



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

ADOPTION

Multi-County Agencies: Fresno County Fire Protection District

AMENDMENT

Multi-County Agencies: Laguna Joint Elementary School District

A written comment period has been established commencing on **January 15, 2010** and closing on **March 1, 2010**. Written comments should be directed to the Fair Political Practices Commission, Attention Cynthia Fisher, 428 J Street, Suite 620, Sacramento, California 95814.

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

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **March 1, 2010**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Cynthia Fisher, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Cynthia Fisher, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture proposes to amend Section 3558, subsection (a), of the regulations in Title 3 of the California Code of Regulations pertaining to Insects Which May Be Imported or Shipped Within California Without a Permit.

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.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before March 1, 2010.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law establishes that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of the California Food and Agricultural Code which he is directed or authorized to administer or enforce and prevent the spread of injurious pests (Food and Agricultural Code, Sections 407). Existing law provides that the Secretary may make and enforce such regulations as he deems necessary to prevent any plant or thing which is, or is liable to be, infested or infected by, or which might act as a carrier of, any pest, from passing over any quarantine line which is established and proclaimed pursuant to this division (Food and Agricultural Code Section 5302). Existing law also establishes, except for certain exemptions, that it is unlawful for any person to willfully import into, or ship or transport within, the state any live insect or any pest as such, unless the shipment or transportation and subsequent use and handling is authorized prior to shipment under written permit and the regulations of the Secretary or the United States Department of Agriculture (Food and Agricultural Code Section 6305).

The proposed amendment of Section 3558(a) would identify additional types of beneficial or useful insects (arthropods) that do not require a permit authorized by the Secretary or the United States Department of Agriculture to move into or within the State. The effect of the proposed amendment is to remove the requirement for persons to obtain a permit from the Secretary or the United States Department of Agriculture for the additional listed beneficial or useful insects (arthropods); thus reducing an unnecessary regulatory burden upon such persons moving such insects. There is no existing, comparable federal regulation or statute.

**COST TO LOCAL AGENCIES
AND SCHOOL DISTRICTS**

The Department of Food and Agriculture has determined that Section 3558 does not impose a mandate on local agencies or school districts. The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

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

**COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS**

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

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended Section 3558, subsection (a) pursuant to the authority vested by Sections 407 and 5302 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3558, subsection (a) to implement, interpret and make specific Section 6305 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: 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 Susan McCarthy at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (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 amended 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of amendment by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on June 22, 2009. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 31, 2010.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on June 30, 2009. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 31, 2010.

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

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before March 1, 2010.

**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 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 (Food and Agricultural Code, 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 said pest (Food and Agricultural Code Section 5761).

The amendments of Section 3434(b) removed the Carpinteria area of Santa Barbara County and established additional portions of Alameda, Marin, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz and Sonoma counties as regulated areas. There is no existing, comparable federal regulation or statute regulating the intrastate movement.

**COST TO LOCAL AGENCIES
AND SCHOOL DISTRICTS**

The Department of Food and Agriculture has determined that Section 3434 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3434. No reimbursement is required for Section 3434 under Section 17561 of the Government Code because all of the affected county agricultural commissioners requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed actions will not affect housing costs.

EFFECT ON BUSINESSES

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

**COST IMPACT ON AFFECTED PRIVATE
PERSON OR BUSINESSES**

The cost impact of the amended regulation on a representative private person or business located within the regulated area may be significant. An average infested ornamental nursery producing plants in one-gallon containers may incur initial costs of \$140 to \$218 per acre in eliminating the light brown apple moth to be in reasonable compliance with the proposed action. Approximately 65,000 one-gallon containers may be placed upon one acre. This translates into an initial increased production cost of \$0.002 to \$0.003 per one gallon container. The actual costs may vary with the type of material used, size and production practices of the affected businesses.

However, nursery stock that is infested with the light brown apple moth does not meet the current requirements of Section 3060.2, Standards of Cleanliness, California Code of Regulations (CCR), and cannot be sold. Therefore, there are no additional mandated costs of compliance due to this regulation.

ASSESSMENT

The Department has made an assessment that the proposed adoption of the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

AUTHORITY

The Department proposes to amend Section 3434 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The proposed amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: 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 Susan McCarthy 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 actions, 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 5. CALIFORNIA STUDENT AID COMMISSION

AMENDMENT TO TITLE 5, CA CODE OF REGULATIONS REGARDING CALIFORNIA NATIONAL GUARD EDUCATION ASSISTANCE AWARD PROGRAM (CNG EAAP) (EDUCATION CODE 69999.10 et seq.)

NOTICE OF PROPOSED RULEMAKING

NATURE OF PROCEEDING

Notice is given that the California Student Aid Commission (Commission) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days before its adoption from the persons designated in this Notice as contact persons and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

California Student Aid Commission
Attention: Kathy Spencer
P.O. Box 419029
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 464-8240 or by e-mail to CNGRegsComment@csac.ca.gov. Comments must be submitted before 5:00 p.m. on March 1, 2010.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 69999.22 of the Education Code, and to implement, interpret, or make specific sections 69999.10–69999.30 of the Education Code, the Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: add sections 30730–30736 to implement, interpret, and make specific sections 69999.10–69999.30 of the Education Code establishing the California National Guard Education Assistance Award Program (CNG EAAP).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California National Guard performs an essential public purpose in protecting the health, safety, and property of California’s citizens, and in order to fulfill its objectives, it is necessary for the California National Guard to have sufficient human resources to deal with natural or human–caused disasters and emergencies. It is the intent of Legislature to provide an inducement to members of the California National Guard to maintain the required strength in the California National Guard.

Assembly Bill 12 of the Fourth Extraordinary Session, the local government trailer bill to the 2009 Budget Act Amendments, was signed by the Governor and chaptered into law on July 28, 2009. It established the California National Guard Education Assistance Award Program (CNG EAAP) to be jointly administered by the Office of the Adjutant General and the Student Aid Commission (Commission). Commission staff in consultation with the Military Department pursued the adoption of emergency regulations to implement the program and make awards for the spring term of the 2009–10 academic year. The emergency regulations were approved by the Office of Administrative Law (OAL) and filed with the Secretary of the State’s Office on December 16, 2009. These emergency regulations for the California National Guard Education Assistance Award Program (CNG EAAP) are approved only through June 14, 2010. As a result, the Commission has commenced the regular rulemaking process to make the emergency regulations permanent.

The program requires participants to meet all of the eligibility criteria included in section 69999.16 of the Education Code prior to selection into the program. Applicants are required:

1. To be California residents;
2. To be an active member of, who has served two years in, the California National Guard, the State Military Reserve, or the Naval Militia;

3. To be accepted or registered at, or enrolled in a qualifying institution;
4. To submit a CNG EAAP application and agree to use the award to obtain a certificate, degree, or diploma that the applicant does not hold at the time the applicant applies for the award;
5. To agree to enroll in at least three academic units per semester or the equivalent; **and**
6. Required to submit a Free Application for Federal Student Aid (FAFSA) to the United States Department of Education.

The Adjutant General shall select recipients and the Commission is responsible for issuing awards. Costs incurred by the Commission for issuing and processing awards shall be reimbursed through an interagency agreement from appropriations in the annual Budget Act to the Military Department.

The proposed regulations would implement, interpret, and make specific the elements of CNG EAAP. Specifically, the proposal would:

1. Define terms used in the regulations;
2. Establish a deadline for application submission;
3. Establish the requirements for applications to participate in the program;
4. Establish the applicant priority;
5. Specify the process by which The Adjutant General will select program participants from among the eligible applicants;
6. Specify the process by which the Commission will determine the payment amount for new and renewal participants;
7. Specify the process by which the Commission will determine a program participant’s remaining program eligibility;
8. Specify the requirements for participant renewal of the award;
9. Specify the process by which a program participant may apply for an additional year of program eligibility; and
10. Specify the consequences of a program participant’s failure to comply with applicable laws and regulations and establish the administrative appeal process for participants that are withdrawn from the program.

There are no comparable provisions of federal law related to this proposal.

OTHER STATUTORY REQUIREMENT

The Commission, in consultation with the Military Department, drafted emergency regulations for the CNGEAAP.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

None.

EFFECT ON HOUSING COSTS

None.

BUSINESS IMPACT/SMALL BUSINESSES

The Commission has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by California Government Code Section 11342.610. This proposal would not affect private sector or small business due to the population the program targets which is active members of the California National Guard, State Military Reserve, and Naval Militia.

ASSESSMENT REGARDING
EFFECT ON JOBS/BUSINESSES

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

COST IMPACT ON REPRESENTATIVE
PERSON OR BUSINESS

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

BUSINESS REPORT

This regulatory proposal does not require a report.

ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the adoption of this regulation is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Clarita Cortez
California Student Aid Commission
P.O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 464-2946

Kathy Spencer
California Student Aid Commission
P.O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 464-3021

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which the proposal is based may be obtained upon request from the California Student Aid Commission, P.O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the Commission's website at www.csac.ca.gov.

INITIAL STATEMENT OF REASONS
AND INFORMATION

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

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

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

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

WEBSITE ACCESS

Materials regarding this proposal can be found at www.csac.ca.gov.

TITLE 5. COMMISSION ON TEACHER CREDENTIALING

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments to 5 California Code of Regulations §§80015 through 80015.4, 80021, 80021.1, 80024.7 and 80024.8 Pertaining to English Learner and Bilingual Authorizations

Notice of Proposed Rulemaking

The Commission on Teacher Credentialing proposes to amend the regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

Public Hearing

A public hearing on the proposed actions will be held:

**March 4, 2010
1:00 p.m.
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95811**

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on March 1, 2010. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Tammy A. Duggan, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email at tduggan@ctc.ca.gov.

Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Authority and Reference

Education Code section 44225 authorizes the Commission to promulgate rules and regulations, which will implement, interpret or make specific sections 44225(e), 44225(q), 44256, 44260 and 44260.1 of the Education Code and govern the procedures of the Commission.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

Governor Schwarzenegger signed Assembly Bill (AB) 1871 (Chap. 660, Stats. 2008) on September 20, 2008 and the provisions of the bill took effect on July 1, 2009. The proposed amendments to Title 5 of the California Code of Regulations will implement the provisions of AB 1871 and update the language in associated sections.

AB 1871 has four primary provisions that affect the issuance of English learner and bilingual authorizations as follows:

- 1) Individuals will earn a 'bilingual authorization' as opposed to a 'Bilingual, Crosscultural, Language and Academic Development (BCLAD) Certificate'.
- 2) Individuals will have the option of earning a Crosscultural, Language and Academic Development (CLAD) Certificate or adding an English learner authorization to a prerequisite document.
- 3) Additional options will be available to earn a bilingual authorization, including the completion of a Commission-approved program as well as the option of combining coursework from approved programs with Commission-approved examinations.
- 4) Additional option to earn a CLAD Certificate or an English learner authorization by combining Commission-approved California Teacher of English Learner (CTEL) program coursework with Commission-approved CTETL examinations.

Pursuant to the provisions of AB 1059 (Chap. 711, Stats. 1999), all candidates admitted to a Commission-approved SB 2042 Multiple or Single Subject teacher preparation program earn a credential that authorizes instruction for English Language Development (ELD) and Specially Designed Academic Instruction in English (SDAIE). In June 2006, an English learner authorization was embedded in the coursework for the Education Specialist Instruction Credential.

Prior to the passage of AB 1871, individuals (with the exception of individuals prepared in another state) who held a prerequisite credential or permit without an En-

lish learner or bilingual authorization were issued a separate CLAD or BCLAD Certificate, as appropriate, upon completion of requirements. Since January 1, 2007, individuals prepared in another state are provided the option of having an English learner authorization added directly to their prerequisite credential under the provisions of SB 1209 (Chap. 515, Stats. 2006).

Bilingual Authorization

Prior to the passage of AB 1871, the only method to earn a bilingual authorization after the initial issuance of the prerequisite credential was to pass Commission–approved bilingual examinations and apply for a BCLAD Certificate. Individuals will now earn a bilingual authorization, rather than a separate BCLAD Certificate pursuant to the provisions of AB 1871. The bill also adds a program option to earn a bilingual authorization and the ability of approved programs to combine coursework and examinations for the issuance of a bilingual authorization. An assessment of language proficiency (listening, speaking, reading and writing in the target language) is now required in statute for all routes to earn a bilingual authorization and aligns with past and current practice through the bilingual program standards.

Based on the provisions in AB 1871, the bilingual authorization shall be added directly to an individual’s valid prerequisite document(s) if all requirements have been met. The bilingual authorization may be added at the same time as the initial issuance of the prerequisite document or at a later time.

With the implementation of approved bilingual programs, it will now be possible to add a bilingual authorization to Multiple Subject, Single Subject and Education Specialist Short–Term Staff Permits (STSP) and Provisional Internship Permits (PIP) if requested by an employer and if the applicant meets the specified requirements.

English Learner Authorization

The proposed amendments will allow individuals the option of applying for a CLAD Certificate or adding an English learner authorization to an existing prerequisite document upon completion of specified requirements. AB 1871 also provides an additional option to earn a CLAD Certificate or English learner authorization. Previously, an applicant who only passed one or two of the three CTEL examinations was required to complete the full CTEL program to earn the CLAD Certificate. An approved CTEL program may now determine any course equivalency with those CTEL examinations that have been passed by the applicant toward the issuance of a CLAD Certificate or an English learner authorization.

Authorization Statements

The bilingual and English learner authorization statements also cover instruction authorized by other valid, non–emergency documents held, as specified in Education Code §§ 44253.3 and 44253.4. The amendments provide that if an individual holds more than one valid prerequisite document, only one of those documents should be selected for the added authorization. The authorization may be added while the document is valid or at the time of renewal. It is not necessary to file an additional application or pay an additional fee, as the authorization on one document already applies to all other valid prerequisites held by the teacher. However, if an individual wants to add the authorization to more than one document, a separate application and fee will be required for each additional valid prerequisite document.

Proposed Amendments to Title 5 Regulations

Section 80015

This section is being amended to add the English learner authorization option, update the examination information, add language pertaining to Commission–approved CTEL programs, include the bachelor’s or higher degree option for satisfying the second language requirement, set a sunset date for issuance of a CLAD Certificate or English learner authorization with coursework completed prior to January 31, 2008, update the examination information, add instructions on how to convert a CLAD Certificate to an English learner authorization, and add the program and examination combination option.

Title and Opening: Added the option of earning an English learner (EL) authorization.

(a): Added the option of earning an EL authorization.

(a)(2): Added an exception to the requirement that the second language requirement must be in the same language for individuals with a bachelor’s degree (P).

(a)(2)(D): Deleted the BCC option. Per §80015.1(a)(2), BCC scores are only valid for nine years and the BCC was last offered for California certification purposes on March 11, 1995.

(a)(2)(E): Subsection has been relettered to (D) and amended to include the CSET: LOTE Exams, which replaced the BCLAD examinations on June 23, 2007. Also amended to add the specific T5 reference for the CLAD/BCLAD Exams.

(a)(2)(F) through (a)(2)(P): Relettered to (E) through (O) due to deletion of subsection (D).

(a)(2)(P): Option added to regulations as approved by the Commission in October 2002 pursuant to the authority granted in Education Code Section 44253.3(b)(3).

(a)(3): Moved the coursework option language to subsection (A) to allow for addition of the CTEL program option in (B). Also deleted the text referring to the

coursework grades and requirements that will be listed in subsection (a)(5).

(a)(3)(A): Deleted the text referring to the coursework requirements that will be listed in subsection (a)(5). Coursework option language moved from (3) to allow for addition of the CTEL program option in (B). Added the date by which coursework must have been completed and a sunset date for the issuance of a CLAD Certificate or EL authorization via the coursework option.

(a)(3)(B): Deleted the text referring to the coursework requirements that will be listed in subsection (a)(5). Added language pertaining to Commission–approved CTEL programs.

(a)(3)(C): Deleted the text referring to the coursework requirements that will be listed in subsection (a)(5).

(a)(5): Subsection amended to provide language pertaining to grades and requirements for the referenced coursework option that was previously included in (a)(3).

(a)(5) renumbered to (a)(6): Added the option of earning an EL authorization.

(a)(6)(B): Added language requiring verification of coursework completed after January 31, 2008 by a Commission–approved CTEL program.

(a)(6) renumbered to (a)(7): Additional Education Code cited pursuant to SB 1292 (Chap. 752, Stats. 2006) and added the option of earning an EL authorization.

(a)(7)(C)1: Deleted language related to §80680(a)(1) that was repealed on July 31, 2003 and renumbered the reference to §80015(a)(5) due to earlier amendments. Also amended to add language requiring verification of coursework completed after January 31, 2008 by a Commission–approved CTEL program.

(a)(7)(C)2: Deleted language related to §80680(a)(2) that was repealed on July 31, 2003 and renumbered the reference to §80015(a)(5) due to earlier amendments. Also amended to add language requiring verification of coursework completed after January 31, 2008 by a Commission–approved CTEL program.

(a)(7)(C)3: Deleted language related to §80680(a)(2) that was repealed on July 31, 2003 and renumbered the reference to §80015(a)(5) due to earlier amendments. Also amended to add language requiring verification of coursework completed after January 31, 2008 by a Commission–approved CTEL program.

(a)(7)(C)4: Deleted language related to §80680(a)(3) that was repealed on July 31, 2003 and renumbered the reference to §80015(a)(5) due to earlier amendments. Also amended to add language requiring verification of coursework completed after January 31, 2008 by a Commission–approved CTEL program.

(a)(7)(D): Subsection deleted as the certificate information is available at the Commission and the return of the original certificate is not required.

(a)(7)(E): Renumbered to subsection (D).

(b): Added the option of earning an EL authorization.

(b)(3): Amended to add CTEL Examinations, which replaced the CLAD Examinations on June 24, 2006. Also, added the option of earning an EL authorization.

(c): Added the option of earning an EL authorization, deleted ‘teaching’ from the prerequisite definition (some services credentials are appropriate prerequisites) and added ‘permit’ as a prerequisite. Also added cross reference language to §80015.2(d) that provides further clarification pertaining to the Language Development Specialist Certificate authorization.

(c)(1): Subsection deleted as the certificate information is available at the Commission and the return of the original certificate is not required.

(c)(2): Subsection will be included in (c) and the language pertaining to the 1/2 fee has been deleted. A full fee is required for the issuance of a CLAD Certificate or a document with an EL authorization.

(d) Subsection added to allow for the conversion of a CLAD Certificate to an EL authorization.

(e): Subsection added to allow for the combination of examinations and coursework by a Commission–approved CTEL program.

Note: Added Education Code references pertaining to recommendation by Commission–approved programs, certificate of completion of staff development programs, and program approval by the Committee on Accreditation.

Section 80015.1

This section amends ‘BCLAD Certificate’ to ‘bilingual authorization’, updates the examination information, adds language pertaining to Commission–approved bilingual authorization programs, and adds the program and examination combination option.

Title and Opening: The title and opening of this section amended to reference the appropriate title for the bilingual authorization pursuant to the provisions of AB 1871.

(a): Amended to appropriate title for the bilingual authorization pursuant to the provisions of AB 1871.

(a)(2): Deleted references to the BCC. Per §80015.1(a)(2), BCC scores are only valid for nine years and the BCC was last offered for California certification purposes on March 11, 1995. Changed all references to ‘BCLAD Certificate’ to ‘bilingual authorization’. Added the CSET: LOTE Examinations that replaced the BCLAD Examinations on June 23, 2007. Also amended the language pertaining to the validity of the CLAD/BCLAD Exams to accommodate amend-

ments and added validity period for CSET: LOTE Exams.

(a)(2)(A): Deleted all references to the BCC. Per §80015.1(a)(2), BCC scores are only valid for nine years and the BCC was last offered for California certification purposes on March 11, 1995. Added the CTEL, language assessment and CSET: LOTE Exams required for the bilingual authorization.

(a)(2)(C)(2): Amended to add the program option referenced in §80015(a)(3) as amended above.

(a)(2)(C)(3): Amended to add the English learner authorization referenced in §80015 as amended above.

(a)(2)(D): Amended to delete the obsolete BCC and CLAD/BCLAD Exams. Added the CSET: LOTE Exams, which are the current bilingual authorization examinations.

(a)(2)(D)1 through 3: Amended to list the requirements for the bilingual authorization in addition to the CSET: LOTE Exams.

(a)(2)(E) through (I): Deleted all subsections that reference the BCC. Per §80015.1(a)(2), BCC scores are only valid for nine years and the BCC was last offered for California certification purposes on March 11, 1995.

(a)(4): Amended the referenced subsections due to amendments to subsection (2) above. Also added the CSET: LOTE Exams and referenced the specific subsection pertaining to Test IIs and IIIs.

(b): Section added to detail the requirements for the bilingual authorization via completion of a Commission-approved program.

(c): Section relettered, BCLAD Certificate added as a document that may be converted, and 'BCLAD Certificate' amended to 'bilingual authorization' pursuant to the provisions of AB 1871. Also deleted 'teaching' from the prerequisite definition (some services credentials are appropriate prerequisites) and added 'permit' as an appropriate prerequisite as provided in §80015.2(a). Cross reference language to §80015.2(d) added that provides further clarification pertaining to the Bilingual Certificate of Competence and BCLAD Certificate authorizations.

(c)(1): Deleted subsection as the certificate information is on file at the Commission and the return of the original certificate is not required.

(c)(2): This subsection will be included in (c) and the language pertaining to the 1/2 fee has been deleted. A full fee is required for the issuance of a bilingual authorization.

(d): Language added to allow for the combination of examinations and coursework by a Commission-approved CTEL program pursuant to the provisions of AB 1871.

Note: Added Education Code references pertaining to recommendation by Commission-approved pro-

grams and program approval by the Committee on Accreditation.

Section 80015.2

This section is being amended to add the English learner authorization option and amend 'BCLAD Certificate' to 'bilingual authorization', add visiting faculty and child development permits to the list of appropriate prerequisite documents, update the authorization statements, and add language explaining that an English learner or bilingual authorization on one prerequisite authorizes related services on other valid prerequisites held by an individual.

Title: The EL authorization has been added and the 'BCLAD Certificate' has been amended to 'bilingual authorization'.

(a): EL authorization added and the 'BCLAD Certificate' has been amended to 'bilingual authorization'. Also added visiting faculty permit pursuant to SB 859 (Chap. 723, Stats. 2007) and child development permit to the list of prerequisite documents.

(b): Amended to add the EL authorization and to update 'limited English-proficient students' to the current term of 'English learners'.

(b)(1)(A): Amended to combine the two referenced children's center permits and added child development permits to the authorization.

(b)(2): Added 'grade or age' to the authorization statement for clarity.

(c): Amended the 'BCLAD Certificate' to 'bilingual authorization', added the EL authorization and updated 'limited English-proficient students' to the current term of 'English learners'.

(c)(1): Added 'grade or age' to the authorization statement for clarity.

(c)(2)(A): Amended to combine the two referenced children's center permits and added child development permits to the authorization.

(d): Section added to clarify that an EL authorization or bilingual authorization issued as a certificate or listed on any prerequisite document may be used in conjunction with other prerequisite documents held by an individual.

(e): Relettered from (d).

(e)(1): Amended to be specific to the validity of the CLAD Certificate. Deleted language pertaining to BCLAD Certificates will be referenced in subsection (3) using the 'bilingual authorization' title.

(e)(2): Subsection added to explain validity of EL authorization.

(e)(3): Subsection added to explain validity of bilingual authorization.

Note: Added Education Code reference that provides definitions for the English learner and bilingual authorization terms used in this section.

Section 80015.3

This section updates the examination information by deleting specific information pertaining to the old examinations and adding the final administration dates, adds examinations currently approved by the Commission, and adds language explaining how CLAD/BCLAD examinations may be combined with CSET: LOTE examinations for the bilingual authorization.

Title: CTEL and CSET: LOTE Examinations added to the title of this section.

(a)(1): Amended to remove the specific components for the CLAD Test 1 and added the final test administration date (CLAD Exams were replaced by CTEL Exams on June 24, 2006.)

(a)(2): Amended to remove the specific components for the CLAD Test 2 and added the final test administration date. (CLAD Exams were replaced by CTEL Exams on June 24, 2006.)

(a)(3): Amended to remove the specific components for the CLAD Test 3 and added the final test administration date. (CLAD Exams were replaced by CTEL Exams on June 24, 2006.)

(a)(4): Amended to remove the specific components for the BCLAD Test 4 and added the final test administration date. (BCLAD Exams were replaced by CSET: LOTE Exams on June 23, 2007.)

(a)(5): Amended to remove the specific components for the BCLAD Test 5 and added the final test administration date. Also amended ‘BCLAD Certificate’ to ‘bilingual authorization’. (BCLAD Exams were replaced by CSET: LOTE Exams on June 23, 2007.)

(a)(6): Amended to remove the specific components for the BCLAD Test 6 and added the final test administration date. (BCLAD Exams were replaced by CSET: LOTE Exams on June 23, 2007.) Also amended the ‘BCLAD Certificate’ to ‘bilingual authorization’.

(b): Deleted language pertaining to the application procedures to take the CLAD/BCLAD Exams as they are no longer offered. Added language pertaining to the CTEL Exams implemented in June 2006.

(b)(1): Describes the CTEL Test 1.

(b)(2): Describes the CTEL Test 2.

(b)(3): Describes the CTEL Test 3.

(c): Section added for CSET: LOTE Examinations implemented in June 2007.

(c)(1): Describes the CSET: LOTE Test IV.

(c)(2): Describes the CSET: LOTE Test V.

(c)(3): Explains that there are Tests IIs and Test IIIs of the CSET: LOTE Exams.

(c)(3)(A): Lists the languages associated with Test II of the CSET: LOTE Exams.

(c)(3)(B): Lists the languages associated with Test III of the CSET: LOTE Exams.

(c)(3)(C): Describes an alternative route to satisfy the integrated communication skills requirement in languages for which there is no approved CSET: LOTE Test II or III.

(c)(3)(D): Describes the four sections of the Test IIs and Test IIIs of the CSET: LOTE Exams and the Commission–approved language assessments.

(d): Section added to explain the manner in which Test 4, 5 and/or 6 of the CLAD/ BCLAD Exams may be combined with the CSET: LOTE Test II or III, Test IV and/or Test V to qualify for a bilingual authorization.

(d)(1): Explains that the CLAD/BCLAD Test 4 may be used to satisfy the requirements of the CSET: LOTE Test IV.

(d)(2): Explains that the CLAD/BCLAD Test 5 may be used to satisfy the requirements for the CSET: LOTE Test V.

(d)(3): Explains that the CLAD/BCLAD Test 6 may be used to satisfy the requirements for the CSET: LOTE Test II or III.

Section 80015.4

This section has been amended to explain procedures for adding an English learner or bilingual authorization listed on one prerequisite document to other valid prerequisites held if the individual chooses to do so and that the authorization may be added to other prerequisites at any time while a document is valid or at the time of renewal.

Title: Deleted ‘Multiple and Single Subject’ from the title of this section, as the EL and bilingual authorizations are not restricted to those documents. Added ‘permit’ as an appropriate prerequisite. Also added the EL authorization and amended ‘BCLAD Emphasis’ to ‘bilingual authorization’.

(a): Amended ‘Teachers’ to ‘Individuals’ for consistency with language used by the Commission and deleted the language pertaining to Multiple and Single Subject BCLAD Emphasis programs. Added language explaining the process for transferring the EL authorization to other prerequisite documents.

(b): Amended ‘Teachers’ to ‘Individuals’ for consistency with language used by the Commission and deleted language pertaining to the ‘BCLAD Emphasis’. Added language explaining the process for transferring the bilingual authorization to other prerequisite documents.

(c): Section deleted, as the language allowing the addition of EL or bilingual authorizations will be broadened in (a) and (b) above. This section was limited only to Multiple and Single Subject credentials with a BCLAD Emphasis.

Section 80021

This section has been amended to allow the bilingual authorization option and clarified the possible Short-Term Staff Permit authorizations.

(a)(4): Subsection added to explain that Short-Term Staff Permits (STSP) shall be issued with the EL authorization unless the employer requests and the applicant qualifies for the bilingual authorization.

(a)(4)(A) through (D): Outline the options for verifying target language proficiency to qualify for a STSP with the bilingual authorization.

(a)(4) renumbered to (a)(5)

(e)(1): Amended to add language pertaining to the EL authorization.

(e)(2): Subsection added pertaining to the authorization of a Multiple Subject STSP with a bilingual authorization.

(e)(3): Subsection renumbered from (2) and amended to add language pertaining to the EL authorization.

(e)(4): Subsection added pertaining to the authorization of a Single Subject STSP with a bilingual authorization.

(e)(5): Subsection renumbered from (3) and amended to add language pertaining to the EL authorization. Also amended title of credential from 'Teaching' to 'Instruction' for consistency with credential title.

(e)(6): Subsection added pertaining to the authorization of an Education Specialist STSP with a bilingual authorization.

Section 80021.1

This section has been amended to allow the bilingual authorization option and clarified the possible Provisional Internship Permit authorizations. Also amended the language referencing 'CBEST' to 'basic skills requirement' pursuant to the provisions of SB 1209 (Chap. 515, Stats. 2006).

(a)(2): Education Code §44252 allows for additional options to passage of the California Basic Educational Skills Test (CBEST) to satisfy the basic skills requirement. The proposed change is to update the basic skills requirement language in this section to match and align with the recent changes in statute pursuant to Senate Bill 1209 (Chap. 515, Stats. 2006).

(a)(4): Subsection added to explain that Provisional Internship Permits (PIP) shall be issued with the EL authorization unless the employer requests and the applicant qualifies for the bilingual authorization.

(a)(4)(A) through (D): Outline the options for verifying target language proficiency to qualify for a PIP with the bilingual authorization.

(a)(4) renumbered to (a)(5)

(e): Capitalized the 'P' in the word 'Permit' for consistency with the manner in which the document is referenced in other sections.

(e)(1): Amended to add language pertaining to the EL authorization.

(e)(2): Subsection added pertaining to the authorization of a Multiple Subject PIP with a bilingual authorization.

(e)(3): Subsection renumbered from (2) and amended to add language pertaining to the EL authorization.

(e)(4): Subsection added pertaining to the authorization of a Single Subject PIP with a bilingual authorization.

(e)(5): Subsection renumbered from (3) and amended to add language pertaining to the EL authorization. Also amended title of credential from 'Teaching' to 'Instruction' for consistency with credential title.

(e)(6): Subsection added pertaining to the authorization of an Education Specialist PIP with a bilingual authorization.

Section 80024.7

This section has been amended the name of the emergency permit from 'BCLAD' to 'Bilingual', updated the examination information, deleted the professional development renewal option due to the repeal of the associated Title 5 section in 2004, and clarified the permit authorization.

Title and (a): Name of emergency permit amended from 'BCLAD' to 'bilingual' in title and subsection **(a)**.

(a)(3)(A): Deleted the BCC option. Per §80015.1(a)(2), BCC scores are only valid for nine years and the BCC was last offered for California certification purposes on March 11, 1995. Also added the CSET: LOTE Exams that replaced the BCLAD Exams on June 23, 2007. BCLAD Exams left in regulations as scores are valid for seven years.

(a)(3)(B): Amended 'BCLAD emphasis' to 'bilingual authorization.'

(a)(3)(C): Amended to add the CSET: LOTE Exams that replaced the BCLAD Exams on June 23, 2007. BCLAD Exams left in regulations as scores are valid for seven years.

(b): Name of emergency permit amended from 'BCLAD' to 'bilingual'. Deleted reference to professional development due to the repeal of §80026.4 on July 1, 2004 [reference to §80026.6(a)(5) was incorrect T5 section].

(b)(1): Amended references to the CLAD/BCLAD Exams to CSET: LOTE Exams as the BCLAD Exams have not been offered since 6/23/07. Added a coursework option for renewal of the permit and amended the

language requiring that the coursework be applicable to the CLAD Certificate due to the addition of a coursework option for the bilingual authorization.

(b)(2): Amended references to the CLAD/BCLAD Exams to CTEL Exams as the CLAD Exams have not been offered since 6/24/06. Deleted language allowing equivalent examinations as the CTEL is the only EL exam currently available. Added the EL authorization option.

(c): Amended 'BCLAD Certificate' to 'bilingual authorization' and cited the T5 section for the authorization.

Section 80024.8

This section adds a reference to the English learner authorization, updates the examination information, deletes the professional development renewal option due to the repeal of the associated Title 5 section in 2004, and clarifies the permit authorization.

(b): Deleted reference to professional development due to the repeal of §80026.4 on July 1, 2004 [reference to §80026.6(a)(5) was incorrect T5 section]. Amended CLAD/BCLAD Exams to CTEL Exams as the CLAD Exams have not been offered since 6/24/06. The section also amended to add the EL authorization as an available option.

(c): EL authorization added and T5 section for the authorization cited.

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations: None.

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

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

Cost or savings to any state agency: None.

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

Significant effect on housing costs: None.

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

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

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

Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]: The

Commission has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed additions and amendments to the regulations do not affect small businesses. The proposed regulation amendments govern the issuance of documents with English learner and bilingual authorizations for service in California public schools and have no impact on private business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered 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 actions.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Tammy A. Duggan by telephone at (916) 323-5354 or Tammy A. Duggan, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's website at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's website

at www.ctc.ca.gov or you may obtain a copy by contacting Tammy A. Duggan at (916) 323-5354.

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 may be accessed through the Commission’s website at www.ctc.ca.gov.

TITLE 18. BOARD OF EQUALIZATION

Notice of Proposed Regulatory Action

The State Board of Equalization Proposes to Adopt California Code of Regulations, Title 18, Section 1698.5, *Audit Procedures*

NOTICE IS HEREBY GIVEN

The State Board of Equalization (Board), pursuant to the authority vested in it by Revenue and Taxation Code section 7051, proposes to adopt California Code of Regulations, title 18, section (Regulation) 1698.5, *Audit Procedures*. The proposed regulation will implement, interpret, and make specific Revenue and Taxation Code section (section) 7053, which requires sellers, retailers, and consumers to maintain sales and use tax records in such form as the Board may require and section 7054, which authorizes the Board to examine records, property, and persons, and conduct investigations to verify the accuracy of returns and accurately ascertain sales and use tax liabilities.

A public hearing on the proposed adoption of Regulation 1698.5 will be held in Room 121, 450 N Street, Sacramento, California, at 9:30 a.m., or as soon thereafter as the matter may be heard, on March 23, 2009. At the hearing, any interested person may present or submit oral or written statements, arguments, or contentions regarding the adoption of the proposed regulation. In addition, if the Board receives written comments prior to the hearing on March 23, 2009, the statements, arguments, and/or contentions contained in those comments will be presented to and considered by the Board before the Board decides whether to adopt the proposed regulation.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current Law

Section 7053 requires sellers, retailers, and consumers to maintain sales and use tax records in such form as the Board may require, and section 7054 authorizes the Board to examine records, property, and persons, and conduct investigations to verify the accuracy of returns and accurately ascertain sales and use tax liabilities.

The Board has established an audit program that is designed to verify the accuracy of sales and use tax returns and determine the correct amount of sales and use tax required to be paid, as quickly and efficiently as is practicable under the circumstances. The audit program ensures that the Sales and Use Tax Law (Rev. & Tax. Code, § 6001 et seq.) is uniformly adhered to and enforced throughout the state, and thereby promotes voluntary compliance and deters tax evasion.

The Board has also published an Audit Manual for use in the Board’s audit program, which contains information about the procedures and techniques Board staff may utilize when performing audits.¹ However, the Board has not adopted regulations prescribing the procedures for conducting sales and use tax audits.

Proposed Regulation

The Board proposes to adopt Regulation 1698.5 to prescribe the procedures for conducting sales and use tax audits. Regulation 1698.5, subdivision (a), defines the terms “Board,” “Pre-Audit Conference,” “Opening Conference,” “Status Conferences,” “Exit Conference,” “Information/Document Request,” “Audit Findings Presentation Sheet,” “Records,” and “Day.”

Regulation 1698.5, subdivision (b), explains that the Board has a duty to utilize its audit resources in an efficient and effective manner and that the purpose of an audit is to efficiently determine whether or not the correct amount of sales and use tax has been reported. Subdivision (b) requires Board staff to complete audits within the statutes of limitations for issuing Notices of Determination and Notices of Refund and provides procedures for Board staff to obtain written waivers of the statutes of limitations from taxpayers when necessary. Subdivision (b) prescribes Board staff’s and taxpayers’ duties during the audit process. For example, Board staff has a duty to apply the Sales and Use Tax Law fairly and consistently regardless of whether an audit results in a deficiency or refund of tax and to keep taxpayers informed about the status of their audits; and taxpayers have a duty to maintain adequate records and make them available to Board staff for inspection and copying upon request. Subdivision (b) also explains that the timeframes prescribed by the regulation are intended to provide for an orderly process that leads to a timely conclusion of an audit, rather than prevent or limit a taxpayer’s right to provide information, and the timeframes may be adjusted when warranted.

Regulation 1698.5, subdivision (c), prescribes the procedures for performing audits, requires Board staff to develop an audit plan that strives for the completion of each audit within a two-year timeframe, and suggests that taxpayers submit claims for refund at the be-

¹ The Board’s Audit Manual is available at www.boe.ca.gov/sutax/staxmanuals.htm.

gining of their audits. Subdivision (c) prescribes the location of each audit, provides procedures for taxpayers to request a change of location, and permits Board staff to visit a taxpayer's places of business to gain a better understanding of the taxpayer's business operations even if an audit is not being conducted at the taxpayer's place of business. Subdivision (c) explains that field audit work is conducted during normal workdays and business hours throughout the year, however, Board staff will try to schedule field audit work so that it is performed at a time and in a manner that minimizes any adverse effects on taxpayers.

Regulation 1698.5, subdivision (c), also requires Board staff to verbally request records and provide taxpayers with a chance to comply with such requests before issuing written Information/Document Requests (IDRs) and resorting to the IDR process for demanding information; and explains that Board staff will communicate its audit findings to taxpayers using Audit Findings Presentation Sheets (AFPSs). In addition, subdivision (c) explains that taxpayers will be invited to:

- A *pre-audit conference* to discuss general audit procedures, the availability of and access to records, computer assisted audit procedures, relevant sampling issues, the data transfer process, the verification of data, the security of data, the timeframes for furnishing and reviewing records, and the name of the person designated to receive IDRs;
- An *opening conference* to discuss the scope of the audit, the audit plan, the audit processes and procedures, claims for refund, the estimated timeframes to complete the audit, the name of the person designated to receive IDRs, and the scheduling of future audit appointments;
- A *status conference* or conferences to discuss the status of the audit, IDRs, and AFPSs, and to ensure that the audit is on track for completion within the estimated timeframes outlined in the audit plan; and
- An *exit conference* to discuss the audit findings, the audit schedules, the review process, how to prepay a liability, the taxpayer's agreement or disagreement with the audit findings, and the Board's appeal procedures.

The purpose of proposed Regulation 1698.5 is to prescribe the procedures for conducting sales and use tax audits. Proposed Regulation 1698.5 is necessary to prescribe the procedures Board staff must follow when performing sales and use tax audits and to provide guidance to taxpayers regarding those procedures and their duties to cooperate in the audit process.

There are no comparable federal regulations or statutes to proposed Regulation 1698.5.

NO MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

The Board has determined that proposed Regulation 1698.5 does not impose a mandate on local agencies or school districts that are 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 proposed Regulation 1698.5 will result in no direct or indirect cost or savings to any state agency, any costs to local agencies or school districts that are required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code or other non-discretionary costs 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

Proposed Regulation 1698.5 is consistent with the Board's current practices and procedures for conducting sales and use tax audits. Therefore, the Board has made an initial determination that proposed Regulation 1698.5 will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed regulation 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 ASSESSMENT REQUIRED BY GOVERNMENT CODE SECTION 11346.3, SUBDIVISION (b)

The Board has determined that the adoption of proposed Regulation 1698.5 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.

NO SIGNIFICANT EFFECT
ON HOUSING COSTS

Adoption of proposed Regulation 1698.5 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 this action is proposed, or be as effective as and less burdensome to affected private persons than the proposed action.

CONTACT PERSONS

Questions regarding the substance of the proposed amendments should be directed to Bradley M. Heller, Tax Counsel III (Specialist), by telephone at (916) 324-2657, 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, Acting 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:81, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080.

AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND TEXT
OF PROPOSED REGULATION

The Board has prepared an Initial Statement of Reasons and an underscored version of proposed Regulation 1698.5 showing its express terms. These documents and all 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 regulation 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 proposed Regulation 1698.5 with changes that are nonsubstantial or solely grammat-

ical 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 regulation, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting regulation will be mailed to those interested parties who commented on the proposed regulation orally or in writing or who asked to be informed of such changes. The text of the resulting regulation will also be available to the public from Mr. Bennion. The Board will consider written comments on the resulting regulation that are received prior to adoption.

AVAILABILITY OF FINAL
STATEMENT OF REASONS

If the Board adopts proposed Regulation 1698.5, 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*.

GENERAL PUBLIC INTEREST

**CORRECTIONS STANDARDS
AUTHORITY**

**NOTICE OF EXTENDED PUBLIC
COMMENT PERIOD AND RESCHEDULED
PUBLIC HEARING**

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Department of Corrections and Rehabilitation
Corrections Standards Authority**

EXTENSION OF PUBLIC COMMENT PERIOD

The Corrections Standards Authority (CSA) is amending the 2007 Local Jail Construction Funding Program regulations (Title 15, California Code of Regulations, Division 1, Chapter 1, Subchapter 6).

CSA originally published its full-length notice in the California Regulatory Notice Register on December 4, 2009, Register 2009, No. 49-Z, page 2068.

The public comment period opened on **December 4, 2009** and was to have closed on January 26, 2010 at 5:00 p.m. In order to assure that sufficient notice has been

given, the public comment period has been extended and **now ends on March 1, 2010** at 5 p.m.

Originally, there was to be a public hearing regarding these amended regulations on January 28, 2010. That hearing has been canceled. In its place there will be a public hearing regarding these amended regulations on March 4, 2010 at 1:00 p.m. The hearing will be held at 660 Bercut Drive, Sacramento, 95811.

The text with proposed amendments, Initial Statement of Reasons and the Notice of Proposed Action will be made available on the CSA's website at www.cdcr.ca.gov/Divisions_Boards/CSA/. To be considered by the CSA, comments must be submitted to the CSA, County Facilities Construction Division, 600 Bercut Drive, Sacramento, CA 95811; by fax at (916) 327-3317; or by e-mail at adultfacilityconstruction@cdcr.ca.gov (amended email address) before the close of the comment period.

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# 2009-1203-06
AIR RESOURCES BOARD
 In-Use Off-Road Diesel Vehicles 2009

The Air Resources Board amended sections 2449, 2449.1 and 2449.2 of title 13 of the California Code of Regulations to extend the deadline for double retrofit credit for fleets that have installed the highest level verified diesel emission control strategy (VDECS) by 10 months, delete the requirement that a small fleet that grew in size to a medium or large fleet and then subsequently downsized to become a small fleet again must continue to meet medium or large fleet requirements, clarify that record retention requirements of disclosure apply to any person that sells a vehicle, clarify the turn-over exemption for Tier 1 or higher engines, and require reporting of the VDECS family name and serial number rather than the VCDES model.

Title 13
 California Code of Regulations
 AMEND: 2449, 2449.1, 2449.2
 Filed 12/31/2009
 Effective 01/01/2010
 Agency Contact: Amy Whiting (916) 322-6533

File# 2009-1203-05
AIR RESOURCES BOARD
 In-Use Off-Road Diesel Fueled Fleets

This regulatory action affects the requirements for In-Use Off-Road Diesel Fueled Fleets pursuant to Health and Safety Code section 43018.2 (AB2x 8). In accordance with Health and Safety Code section 43018.2, subdivision (b), this action by the Air Resources Board (Board) is exempt from the Administrative Procedure Act and OAL review. The Board has established December 3, 2009, as the effective date for the amendments to these regulations.

Title 13
 California Code of Regulations
 AMEND: 2449, 2449.1, 2449.2
 Filed 12/31/2009
 Effective 12/03/2009
 Agency Contact: Amy Whiting (916) 322-6533

File# 2009-1125-02
BOARD OF ACCOUNTANCY
 Definition of Attest Services and Attest Report

The Board of Accountancy adopted title 16, California Code of Regulations, section 2.6 to clarify and define the terms "attest services" and "attest report," as used in Business and Professions Code sections 5095 and 5096.5. The Board re-numbered section 2.6 to section 2.4 for purposes of publication in the California Code of Regulations prior to filing this action with the Secretary of State.

Title 16
 California Code of Regulations
 ADOPT: 2.4
 Filed 01/06/2010
 Effective 02/05/2010
 Agency Contact:
 Matthew Stanley (916) 561-1792

File# 2009-1123-04
BOARD OF EDUCATION
 California High School Exit Examination (CAHSEE)

This Section 100 change without regulatory effect filing amends 13 sections in the Board's existing regulations by substituting the acronym "CAHSEE" for the existing word "examination" in the amended regulations. These amendments are consistent with previously approved changes made by OAL file number 2009-0922-01S.

Title 5
 California Code of Regulations
 AMEND: 1203, 1204, 1205, 1206, 1207.1, 1208,
 1209, 1211, 1217, 1218, 1219, 1220, 1225
 Filed 01/04/2010
 Agency Contact: Connie Diaz (916) 319-0584

File# 2009-1124-04
 BOARD OF OPTOMETRY
 Notification of Intention to Engage in Practice

This Section 100 change without regulatory effect filing replaces the words “certificate holder” with “licensee” in T16 CCR section 1505 which governs notification of intention to engage in the practice of optometry.

Title 16
 California Code of Regulations
 AMEND: 1505
 Filed 01/06/2010
 Agency Contact: Andrea Leiva (916) 575-7182

File# 2009-1119-04
 BOARD OF PHARMACY
 Compounding and Sterile Injectable Compounding

This rulemaking repeals two sections, adopts several new sections and amends several sections in Title 16 of the California Code of Regulations. This rulemaking adopts a new Article 4.5 dealing with compounding (the customization of medication for patients) in addition to the already existing Article 7 that deals with Sterile Injectable Compounding. This rulemaking re-organizes some of the sections in the CCR to prevent duplication in the two articles and to reorganize Article 7 to ensure that it is consistent with the new article. These regulations address the strength, efficacy and quality in compounding. These regulations develop definitions for compounding and establish the procedures and requirements that pharmacists must follow including the development of a quality assurance program. The goal is to provide uniform regulations for compounding to protect California consumers.

Title 16
 California Code of Regulations
 ADOPT: 1735, 1735.1, 1735.2, 1735.3, 1735.4,
 1735.5, 1735.6, 1735.7, 1735.8 AMEND: 1751,
 1751.01, 1751.02, 1751.1, 1751.2, 1751.3, 1751.4,
 1751.5, 1751.6, 1751.7, 1751.8, 1751.9 REPEAL:
 1716.7, 1716.2, 1751.1, 1751.6, 1751.9
 Filed 01/06/2010
 Effective 07/06/2010
 Agency Contact: Carolyn Klein (916) 574-7913

File# 2009-1218-02
 CALIFORNIA ASPARAGUS COMMISSION
 Conflict-of-Interest Code

The California Asparagus Commission is amending its conflict of interest code found at title 2, div. 8, ch. 49, sec. 53800, California Code of Regulations. The changes were approved for filing by the Fair Political Practices Commission on December 2, 2009.

Title 2
 California Code of Regulations
 AMEND: div. 8, ch. 49, sec. 53800
 Filed 01/05/2010
 Effective 02/04/2010
 Agency Contact:
 Cherie Watte Angulo (760) 356-4906

File# 2009-1125-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This is the certification of compliance for an emergency action originally filed with the Secretary of State on 3/18/2009 and readopted on 9/14/2009 that expanded the area under quarantine in the central southern portion of Riverside County to help prevent the spread of the Asian Citrus Psyllid, associated bacteria, and Citrus Greening disease.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 01/06/2010
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2009-1223-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Light Brown Apple Moth Interior Quarantine

The Department of Food and Agriculture submitted this emergency action to amend title 3, California Code of Regulations, section 3434 to expand the quarantine boundaries in ten counties for regulating the light brown apple moth (LBAM; “Epiphyas postvittana”) and to remove quarantine restrictions for moving articles or commodities listed in section 3434 as hosts or possible carriers of the LBAM within a new regulated area or into the new regulated area from the contiguous quarantine area. The new regulated area is approximately 950 square miles, encompassing the entire counties of San Francisco, San Mateo and Santa Cruz. Contiguous county quarantine boundaries have been expanded by approximately 175 square miles in the counties of Contra Costa, Monterey, Napa, Santa Clara, Solano and Sonoma. Non-contiguous boundaries in Sonoma County (Healdsburg area) and Yolo County

(Davis area) have been expanded by approximately two and three square miles, respectively, and a new quarantine area of approximately nine square miles has been established in Santa Barbara County (Santa Barbara area). The effect of this action results in a total of approximately 4,203 square miles under regulation within the State.

Title 3
California Code of Regulations
AMEND: 3434(b), (c), (e)
Filed 12/31/2009
Effective 12/31/2009
Agency Contact:
Stephen S. Brown (916) 654-1017

File# 2009-1119-02
DEPARTMENT OF FOOD AND AGRICULTURE
Aflatoxin Regulations

In this regulatory action, the Department of Food and Agriculture amends three of its regulations pertaining to commercial feed. The changes relate to protecting against the adulteration of commercial feed from aflatoxins. Included in the amendments are a new definition of "aflatoxins," a revision to apply the "more than 20 parts per billion" adulteration standard to total (collective) aflatoxins, and the repeal of an existing provision which has allowed cottonseed meal feed with higher amounts of aflatoxins to be fed to beef cattle in Imperial County feedlots.

Title 3
California Code of Regulations
AMEND: 2675, 2734, 2735
Filed 01/04/2010
Effective 02/03/2010
Agency Contact: Kent Kitade (916) 445-0444

File# 2009-1118-01
DEPARTMENT OF JUSTICE
Amendments to Child Abuse Reports Recordkeeping

This regulatory action amends provisions requiring local agencies to report child abuse and neglect to the Child Abuse Central Index (CACI) in order to provide more clear guidance to local agencies regarding the reporting process.

Title 11
California Code of Regulations
AMEND: 900, 901, 902, 903, 904, 905, 906 REPEAL: 907, 908, 909, 910, 911
Filed 01/05/2010
Effective 01/05/2010
Agency Contact:
Madelyn Childs (916) 227-3263

File# 2009-1120-01
NEW MOTOR VEHICLE BOARD
Arbitration Certification Program Fee Collection

The New Motor Vehicle Board submitted this action without regulatory effect for the annual update of the Arbitration Certification Program fee based on the formula in title 13, California Code of Regulations, section 553.70. The updated fee has been increased to \$.714 per new motor vehicle sold in calendar year 2008.

Title 13
California Code of Regulations
AMEND: 553.70
Filed 01/05/2010
Agency Contact:
Dawn K. Kindel (916) 445-1888

File# 2009-1123-06
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT
Expanded Range of E-Codes, PLS, ESOP, Pt. Disp., Address Updates, DoB

The regulatory action deals with accounting system requirements for California hospitals and California long-term care facilities and patient data reporting requirements.

Title 22
California Code of Regulations
AMEND: 97018, 97019, 97215, 97216, 97222, 97225, 97226, 97227, 97231, 97232, 97234, 97240, 97241, 97244, 97245, 97246, 97249, 97260, 97261, 97264, 97267
Filed 12/31/2009
Effective 12/31/2009
Agency Contact:
Irene Ogbonna (916) 326-3937

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN August 5, 2009 TO
January 6, 2010**

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
01/05/10 AMEND: div. 8, ch. 49, sec. 53800
12/22/09 AMEND: 1859.96, 1859.148.2, 1859.166.2

CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 3-Z

12/21/09	AMEND: 1896.4, 1896.12	11/24/09	AMEND: 3430(b)
12/21/09	ADOPT: 20714.5 AMEND: 20711, 20712, 20714, 20716, 20717, 20718, 20719	11/16/09	AMEND: 3435(b)
11/24/09	AMEND: 1859.2	11/16/09	AMEND: 3406(b)(c)
11/24/09	AMEND: 1859.2, 1859.35, 1859.51, Form SAB 50-02, SAB Form 50-03, SAB Form 50-04	11/10/09	AMEND: 3434(b)
11/17/09	ADOPT: 20810, 20811, 20812, 20813, 20814, 20815, 20816, 20817, 20818, 20819, 20820, 20821, 20822, 20823, 20830, 20831, 20832, 20833, 20840, 20841, 20842	10/30/09	AMEND: 3435(b), (c) and (d)
11/16/09	AMEND: 1859.129, 1859.197	10/15/09	AMEND: 3434(b)
11/12/09	ADOPT: 18944.4 AMEND: 18944.3	10/08/09	AMEND: 3434(b)
11/12/09	ADOPT: 18219, 18734	10/08/09	AMEND: 3591.20(a)
11/09/09	ADOPT: 1859.148.2, 1859.166.2 AMEND: 1859.2, 1859.121, 1859.164.2, 1859.197	09/24/09	AMEND: 3406(b)
11/09/09	ADOPT: 604 REPEAL: 604	09/24/09	AMEND: 3434(b)
11/05/09	ADOPT: 60800, 60801, 60802, 60803, 60804, 60805, 60806, 60807, 60808, 60809, 60810, 60811, 60812, 60813, 60814, 60815, 60816, 60817, 60818, 60819, 60820, 60821, 60822, 60823, 60824, 60825, 60826, 60827, 60828, 60829, 60830, 60831, 60832, 60833, 60834, 60835, 60836, 60837, 60840, 60841, 60842, 60843, 60844, 60845, 60846, 60847, 60848, 60849, 60850, 60851, 60852, 60853, 60854, 60855	09/22/09	AMEND: 6562
11/03/09	ADOPT: 1859.96 AMEND: 1859.2, 1859.90	09/15/09	AMEND: 3434(b)
10/01/09	AMEND: 2291, 2292, 2294 ADOPT: 2297	09/14/09	AMEND: 3435(b)
10/01/09	AMEND: 1898.2, 1898.7	09/10/09	ADOPT: 2300.1, 2300.2, 2300.3 AMEND: 2300
09/22/09	ADOPT: 18603, 18603.1	09/09/09	AMEND: 3434(b)
09/22/09	ADOPT: 18901.1 AMEND: 18420.1	09/03/09	AMEND: 3434(b)
09/18/09	AMEND: 1859.76	09/01/09	AMEND: 3435(b)
09/17/09	AMEND: 2270, 2271	08/28/09	AMEND: 3434(b)
09/14/09	AMEND: 588.1, 588.2	08/27/09	AMEND: 3435(b)
08/31/09	ADOPT: 1859.324.2 AMEND: 1859.302, 1859.324.1, 1859.330	08/27/09	AMEND: 3588
		08/26/09	AMEND: 6400, 6502, 6620, 6626(a)-(b), 6626(c), 6627, 6670, 6672, 6736, and incorporated by reference forms
		08/20/09	AMEND: 3406(b)
		08/20/09	AMEND: 3591.13(a)
		08/13/09	AMEND: 3434(b)
		08/13/09	AMEND: 6618, 6619, 6761.1, 6770, 6771
		08/12/09	ADOPT: 902.15
		08/07/09	AMEND: 3406(b)
		08/05/09	AMEND: 3434(b), 3434(c)
		Title 4	
		12/17/09	AMEND: 8070, 8072, 8073, 8074
		12/09/09	AMEND: 12388
		12/08/09	ADOPT: 12218.8, 12218.9, 12238, 12239 AMEND: 12200.9, 12200.10A, 12200.11, 12200.13, 12203.2, 12205.1, 12218, 12218.7, 12220.13, 12220.18, 12220.23, 12225.1, 12233, 12235
		10/27/09	AMEND: 8034, 8035, 8042, 8043
		10/20/09	AMEND: 1606
		10/07/09	AMEND: 7030, 7034, 7035, 7037, 7038, 7042, 7044, 7045, 7046, 7048, 7049, 7050
		08/25/09	ADOPT: 12380, 12381, 12384, 12385, 12386 AMEND: 12360
		Title 5	
		01/04/10	AMEND: 1203, 1204, 1205, 1206, 1207.1, 1208, 1209, 1211, 1217, 1218, 1219, 1220, 1225
		12/18/09	AMEND: 41905
Title 3			
01/06/10	AMEND: 3435(b)		
01/04/10	AMEND: 2675, 2734, 2735		
12/31/09	AMEND: 3434(b), (c), (e)		
12/29/09	AMEND: 3423(b)		
12/28/09	AMEND: 3434(b)		
12/28/09	AMEND: 3434(b)		
12/16/09	AMEND: 3591.20(a)		
12/16/09	AMEND: 3406(b)(c)		
11/25/09	AMEND: 3435(b)		

CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 3-Z

12/16/09 ADOPT: 19828.4, 19837.3, 19839, 19845.2 AMEND: 19815, 19816, 19816.1, 19828.3, 19837.2, 19845.1, 19846

12/16/09 ADOPT: 30730, 30731, 30732, 30733, 30734, 30735, 30736

11/03/09 AMEND: 1200, 1204.5, 1207, 1207.5, 1210, 1211.5, 1215, 1215.5, 1216 REPEAL: 1207.2

08/20/09 ADOPT: 19825.1 AMEND: 19816, 19816.1, 19825, 19825.1 (renumber to 19825.2)

Title 8

12/09/09 AMEND: 9812, 10111.2

12/02/09 AMEND: 4086

11/19/09 AMEND: 15600, 15601, 15602, 15603, 15604, 15605, 15606, 15607, 15611

11/04/09 AMEND: 9771, 9778, 9779, 9779.5 REPEAL: 9779.9

10/28/09 AMEND: 3333, 3650

10/26/09 AMEND: 5306

10/22/09 AMEND: 3277

10/07/09 AMEND: 2395.6

08/31/09 AMEND: 3385

08/27/09 AMEND: 3400

12/03/09 AMEND: 2698.600, 2698.602

12/01/09 ADOPT: 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, 2031.7, 2031.8 AMEND: 2031.9, 2031.10

12/01/09 ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10

12/01/09 ADOPT: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10

12/01/09 AMEND: 2699.200, 2699.201

11/19/09 AMEND: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507

11/19/09 AMEND: 2498.5

11/19/09 AMEND: 2498.5

11/19/09 AMEND: 2498.4.9

11/19/09 AMEND: 2498.4.9

11/10/09 AMEND: 260.101.2, 260.103.4, 260.105.7, 260.105.17, 260.105.33, 260.105.34, 260.211.1, 260.217, 260.230, 260.241.4, 260.242 REPEAL: 260.105.37, 260.204.11

10/29/09 AMEND: 2699.6809

10/29/09 AMEND: 2699.6600, 2699.6607, 2699.6619, 2699.6621, 2699.6705, 2699.6715, 2699.6725

Title 9

12/21/09 ADOPT: 9550

12/21/09 ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533

11/04/09 ADOPT: 3200.125, 3200.215, 3200.217, 3200.253, 3200.254, 3200.255, 3200.256, 3200.275, 3200.276, 3200.320, 3200.325, 3550, 3810, 3820, 3830, 3840, 3841, 3842, 3843, 3844, 3844.1, 3845, 3850, 3851, 3851.1, 3852, 3853, 3854, 3854.1, 3854.2, 3856 AMEND: 3310, 3510

10/26/09 ADOPT: 4350

09/22/09 ADOPT: 7213.4, 7213.5, 7213.6, 7214.1, 7214.2, 7214.3, 7214.4, 7214.6, 7214.8, 7215.1, 7216.1, 7216.2, 7220.3, 7220.5, 7220.7 AMEND: 7213, 7213.1, 7213.2, 7213.3, 7214, 7215, 7216, 7218, 7220, 7221, 7224, 7225, 7226, 7226.1, 7226.2, 7227, 7227.1, 7227.2 REPEAL: 7219

09/14/09 ADOPT: 4000, 4005

10/26/09 AMEND: 2632.9

10/26/09 AMEND: 2695.85

10/15/09 AMEND: 2632.5

10/06/09 ADOPT: 2728, 2773, 2903 AMEND: 2731, 2848, 2930 REPEAL: 2728, 2755

09/29/09 AMEND: 2699.6625

09/24/09 AMEND: 260.004, 260.017.1, 260.102.14, 260.165, 260.210, 260.211, 260.230.1, 260.236, 260.236.1, 260.237.2, 260.240, 260.241.3 REPEAL: 260.101, 260.103.3, 260.237.1

09/23/09 AMEND: 260.102.8(b), 260.103.6, 260.105.15, 260.113, 260.140.8(b)(4), 260.140.42(e), 260.140.71.2, 260.140.114.1(c), 260.151(a), 260.236(c)(3)(C), 260.608, 1457(d), 1950.122.1, 2020(c), 2030, Note after Subchapter 6 REPEAL: 250.50, 250.51

Title 10

12/15/09 REPEAL: 2232.45.1, 2232.45.2, 2232.45.3, 2232.45.4, 2232.45.5

12/08/09 AMEND: 2699.6603

12/07/09 ADOPT: 2309.2, 2309.3, 2309.4, 2309.5, 2309.6, 2309.7, 2309.8, 2309.9, 2309.10, 2309.11, 2309.12, 2309.13, 2309.14,

Title 11

01/05/10 AMEND: 900, 901, 902, 903, 904, 905, 906 REPEAL: 907, 908, 909, 910, 911

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 10/14/09 AMEND: 9052(c), 9053(b), 9053(c),
 9053(e)(5)(A)4, 9053(e)(10)(A),
 9053(e)(10)(B), 9054(e)(4), 9057(b),
 9059(b), 9059(c), 9059(e)(9)(A),
 9059(e)(9)(B), 9060(e)(4)

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 12/31/09 AMEND: 2449, 2449.1, 2449.2
 12/31/09 AMEND: 2449, 2449.1, 2449.2
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 12/09/09 ADOPT: 2025
 12/03/09 AMEND: 425.01
 10/20/09 AMEND: 2433
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 12/21/09 AMEND: 670.5
 12/21/09 AMEND: 2310, 2320
 12/02/09 AMEND: 699.5
 12/01/09 AMEND: 895, 895.1, 898, 914.8, 916,
 916.2, 916.5, 916.9, 916.11, 916.12,
 923.3, 923.9, 916.9.1, 923.9.1, 934.8,
 936.5, 936, 936.2, 936.9, 936.9.1, 936.11,
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 11/30/09 AMEND: 1052, 1052.1, 1052.4
 11/25/09 AMEND: 895, 895.1, 919.9, 919.10,
 939.9, 939.10
 11/23/09 ADOPT: 749.4
 11/18/09 AMEND: 163, 164
 10/29/09 AMEND: 551
 10/27/09 AMEND: 938.8
 10/27/09 ADOPT: 1530.05 AMEND: 1553, 1554,
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10/26/09 ADOPT: 1091.15 AMEND: 1091.9
 10/22/09 ADOPT: 749.5
 10/20/09 ADOPT: 6594, 6594.1, 6594.2, 6594.3,
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 6594.23, 6594.24, 6594.25, 6594.26,
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 10/20/09 AMEND: 300
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 10/05/09 AMEND: 670.5
 09/15/09 AMEND: 502
 08/25/09 AMEND: 257, 300, 311, 313
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 10/23/09 ADOPT: 3999.8
 10/14/09 AMEND: 3045.2
 10/06/09 AMEND: 3000, 3173.1, 3176, 3176.3,
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 08/11/09 AMEND: 2253
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 09/15/09 ADOPT: 2910.1
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12/18/09	ADOPT: 1300.67.2.2			