



# California Regulatory Notice Register

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

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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 (the "Commission"), under the authority vested in it under the Political Reform Act (the "Act")<sup>1</sup> by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **December 13, 2012**, at the **San Diego County Administration Center, Board Chambers Room 310, 1600 Pacific Hwy, San Diego California, 92101**, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on December 11, 2012.

#### BACKGROUND/OVERVIEW

This request to amend Regulation 18723 and to consider a similar amendment to Regulation 18730 was submitted by Luisa Menchaca, Chief Counsel for the Assembly Legislative Ethics Committee.

Regulation 18723 sets forth the filing deadlines for specified public officials required to file annual Statements of Economic Interest ("SEI") pursuant to Section 87200. Depending on their position, 87200 filers must annually file their SEIs by either March 1 or April 1:

- (1) For the Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, members of the Legislature, members of the State Board of Equalization, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members elected to the Board of Administration of the Public Employees' Retirement System, and members elected to the Board of Administration of the Teachers' Retirement Board, the filing deadline shall be March 1.

- (2) For county supervisors, district attorneys, county counsels, county treasurers, county chief administrative officers, county planning commissioners, members of city councils, mayors, city managers, city attorneys, city treasurers, city chief administrative officers and city planning commissioners, the filing deadline shall be April 1.

(Regulation 18723(b)(1)-(2).)

In addition, Regulation 18730 sets forth the annual SEI filing deadline for designated employees covered by an agency's conflict of interest code established pursuant to Section 87300. Under Regulation 18730(b)(5)(C), all such employees must annually file SEIs no later than April 1.

These regulations, however, contain no provisions to extend the annual deadlines for public officials who are on active military duty and thus unable to comply. Therefore, the request seeks to amend Regulations 18723 and 18730 by adding an exception to allow such individuals to extend the annual filing deadline to 30 days following their return to office on the condition they provide notice and verification to the filing officer prior to the applicable deadline.<sup>2</sup>

In support of the proposed amendment, the request emphasizes public officials who miss filing deadlines as a result of their active duty military status are currently subject to "administrative and other sanctions." For example, under Section 91013, late filers are subject to a monetary penalty not to exceed \$100.00. Additionally, Section 83116 authorizes the Commission to seek a monetary penalty of up to \$5,000.00 for such a violation.

The request notes that the federal Servicemember's Civil Relief Act ("SCRA")<sup>3</sup> provides protection to individuals called to active military duty by temporarily suspending certain civil obligations that may adversely affect their civil rights during military service. (See 50 App. U.S.C. § 502.) Its purpose is to strengthen and ex-

<sup>2</sup> As part of the proposed exception, staff added language to allow someone authorized to represent the individual called to active duty to provide the notice and verification to the filing officer as appropriate.

<sup>3</sup> The SCRA, 50 App. U.S.C. §§ 501 et seq., was enacted at the end of 2003 as a recodification and modernization of the Soldiers' and Sailors' Civil Relief Act of 1940 cited by petitioner.

pedite the national defense by enabling active service-members to devote their full energy to the defense needs of the country without concerns about their legal and financial affairs. (*Ibid.*)

According to the request, the proposed amendment to Regulations 18723 and 18730 would place the burden on the filer to notify his or her filing officer of the need for an extension, and would require that the filer provide verification in support of the request. In this regard, there would be no additional burden placed on the filing officer to track those public officials on active military duty.

### REGULATORY ACTION

#### Amend 2 Cal. Code Regs. Sections 18723 and 18730:

For the reasons provided above, the Commission will consider amending Regulations 18723 and 18730 to allow public officials on active military duty to request an extension to file their annual SEIs.

### SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

### AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and repeal rules and regulations to carry out the purposes and provisions of the Political Reform Act.

### REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 87203 and 87302.

### CONTACT

Any inquiries should be made to Jack Woodside, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

## TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the "Commission"), under the authority vested in it under the Political Reform Act (the "Act" )<sup>1</sup> by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **December 13, 2012**. The hearing on December 13 will be held at the **San Diego County Administration Center, Board Chambers Room 310, 1600 Pacific Hwy, San Diego California, 92101**, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on December 11, 2012**. (Any subsequent hearing, if necessary, will be held at a scheduled meeting of the Fair Political Practices Commission, at its offices at 428 J Street, Suite 800, Sacramento, California.)

### BACKGROUND/OVERVIEW

The Commission will consider amending the following campaign regulations:

- Regulation 18410 which sets forth the contents of a committee's statement of organization. The amendment seeks early identification of committees that are funding the qualification of state ballot measures.
- Regulation 18425 on 24-hour contribution reports. The amendments harmonize the rules applicable during the 24-hour contribution reporting requirements in two areas of the Act: Sections 82036/84203, the traditional "late period" applicable to state and local candidates and committees; and Section 85309, the 24-hour reporting added by Proposition 34 for state candidates and committees.

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

- Regulation 18550 on 24-hour independent expenditure reports. The amendments add the cumulative total amount of independent expenditures to the 24-hour reports.
- Regulation 18435 regarding sender identification. The amendments provide that a committee must put sender identification (a committee name and address) on mass mailings sent by email.
- Regulation 18465.1 on verification of campaign statements.

## REGULATORY ACTION

### Amend 2 Cal. Code of Regs. Section 18410. Filing Requirements for Statement of Organization.

The Commission will consider amending Regulation 18410 to require a committee that is financing a petition circulation drive to add the Attorney General's identification number of a measure on its Form 410 statement of organization. This change is being proposed because prior to a ballot measure's qualification, it is often unclear to the public which committee is financing petition circulation drives. People trying to track ballot measures criticize the lack of information available to determine what groups are financing a ballot measure in the early stages.

This information would be added to a committee's statement of organization, but not to the committee's name, because the Attorney General's identification number is long, it is early in the process, and frequently a committee sponsoring a measure submits several different versions to the Attorney General's office to see which one receives the best title and summary.

### Amend 2 Cal. Code of Regs. Section 18425 and Repeal 2 Cal. Code of Regs. Section 18539. 24-Hour Contribution Reports.

Until September, *all state and local candidates and committees* were required to file 24-hour reports of contributions made and received *during the 16-day "late period"* before an election, and *state candidates and committees* were required to file 24-hour reports of contributions received *during the 90 days* before a state election. (Sections 82036/84203; and Section 85309 added by Proposition 34.) AB 481 (Gordon) sponsored by the Commission and signed by the Governor this September aligned the two 24-hour reporting requirements in the Act to both apply 90 days before an election.

Because there were two separate 24-hour contribution reporting requirements in the Act, slightly different rules interpreting these sections arose. The proposed amendments to Regulation 18425 make one set of rules apply to 24-hour contribution reports required to be

filed under Sections 82036/84203 and 85309. The change will permit candidates and committees making or receiving contributions during the 24-hour reporting period of both Sections 82036/84203 and 85309 to estimate late non-monetary contributions. This is helpful for example, if a union or a chamber of commerce is doing phone banking for a candidate close to the election. Instead of filing 24-hour reports every day before the election, the committee or candidate may file one report estimating the total amount of non-monetary contributions that will be received during the period. The proposed amendments also consolidate the two existing 24-hour contribution reporting regulations into one.

### Amend 2 Cal. Code Regs. Section 18550. Report Cumulative Amounts on 24-Hour Independent Expenditure Reports.

Committees, entities and individuals that make independent expenditures close to the election must file 24-hour independent expenditure reports. The proposed amendments would add to the 24-hour independent expenditure report the *cumulative total* a committee or entity has spent in independent expenditures on a candidate or measure, in addition to the amount of the most recent independent expenditure being reported.

The 24-hour reports are filed on a transaction-by-transaction basis, and report isolated independent expenditures as they are made. Third parties who are interested in tracking independent expenditures must add the amounts spent on successive reports together to get the total independent expenditures by a committee or entity on a particular candidate or measure. Requiring the cumulative total on the 24-hour independent expenditure report would not be a burden on filers who have this information readily available, but would be a great benefit to the public viewing these reports.

### Amend 2 Cal. Code of Regs. Section 18435. Definition of Mass Mailing and Sender.

The Act's sender identification rules require a candidate or committee sending a mass mailing to put its name and address on the campaign mailer. (Section 84305.) The FPPC subcommittee report on "Internet Political Activity and the Political Reform Act" strongly recommended that this rule be extended to electronic mail. The proposed amendments to Regulation 18435 will require sender identification (candidate or committee name and address) on mass campaign emails sent by candidates or committees.

Although they share the same definition of "mass mailing," the statutory provision requiring sender identification of the candidate or committee name on mass mailings in Section 84305 is distinct from provisions of the Act prohibiting mass mailings at government expense. (Section 89001; Regulation 18901.) The change to the sender identification rule in Regulation 18435

would not result in any change to the restrictions on mass mailings at government expense. Section 89001, prohibiting mass mailings at public expense is a wholly different statute with a separate rationale from Section 84305 requiring mass mailings sent by a campaign to identify who sent them. In addition, Regulation 18901 interpreting the mass mailing prohibition of Section 89001, provides that it only applies to tangible items, which email messages are not.

Amend 2 Cal. Code of Regs. Section 18465.1. Verification of Online Filers.

Section 18413(b), enacted by AB 481, provides that an individual or entity making an independent expenditure on a candidate or measure must file a statement with the Commission verifying that the independent expenditures were not coordinated with the affected candidate or measure committee and that the committee reported all contributions and reimbursements used to make the expenditures. AB 481 did not specify when the verification must be filed. Proposed amendments to Regulation 18465.1 state that the verification is due within ten days after the date the committee makes its first independent expenditure with respect to a candidate or measure in an election.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and repeal rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulations is to implement, interpret, and make specific with respect to Regulation

18410, Government Code Sections 84101, 84102 and 84103; with respect to Regulation 18425, Sections 82036, 84203, 84203.3, 85204 and 85309; with respect to Regulation 18550, Sections 82036.5, 84204, 85204, 85500 and 85505; and with respect to Regulation 18435, Sections 82041.5 and 84305.

CONTACT

Any inquiries should be made to Hyla P. Wagner, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC; email [hwagner@fppc.ca.gov](mailto:hwagner@fppc.ca.gov). Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the "Commission,"), under the authority vested in it under the Political Reform Act (the "Act")<sup>1</sup> by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **December 13, 2012**, at the **San Diego County Administration Center, Board Chambers Room 310, 1600 Pacific Hwy, San Diego California, 92101**, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on December 11, 2012.**

BACKGROUND/OVERVIEW

In May 2012, the Commission adopted amendments to Regulation 18705.5, which allowed public officials to make, participate in making, or use their official positions to influence decisions concerning their own appointments to positions as officers of the bodies of which they are members, committees, boards or commissions of public agencies, special districts, joint powers agencies or authorities, joint powers insurance agencies or authorities, or metropolitan planning organizations if the appointments are required to be made by either state law, local law or a joint powers agreement and are required to be made by the bodies on which the

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

officials are members. As a safeguard, the bodies making such appointments must adopt and post on their websites a form that lists each appointed position, the name of the public official appointed to each position (including alternates) and the salary or stipend paid for the appointed position.

At the time the above amendments to Regulation 18705.5 were adopted appointments to standing committees and ad hoc committees of an official's own agency that are not required by law were not contemplated. The California Association of Sanitation Agencies ("CASA") has now requested, pursuant to Section 11426 of the 1974 Administrative Procedure Act, that the Commission consider further amendments to Regulation 18705.5 to allow public officials to make, participate in making or use their official positions to influence or attempt to influence governmental decisions concerning their own appointments to standing committees and ad hoc committees of their own agencies when those appointments would result in additional compensation for those public officials and are authorized by law but not necessarily required to be made by law. Currently, participation in such appointments by public officials would be prohibited unless specifically required by state or local law or a joint powers agreement.

CASA believes there is little difference between allowing public officials to participate in decisions to appoint themselves to outside entities when required by state law, local law or a joint powers agreement and allowing public officials to participate in decisions to appoint themselves to standing committees and ad hoc committees of their own agencies, when such appointments are not specifically required to be made by law or joint powers agreements but are authorized by governing statutes for its member agencies. The need for standing committees and ad hoc committees changes with each year and CASA has expressed a concern that enacting a new law each time a need for a standing committee or ad hoc committee arises would be both costly and time consuming for the small agencies that CASA represents. CASA also believes that when appointments are being considered the current rules prohibit public officials from expressing interest in a position and hopes this regulatory change will eliminate confusion in that aspect of the selection process. CASA also states that statutes governing the types of appointments for many (but not all) of CASA's member agencies prevent board members from being compensated for more than six such meetings and cap the level of compensation for participation and attendance at such meetings. Also, for many of CASA's member agencies appointments to ad hoc and standing committees are "authorized" by law but are not necessarily "required" to be made. CASA has requested these amendments be en-

acted before next year because many appointments are made in January of each year.

#### REGULATORY ACTION

- (1) Amend 2 Cal. Code Regs. § 18705.5. The proposed amendments to Regulation 18705.5 would allow public officials to make, participate in making or use or attempt to use their official positions to participate in governmental decisions to appoint themselves to standing committees and ad hoc committees of the public agencies for which they are members when those appointments are not required by law and would provide additional compensation of \$250 or more in a 12-month period.

#### SCOPE

The Commission may adopt or reject all or part of the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues. The Commission may delete provisions, adopt the language noticed herein, or choose new language to implement its policy regarding implementation of the CPI adjustments described above.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and repeal rules and regulations to carry out the purposes and provisions of the Political Reform Act (Gov. Code Sections 81000–91014).

#### REFERENCE

The purpose of these regulations is to implement, interpret, and make specific the following:

2 Cal. Code Regs. § 18705.5. Government Code Sections 87100, 87102.5, 87102.6, 87102.8 and 87103.

CONTACT

Any inquiries should be made to Sukhi Brar, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)<sup>1</sup> by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **December 13, 2012**. The hearing on December 13 will be held at the **San Diego County Administration Center, Board Chambers Room 310, 1600 Pacific Highway, San Diego California, 92101**, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on December 11, 2012**. (Any subsequent hearing, if necessary, will be held at a scheduled meeting of the Fair Political Practices Commission, at its offices at 428 J Street, Suite 800, Sacramento, California.)

BACKGROUND/OVERVIEW

AB 2062 (Davis) took effect on September 24, 2012, authorizing local agencies to permit electronic filing of a statement of economic interests (SEI), in accordance with regulations adopted by the Fair Political Practices Commission. The bill requires the Commission to approve and certify an electronic filing system proposed by an agency, upon payment by the agency of a fee of \$1,000 to the Commission, if the system meets prescribed requirements. (Section 87500.2.) Under Section 87500.2, an agency’s proposed electronic filing system must meet the following requirements:

- An SEI filed electronically shall include an electronic transmission that is submitted under

penalty of perjury and conforms to the requirements of California Civil Code Section 1633.11(b) about secure electronic signatures.

- The agency’s filing officer shall issue to a person who files his or her SEI electronically, an electronic confirmation that the statement was received.
- The agency shall use an electronic filing system for SEIs that includes layered security to ensure data integrity.
- The agency shall provide the public with a copy of an official’s SEI upon request.

The legislation further provides that the Commission may adopt regulations to require that an agency redact information on an SEI prior to the agency’s posting the SEI on the Internet. Specified cities and counties that participated in the pilot program for online SEIs are exempted by AB 2062 from the \$1,000 fee and are permitted to use the system they developed for the pilot program until the Commission adopts regulatory specifications.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18756: As required by Section 87500.2, the proposed regulation sets forth the requirements for a city or county to obtain approval and certification of an online SEI filing system from the Commission. Under the regulation, a local agency will be required to submit to the FPPC a description of the electronic filing system that the agency proposes to use. A local system may be required to permit data to be exported into CSV or XML files allowing the data to be easily retrieved on spreadsheet and database applications.

The regulation may require the agency’s electronic filing system to include these features: secure Sockets Layer (SSL) technology; firewalls; complex password requirements; password encryption; data redundancy capability; disaster recovery capability; and permanent redaction capability.

The regulation may require the local agency to update its electronic filing yearly to conform to Commission-approved changes to the SEI forms. It may require or permit redaction of certain information from a public official’s SEI that is publicly available on the Internet. The regulation may specify when recertification of an agency’s system is required. The regulation may make other specifications related to Section 87500.2, a local agency’s electronic SEI program, the FPPC’s approval and certification of these programs, and the fees charged for certification and approval.

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. A local agency is permitted to adopt an online SEI filing program under Section 87500.2 and this regulation; it is not required to do so. Therefore, any expenditures to adopt an online SEI filing program by a local agency are discretionary. In addition, the Legislative Analyst’s Office (LAO) reported in January 2012 that cities and counties participating in the online SEI filing pilot project indicated that the “paper-based filing process was time-consuming and required significant amounts of staff time to review the SEIs, work with the filers to correct errors and maintain the paper file systems.” Utilizing online SEI filing, these cities and counties “realized operational efficiencies through reduced personnel due to the significant reduction in the number of errors, among other cost savings.”

Fiscal Impact on State Government. The Commission estimates annual costs of administering the online local SEI filing programs under Section 87500.2 and this regulation to be approximately \$150,000. Depending on the number of local agencies submitting proposals for electronic filing, the FPPC’s costs will likely be offset by filing fees.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and repeal rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Section 85700.2.

CONTACT

Any inquiries should be made to Hyla P. Wagner, Fair Political Practices Commission, 428 J Street, Suite 800,

Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id.247#2>.

**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

AMENDMENT

MULTI-COUNTY: Butte-Glenn Community College District

A written comment period has been established commencing on **November 9, 2012** and closing on **December 24, 2012**. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **December 24, 2012**. 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 Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED CONFLICT OF  
INTEREST CODES**

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Adrienne Tackley, Fair Political

Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 9. DEPARTMENT OF  
REHABILITATION**

**NOTICE IS HEREBY GIVEN** that the Department of Rehabilitation ("Department") proposes to amend Sections 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358 and 7400, described below after considering all comments, objections, or recommendations regarding the proposed action.

**PUBLIC HEARING**

The Department will hold a public hearing at 9:00 a.m. on December 27, 2012, at 721 Capitol Mall, Room 242, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. The hearing will be adjourned immediately following receipt of testimony. No oral statements will be accepted subsequent to this public hearing.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Shelly Risbry, Regulations Coordinator  
Department of Rehabilitation  
721 Capitol Mall  
Sacramento, California 95814-4702

Comments may also be submitted by facsimile (FAX) at 916-558-5826 or by email to [Legal@dor.ca.gov](mailto:Legal@dor.ca.gov). Comments must be received by the Regulations Coordinator by 5:00 p.m. on December 27, 2012. All written comments received by the Department during the public comment period are subject to disclosure under the Public Records Act.

**ACCESSIBILITY**

The public hearing room is wheelchair accessible. Any person who is deaf or hearing impaired and requires an interpreter at the hearing, or individuals with disabilities who need any other special assistance, should contact Shelly Risbry, Regulations Coordinator, at (916) 445-4466 or [srisbry@dor.ca.gov](mailto:srisbry@dor.ca.gov) at least two weeks in advance of the date of the hearing.

AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

**Authority:**

Sections 19006, 19016, 19627, 19639, and 19710, Welfare and Institutions Code; Section 1798.30, Civil Code; Section 87306, Government Code; and Section 35, Chapter 937, Statutes of 1993.

**Reference:**

20 USC Sections 107b(5), 107b(6) and 107b-1(3); 29 USC Section 722(c)(4) and (c)(7); 28 CFR Section 35.107(b); 34 CFR Sections 100.6, 104.7, 104.51, 104.61, 361.19, 361.38, 361.48, 361.5, 361.57, 370.1, 370.2, 370.4, 370.6, 395.4, and 395.13; Sections 1798.24, 1798.25, and 1798.3-1798.37, Civil Code; Section 1094.5, California Code of Civil Procedure; Sections 19572(w), 87300-87302 and 87306, Government Code; and Sections 14113, 19000, 19010, 19011, 19013, 19629, 19635, 19638, 19700 et seq., 19700.1, 19703, 19704, 19705, 19708, and 19709, Welfare and Institutions Code.

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

The proposed regulations will implement the amendments and repeals in Sections 19700, 19701, 19702, 19704, 19705, 19706, 19709, 19710, Welfare and Institutions Code, which became operative July 27, 2012. The Legislature passed Senate Bill (SB) 1041 and it was signed by the Governor on June 27, 2012. SB 1041 amended the Welfare and Institutions Code by replacing the Rehabilitation Appeals Board with an impartial hearing officer under contract with the Department of Rehabilitation who meets specified qualifications.

Appellants, through the changes in the regulations, are permitted to file a request for hearing through e-mail, a method that serves as a reasonable accommoda-

tion for some and a convenience for others. Furthermore, the time between the hearing and the time that a decision must be rendered is shortened from 45 days to 30 days. The Department is striking conditions in California Code of Regulations, Title 9, that are not required under the Welfare and Institutions Code, as amended by SB 1041. Other provisions are stricken because they are unnecessary as described clearly in the Welfare and Institutions Code, such as the standard for admitting evidence. Some regulations that required Appellants to satisfy a condition for hearing include requiring Appellants to confirm attendance and requiring the parties to provide exhibits two weeks before the hearing. These conditions were primarily imposed because of the logistics related to a large state body of individuals who needed to travel to one place, who may have been serving on the Board outside of their usual jobs, and as a number needed documents to be converted to Braille or other formats due to a disability. While an impartial hearing officer may have a disability, because there is only one individual requiring one set of exhibits, these regulations are no longer necessary.

The proposed amendments would benefit all involved for the reason that the proposed amendments would be consistent with the state law. The proposed amendments will promote justice, equity and transparency between the government and private individuals by providing for a fair hearing process before an impartial hearing officer. The proposed amendments will simplify the hearing request and mediation request process and provide the benefit of making the fair hearing process more convenient for the Appellants.

More specifically, the Department proposes the following amendments:

**Section 7141.5**

This section will be amended to remove any reference to the "Rehabilitation Appeals Board" and replace with reference to a "fair hearing" and/or "impartial hearing officer."

**Section 7143**

This section will be amended to remove any reference to the "Rehabilitation Appeals Board" and replace with reference to a "fair hearing" and/or "impartial hearing officer."

**Section 7227**

This section will be amended to remove any reference to the "Rehabilitation Appeals Board" and replace with reference to a "fair hearing" and/or "impartial hearing officer."

**Section 7350**

This section will be amended to delete the definition referring to "Rehabilitation Appeals Board" and to add a definition for "Impartial Hearing Officer." The defini-

tion referring to "Appeals Board Administrator" will also be deleted.

**Section 7351**

This section will be amended to remove reference to the "Rehabilitation Appeals Board."

**Section 7353.6**

This section will be amended in the following ways:

- 1) change "Be made in writing to the Mediation Coordinator" to "Be made in writing and directed to the Department of Rehabilitation, Legal Affairs or sent by email to appealsinfo@dor.ca.gov."
- 2) delete "A mediation request form with the address and phone number of the Mediation Coordinator can be obtained from the local Department office."
- 3) delete "and the Appeals Board Administrator shall forward such requests to the Mediation Coordinator."
- 4) change "By requesting a mediation, an individual consents to the release of the information contained in the request to the Mediation Coordinator and to the sharing of information about the individual's case with the Mediation Coordinator" to "By requesting a mediation, an individual consents to the release of the information contained in the request to a Qualified Impartial Mediator and to the sharing of information about the individual's case with the Qualified Impartial Mediator."
- 5) change "Mediation Coordinator" to "Department of Rehabilitation, Legal Affairs."

**Section 7354**

This section will be amended in the following ways:

- 1) change the heading from "Fair Hearing" to "Fair Hearing Requests,"
- 2) change "Board" to "impartial hearing officer."
- 3) change "Appeals Board Administrator" to "Department of Rehabilitation, Legal Affairs."
- 4) change the timeframe in which a hearing shall be held from 45 days to 60 days, pursuant to 34 CFR section 361.57(e) and section 19704, Welfare and Institutions Code.
- 5) allow fair hearing requests to also be submitted by electronic mail, in order to accommodate the Appellant.
- 6) eliminate the requirement of confirming attendance at the scheduled hearing.
- 7) eliminate the requirement that Appellant submit a written summary and copies of documentary evidence prior to the hearing.

**Section 7355**

The Department proposes to amend Section 7355 in the following ways:

- 1) change the heading from "Operations of the Board" to "Fair Hearing Procedures."
- 2) remove reference to the "Appeals Board" and "Board," and replace them with "impartial hearing officer" and/or "fair hearing."
- 3) remove former paragraph (a) and former paragraph (i) in order to be consistent with Section 19705(a)(2), Welfare and Institutions Code, which provides that the impartial hearing officer may change the time and place of the hearing to accommodate the convenience of the appellant.
- 4) remove former paragraph (c), which states that hearings will be held before Appeals Board members.
- 5) remove former paragraphs (d) and (e), which are regarding the presentation of evidence and the consideration of the issues by the Board.
- 6) change the number of copies presented at the hearing from ten copies to three copies, as a quorum of Board members will no longer be conducting the hearing.
- 7) eliminate the requirement that the parties submit copies of documentary evidence prior to the hearing.

**Section 7356**

This section will be amended in the following ways:

- 1) remove reference to the "Board" and replace it with "impartial hearing officer."
- 2) remove reference to the appellant having to confirm intention to attend the scheduled hearing.
- 3) remove language requiring good cause to request a rescheduled hearing, in order to be consistent with section 19705, Welfare and Institutions Code.

**Section 7357**

This section will be amended in the following ways:

- 1) add that an impartial hearing officer may postpone the scheduled hearing if both parties agree or for the convenience of the appellant, in order to be consistent with section 19705, Welfare and Institutions Code.
- 2) remove reference to the "Board" and replace it with reference to an "impartial hearing officer."

**Section 7358**

This section will be amended in the following ways:

- 1) remove reference to the "Board" and replace it with "impartial hearing officer."
- 2) indicate that the impartial hearing officer shall render his or her final decision within 30 days

rather than 45 days of the completion of the hearing, pursuant to part 361.57(e), Title 34, Code of Federal Regulations and Section 19705, Welfare and Institutions Code.

**Section 7400**

This section will be amended to remove reference to “Executive Secretary, Rehabilitation Appeals Board” and “Rehabilitation Appeals Board.”

The proposed regulatory amendments are consistent and compatible with State laws and regulations. The proposed amendments pertain to the fair hearing process that only applies to the Department of Rehabilitation. The Department’s regulations have been evaluated and it was found that there are no inconsistencies. The only place where “Rehabilitation Appeals Board” is still mentioned is in Sections 7144 and 7147, Title 9, California Code of Regulations, specifically in the provisions that govern the CAP Post–Appeal Review process. The Department intends to submit a regulation package that will eliminate the CAP Post–Appeal Review process. Furthermore, a change to the CAP Post–Appeal Review process is not necessary to modify appeals processes consistent with Section 19709, Welfare and Institutions Code, as amended. The CAP Post–Appeal Review process is not specifically mandated by state or federal statute or regulation.

DISCLOSURES REGARDING THE PROPOSED REGULATIONS

FISCAL IMPACT

Mandate on local agencies and school districts: None.  
Cost or savings to any state agency: None.

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

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

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

SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

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

COST IMPACT ASSESSMENT

Cost impacts on a representative private person or business: The Department is not aware of any cost im-

pacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ANALYSIS

Adoption of these regulations will not:

- (1) create or eliminate jobs within the State of California,
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Any economic impact or related benefits was the result of the elimination of the Rehabilitation Appeals Board, which was effectuated by the repeal of Section 19700, Welfare and Institutions Code. The proposed regulations will not result in further economic impact as there are no known costs or savings associated with procedural changes to the process of requesting a fair hearing or mediation, selecting the time and location of the fair hearing, and providing documents for the fair hearing. Furthermore, such procedural changes do not provide a benefit to the health and welfare of California residents, worker safety, and the state’s environment. However, the proposed regulations will promote justice, equity and transparency between the government and private individuals, and they will provide the benefit of making the fair hearing process more convenient to Appellants, such as allowing for fair hearing requests via email.

BUSINESS REPORTS

Business Reporting Requirement: None.

HOUSING COSTS

Significant effect on housing costs: None.

DETERMINATION OF EFFECT ON SMALL BUSINESS

The Department has determined that these proposed regulations will not affect small business as defined in Government Code Section 11342.610. These proposed regulations pertain to fair hearing procedures for private individuals (applicants or clients of programs provided by the Department), not small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no

reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of the law.

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

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Shelly Risbry, Regulations Analyst  
Department of Rehabilitation  
721 Capitol Mall  
Sacramento, California 95814-4702  
Telephone: (916) 445-4466  
Email: [srisbry@dor.ca.gov](mailto:srisbry@dor.ca.gov)

The backup contact person for these inquiries is Jenny M. Garcia at (916) 558-5825.

Please direct requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Shelly Risbry at the address above. The Department will also provide copies of the regulation proposal in large print, Braille, on audiotape, compact disk, or transmit copies of the regulation proposal electronically, upon request.

The Department shall provide, upon request, a description of the proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law; providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, Proposed Text of Regulations, and Initial Statement of Reasons. Copies may be obtained by contacting Shelly Risbry at the address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Shelly Risbry at the address above or on the Department's website at [www.dor.ca.gov](http://www.dor.ca.gov).

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the proposed text of the regulations in underline and strikeout, can be accessed through the Department's website at [www.dor.ca.gov](http://www.dor.ca.gov).

### TITLE 14. STATE MINING AND GEOLOGY BOARD

#### PROPOSED AMENDED REGULATIONS FOR DESIGNATION OF MINERAL LANDS IN THE SAN BERNARDINO PRODUCTION-CONSUMPTION REGION, SAN BERNARDINO COUNTY AND RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that the State Mining and Geology Board (SMGB) proposes to amend regulations described below after considering all comments and recommendations regarding the proposed action.

#### REGULATORY ACTION

The SMGB has adopted, by regulation set forth in CCR Section 3550 the designation of certain mineral

resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future. The SMGB proposes to present new proposed regulations which would amend Section 3550.8 to Title 14, Article 2, of the California Code of Regulations (CCR), and provide a description of the locations of mineral resources areas designated to be of statewide significance, and areas where designation will be terminated, within the San Bernardino Production–Consumption (P–C) Region, San Bernardino and Riverside Counties.

### PREVIOUS PUBLIC HEARINGS

The State Geologist recommended to the SMGB 1) several candidates, or areas, which meet or exceed the SMGB’s threshold economic value, thus, each area may be considered for designation as an area of regional or statewide significance by the SMGB, and 2) several candidates, or areas, where the SMGB’s involvement is no longer required. New information obtained since the publication of the 1988 Mineral Land Classification study has resulted in the reclassification of some areas originally classified MRZ–3 in that study. There are two areas reclassified as MRZ–2 for PCC–grade aggregate. One is between Sectors A and B, and is identified as Sector J which is divided into 13 subsectors; and the other is north of Lake Elsinore and is identified as Sector K. Each of the Sectors below meets or exceeds the threshold value as established by the Board. At the time of the updated classification study, that threshold value amounted to approximately 1.3 million tons of aggregate. The permitted aggregate resources contained in these Sectors are considered proprietary.

In regards to termination of lands previously designated, fifty–seven areas in eight Sectors are identified by the State Geologist as potential candidates for termination of designation status due to high–value incompatible land use developments. The recommendations were accepted by the SMGB on December 9, 2010.

The 60–day public comment period commenced on July 19, 2010, and ended on September 20, 2010. In addition, pursuant to PRC Section 2793, a public hearing was held on July 19, 2010, in the City of Riverside. During such hearing, comments were received and responses prepared. Written comment was received from the public. At its December 9, 2010, regular business meeting, the SMGB accepted the proposed new designations, and areas identified for termination of designation, for the San Bernardino P–C Region pursuant to PRC Section 2761, with modification in consideration of public comments received.

**Comment No. 1 — Candidate Sector K (90 acres):** We understand the need to protect mineral resources from being eliminated because of development pressures and we think this is appropriate for certain areas that have proven reserves. Regarding Sector K, we are concerned that the MRZ designation is being considered solely to give legitimacy to lead agency approvals for sites that have questionable vested rights. One site in particular within the City of Lake Elsinore, has already been proven to not be vested and allowed to begin operations without a Surface Mining Permit as required by SMARA. Another well known clay mining site has been allowed to change and intensify vested mining, without amending the requisite reclamation plan. This has resulted in serious, damaging consequences for nearby neighborhoods. We are hopeful that you will consider this carefully before approving the MRZ zone. If it is approved, we are requesting that the State monitor any future mining applications for compliance with SMARA requirements, which should require Surface Mining Permits with consideration given to CEQA and existing adjacent development.

**Response to Comment No. 1:** The designation of mineral lands by the SMGB as proposed by the State Geologist pursuant to SMARA is based on geologic factors, and does not guarantee that such land use will be set aside by the local lead agency for mining purposes. The lead agency ultimately determines whether it will grant a permit for mining. Pursuant to Public Resources Code Section 2774.2(A), the SMGB cannot exercise permitting authority on behalf of a lead agency. In this case the site is already in use as an active mining operation. Designation does not prevent subsequent conservation of these areas, or consideration of some other land use incompatible with mining.

**Comment No. 2 in Support for the Continued Termination of Sector H:** Sector H is located in Alberhill and is now a residential area, which also includes a Charter School being operated at the Boys and Girls Club, etc. Sector H will be harmful to our health and quality of life as well as the depreciation of the values of our homes as well as our neighbors. Sector H will be especially horrific when the construction of SCE’s Fogarty Sub–Station begins (construction is scheduled to begin soon, and will be ongoing for many years).

**Response to Comment No. 2:** No response is deemed necessary since the State Geologist concurs with the proposed regulatory action for termination of designation in this area.

### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the SMGB. Comments

may also be submitted by facsimile (FAX) at (916) 445-0738 or by e-mail to [stephen.testa@conservation.ca.gov](mailto:stephen.testa@conservation.ca.gov). The 45-day comment period will commence on November 9, 2012, and closes at 5:00 p.m. on December 24, 2012. The SMGB will consider only comments received at the SMGB office by that time. No public hearing is scheduled, but any person can request a public hearing no later than 15 days before the close of the written comment period.

#### AUTHORITY AND REFERENCE

The SMGB proposes to adopt a regulation that amends Section 3350.15 to Article 2 of the California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, pursuant to its authority granted in PRC Sections 2790 and 2207 (Reference PRC Sections 2726, 2761-2763, 2790-2791, and 2793).

#### INFORMATIVE DIGEST

The SMGB has adopted, by regulation set forth in CCR Section 3550 the designation of certain mineral resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future.

The Department of Conservation's (DOC) California Geological Survey (CGS) recently released Special Report 206 — *Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California* (Miller and Busch, 2008). This report updated information on Portland cement concrete (PCC) aggregate in the original classification study of the San Bernardino Production-Consumption (P-C) Region published in 1984 as Special Report 143, Part VII — *Mineral Land Classification of the Greater Los Angeles Area; Classification of Sand and Gravel Resource Areas, San Bernardino Production-Consumption Region* (Miller, 1984).

The original classification study by Miller (1984) assisted the SMGB in a subsequent process called "designation." Designation is the formal recognition by the SMGB of lands containing resources of regional or statewide significance that are needed to meet the demands of the future. The SMGB designated construction aggregate resource areas of regional significance in the San Bernardino P-C Region in SMARA Designation Report No. 5 — *Designation of Regionally Significant Construction Aggregate Resources in the Claremont-Upland and San Bernardino Production-*

*Consumption Regions* (prepared by CGS under the direction of the SMGB, January 1987).

In the years since the designation of the San Bernardino P-C Region, about 18 percent, or 4,427 acres of the 24,656 acres of lands designated by the SMGB in the region has been lost to land uses incompatible with mining. The 4,427 acres lost contained approximately 959 million tons of PCC-grade aggregate resources, which was 14 percent of the 6,887 million tons of aggregate resources designated in 1987.

The updated Mineral Land Classification study identified an additional 1,656 acres of land containing more than 334 million tons of PCC-grade aggregate in areas previously classified MRZ-3. These areas were reclassified as MRZ-2 in the update.

The publication of Special Report 143, Part VII (SR 143, Part VII), and its update, Special Report 206, accomplish part one of the two-part *Classification-Designation process*. Part two of the two-step process, designation, is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance needed to meet the demands of the future. In the years since the original publication of Special Report 143, termination of designation for certain areas where the direct involvement of the SMGB is no longer required have also been identified.

The State Geologist has recommended two areas reclassified as MRZ-2 for PCC-grade aggregate. One is between Sectors A and B, and is identified as Sector J which is divided into 13 subsectors; and the other is north of Lake Elsinore and is identified as Sector K. Each of the Sectors below meets or exceeds the threshold value as established by the Board. At the time of the updated classification study, that threshold value amounted to approximately 1.3 million tons of aggregate. The permitted aggregate resources contained in these Sectors are considered proprietary.

The State Geologist also recommended fifty-seven areas in eight Sectors as potential candidates for termination of designation status due to high-value incompatible land use developments.

#### POLICY STATEMENT OVERVIEW

The proposed regulatory language would allow consideration of new information obtained since the publication of the 1988 Mineral Land Classification study has resulted in the reclassification of some areas originally classified MRZ-3 in that study. There are two areas reclassified as MRZ-2 for PCC-grade aggregate. One is between Sectors A and B, and is identified as Sector J which is divided into 13 subsectors; and the other is north of Lake Elsinore and is identified as Sector K. Each Sector may be considered for designation as

an area of regional or statewide significance by the SMGB pursuant to Article 6, Section 2790 *et seq.* (SMARA), meets or exceeds the threshold value as established by the Board. At the time of the updated classification study, that threshold value amounted to approximately 1.3 million tons of aggregate. The permitted aggregate resources contained in these Sectors are considered proprietary. This proposed regulation is necessary in order for the State to meet its aggregate availability needs.

The proposed regulatory language is consistent and compatible with existing state regulations. The specific benefits anticipated by the proposed amendment provide nonmonetary benefits to the environment by avoiding species conservation areas and habitat sensitive areas, while contributing to efforts to reduce greenhouse gas emissions, and do not conflict with the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government, among other things.

#### CEQA COMPLIANCE

The SMGB has determined that this rule making action is not a project as defined in the California Environmental Quality Act (CEQA) and is exempt from the requirements of CEQA, Title 14, CCR, Section 15061(b)(3), no possibility of a significant effect on the environment.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

The SMGB's Executive Officer has made the following preliminary determinations:

**Mandate on local agencies and school districts:**

The adoption of this amended regulation does not impose any new mandates on local agencies or on local school districts.

**Costs or savings to any State agency:** The proposed amended regulation imposes no savings or additional expenses to state agencies.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630:** The proposed amended regulation does not impose any additional cost obligations on local agencies or on local school districts.

**Other non-discretionary costs or savings imposed upon local agencies:** No other non-discretionary costs or savings to local agencies are imposed by the proposed amended regulation.

**Cost or savings in Federal funding to the State:** There are no costs or savings in Federal funding to the State.

**Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** No statewide adverse impacts to California businesses result from the adoption of this proposed amended regulatory language.

**Potential cost impact on private persons or directly affected businesses:** The imposition of the proposed amended language on a directly affected local mining operation will have a positive cost impact to that operation by the recognition of designated mineral land of regional significance which in some circumstances may reduce the amount of time, thus cost, in acquiring a permit to mine from its lead agency.

**Results of Economic Impact Analysis:** The adoption of this amended regulation will not:

- Create nor eliminate jobs within California;
- Create new nor eliminate existing businesses within California;
- Expand businesses currently doing business in California.

The adoption of this amended regulation will, however, benefit the health and welfare of California residents and the state's environment by avoiding species conservation and habitat sensitive areas, as well as reducing greenhouse gas emissions related to transportation.

**Significant effect on housing costs:** The adoption of this amended regulation will have no significant effect on housing costs, but may reduce such costs by providing a source of PCC-grade aggregate closer to users and market areas.

**Effects on small businesses:** The imposition of the proposed amendment will have no cost impact on small businesses. The SMGB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. There are no costs related or associated with the proposed designation of mineral lands. Such considerations require a lead agency to consider the regional significance of mineral lands designated by the SMGB when making land use decisions, but do not impose any fees or costs to small businesses as part of that consideration.

#### CONSIDERATION OF ALTERNATIVES

The SMGB must determine that no reasonable alternative that it considers or that has otherwise been identified and brought to the attention of the SMGB 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The SMGB's Executive Officer has not identified any adverse impacts resulting from the proposed regulation.

No alternatives have been considered by the SMGB at this time that would be more effective in carrying out the purpose for which the regulatory action is proposed, nor have any other alternatives been proposed that would be as effective and less burdensome to affected private persons, lead agencies, or small businesses.

#### CONFLICT WITH FEDERAL REGULATIONS

This regulation change does not duplicate or conflict with existing Federal statutes or regulations. Also, by Memorandum of Understanding with the Federal Bureau of Land Management, the U. S. Forest Service, the Department of Conservation, and the SMGB, SMARA and federal law are coordinated to eliminate duplication.

#### SPECIFIC PURPOSE

The proposed amended regulatory language is intended to provide guidance and consideration to San Bernardino and Riverside Counties when considering long-term aggregate availability needs and permits to mine within their respective jurisdictions.

#### STATEMENT OF NECESSITY

In 2006, the California Geological Survey (CGS) in its statewide report titled "*Map Sheet 52 (Updated 2006), Aggregate Availability in California*" noted that the San Bernardino Production-Consumption Region 50-year demand for aggregate is on the order of 1,074 million tons. Permitted aggregate resources are on the order of 262 million tons. The percentage of permitted aggregate resources as compared to the 50-year demand is 24 percent, significantly lower than the projected demand. In addition, California Geological Survey (CGS) Special Report 206 updated information previously presented in the classification report on Portland cement concrete-grade (PCC) aggregate in the San Bernardino Production-Consumption (P-C) Region completed in 1984. In this report, it was reported that about 4,427 acres, containing 959 million tons of resources, have been lost to urbanization or depleted between 1987 and 2007. Permitted reserves were projected to last until year 2024, 17 years from the date of the report.

PRC Section 2755 provides the SMGB the authority to adopt regulations that establish state policy for the reclamation of mined lands in accordance with Article 1 (commencing with Section 2710) of this chapter and pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. PRC Section 2790 states that after receipt of mineral information from the State Geologist, the SMGB may by regulation adopted after a public hearing designate specific geographic areas of the state as areas of statewide or regional significance and specify the boundaries thereof. Such designation shall be included as a part of the state policy and shall indicate the reason for which the particular area designated is of significance to the state or region, the adverse effects that might result from premature development of incompatible land uses, the advantages that might be achieved from extraction of the minerals of the area, and the specific goals and policies to protect against the premature incompatible development of the area. PRC Section 2791 also requires the SMGB to seek the recommendations of concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals in the identification of areas of statewide and regional significance.

#### IDENTIFICATION OF TECHNICAL/THEORETICAL/EMPIRICAL STUDY, REPORTS, OR DOCUMENTS UPON WHICH THE SMGB HAS RELIED

At its December 11, 2008, regular business meeting, the SMGB accepted California Geological Survey (CGS) Special Report 206 which updated information previously presented in a classification report on Portland cement concrete-grade (PCC) aggregate in the San Bernardino Production-Consumption (P-C) Region completed in 1984. The previous report was published by the California Division of Mines and Geology (CDMG; now CGS) as Special Report 143, Part VII (SR 143, Part VII) — *Mineral Land Classification of the Greater Los Angeles Area, Part VII, Classification of Sand and Gravel Resources Areas, San Bernardino Production-Consumption Region*. At its July 9, 2010, regular business meeting, the SMGB accepted the recommendations set forth by the State Geologist for designation, and termination of designation, of mineral resources of regional or statewide economic significance in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties. A public hearing was held on July 30, 2010, to receive comment on the proposed designations and termination of designated mineral lands. The SMGB considered acceptance of the proposed regulatory language, which would

amend CCR Section 3550.8, and directing the Executive Officer to commence the rulemaking process, at its regular business meeting held on December 9, 2010. The SMGB also considered information presented in CGS's 2006 report titled "*Map Sheet 52 (Updated 2006), Aggregate Availability in California.*"

The State Geologist has recommended two areas reclassified as MRZ-2 for PCC-grade aggregate. One is between Sectors A and B, and is identified as Sector J which is divided into 13 subsectors; and the other is north of Lake Elsinore and is identified as Sector K. Each of the Sectors below meets or exceeds the threshold value as established by the Board. At the time of the updated classification study, that threshold value amounted to approximately 1.3 million tons of aggregate. The permitted aggregate resources contained in these Sectors are considered proprietary.

The State Geologist also recommended fifty-seven areas in eight Sectors as potential candidates for termination of designation status due to high-value incompatible land use developments.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

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

**AVAILABILITY OF THE FINAL STATEMENT  
OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mr. Stephen Testa at the address provided below.

**CONTACT PERSON**

An interested person may request a copy of the proposed amended regulation and the Initial Statement of Reasons. Questions about the proposed regulation and Initial Statement of Reasons can be directed to the SMGB's office. All supplemental information upon

which the regulation is based is contained in the rulemaking file.

The rulemaking file is available for inspection at the SMGB Office at 801 K Street, Suite 2015, Sacramento, California, between 9:00 a.m. and 4:00 p.m., Monday through Friday except during state holidays. Copies of the proposed regulation and the Initial Statement of Reasons may be requested by writing to the above address, or viewed on the SMGB's Internet Web Site at: <http://www.conservation.ca.gov/smgb>.

Inquiries concerning the substance of the proposed amended regulation should be directed to:

Mr. Stephen M. Testa, Executive Officer  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, California 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[Stephen.Testa@conservation.ca.gov](mailto:Stephen.Testa@conservation.ca.gov)

OR

Amy Scott, Executive Assistant  
State Mining and Geology Board  
801 K Street, Suite 2015  
Sacramento, CA 95814  
Phone: (916) 322-1082  
Fax: (916) 445-0738  
[Amy.Scott@conservation.ca.gov](mailto:Amy.Scott@conservation.ca.gov)

**TITLE 23. DEPARTMENT OF WATER  
RESOURCES**

**NOTICE OF INTENTION TO AMEND THE  
CONFLICT-OF-INTEREST CODE OF THE  
DEPARTMENT OF WATER RESOURCES**

NOTICE IS HEREBY GIVEN that the Department of Water Resources, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The Department of Water Resources proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

This amendment addresses reorganizations and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than December 24, 2012, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than 15 days before the close of the written comment period by contacting the Contact Person set forth below.

The Department of Water Resources has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Department of Water Resources has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department of Water Resources must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Amanda Jack  
1416 Ninth Street, Room 330-1  
Sacramento, California 95814  
(916) 651-6851  
Form700@water.ca.gov

## **TITLE 24. BUILDING STANDARDS COMMISSION**

### **NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS REGARDING THE MINIMUM STANDARDS FOR JUVENILE FACILITIES CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1, CHAPTER 13, ARTICLE 2 AND PART 2, SECTION 1230**

#### **MINIMUM STANDARDS FOR THE DESIGN AND CONSTRUCTION OF LOCAL JUVENILE DETENTION FACILITIES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Board of State and Community Corrections (BSCC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1, Chapter 13, Article 2 and Part 2, Section 1230. The BSCC is proposing building standards related to BSCC.

#### **PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from November 9, 2012, until 5:00 pm on December 24, 2012. Please address your comments to:

Allison Ganter, Field Representative  
600 Bercut Drive  
Sacramento CA 95811  
(916) 445-5073  
[allison.ganter@bscc.ca.gov](mailto:allison.ganter@bscc.ca.gov)

Comments may also be forwarded to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director  
Fax (916) 263-0959 or E-mail [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Following the public comment period, the BSCC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the BSCC adopts, amends, or repeals the regulation(s). The BSCC will accept written comments on the modified building standards during the 15-day period. Comments should be addressed to the above-noted Field Representative.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Welfare and Institutions Code Sections 210 and 885. The BSCC is proposing this regulatory action based on Welfare and Institutions Code Sections 210 and 885.

INFORMATIVE DIGEST

Summary of Existing Laws

Sections 210 and 885 of the Welfare and Institutions Code authorize the Corrections Standards Authority to establish building standards for local juvenile detention facilities.

Summary of Existing Regulations

Existing building standards that prescribe requirements for building design and construction of local detention facilities are promulgated by the Board of State and Community Corrections. These regulations are contained in Title 24, Part 1, Chapter 13, Article 2 and Title 24, Part 2, Volume 1.

Summary of Effect

The proposed action would update Title 24 Parts 1 and 2 and replace “Corrections Standards Authority” with “Board of State and Community Corrections,” re-

flecting legislative change. Nonsubstantive grammatical corrections are made throughout, and definitions have been added, deleted or modified to provide clarity and consistency.

Several terms throughout the regulations have been replaced or deleted to reflect current and more appropriate language. For instance, the terms “minor” and “child” have been replaced with “youth.” Other revisions include aligning regulation with current statutory requirements and updating regulations to reflect evidence-based and best juvenile detention and juvenile justice practices.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to maintain building regulations for local juvenile detention facilities in conformance with sound correctional practices and to ensure the safe and secure detention of incarcerated minors. Proposed revisions reflect current best practices in juvenile justice and detention and are intended to enhance the quality of juvenile detention facilities throughout the state. Specific benefits include clear and detailed regulations that will provide facility administrators and partners in facility design and construction with guidance to protect the health and safety of residents and staff of such facilities. Proposed revisions will continue to provide improvements to local juvenile detention facilities, ultimately ensuring the public’s health and safety.

The proposed regulation revisions are not inconsistent or incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The BSCC has made the following initial determinations:

Mandate on local agencies and school districts: None.  
 Cost or savings to any state agency: None.

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

Other nondiscretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: None.  
 Significant effect on housing costs: None.

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

RESULTS OF THE ECONOMIC IMPACT  
ANALYSIS/ASSESSMENT

The BSCC concludes that it is unlikely that adoption of these regulations will (1) create or eliminate jobs within California, (2) create new businesses, (3) eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Benefits of the Proposed Action:

These regulations will benefit the residents and staff of juvenile detention facilities, by providing clear guidance related to the design and construction of such facilities. Proposed revisions reflect current best practices intended to improve operations. Ensuring safe, secure and humane juvenile detention facilities will continue to benefit the health, safety and welfare of California's residents.

Cost impacts on a representative private person or business: The BSCC 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: These regulations do not require a report to be made; they do not apply to businesses.

Small Business Determination:

The BSCC has determined that the proposed regulations will have no effect on small businesses. These proposed regulations affect the operations and programs for Juvenile Detention Facilities.

CONSIDERATION OF ALTERNATIVES

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

The BSCC invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearings or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Allison E. Ganter, Field Representative  
600 Bercut Drive  
Sacramento, CA 95814  
(916) 445-5073  
allison.ganter@bscc.ca.gov

Toni Gardner  
600 Bercut Drive  
Sacramento, CA 95814  
(916) 445-5073  
toni.gardner@bscc.ca.gov

Questions on the substance of the proposed regulation may be directed to Ms. Ganter or Ms. Gardner.

Please direct requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which this rulemaking is based to Allison Ganter at the above address.

AVAILABILITY OF INITIAL STATEMENT  
OF REASONS AND TEXT OF  
PROPOSED REGULATIONS

The Rulemaking File, which includes all the information on which this proposal is based, is available for viewing at the BSCC's office at the above address.

AVAILABILITY OF MODIFIED TEXT

If the BSCC makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the BSCC adopts the regulations as revised.

AVAILABILITY OF THE FINAL STATEMENT  
OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be accessed through the BSCC website at: <http://www.bscc.ca.gov/programs-and-services/fso/services>. Those persons who do not have access to the Internet may submit a written request to Allison Ganter at the above address.

AVAILABILITY OF DOCUMENTS;  
INTERNET ACCESS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in strikeout and underline can be accessed through our website at: <http://www.bscc.ca.gov/programs-and-services/fso/services>. Those persons who do not have access to the Internet may submit a written request to Allison Ganter at the above address.

**SUMMARY OF REGULATORY  
ACTIONS**

**REGULATIONS FILED WITH  
SECRETARY OF STATE**

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

File# 2012-0913-01  
BOARD OF ACCOUNTANCY  
Accounting Study

The Board of Accountancy is required by Business & Professions Code sections 5094.3 and 5094.6 to adopt regulations concerning the study of accounting and ethics to be included in the educational requirements for board licensure as a certified public accountant. These regulations indicate how many units of each subject are required for licensure and how to meet the "accounting study" requirement. In addition, the Board is applying the previously adopted definition of "satisfactory evidence" to the entire Division 1 of title 16 of the California Code of Regulations.

Title 16  
California Code of Regulations  
ADOPT: 2.8, 11, 11.1 AMEND: 9.2  
Filed 10/25/2012  
Effective 11/24/2012  
Agency Contact: Matthew Stanley (916) 561-1792

File# 2012-0920-01  
BOARD OF EDUCATION  
Administration of Epilepsy Medication

This rulemaking action adopts regulations establishing guidelines for training and supervision of volunteer non-medical school personnel so that they can administer emergency anti-seizure medication that has been approved by the federal Food and Drug Administration for the management of seizures by persons without medical credentials.

Title 5  
California Code of Regulations  
ADOPT: 620, 621, 622, 623, 624, 625, 626, 627  
Filed 10/31/2012  
Effective 10/31/2012  
Agency Contact: Cynthia Olsen (916) 319-0584

File# 2012-0924-01  
BOARD OF REGISTERED NURSING  
Faculty — Qualifications and Changes

This change without regulatory effect by the Board of Registered Nursing amends 16 CCR Section 1425, and makes non-substantive technical changes to forms EDP-P-02 and EDP-P-03, with regard to faculty qualifications and changes.

Title 16  
California Code of Regulations  
AMEND: 1425  
Filed 10/31/2012  
Agency Contact: Alcidia Valim (916) 574-7684

File# 2012-1019-01  
CALIFORNIA ALTERNATIVE ENERGY AND  
ADVANCED TRANSPORTATION FINANCING  
AUTHORITY  
ABX1 14 Clean Energy Upgrade Financing Program

This emergency regulatory action readopts Article 3 beginning with Section 10050 of Division 13 of Title 4 of the California Code of Regulations. Article 3 contains regulations for the loan loss reserve program under the Clean Energy Upgrade Financing Program provided for in Assembly Bill 14, CH 9, Statutes of 2011. These regulations establish the rules, process and procedures for the Clean Energy Upgrade Financing Program including the eligibility and evaluative criteria loans must meet in order for participating financial institutions to qualify and receive a loan loss reserve contribution.

Title 4  
California Code of Regulations  
ADOPT: 10050, 10051, 10052, 10053, 10054,  
10055, 10056, 10057, 10058, 10059, 10060  
Filed 10/29/2012  
Effective 10/29/2012  
Agency Contact: Jennifer Gill (916) 653-3033

File# 2012-1023-01  
CALIFORNIA DEBT LIMIT ALLOCATION  
COMMITTEE  
Performance Deposit

The California Debt Limit Allocation Committee (CDLAC) filed a second readoption of an emergency regulation that amended sections 5000 and 5052 of title 4 of the California Code of Regulations to allow the full refund of the performance deposit if 80% or more of the Allocation is used to issue bonds or issue at least one (1) Mortgage Credit Certificate prior to the expiration date.

Title 4  
California Code of Regulations  
AMEND: 5000, 5052  
Filed 10/30/2012  
Effective 10/30/2012  
Agency Contact: Misti Armstrong (916) 653-3461

File# 2012-0914-03  
CALIFORNIA ENERGY COMMISSION  
Amendments to Appliance Efficiency Regulations

This rulemaking amends various sections of the California Energy Commission's Appliance Efficiency Regulations (sections 1601-1607, CCR, title 20). Primary changes include new efficiency standards and certification and marking requirements for large and small battery charger systems. This rulemaking also adds sales-based regulations for certain self-contained lighting control devices. Installation of these devices is presently regulated under title 24 of the CCR.

Title 20  
California Code of Regulations  
AMEND: 1601, 1602, 1604, 1605.1, 1605.3, 1606, 1607  
Filed 10/26/2012  
Effective 01/01/2013  
Agency Contact: Harinder Singh (916) 654-4091

File# 2012-0921-02  
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE  
Medical and Ethical Standards

This regulatory action amended Title 17, California Code of Regulations, sections 100060 and 100070. These amendments provide greater flexibility for stem cell research oversight committee operations and also allow for a designated institutional official to be notified in lieu of a stem cell research oversight committee for in vitro research involving identifiable cells and tissue.

Title 17  
California Code of Regulations  
AMEND: 100060, 100070  
Filed 10/30/2012  
Effective 11/29/2012  
Agency Contact: C. Scott Tocher (415) 396-9136

File# 2012-0921-03  
DENTAL BOARD OF CALIFORNIA  
Notice to Consumers of Licensure by the Dental Board

This regulatory action implements, interprets and makes specific the provisions of sections 138 and 1611.3 of the Business and Professions Code to provide conspicuous notification to consumers that dentists in

California are licensed and regulated by the Dental Board of California and to require that the notice also include the Board's toll-free telephone number and its web site address.

Title 16  
California Code of Regulations  
ADOPT: 1065  
Filed 10/29/2012  
Effective 11/28/2012  
Agency Contact: Sarah Wallace (916) 263-2187

File# 2012-1016-04  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
Urinalysis Testing Pilot Program (DAPO)

This action creates a pilot program for the Urinalysis Testing Program to detect the presence of prohibited substances used by parolees and respond to positive tests with sanctions and/or interventions. This pilot program is exempt from the requirements of the Administrative Procedure Act pursuant to Penal Code section 5058.1.

Title 15  
California Code of Regulations  
ADOPT: 3999.14  
Filed 10/25/2012  
Effective 10/25/2012  
Agency Contact:  
Timothy M. Lockwood (916) 445-2212

File# 2012-0919-02  
DEPARTMENT OF FOOD AND AGRICULTURE  
Repacking/Regrading Eggs

The Department of Food and Agriculture adopted section 1352.4 and amended sections 1351 and 1358.4 of Title 3 of the California Code of Regulations for the purpose of clarifying uniform procedures for the regrading and repacking of shell eggs by California registered egg handlers, including processing plants, producers, and wholesalers.

Title 3  
California Code of Regulations  
ADOPT: 1352.4  
AMEND: 1351, 1358.4  
Filed 10/29/2012  
Effective 11/28/2012  
Agency Contact: Thami Rodgers (916) 698-3276

File# 2012-0919-04  
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY  
Electronic Waste Recovery and Recycling

This action by the Department of Resources Recycling and Recovery makes changes without regulatory ef-

fect to Title 14, Division 7, Chapter 8.2 of the California Code of Regulations. Specifically, DRRR is making changes to twenty-nine regulatory sections relating to electronic waste recovery and recycling. These amendments are primarily intended to update these regulatory sections to account for the abolishment of the California Integrated Waste Management Board and creation of the Department of Resources Recycling and Recovery (a.k.a. CalRecycle) pursuant to Stats.2009, c. 21 (S.B. 63).

**Title 14**

California Code of Regulations

AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43

Filed 10/29/2012

Agency Contact: Harlee Branch (916) 341-6056

File# 2012-0921-06

**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Diesel Engine Runaway Protection

This rulemaking by the Occupational Safety and Health Standards Board (OSHSB) makes substantive changes to Section 6505 of the Petroleum Safety Orders — Drilling and Production (PSO-D&P), and adopts Section 6625.1 to the PSO-D&P, with regard to diesel engine runaway protection. Non-substantive changes are made to Section 6505 to make editorial corrections, reformat subsections, and to make grammatical revisions.

**Title 8**

California Code of Regulations

ADOPT: 6625.1 AMEND: 6505

Filed 10/31/2012

Effective 11/30/2012

Agency Contact: Marley Hart (916) 274-5721

File# 2012-0918-01

**OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT**

Health Facility Data

This action by the Office of Statewide Health Planning and Development (OSHPD) makes changes without regulatory effect to Chapter 10, Title 22 of the California Code of Regulations (CCR). Specifically, this action amends sections 97005, 97052, 97053, and 97054 to remove references to the California Health Policy and Data Advisory Commission, which was ter-

minated by statutory amendments in Stats. 2011 c. 32 (A.B. 106). Amendments are also made to update statutory citations and references to account for a prior renumbering of underlying statutes. Section 97041 is amended to update OSHPD's address. OSHPD's address is also being updated in the Accounting and Reporting Manual for California Long Term Care Facilities (Manual). Although the revised Manual is not being printed in the CCR, section 97019(a) is amended to reflect the incorporation by reference of the revised Manual.

**Title 22**

California Code of Regulations

AMEND: 97005, 97019, 97041, 97052, 97053, 97054

Filed 10/25/2012

Agency Contact: Peter Won (916) 326-3800

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN June 6, 2012 TO  
October 31, 2012**

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

**Title 2**

- 10/23/12 AMEND: 1859.2, 1859.71.6, 1859.77.4, 1859.107, 1859.193, 1859.194, 1859.197
- 10/22/12 ADOPT: 599.944, 599.946, 599.947
- 10/18/12 AMEND: 1575
- 10/18/12 ADOPT: 577, 578
- 10/17/12 AMEND: 20804
- 10/03/12 ADOPT: 18730.1
- 10/02/12 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.106, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.193
- 09/20/12 ADOPT: 59730
- 09/19/12 AMEND: 1155.250, 1155.350
- 09/14/12 REPEAL: 52100
- 09/10/12 ADOPT: 59650
- 08/30/12 AMEND: 60000, 60010, 60300, 60310, 60323, 60325, 60330, 60400, 60550, 60560, 60600, 60610 REPEAL: 60020, 60025, 60030, 60040, 60045, 60050, 60055, 60100, 60110, 60200

**CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 45-Z**

08/16/12 AMEND: 1859.2, 1859.61, 1859.74,  
1859.77.1, 1859.79, 1859.79.2,  
1859.79.3, 1859.83, 1859.104 REPEAL:  
1859.70.3, 1859.71.5, 1859.78.9,  
1859.93.2, 1859.93.3  
08/13/12 ADOPT: 59720  
08/07/12 AMEND: 18640  
07/16/12 AMEND: 18215.3  
07/09/12 ADOPT: 22620.1, 22620.2, 22620.3,  
22620.4, 22620.5, 22620.6, 22620.7,  
22620.8  
06/28/12 AMEND: 649.32  
06/19/12 AMEND: 56800

**Title 3**

10/29/12 ADOPT: 1352.4 AMEND: 1351, 1358.4  
10/23/12 ADOPT: 3639  
10/23/12 ADOPT: 3439  
09/21/12 AMEND: 3437(b) and (c)  
09/18/12 AMEND: 6449.1, 6486.7  
09/12/12 AMEND: 3700(c)  
09/12/12 AMEND: 3435(b)  
08/24/12 AMEND: 3406(b)  
08/22/12 AMEND: 6800(b)  
08/20/12 AMEND: 3435(b)  
08/06/12 AMEND: 3435(b)  
06/19/12 ADOPT: 6970, 6972 AMEND: 6000

**Title 4**

10/30/12 AMEND: 5000, 5052  
10/29/12 ADOPT: 10050, 10051, 10052, 10053,  
10054, 10055, 10056, 10057, 10058,  
10059, 10060  
10/17/12 AMEND: 1656  
10/17/12 AMEND: 1656  
10/16/12 ADOPT: 1581.2  
10/10/12 AMEND: 1867  
09/27/12 AMEND: 5000, 5170, 5200, 5230, 5370,  
5500, 5540  
09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c),  
12392 AMEND: 12360  
09/04/12 AMEND: 10032, 10033, 10034, 10035  
08/30/12 ADOPT: 1489.1  
08/29/12 ADOPT: 5205 AMEND: 5000, 5054,  
5144, 5190, 5200, 5230, 5370, 5170,  
5350 REPEAL: 5133  
08/01/12 ADOPT: 5255, 5256 AMEND: 5170,  
5230, 5250, 5560, 5580  
08/01/12 AMEND: 5000, 5052  
07/26/12 AMEND: 8070  
07/26/12 AMEND: 12101, 12202, 12205.1,  
12218, 12218.7, 12218.8, 12222,  
12225.1, 12233, 12235, 12238, 12309,  
12335, 12342, 12350, 12352, 12354  
07/23/12 AMEND: 8035

07/16/12 AMEND: 10050, 10051, 10052, 10053,  
10054, 10055, 10056, 10057  
06/25/12 AMEND: 8070, 8071, 8072, 8078,  
8078.2  
06/25/12 AMEND: 1663  
06/06/12 AMEND: 1843.3

**Title 5**

10/31/12 ADOPT: 620, 621, 622, 623, 624, 625,  
626, 627  
09/27/12 ADOPT: 620, 621, 622, 623, 624, 625,  
626, 627  
09/27/12 AMEND: 3000, 3010, 3021, 3021.1,  
3022, 3023, 3024, 3025, 3027, 3028,  
3042, 3051.4, 3051.75, 3051.8, 3051.9,  
3051.12, 3051.13, 3051.17, 3051.18,  
3052, 3053, 3062, 3063, 3064, 3066,  
3067, 3069, 3080, 3082, 3083, 3084,  
3085, 3086, 3087, 3088, 3088.1, 3088.2,  
3089, 3090, 3091, 3092, 3093, 3094,  
3096, 3096.1, 3096.2, 3097, 3098,  
3098.1, 3098.2, 3099, 3100  
09/06/12 AMEND: 1216.1  
08/09/12 AMEND: 40403  
08/09/12 AMEND: 59400, 59402, 59404, 59406,  
59408  
08/09/12 AMEND: 40500  
08/09/12 ADOPT: 40541  
08/09/12 AMEND: 40407.1  
08/08/12 ADOPT: 40540  
08/08/12 ADOPT: 19824.1, 19841, 19851.1,  
19854.1 AMEND: 19816, 19816.1,  
19824, 19850, 19851, 19854  
07/31/12 AMEND: 19816, 19816.1, 19845.2  
06/12/12 ADOPT: 18004 AMEND: 18000, 18001,  
18002, 18003

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07/03/12 AMEND: 219

**Title 8**

10/31/12 ADOPT: 6625.1 AMEND: 6505  
10/23/12 AMEND: 1593, 3650  
10/18/12 AMEND: 6325  
10/02/12 ADOPT: 1613.11, 1613.12 AMEND:  
1600, 1610.1, 1610.3, 1610.4, 1610.9,  
1611.1, 1612.3, 1613, 1613.2, 1613.10,  
1616.1, 1617.1, 1617.2, 1617.3, 1618.1,  
1619.1, 4885, 4999  
10/02/12 AMEND: 4297  
09/25/12 AMEND: 2950, 3420, 3421, 3422, 3423,  
3424, 3425, 3426, 3427 REPEAL: 3428  
09/05/12 AMEND: 1512, 2320.10, 2940.10  
09/04/12 AMEND: 5189, 5192(a)(3),  
5198(j)(2)(D)2., 1532.1(j)(2)(D)2.  
08/07/12 ADOPT: 3558 AMEND: 3207, 4184

07/30/12	ADOPT: 32802, 32804 AMEND: 32380, 32603, 32604	<b>Title 14</b>	
<b>Title 9</b>		10/29/12	AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43
07/27/12	AMEND: 7141.5, 7143, 7227, 7350, 7351, 7353.6, 7354, 7355, 7356, 7357, 7358, 7400	10/18/12	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
<b>Title 10</b>		10/03/12	AMEND: 300
08/30/12	AMEND: 2468.5	10/02/12	AMEND: 632
08/27/12	AMEND: 260.204.9	09/27/12	ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6
08/22/12	ADOPT: 2327, 2327.1, 2327.2	09/25/12	AMEND: 18660.40
08/03/12	ADOPT: 2561.1, 2561.2	09/21/12	AMEND: 502
07/19/12	AMEND: 2698.302	09/12/12	AMEND: 18660.17, 18660.19, 18660.31
07/19/12	AMEND: 2699.301	09/07/12	AMEND: 300
07/19/12	AMEND: 5501, 5506	08/31/12	ADOPT: 671.8 AMEND: 671.1
<b>Title 11</b>		08/14/12	AMEND: 13055
09/18/12	AMEND: 410, 411, 415, 416, 417, 420, 421, 425 REPEAL: 419, 419.1	08/02/12	ADOPT: 2231, 2301 AMEND: 2000, 2200, 2230, 2235, 2240, 2245, 2300, 2305, 2310, 2320
07/31/12	AMEND: 999.16, 999.17, 999.19, 999.22	07/26/12	AMEND: 18836
06/26/12	AMEND: 1005, 1007, 1008	07/12/12	AMEND: 790, 851.20, 851.21, 851.22, 851.25, 851.26, 851.27, 851.27.1, 851.28, 851.29, 851.30, 851.31, 851.32
06/21/12	AMEND: 1005, 1007	07/09/12	ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
<b>Title 13</b>		07/02/12	ADOPT: 602
10/15/12	ADOPT: 2477.1, 2477.2, 2477.3, 2477.4, 2477.5, 2477.6, 2477.7, 2477.8, 2477.9, 2477.10, 2477.11, 2477.12, 2477.13, 2477.14, 2477.15, 2477.16, 2477.17, 2477.18, 2477.19, 2477.20, 2477.21 AMEND: 2477	06/28/12	ADOPT: 17944.1, 17945.1, 17945.4, 17946, 17946.5, 17948.1, 17948.2 AMEND: 17943, 17944, 17946(a)-(h) renumber as 17945.2, 17946(i) renumber as 17945.3, 17946.5 renumber as 17945.5, 17947, 17948, 17948.5, 17949 REPEAL: 17942, 17944.2, 17944.5, 17945
10/09/12	AMEND: 2260, 2261, 2264, 2265, 2265.1, 2266, 2266.5, 2271 REPEAL: 2258	06/25/12	AMEND: 791.7
09/25/12	AMEND: 156.00, 156.01	06/06/12	ADOPT: 18950, 18951, 18952, 18953, 18954, 18955, 18955.1, 18955.2, 18955.3, 18956, 18957, 18958
09/14/12	AMEND: 2479	<b>Title 15</b>	
08/07/12	ADOPT: 1962.2 AMEND: 1962.1, 1962.2 (renumbered to 1962.3)	10/25/12	ADOPT: 3999.14
08/07/12	ADOPT: 1961.2, 1961.3 AMEND: 1900, 1956.8, 1960.1, 1961, 1961.1, 1965, 1968.2, 1968.5, 1976, 1978, 2037, 2038, 2062, 2112, 2139, 2140, 2145, 2147, 2235, 2317	10/22/12	AMEND: 3019, 3044, 3091, 3120
08/02/12	ADOPT: 426.00	10/18/12	ADOPT: 3999.13
07/30/12	AMEND: 1268, 1270.3	10/17/12	ADOPT: 3375.6 AMEND: 3000, 3375
07/12/12	ADOPT: 345.58, 345.73 AMEND: 345.50, 345.52, 345.56, 345.74, 345.78, 345.86, 345.88, 345.90 REPEAL: 345.54, 345.58, 345.60	10/04/12	ADOPT: 3352.3 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358
06/29/12	AMEND: 225.00, 225.03, 225.09, 225.12, 225.15, 225.18, 225.21, 225.24, 225.35, 225.36, 225.38, 225.42, 225.45, 225.54, 225.60, 225.63, 225.66, 225.69, 225.72 REPEAL: 225.06	09/25/12	ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712,
<b>Title 13, 17</b>			
09/14/12	AMEND: 2299.2, 93118.2		

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09/13/12	AMEND: 3162	09/04/12	ADOPT: 30305.1, 30308.1, 30311.1
09/13/12	ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323	08/30/12	AMEND: 95802, 95812, 95814, 95830, 95831, 95832, 95833, 95834, 95856, 95870, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95021
08/29/12	AMEND: 2606, 2635.1, 2646.1, 2733, 2740, 2743, 2744	08/29/12	AMEND: 100800
08/20/12	AMEND: 1006, 1007, 1008, 1012, 1013, 1024, 1032, 1044, 1046, 1051, 1055, 1056, 1058, 1059, 1062, 1063, 1069, 1072, 1080, 1081, 1083, 1084, 1100, 1104, 1125, 1140, 1141, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1151, 1203, 1205, 1206, 1208, 1217, 1241	08/15/12	ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525
07/02/12	ADOPT: 3999.12	07/26/12	AMEND: 94006
06/26/12	ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757	06/15/12	AMEND: 6508
06/26/12	ADOPT: 3079, 3079.1 AMEND: 3000, 3075.2, 3075.3	<b>Title 18</b>	
06/26/12	AMEND: 3000, 3076.1, 3076.3, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.2, 3521.2	10/23/12	AMEND: 313, 321
06/06/12	AMEND: 3000, 3006, 3170.1, 3172.1, 3173.2, 3315, 3323	08/07/12	AMEND: 1618
<b>Title 16</b>		07/27/12	AMEND: 1684
10/31/12	AMEND: 1425	07/10/12	AMEND: 1205, 1212, 1271
10/29/12	ADOPT: 1065	07/10/12	AMEND: 1105, 1120, 1132, 1161
10/25/12	ADOPT: 2.8, 11, 11.1 AMEND: 9.2	07/10/12	AMEND: 1435, 1436
09/25/12	AMEND: 1514, 1525.1	07/10/12	AMEND: 25128.5
09/25/12	AMEND: 3340.15, 3394.6	<b>Title 20</b>	
09/12/12	AMEND: 961 REPEAL: 933	10/26/12	AMEND: 1601, 1602, 1604, 1605.1, 1605.3, 1606, 1607
09/10/12	ADOPT: 4116, 4117, 4118, 4119	<b>Title 21</b>	
09/07/12	AMEND: 4	08/28/12	AMEND: 6640, 6680
08/30/12	ADOPT: 2557, 2557.1, 2557.2, 2557.3, 2595, 2595.1, 2595.2, 2595.3	<b>Title 22</b>	
08/29/12	ADOPT: 4146, 4148, 4149, 4149.1 AMEND: 4100, 4101	10/25/12	AMEND: 97005, 97019, 97041, 97052, 97053, 97054
08/20/12	ADOPT: 1333, 1333.1, 1333.2, 1333.3	10/18/12	AMEND: 97240
07/23/12	ADOPT: 1397.2 AMEND: 1380.4	10/15/12	ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.90, 66273.91, 66273.100, 66273.101 AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75
07/17/12	ADOPT: 1399.23, 1399.24 AMEND: 1398.4	09/06/12	ADOPT: 66269.2
07/10/12	ADOPT: 3394.25, 3394.26, 3394.27	08/20/12	AMEND: 87224
06/18/12	ADOPT: 1727.2 AMEND: 1728	08/13/12	AMEND: 100104, 100106, 100106.1, 100113, 100115, 100119, 100120, 100121, 100123, 100127
06/18/12	AMEND: 443	07/12/12	AMEND: 66263.18, 66263.41, 66263.43, 66263.44, 66263.45, 66263.46
06/14/12	ADOPT: 302.5	07/12/12	AMEND: 66268.40, 66268.48
<b>Title 17</b>		07/09/12	AMEND: 4416
10/30/12	AMEND: 100060, 100070	07/03/12	AMEND: 51516.1
		06/28/12	AMEND: 91477
		06/21/12	AMEND: 50195, 50197, 50256, 50258, 50258.1, 50262, 50268, 50815, 51000.53
		06/12/12	AMEND: 66261.32

**Title 23**

09/06/12 ADOPT: 3959.5  
 08/08/12 ADOPT: 3969.2  
 07/30/12 ADOPT: 2923  
 07/11/12 ADOPT: 597, 597.1, 597.2, 597.3, 597.4  
 07/05/12 AMEND: 570, 571, 572, 573, 574, 575, 576

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10/10/12 AMEND: 8201, 8205, 8212  
 08/13/12 ADOPT: 7097 AMEND: 7054, 7056, 7058, 7060, 7062, 7062.1, 7072, 7076, 7078, 7104 REPEAL: 7064, 7066, 7074, 7078.1, 7078.2, 7078.3, 7078.4, 7078.5, 7078.6, 7078.7  
 06/07/12 ADOPT: 4326, 4328 AMEND: 4004, 4200, 4204, 4208

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10/10/12 AMEND: 25707

09/20/12 AMEND: 25705(b)  
 09/12/12 AMEND: 25403(a), 25603.3(a)  
 07/12/12 AMEND: 25305, 25701, 25705, 25801  
 06/18/12 AMEND: 25705

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09/06/12 ADOPT: 1300.74.73

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06/25/12 AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-133.54(QR), 44-315.39(QR), 89-201.513  
 06/25/12 AMEND: 41-440, 42-716, 42-717, 44-207  
 06/25/12 AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-716, 42-717, 42-721, 44-133, 44-307, 44-316, 82-833