant to Government Code section 11349.4(a), the CGCC may resubmit revised regulations within 120 days of its receipt of this Decision of Disapproval. If the CGCC makes other than non-substantial or solely grammatical changes in revising the regulations, it shall make all changes which are sufficiently related to the original text available for at

least 15 days for public comment pursuant to Government Code section 11346.8(c).

Date: September 19, 2012

Dale Mentink
Senior Counsel

FOR: DEBRAM. CORNEZ
Director

Original: Tina Littleton
Copy: James Allen

**AVAILABILITY OF INDEX OF
PRECEDENTIAL DECISIONS**

**DEPARTMENT OF HEALTH CARE
SERVICES**

ACTION: Notice of Availability of Precedential
Decisions and Decision Index
Government Code Section
11425.60(b)

SUBJECT: Eligibility for Community-Based
Adult Services (CBAS),
DHCS-12-001

PUBLIC NOTICE: NOTICE IS HEREBY GIVEN that the Department of Health Care Services (DHCS), pursuant to the requirements of section 11425.60 of the Government Code, has designated a precedential decision relating to the eligibility of Medi-Cal beneficiaries for Community-Based Adult Services (CBAS). This precedential decision affirms that the Department's Quality Assurance reviewers and 2nd Level reviewers have the authority to (1) review a nurse reviewer's initial assessment of CBAS eligibility and (2) disagree with that assessment in making the final decision about a person's eligibility for CBAS services.

NOTICE IS ALSO GIVEN that the Department maintains an index of precedential decisions. The public may access the index and text of the precedential decisions through the DHCS website <http://www.dhcs.ca.gov>. Additionally, the public may request copies of the index and precedential decisions by submitting a Public Records Act request to:

Ms. Jeannie Smalley, Chief
Monitoring and Oversight Section
Long-Term Care Division
Department of Health Care Services
MS 0018
P.O. Box 997413
Sacramento, CA 95899-7413

**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# 2012-0817-01
AIR RESOURCES BOARD
Section 100 Ocean-Going Vessels

The Air Resources Board (ARB) adopted the Ocean Going Vessel (OGV) Clean Fuel Regulation in 2008 which requires operators of ocean-going vessels traveling to and from California ports to use less polluting marine distillate fuels instead of heavy fuel oil in their diesel engines and auxiliary boilers while operating within 24 nautical miles of the California coastline. In 2011, ARB extended the regulatory boundary further offshore by amending the regulations to include the Southern California offshore islands within the California Baseline and made other changes to the OGV Clean Fuel Regulation, including reducing the maximum sulfur content of marine gas oil fuels to 1.0% effective August 1, 2012. ARB now proposes to amend section 2299.2 of title 13 of the California Code of Regulations (CCR) and section 93118.2 of title 17 of the CCR to eliminate a typographical error. This filing is submitted as a change without regulatory effect pursuant to section 100 of title 1 of the CCR.

Title 13, 17
California Code of Regulations
AMEND: 2299.2, 93118.2
Filed 09/14/2012
Agency Contact: Amy Whiting (916) 322-6533

File# 2012-0802-03
AIR RESOURCES BOARD
Mobile Cargo Handling Equipment 2011

Pursuant to Resolution 11-30 and Executive Order R-12-009, the California Air Resources Board adopted modifications to section 2479 of title 13 of the California Code of Regulations. This section includes measures to reduce exhaust emissions of mobile cargo handling equipment at ports and intermodal rail yards. The amendments provide equipment owners and operators additional compliance flexibility regarding retrofit and

operational requirements while maintaining desired emission reductions.

Title 13
 California Code of Regulations
 AMEND: 2479
 Filed 09/14/2012
 Effective 10/14/2012
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2012-0802-02
BOARD OF BARBERING AND COSMETOLOGY
 Inspection of Examination Papers; Text & Reference Books for Students

The Board of Barbering and Cosmetology (BBC) repealed section 933 and amended section 961 of title 16 of the California Code of Regulations. The changes update BBC's regulations so that they conform to BBC's recent move from in-house examinations for licensure to national examinations. Section 933 (Inspection of Examination Papers) is being repealed as it either restates language in Business and Professions Code section 7341 or is obsolete now that BBC is using national examinations. Section 961 (Text and Reference Books for Students) is being amended to remove a provision that barbering and cosmetology schools provide a copy of the licensing examination performance criteria developed by BBC, since BBC no longer develops this criteria now that it uses the national examination.

Title 16
 California Code of Regulations
 AMEND: 961 REPEAL: 933
 Filed 09/12/2012
 Effective 10/12/2012
 Agency Contact: Kevin Flanagan (916) 575-7104

File# 2012-0731-02
CALIFORNIA GAMBLING CONTROL COMMISSION
 MICS II; Gambling Floor Operations & House Rules

This rulemaking action adopts new sections of Title 4 of the California Code of Regulations which specify standards which must be adopted by gambling enterprises for gambling floor operations and house rules. The rulemaking also adopts several definitions necessary to implementation of the newly adopted regulations.

Title 4
 California Code of Regulations
 ADOPT: 12391(a)(1), (3), (4), (b) & (c), 12392
 AMEND: 12360
 Filed 09/12/2012
 Effective 10/12/2012
 Agency Contact: James Allen (916) 263-4024

File# 2012-0827-02
CALIFORNIA KIWI FRUIT COMMISSION
 Conflict-of-Interest Code

This is a conflict-of-interest code filing that has been approved by FPPC and is being submitted for filing with the Secretary of State and printing only.

Title 2
 California Code of Regulations
 REPEAL: 52100
 Filed 09/14/2012
 Effective 10/14/2012
 Agency Contact: Sarah Olson (916) 322-5660

File# 2012-0802-04
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Legal Documents (Legal Forms and Duplicating Services)

This rulemaking by the Department of Corrections and Rehabilitation allows a person designated by a warden to be able to place restrictions on duplication of legal documents, in addition to those already allowed (those at the level of correctional captain and higher). The restrictions are pursuant to adopted regulations.

Title 15
 California Code of Regulations
 AMEND: 3162
 Filed 09/13/2012
 Effective 10/13/2012
 Agency Contact: Diane Hawkins (916) 322-8447

File# 2012-0824-03
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Alternative Custody Program

This emergency regulatory action is submitted to OAL by the Department of Corrections and Rehabilitation (CDCR) as an operational necessity pursuant to Penal Code section 5058.3. The purpose of this emergency action is to amend and adopt regulations necessary to implement the Alternative Custody Program mandated by Penal Code section 1170.05 as amended by Stats.

2012 c. 41 (SB 1021). These regulations establish criteria, policies, and procedures whereby eligible female inmates may voluntarily participate in the Alternative Custody Program in lieu of confinement in a state prison. As part of these regulations, CDCR is adopting three new forms — CDCR 2234 (07/12), CDCR 2235 (09/12) and CDCR 1516-ACP(06/11) — which are incorporated by reference.

Title 15

California Code of Regulations

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

Filed 09/13/2012

Effective 09/13/2012

Agency Contact: Diane Hawkins (916) 322-8447

File# 2012-0904-01

DEPARTMENT OF FOOD AND AGRICULTURE

Section 3435 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action amends section 3435(b) to expand the quarantine area for Asian Citrus Psyllid (ACP) by approximately 609 square miles by including the Desert Hot Springs area of Riverside and San Bernardino counties. The effect of this amendment will provide authority for the State to perform quarantine activities against ACP within this additional area and existing regulated areas. The total area which would be under regulation is now approximately 22,147 square miles.

Title 3

California Code of Regulations

AMEND: 3435(b)

Filed 09/12/2012

Effective 09/12/2012

Agency Contact: Lindsay Rains (916) 654-1017

File# 2012-0806-04

DEPARTMENT OF FOOD AND AGRICULTURE

Oak Mortality Disease Control

This filing is a certificate of compliance for an emergency regulatory action which amended section 3700 of title 3 of the California Code of Regulations (Oak Mortality Disease Control) by adding eight new plants to the associated articles (nursery stock) list and moving one plant from the associated articles list to the host plant list. The eight new plants added to the articles list include *Ilex cornuta*, *Illicium parviflorum*, *Larix kaempferi*, *Magnolia denudata*, *Mahonia nervosa*, *Molinadendron sinaloense*, *Trachelospermum jasminoides*, *Veronica spicata*. The plant moved to the host list is *Cinnamomum camphora*.

Title 3

California Code of Regulations

AMEND: 3700(c)

Filed 09/12/2012

Agency Contact: Stephen S. Brown (916) 654-1017

File# 2012-0808-02

DEPARTMENT OF JUSTICE

Nonprofit Raffle Program

This regulatory action amends regulations regarding nonprofit raffles and repeals two sections that are no longer authorized by statute. Its primary purpose is to simplify reporting requirements by allowing a single aggregate report per year rather than requiring one for each raffle in a reporting year.

Title 11

California Code of Regulations

AMEND: 410, 411, 415, 416, 417, 420, 421, 425

REPEAL: 419, 419.1

Filed 09/18/2012

Effective 10/18/2012

Agency Contact: Erica Goerzen (916) 322-0908

File# 2012-0806-03

DEPARTMENT OF PESTICIDE REGULATION

Regulatory Clean-up

These changes without regulatory effect correct references in section 6449.1(b) and 6486.7(a)(2) that were previously misnumbered.

Title 3

California Code of Regulations

AMEND: 6449.1, 6486.7

Filed 09/18/2012

Agency Contact:

Linda Irokawa-Otani (916) 445-3991

File# 2012-0731-03

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Electronic Waste Recycling

The amended regulations 1) give the Department of Resources Recycling and Recovery discretion to revoke the approval or deny the renewal application of a collector or recycler of electronic waste that makes a false statement or representation in a document filed, submitted, maintained, or used for purposes of compliance with the relevant sections of, and regulations adopted pursuant to, the Public Resources Code; 2) give the Department of Resources Recycling and Recovery discretion to deny an application for approval or renewal from an electronic waste collector or recycler that, or an individual identified in the application who, has a history of demonstrating a pattern of operation in conflict with the requirements of, and regulations adopted

pursuant to, the Public Resources Code; and 3) require a person challenging a revocation, denial of application renewal, or application denial, or an electronic waste recycler challenging the denial or adjustment of an electronic waste recovery payment or electronic waste recycling payment to first exhaust all administrative remedies by filing with the Department of Resources Recycling and Recovery a timely administrative appeal.

Title 14
 California Code of Regulations
 AMEND: 18660.17, 18660.19, 18660.31
 Filed 09/12/2012
 Agency Contact: Harlee Branch (916) 341-6056

File# 2012-0731-01
 OFFICE OF ENVIRONMENTAL HEALTH
 HAZARD ASSESSMENT
 Section 100 Regulation Order

The amendments to these regulations reflect that the Radiation Control Law cited in the regulations has moved from section 25800 et seq. to section 114960 et seq. of the Health and Safety Code, and that the definition for food facilities as referenced in the regulations has moved from Health and Safety Code Section 27521(a) to Health and Safety Code Section 113789.

Title 27
 California Code of Regulations
 AMEND: 25403(a), 25603.3(a)
 Filed 09/12/2012
 Agency Contact: Monet Vela (916) 323-2517

File# 2012-0814-01
 STATE CONTROLLER'S OFFICE
 Unclaimed Property

This rulemaking action by the State Controller's Office amends sections 1155.250 and 1155.350 of title 2 of the California Code of Regulations by updating three forms incorporated by reference and removing language for which statutory authority has been repealed. These amendments make the unclaimed property reporting process more accurate and efficient.

Title 2
 California Code of Regulations
 AMEND: 1155.250, 1155.350
 Filed 09/19/2012
 Effective 10/19/2012
 Agency Contact: David Brownfield (916) 322-7535

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN April 25, 2012 TO
 September 19, 2012**

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

Title 2

- 09/19/12 AMEND: 1155.250, 1155.350
- 09/14/12 REPEAL: 52100
- 09/10/12 ADOPT: 59650
- 08/30/12 AMEND: 60000, 60010, 60300, 60310, 60323, 60325, 60330, 60400, 60550, 60560, 60600, 60610 REPEAL: 60020, 60025, 60030, 60040, 60045, 60050, 60055, 60100, 60110, 60200
- 08/16/12 AMEND: 1859.2, 1859.61, 1859.74, 1859.77.1, 1859.79, 1859.79.2, 1859.79.3, 1859.83, 1859.104 REPEAL: 1859.70.3, 1859.71.5, 1859.78.9, 1859.93.2, 1859.93.3
- 08/13/12 ADOPT: 59720
- 08/07/12 AMEND: 18640
- 07/16/12 AMEND: 18215.3
- 07/09/12 ADOPT: 22620.1, 22620.2, 22620.3, 22620.4, 22620.5, 22620.6, 22620.7, 22620.8
- 06/28/12 AMEND: 649.32
- 06/19/12 AMEND: 56800
- 06/04/12 ADOPT: 18313.6
- 05/29/12 AMEND: 20811(c)
- 05/15/12 AMEND: 1859.2
- 05/10/12 AMEND: 1859.2, 1859.82
- 05/08/12 ADOPT: 559.1
- 04/30/12 ADOPT: 565.5 AMEND: 565.1, 565.2, 565.3
- 04/26/12 AMEND: 554.4

Title 3

- 09/18/12 AMEND: 6449.1, 6486.7
- 09/12/12 AMEND: 3700(c)
- 09/12/12 AMEND: 3435(b)
- 08/24/12 AMEND: 3406(b)
- 08/22/12 AMEND: 6800(b)
- 08/20/12 AMEND: 3435(b)
- 08/06/12 AMEND: 3435(b)

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 39-Z

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

Title 4
09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c),
12392 AMEND: 12360
09/04/12 AMEND: 10032, 10033, 10034, 10035
08/30/12 ADOPT: 1489.1
08/29/12 ADOPT: 5205 AMEND: 5000, 5054,
5144, 5190, 5200, 5230, 5370, 5170,
5350 REPEAL: 5133
08/01/12 ADOPT: 5255, 5256 AMEND: 5170,
5230, 5250, 5560, 5580
08/01/12 AMEND: 5000, 5052
07/26/12 AMEND: 8070
07/26/12 AMEND: 12101, 12202, 12205.1,
12218, 12218.7, 12218.8, 12222,
12225.1, 12233, 12235, 12238, 12309,
12335, 12342, 12350, 12352, 12354
07/23/12 AMEND: 8035
07/16/12 AMEND: 10050, 10051, 10052, 10053,
10054, 10055, 10056, 10057
06/25/12 AMEND: 8070, 8071, 8072, 8078,
8078.2
06/25/12 AMEND: 1663
06/06/12 AMEND: 1843.3
06/01/12 ADOPT: 5205 AMEND: 5000, 5054,
5144, 5170, 5190, 5200, 5230, 5350,
5370 REPEAL: 5133
05/15/12 REPEAL: 61.3
05/04/12 ADOPT: 10050, 10051, 10052, 10053,
10054, 10055, 10056, 10057, 10058,
10059, 10060
04/30/12 ADOPT: 511 AMEND: 399
04/26/12 AMEND: 2066

Title 5
09/06/12 AMEND: 1216.1
08/09/12 AMEND: 40403
08/09/12 AMEND: 59400, 59402, 59404, 59406,
59408
08/09/12 AMEND: 40500
08/09/12 ADOPT: 40541
08/09/12 AMEND: 40407.1
08/08/12 ADOPT: 40540
08/08/12 ADOPT: 19824.1, 19841, 19851.1,
19854.1 AMEND: 19816, 19816.1,
19824, 19850, 19851, 19854
07/31/12 AMEND: 19816, 19816.1, 19845.2
06/12/12 ADOPT: 18004 AMEND: 18000, 18001,
18002, 18003
05/29/12 AMEND: 42600
04/25/12 AMEND: 80028, 80301, 80442

Title 7
07/03/12 AMEND: 219

Title 8
09/05/12 AMEND: 1512, 2320.10, 2940.10
09/04/12 AMEND: 5189, 5192(a)(3),
5198(j)(2)(D)2., 1532.1(j)(2)(D)2.
08/07/12 ADOPT: 3558 AMEND: 3207, 4184
07/30/12 ADOPT: 32802, 32804 AMEND: 32380,
32603, 32604
05/21/12 ADOPT: 10582.5, 10770.1 AMEND:
10770
05/07/12 AMEND: 477
05/07/12 AMEND: 2340.22
05/02/12 AMEND: 20363, 20365, 20393, 20400,
20402
05/01/12 AMEND: 1533, 1541, 8403

Title 9
07/27/12 AMEND: 7141.5, 7143, 7227, 7350,
7351, 7353.6, 7354, 7355, 7356, 7357,
7358, 7400

Title 10
08/30/12 AMEND: 2468.5
08/27/12 AMEND: 260.204.9
08/22/12 ADOPT: 2327, 2327.1, 2327.2
08/03/12 ADOPT: 2561.1, 2561.2
07/19/12 AMEND: 2698.302
07/19/12 AMEND: 2699.301
07/19/12 AMEND: 5501, 5506
05/31/12 AMEND: 2318.6, 2353.1, 2354
05/09/12 AMEND: 2698.208

Title 11
09/18/12 AMEND: 410, 411, 415, 416, 417, 420,
421, 425 REPEAL: 419, 419.1
07/31/12 AMEND: 999.16, 999.17, 999.19,
999.22
06/26/12 AMEND: 1005, 1007, 1008
06/21/12 AMEND: 1005, 1007
05/09/12 ADOPT: 1019 REPEAL: 9020
05/07/12 ADOPT: 999.24, 999.25, 999.26, 999.27,
999.28, 999.29 AMEND: 999.10,
999.11, 999.14, 999.16, 999.17, 999.19,
999.20, 999.21, 999.22

Title 12
06/04/12 AMEND: 506

Title 13
09/14/12 AMEND: 2479
08/07/12 ADOPT: 1962.2 AMEND: 1962.1,
1962.2 (renumbered to 1962.3)
08/07/12 ADOPT: 1961.2, 1961.3 AMEND: 1900,
1956.8, 1960.1, 1961, 1961.1, 1965,
1968.2, 1968.5, 1976, 1978, 2037, 2038,

| | | | |
|---------------------|---|-----------------|---|
| | 2062, 2112, 2139, 2140, 2145, 2147, 2235, 2317 | 05/01/12 | ADOPT: 4870, 4871, 4872, 4873, 4874, 4875, 4876, 4877 |
| 08/02/12 | ADOPT: 426.00 | 05/01/12 | AMEND: 791.7, 870.17 |
| 07/30/12 | AMEND: 1268, 1270.3 | 04/30/12 | AMEND: 632 |
| 07/12/12 | ADOPT: 345.58, 345.73 AMEND: 345.50, 345.52, 345.56, 345.74, 345.78, 345.86, 345.88, 345.90 REPEAL: 345.54, 345.58, 345.60 | 04/27/12 | AMEND: 228, 228.5 |
| | | Title 15 | |
| 06/29/12 | AMEND: 225.00, 225.03, 225.09, 225.12, 225.15, 225.18, 225.21, 225.24, 225.35, 225.36, 225.38, 225.42, 225.45, 225.54, 225.60, 225.63, 225.66, 225.69, 225.72 REPEAL: 225.06 | 09/13/12 | AMEND: 3162 |
| | | 09/13/12 | ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323 |
| | | 08/29/12 | AMEND: 2606, 2635.1, 2646.1, 2733, 2740, 2743, 2744 |
| | | 08/20/12 | AMEND: 1006, 1007, 1008, 1012, 1013, 1024, 1032, 1044, 1046, 1051, 1055, 1056, 1058, 1059, 1062, 1063, 1069, 1072, 1080, 1081, 1083, 1084, 1100, 1104, 1125, 1140, 1141, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1151, 1203, 1205, 1206, 1208, 1217, 1241 |
| Title 13, 17 | | 07/02/12 | ADOPT: 3999.12 |
| 09/14/12 | AMEND: 2299.2, 93118.2 | 06/26/12 | ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757 |
| Title 14 | | 06/26/12 | ADOPT: 3079, 3079.1 AMEND: 3000, 3075.2, 3075.3 |
| 09/12/12 | AMEND: 18660.17, 18660.19, 18660.31 | 06/26/12 | AMEND: 3000, 3076.1, 3076.3, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.2, 3521.2 |
| 09/07/12 | AMEND: 300 | 06/06/12 | AMEND: 3000, 3006, 3170.1, 3172.1, 3173.2, 3315, 3323 |
| 08/31/12 | ADOPT: 671.8 AMEND: 671.1 | 05/10/12 | ADOPT: 3375.6 AMEND: 3000, 3375 |
| 08/14/12 | AMEND: 13055 | Title 16 | |
| 08/02/12 | ADOPT: 2231, 2301 AMEND: 2000, 2200, 2230, 2235, 2240, 2245, 2300, 2305, 2310, 2320 | 09/12/12 | AMEND: 961 REPEAL: 933 |
| 07/26/12 | AMEND: 18836 | 09/10/12 | ADOPT: 4116, 4117, 4118, 4119 |
| 07/12/12 | AMEND: 790, 851.20, 851.21, 851.22, 851.25, 851.26, 851.27, 851.27.1, 851.28, 851.29, 851.30, 851.31, 851.32 | 09/07/12 | AMEND: 4 |
| 07/09/12 | ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8 | 08/30/12 | ADOPT: 2557, 2557.1, 2557.2, 2557.3, 2595, 2595.1, 2595.2, 2595.3 |
| 07/02/12 | ADOPT: 602 | 08/29/12 | ADOPT: 4146, 4148, 4149, 4149.1 AMEND: 4100, 4101 |
| 06/28/12 | ADOPT: 17944.1, 17945.1, 17945.4, 17946, 17946.5, 17948.1, 17948.2 AMEND: 17943, 17944, 17946(a)–(h) renumber as 17945.2, 17946(i) renumber as 17945.3, 17946.5 renumber as 17945.5, 17947, 17948, 17948.5, 17949 REPEAL: 17942, 17944.2, 17944.5, 17945 | 08/20/12 | ADOPT: 1333, 1333.1, 1333.2, 1333.3 |
| 06/25/12 | AMEND: 791.7 | 07/23/12 | ADOPT: 1397.2 AMEND: 1380.4 |
| 06/06/12 | ADOPT: 18950, 18951, 18952, 18953, 18954, 18955, 18955.1, 18955.2, 18955.3, 18956, 18957, 18958 | 07/17/12 | ADOPT: 1399.23, 1399.24 AMEND: 1398.4 |
| 06/01/12 | REPEAL: 660 | 07/10/12 | ADOPT: 3394.25, 3394.26, 3394.27 |
| 05/30/12 | AMEND: 11960 | 06/18/12 | ADOPT: 1727.2 AMEND: 1728 |
| 05/29/12 | AMEND: 360, 361, 362, 363, 364, 365, 708.12 | 06/18/12 | AMEND: 443 |
| 05/21/12 | AMEND: 703 | 06/14/12 | ADOPT: 302.5 |
| 05/21/12 | AMEND: 7.50 | 05/25/12 | ADOPT: 1399.364, 1399.375, 1399.377, 1399.381, 1399.384 AMEND: 1399.301, 1399.302, 1399.303, 1399.320, |
| 05/21/12 | AMEND: 705 | | |
| 05/17/12 | AMEND: 7.50 | | |
| 05/07/12 | ADOPT: 18835, 18836, 18837, 18838, 18839 | | |
| 05/01/12 | AMEND: 27.80 | | |

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|-----------------|---|--|
| | 1399.330, 1399.352.7, 1399.353, 1399.360, 1399.370, 1399.374, 1399.376 (renumbered to 1399.382), 1399.380, 1399.382 (renumbered to 1399.383), 1399.383 (renumbered to 1399.385), 1399.384 (renumbered to 1399.378), 1399.385 (renumbered to 1399.379), 1399.395 REPEAL: 1399.340, 1399.381, 1399.387, 1399.388, 1399.389, 1399.390, 1399.391 | 07/12/12 AMEND: 66268.40, 66268.48 07/09/12 AMEND: 4416 07/03/12 AMEND: 51516.1 06/28/12 AMEND: 91477 06/21/12 AMEND: 50195, 50197, 50256, 50258, 50258.1, 50262, 50268, 50815, 51000.53 06/12/12 AMEND: 66261.32 05/24/12 AMEND: 90417 05/22/12 ADOPT: 60098, 64400.05, 64400.29, 64400.36, 64400.41, 64400.66, 64400.90, 64402.30, 64400.46 AMEND: 60001, 60003, 63790, 63835, 64001, 64211, 64212, 64213, 64252, 64254, 64256, 64257, 64258, 64259, 64400.45, 64415, 64463.1, 64463.4, 64470, 64481, 64530, 64531, 64533, 64534, 64534.2, 64534.4, 64534.6, 64534.8, 64535, 64535.2, 64535.4, 64536.6, 64537, 64537.2 REPEAL: 60430, 64002, 64439, 64468.5 |
| 05/17/12 | ADOPT: 4544, 4600, 4602, 4604, 4606, 4608, 4610, 4620, 4622 AMEND: 4422, 4440, 4446, 4470 | |
| 05/14/12 | AMEND: 932 | |
| 05/04/12 | ADOPT: 2509, 2518.8, 2524.1, 2568, 2576.8, 2579.11 AMEND: 2503, 2524.1 (renumber to 2524.5), 2563, 2579.11 (renumber to 2579.20) | |
| 04/27/12 | AMEND: 407, 428 | |
| 04/26/12 | AMEND: 3605 | |
| Title 17 | | |
| 09/04/12 | ADOPT: 30305.1, 30308.1, 30311.1 | 05/17/12 AMEND: 51240, 51305, 51476 |
| 08/30/12 | AMEND: 95802, 95812, 95814, 95830, 95831, 95832, 95833, 95834, 95856, 95870, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95021 | 05/04/12 AMEND: 123000 |
| 08/29/12 | AMEND: 100800 | Title 23 |
| 08/15/12 | ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525 | 09/06/12 ADOPT: 3959.5 08/08/12 ADOPT: 3969.2 07/30/12 ADOPT: 2923 07/11/12 ADOPT: 597, 597.1, 597.2, 597.3, 597.4 07/05/12 AMEND: 570, 571, 572, 573, 574, 575, 576 |
| 07/26/12 | AMEND: 94006 | Title 25 |
| 06/15/12 | AMEND: 6508 | 08/13/12 ADOPT: 7097 AMEND: 7054, 7056, 7058, 7060, 7062, 7062.1, 7072, 7076, 7078, 7104 REPEAL: 7064, 7066, 7074, 7078.1, 7078.2, 7078.3, 7078.4, 7078.5, 7078.6, 7078.7 |
| Title 18 | | |
| 08/07/12 | AMEND: 1618 | 06/07/12 ADOPT: 4326, 4328 AMEND: 4004, 4200, 4204, 4208 |
| 07/27/12 | AMEND: 1684 | Title 27 |
| 07/10/12 | AMEND: 1205, 1212, 1271 | 09/12/12 AMEND: 25403(a), 25603.3(a) 07/12/12 AMEND: 25305, 25701, 25705, 25801 06/18/12 AMEND: 25705 |
| 07/10/12 | AMEND: 1105, 1120, 1132, 1161 | Title 28 |
| 07/10/12 | AMEND: 1435, 1436 | 09/06/12 ADOPT: 1300.74.73 |
| 07/10/12 | AMEND: 25128.5 | Title MPP |
| 07/03/12 | AMEND: 3301 | 06/25/12 AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-133.54(QR), 44-315.39(QR), 89-201.513 |
| 07/03/12 | AMEND: 263 | 06/25/12 AMEND: 41-440, 42-716, 42-717, 44-207 |
| 05/01/12 | AMEND: 1685.5 | 06/25/12 AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-716, 42-717, 42-721, 44-133, 44-307, 44-316, 82-833 |
| Title 21 | | |
| 08/28/12 | AMEND: 6640, 6680 | |
| Title 22 | | |
| 09/06/12 | ADOPT: 66269.2 | |
| 08/20/12 | AMEND: 87224 | |
| 08/13/12 | AMEND: 100104, 100106, 100106.1, 100113, 100115, 100119, 100120, 100121, 100123, 100127 | |
| 07/12/12 | AMEND: 66263.18, 66263.41, 66263.43, 66263.44, 66263.45, 66263.46 | |