



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

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department), pursuant to rulemaking authority granted by Section 407 and 61341, Food and Agricultural Code (FAC), in order to implement, interpret, and make specific Sections 61382, 61383, and 61384 of the Food and Agricultural Code, proposes to amend Sections 1873, 1931, and 1932, and adopt Section 1933 in Title 3, Chapter 3, California Code of Regulations relating to unlawful practices in marketing milk and dairy products.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance or any interest person, may adopt the proposal substantially as set forth without further notice.

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department, addressed to Greg Lawley, Department of Food and Agriculture, Dairy Marketing Branch, 1220 N Street, Room A-202, Sacramento, CA, 95814, no later than 5:00 p.m. Monday, March 11, 2002. Written comments may also be sent to Greg Lawley via electronic mail at glawley@cdfa.ca.gov; or via FAX (916) 654-0867.

CONTACT PERSON

Inquiries concerning this action may be directed to Greg Lawley at (916) 654-1456. The backup contact person is Don Loftin, at the same number.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Authority and Reference: FAC Sections 407 and 61341 authorize the Department to adopt and amend the regulations as proposed. The regulations would implement, interpret, or make specific Sections 61383 and 61384 of the FAC.

The enactment of SB 1381, Statutes of 2000, repealed a number of statutory restrictions regarding the marketing of milk and dairy products. However, the Legislature retained other longstanding restrictions to discourage predatory marketing practices, such as selling milk and other dairy products below cost or giving items away to secure business. These regulations will clarify the circumstances under which giving samples, conducting sweepstakes, and meeting competition are allowed.

Section 1873 will limit the amounts of various dairy products which may be given away as samples, and will also limit the number of items and length of time in one location that items may be given away.

FAC Sections 61382, 61383, and 61384 prohibit price discrimination, giving away or selling dairy products for less than cost, and allow a lawful, competitive price or condition to be met.

Section 1931 will clarify and make specific the conditions under which a lawful competitive price may be met.

Section 1932 will clarify and make specific the conditions under which a lawful competitive price may be met when multiple units of a product are sold together for one price.

Section 1933 will state the criteria to be used to determine whether sweepstakes and contests comply with the provisions of sales below cost requirements.

DISCLOSURES REGARDING THE PROPOSED ACTION

CDFA 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 accord with Government Code Section 17500–17630: None
- Other non-discretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Significant statewide adverse economic impact on business, including the ability of California businesses to compete with businesses in other states: None
- CDFA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Adoption of these regulations will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

- Significant effect on housing costs: None.

SMALL BUSINESS DETERMINATION

CDFA has determined that the proposed regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(12), CDFA must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of CDFA, 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.

CDFA invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action may be directed to:

Greg Lawley or Don Loftin
Dairy Marketing Branch
Department of Food and Agriculture
1220 N Street, Room A-224
Sacramento, CA 95814
Telephone: (916) 654-1456; CNET 464-1456

The same persons may also be contacted to request 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.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

CDFA will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. The text of proposed regulations and initial statement of reasons are also available on the Internet, at www.cdfa.ca.gov/dairy. When the final statement of reasons has been prepared, it will also be available at this website. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Don Loftin at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the CDFA may adopt the proposed regulations substantially as described in this notice. If CDFA 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 CDFA adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mary Riley at the address indicated above. CDFA 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 Mary Riley at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, and the text of the proposed regulations in underline and strikeout can be accessed through the Department's website at www.cdfa.ca.gov/dairy.

TITLE 4. BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

NOTICE IS HEREBY GIVEN that the Bureau of Home Furnishings and Thermal Insulation (hereafter "Bureau") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held on:

**Wednesday, March 13, 2002
10:00 a.m.**

**Department of Consumer Affairs
400 R Street, First Floor Hearing Room
Sacramento, California 95814**

Written comments must be received in the Bureau's office no later than 5:00 p.m. on March 12, 2002 or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 19034 and 19170 of the Business and Professions Code and to implement, interpret or make specific Sections 19170, and 19170.5 of said Code, the Bureau is considering changes to Title 4, Chapter 3, Division 8 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Business and Professions Code section 19170 authorizes the Bureau to set forth the fees imposed for the issuance and for the biennial renewal of each license granted under the Home Furnishings Act.

Existing regulations specify the fees for an importer license at \$540 and the furniture and bedding manufacturer license at \$540.

Although AB 603 has increased the maximum fees set for the importer license at \$750 and a furniture and bedding manufacturer license at \$750, this proposal would set the fees for an importer license at \$650 and a furniture and bedding manufacturer license at \$650 pursuant to a directive from the Governor.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

As a result of AB 603 a BCP has been approved for the Bureau's expenditures mandated by the legislation as follows: FY 02-03, \$96,000; FY 03-04, \$73,000; ongoing, \$59,000. However, expenditures covered by the BCP do not include enforcement costs to the Bureau. The fee increase revenue is estimated: FY 02-03, \$91,850; FY 03-04, \$183,700; ongoing, \$183,700. See Attachment 1.

Nondiscretionary Costs/Savings to Local Agencies:
None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact: The Bureau has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Bureau had determined that this regulatory proposal will not have a significant impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities:
Insignificant

Effect on Housing Costs: None

Effect on Small Business: The Bureau has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

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

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the

Bureau of Home Furnishings and Thermal Insulation
3485 Orange Grove Avenue
North Highlands, California 95660

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

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

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

CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed:

Susan Lancara, Program Analyst
3485 Orange Grove Avenue
North Highlands, California 95660
(916) 574-0282 Fax (916) 574-2043
Email: susan_lancara@dca.ca.gov

The backup contact person is:

Name: Duane Matthews, Manager
Address: 3485 Orange Grove Avenue
North Highlands, CA 95660
Telephone Number: (916) 574-2061
Fax Number: (916) 574-2043
E-Mail Address: duane_matthews@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to: John McCormack, Manager, Research and Development, (916) 574-2057, or e-mail, john_mccormack@dca.ca.gov.

Attachment 1

Bureau of Home Furnishings and Thermal Insulation
 Fee Increase Regulation—AB 603 (Dutra)
 Revenue Impact: **Per year on a biennial license**

License Type	# of Licensees	Increase in license fee	FY 02-03	FY 03-04	Ongoing
Importer	688	\$110	37,840	75,680	75,680
Manufacturer	982	\$110	54,010	108,020	108,020
TOTAL	1,670	*	\$91,850	\$183,700	\$183,700

* The total number of importer and manufacturer's licenses is **3,340**.

The chart illustrates a yearly breakdown of the additional fees expected on the total number of licenses renewed biennially.

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING

PROCEDURES GOVERNING PERSONS SUBJECT TO TITLE 18 UNITED STATES CODE SECTIONS 1033 and 1034 RH—01-016450

SUBJECT OF HEARING

Insurance Commissioner Harry W. Low is considering amending Title 10, Chapter 5, Subchapter 1, Article 4.5, of the California Code of Regulations to include sections 2175 through 2177, inclusive regarding Procedures Governing Persons Subject to Title 18 United States Code sections 1033 and 1034. Commissioner Low will conduct a rulemaking hearing to gather and make available to the public, information and public comment concerning these proposed procedures.

AUTHORITY AND REFERENCE

The Insurance Commissioner proposes to adopt these regulations pursuant to the authority of sections 3 and 5 of Senate Bill 941, Chapter 782, Statutes of 1999 [California Insurance Code section 1742.2]. The purpose of the regulations is to implement, interpret, and make specific provisions of Title 18 United States Code sections 1033 and 1034 and California Insurance Code section 1742.2.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the provisions of this statute and these regulations, at the following dates, times and locations:

Date: Tuesday, March 26, 2002
Time: 10:00 am
Location: State Building—San Francisco
 455 Golden Gate Avenue,
 Hearing Room 9
 San Francisco, CA 94102

Date: Thursday, March 28, 2002
Time: 10:00 am
Location: California Department of Insurance
 Ground Floor Hearing Room
 Ronald Reagan State Office Building
 300 South Spring Street
 Los Angeles, CA 90013

The hearing will continue on the dates noted until all testimony has been completed or 4:00pm, whichever is earlier.

ACCESS TO HEARING ROOMS

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

WRITTEN AND/OR ORAL COMMENTS

All persons are invited to submit written comments to the Insurance Commissioner on the proposed regulations. General or substantive inquiries may be addressed to:

Natasha R. Ray, Senior Staff Counsel
 300 Capitol Mall, 17th Floor
 Sacramento, CA 95814
 (916) 492-3559

or

James Harrington, Chief
 Criminal Investigations
 300 So. Spring Street, 10th floor
 Los Angeles, CA 90013
 (213) 346-6033

All written materials, unless submitted at the hearings, must be received by the Insurance Commissioner, at the address listed above, no later than 4:30pm on Thursday, March 28, 2002. Unless leave is given at the hearing, any written materials received after that time will not be considered.

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

Comments may be sent via electronic mail to Natasha R. Ray, Senior Staff Counsel at rayn@insurance.ca.gov.

ADVOCACY OR WITNESS FEES

Eligible persons or groups representing the interests of consumers may be entitled to reasonable advocacy fees, witness fees and other reasonable expenses, in accordance with the provisions of Title 10 of the California Code of Regulations sections 2661.1 *et seq.*, in connection with their participation in this matter. Interested persons should contact the Office of the Public Advisor at the following address in order to inquire about the appropriate procedures:

Office of the Public Advisor
California Department of Insurance
300 Capitol Mall, 17th floor
Sacramento, California 95814
(916) 492-3559

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Commissioner proposes the adoption of Title 10, Chapter 5, Subchapter 1, Article 4.5, sections 2175 through 2177. The purpose of these regulations is to implement, interpret and make specific provisions of the California Insurance Code (CIC), including but not limited to, CIC section 1742.2. These regulations will establish definitions for critical terms and will set forth procedures governing persons who are subject to Title 18 United States Code sections 1033 and 1034.

SUMMARY OF EXISTING LAW

Existing law requires persons transacting or engaging in the business of insurance to maintain a valid license issued by the Department to transact or engage in the business of insurance.

Existing law requires that upon filing an application for a license, the Commissioner may make such investigation and require the filing of such supplementary documents, affidavits and statements as maybe necessary to obtain a full disclosure of such information as will aid him in determining whether the prerequisites for the license have been met. (CIC section 1666.)

Existing law provides that the Commissioner may deny an application for any license if, *inter alia*, the applicant has been convicted of a felony; misdemeanor; a public offense consisting of a fraudulent act or an act of dishonesty in acceptance, custody or payment of money or property. (CIC section 1668)

Existing law provides that, with certain exceptions, a license shall not be denied without an opportunity to the applicant to be heard in support of his application.

Existing law provides that the Commissioner may, without hearing, deny an application if the applicant

has committed a felony and/or committed certain misdemeanors. (CIC section 1669.)

The Commissioner now proposes the adoption of these regulations as follows:

STATEMENT OF SPECIFIC PURPOSE

The effect of the specific proposed regulations is as follows:

Adopted section 2175.1

The effect of the proposed adoption of this regulation would be to define the purpose of the regulation as the implementation of the provisions of Title 18 United States Code sections 1033 and 1034 and CIC section 1742.2.

Adopted section 2175.2

This proposed section defines the terms used in the regulation.

Adopted section 2175.3

This proposed section specifies who must comply with the regulation.

Adopted section 2175.4

This proposed section specifies that the procedures governing prohibited persons applies to persons who are currently licensed and who are subject to these provisions.

Adopted section 2175.5

This proposed section specifies and describes the responsibility of insurers and other employers to identify persons who are subject to these provisions.

Adopted section 2175.6

This proposed section specifies the requirement that persons subject to these provisions must file an Application for Written Consent with the Department and describes the information that must be contained in the application.

Adopted section 2175.7

This proposed section specifies that the Commissioner shall have the sole discretion to grant or deny any Application for Written Consent as well as specifying the factors to be considered in granting or denying an application.

Adopted section 2175.8

This proposed section specifies that the prior, Written Consent of the Commissioner is a prerequisite for licensing to engage in or to transact the business of insurance.

Adopted section 2175.9

This proposed section specifies that the Department has developed a form of Application for Written Consent.

Adopted section 2175.10

This proposed section specifies the requirements for Character References that would be submitted along with the Application for Written Consent.

Adopted section 2176.1

This proposed section describes the effect of providing false or misleading statements on an Application for Written Consent.

Adopted section 2176.2

This proposed section specifies that any written consent issued by the Commissioner shall be solely for the use of the person making the Application for Written Consent.

Adopted section 2176.3

This proposed section specifies that the Commissioner has the discretion to grant a temporary Written Consent and specifies that a temporary Written Consent is valid until a time certain and expires thereafter and that a new, temporary Written Consent must be obtained upon the expiration of the temporary Written Consent.

Adopted section 2176.4

This proposed section describes the effect of subsequent convictions of persons previously granted Written Consent.

Adopted section 2177.1

This proposed section specifies the time limit in which a hearing may be requested upon denial of an Application for Written Consent.

Adopted section 2177.2

This proposed section describes the form of request for a hearing and the information required in a Request for Hearing.

Adopted section 2177.3

This proposed section describes the filing and service requirements for a Request for Hearing.

Adopted section 2177.4

This proposed section describes the process whereby a time for hearing will be set.

Adopted section 2177.5

This proposed section describes the circumstances under which a continuance may be granted as well as the procedure for requesting a continuance.

Adopted section 2177.6

This proposed section describes the role of the Department of Insurance in the hearing.

Adopted section 2177.7

This proposed section specifies that an applicant may be, but need not be, represented at the hearing.

Adopted section 2177.8

This proposed section describes the authority of the Administrative Law Judge.

Adopted section 2177.9

This proposed section specifies that the burden of proof at a hearing is on the applicant.

Adopted section 2177.10

This proposed section describes the rules of evidence which are applicable to a hearing.

Adopted section 2177.11

This proposed section specifies that the Administrative Law Judge may require the production of further evidence or briefing on any issue and that no additional evidence will be taken without an order of the Administrative Law Judge.

Adopted section 2177.12

This proposed section describes the circumstances under which Official Notice of any fact may be taken.

Adopted section 2177.13

This proposed section specifies that the proceedings at a hearing will be recorded by a hearing reporter and that parties are responsible for making their own arrangements with the reporter to obtain a transcript of the proceedings.

Adopted section 2177.14

This proposed section specifies that all parties shall bear their own costs of the hearing.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The proposed regulations do not impose any mandate on local agencies or school districts. There are no costs to local agencies or school districts. There are no costs to local agencies or school districts for which Part 7 (commencing with section 17500) of Division 4 of the Government Code would require reimbursement.

COST OR SAVINGS TO STATE AND LOCAL GOVERNMENT/FEDERAL FUNDING

The Commissioner has determined that there will be no direct cost or savings to, nor will there be any new program mandates on, any local agency, state agency or school district from the proposal, and that the proposal will not affect federal funding to the State. The proposed regulations will not affect small businesses because insurance companies are by definition not small businesses.

ALTERNATIVES

The Commissioner must determine that no reasonable alternative considered by him, or that has otherwise been identified and brought to his attention, 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. The Commissioner invites public comment on alternatives to the regulations.

IMPACT ON HOUSING COSTS

The matters proposed herein will not affect housing costs.

ECONOMIC IMPACT ON BUSINESS AND INDIVIDUALS AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has made an initial determination that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. To the extent the proposed regulations will have an impact on the cost of private persons or businesses directly affected, the cost impact is as a result of the Insurance Code sections being implemented, interpreted or made specific by the proposed regulations. The Commissioner invites interested parties to comment on this issue.

EFFECT ON JOBS AND BUSINESSES IN CALIFORNIA

The Commissioner believes that the proposed regulations will have no impact on the creation or elimination of jobs in the State of California, the creation of new businesses, the elimination of new businesses, and/or the expansion of businesses currently operating in California. To the extent the proposed regulations will have an effect on the creation, elimination, and expansion of businesses and jobs, the impact is as a result of the Insurance Code sections being implemented, interpreted or made specific by the proposed regulations. The Commissioner invites interested parties to comment on this issue.

POTENTIAL COST IMPACT ON PRIVATE PERSONS OR ENTITIES/BUSINESSES

The Commissioner believes that the proposed regulations will not have a significant cost impact on private persons or businesses directly affected by them. To the extent that the proposed regulations do have an impact on the cost of private persons or businesses directly affected, the cost impact is a result of the Insurance Code sections being implemented,

interpreted or made specific by the proposed regulations. The Commissioner invites all interested parties to comment on this issue.

IMPACT ON SMALL BUSINESSES

There is no adverse impact on small businesses. This regulation impacts insurance companies, which are not small businesses.

NON-DISCRETIONARY COSTS OR SAVINGS

The proposal will not impose any non-discretionary cost or savings on local agencies.

COSTS OR SAVINGS TO STATE AGENCIES

The proposal will not result in any cost or significant savings to state agencies.

REIMBURSABLE COSTS

There are no costs to local agencies or school districts for which Part 7 (commenting with section 17500) of Division 4 of the Government Code would require reimbursement.

IMPACT ON COMPETITIVENESS

The proposal will not have an adverse impact on competition or competitiveness.

PLAIN ENGLISH

The proposal is in plain English except to the extent that technical terms could not be avoided. Those technical terms are defined in plain English.

COMPARABLE FEDERAL LAW

There are no existing federal regulations or statutes comparable to the proposed regulations.

TEXT OF REGULATIONS AND INITIAL STATEMENT OF REASONS

The Department has prepared an "Initial Statement of Reasons" which sets forth the reasons for these regulations. The Initial Statement of Reasons, together with the text of the proposed regulations, and this Notice of Proposed Action are available for inspection or will be provided at no charge upon request to the contact person listed above.

ACCESS TO COPIES OF PROPOSED REGULATIONS AND STATEMENTS OF REASONS

Any interested person may inspect a copy or direct questions about the proposed regulations, the statement of reasons therefor, the information upon which the proposal is based, and any supplemental information, contained in the rulemaking file, from the contact person listed above. Upon prior request, the rulemaking file is available for inspection at 300 Capitol Mall, 17th floor, Sacramento CA 95814 between the hours of 9:00 am and 4:30 pm, Monday through Friday. This notice, the proposed regulations and statement of

reasons is available on the Department's website at www.insurance.ca.gov. The Final Statement of Reasons, once it has been prepared, may be obtained from Natasha R. Ray, Senior Staff Counsel. Ms. Ray's contact information is listed above.

AUTOMATIC MAILING

A copy of this notice, including the informative digest, which contains the general substance of the proposed regulations, automatically will be sent to all persons on the Insurance Commissioner's mailing list.

MODIFIED LANGUAGE

If the regulation adopted by the Department differs from, but is sufficiently related to, the action proposed, it will be available to the public for at least 15 days prior to the date of adoption.

TITLE 14. DEPARTMENT OF BOATING AND WATERWAYS

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE DEPARTMENT OF BOATING AND WATERWAYS

NOTICE IS HEREBY GIVEN that the Department of Boating and Waterways, pursuant to the authority vested in it by Section 87306 of the Government Code proposes amendments to its Conflict of Interest Code, contained in Section 8600 of Title 14 of the California Code of Regulations. The purpose of these amendments is to implement the requirements of Sections 87300-87302, and Section 87306 of the Government Code.

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

SUMMARY OF AMENDMENTS

The Department of Boating and Waterways proposes to make substantive and non-substantive amendments to Section 8600 and its Appendix in Title 14 of the California Code of Regulations, the Department's Conflict of Interest regulation, as required by Government Code Sections 87300 and 87304.

The existing Appendix to Section 8600 contains a list of Department employees who are required to file a Statement of Economic Interests.

For purposes of reporting a Statement of Economic Interests, the Department of Boating and Waterways is adding the following positions: (1) Staff Counsel in the Executive Office; (2) Associate Governmental Program Analyst in the Legislation, Public Informa-

tion, Regulations Unit, (3) Environmental Specialist in the Boating Facilities Division; (4) Staff Services Analyst in the Boating Facilities Division, (5) Associate Information Systems Analyst (Specialist) in the Administrative Services Division; and (6) Associate Information Systems Analyst in the Administrative Services Division. All other classifications added by this regulation are currently required to report under general classifications such as "project managers".

These six new positions are proposed for addition to the list of employees who are required to file a Statement of Economic Interests because the positions involve making or participation in the making of decisions that may foreseeably have a material financial effect on any financial interest of the Department. This portion of the proposed rulemaking is a substantive change to the Department's conflict of interest regulation, in accordance with the provisions of Section 87306 of the Government Code.

The Appendix to Section 8600 contains a list of designated employees who must file a Statement of Economic Interests. The current list of employees shows only generic (working title) position and not classification-specific (civil service) title or divisional assignments of these positions. The proposed amendments to the Appendix to Section 8600 will reflect the current classification-specific (civil service) positions and their corresponding divisional assignments within the Department of Boating and Waterways. These changes specifying position titles and division assignments were made for clarity. These changes do not affect the duties, rights, responsibilities or obligations of the persons affected by Section 8600 or its Appendix.

Section 8600 contains outdated, incomplete or incorrect references in the body of the text of the regulation. Therefore, the Department of Boating and Waterways is proposing to make non-substantive amendments by correcting the incorrect or inaccurate references contained in Section 8600, in accordance with the review standards contained in Government Code Section 11349.1 (Review of Regulations). These changes do not affect the duties, rights, responsibilities or obligations of the persons affected by Section 8600 or its Appendix.

Copies of the amended code may be requested from the contact person listed below.

WRITTEN COMMENT PERIOD

Any interested person may submit a written statement, arguments, or comments relating to the proposed amendments by submitting them in writing no later than March 18, 2002, or at the conclusion of the public hearing, whichever comes later, to the contact person listed below.

PUBLIC HEARING

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. If a public hearing is requested, it will be held on March 18, 2002 at 2000 Evergreen Street, Suite 100, Sacramento, California 95815.

AVAILABILITY OF TEXT OF THE PROPOSED AMENDMENTS AND THE INITIAL STATEMENT OF REASON

The Department of Boating and Waterways has prepared the Initial Statement of Reasons, which provides 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 Initial Statement of Reasons, and the information on which the amendments are based may be obtained by contacting the contact person listed below.

INITIAL DETERMINATION OF MANDATES, COSTS, SAVINGS AND IMPACTS

The Department of Boating and Waterways has determined that the proposed amendments:

1. Impose no mandates 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 non-discretionary 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, business, or small businesses.

CONSIDERATION OF ALTERNATIVES

In making these proposed amendments, the Department of Boating and Waterways must determine that no alternative considered by it 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 or businesses than the proposed amendments.

CONTACT PERSON

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

Mike Sotelo
 Department of Boating and Waterways
 2000 Evergreen Street, Suite 100
 Sacramento, California 95815
 Telephone: (916) 263-0787,
 Facsimile (fax): (916) 263-0648
 E-mail: msotelo@dbw.ca.gov

The text of the proposed regulation and the Initial Statement of Reasons are also available on the Department's Website: www.dbw.ca.gov.

Alternate contact person: David Johnson, (916) 263-0780, djohnson@dbw.ca.gov.

TITLE 14. DEPARTMENT OF FISH AND GAME

NOTICE OF PUBLIC HEARING AND NOTICE OF PROPOSED AMENDMENT OF REGULATIONS REGARDING TAKE INCIDENTAL TO ROUTINE AND ONGOING AGRICULTURAL ACTIVITIES

NOTICE IS HEREBY GIVEN that the Department of Fish and Game ("Department") proposes to amend existing regulations implementing portions of Article 3.5 of Division 3, Chapter 1.5 of the California Fish and Game Code, the California Endangered Species Act ("CESA"), as described below.

PROPOSED REGULATORY ACTION

The Department proposes to amend and add the following sections of Title 14, California Code of Regulations (14 CCR), Subdivision 3:

- Chapter 6. Regulations for Implementation of the California Endangered Species Act.
 - Article 2. Take Incidental to Routine and Ongoing Agricultural Activities.
 - Amend sections 786.0 through 786.6 and add sections 786.7 and 786.8.

PUBLIC HEARING

The Department will conduct a public hearing to receive comments, objections, and recommendations regarding the proposed action. The hearing will be held:

Date: Thursday, March 14, 2002
 Time: 9:00 a.m.
 Place: Resources Building Auditorium
 1416 Ninth Street
 Sacramento

At the hearing, any person interested may present comments orally or in writing, or both, that are relevant to the proposed regulations. Persons wishing to testify are asked to notify the Department as early as possible by calling Gail Sherron at (916) 445-9811 so that a schedule for the presentation of comments may

be prepared. Advance notification is not a requirement, however, for a person to present comments at the hearing. The hearing will be closed when all persons present have had an opportunity to comment on the proposed regulations. Time limits may be placed on oral comments to ensure that all persons wishing to comment have an opportunity within the available time for the hearing.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulations. Written comments must be received by March 14, 2002 at 5:00 p.m. Written comments may be delivered, mailed, or transmitted by facsimile or by electronic mail. Written comments should be addressed as follows:

Michael R. Valentine, General Counsel
ATTN: Stephen Adams
Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, California 95814
Facsimile: (916) 445-9675
Electronic mail: sadams@dfg.ca.gov

INQUIRIES AND ADDITIONAL INFORMATION

Inquiries relating to the proposed administrative action should be directed to Stephen Adams, Staff Counsel, at (916) 654-5295 or sadams@dfg.ca.gov. If he is unavailable, inquiries about the proposed administrative action may be directed to Gail Sherron at (916) 445-9811. Inquiries about the substance of the proposed regulations should be addressed to Mr. Adams.

The Department has prepared an Initial Statement of Reasons providing an explanation of the purpose, background, and justification for the adoption of the proposed regulations. Anyone may view and print a copy of the statement or the full text of the proposed revisions by accessing the following page on the Department's Internet website: www.dfg.ca.gov/CESAregs.html. Copies of the initial statement and text of the regulations are also available upon request from Gail Sherron at (916) 445-9811 or gsherron@dfg.ca.gov. Other information on which the proposed amendments are based is maintained at the Department's offices in Sacramento.

Anyone wishing to receive future notices related to the proposed action and/or receive a copy of the Final Statement of Reasons should submit a written request containing their postal mailing address to Gail Sherron, Office of the General Counsel, Department of Fish and Game, 1416 Ninth Street, 12th Floor, Sacramento, California 95814. These requests can also be submitted by email to gsherron@dfg.ca.gov or by fax at (916) 445-9675. The Department must have a

mailing address to provide public notices and the final statement; these documents will not be distributed by electronic mail.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

Under CESA, no person may kill or otherwise "take" members of an endangered, threatened or a candidate species unless authorized to do so by permit issued by the Department or authorized by other provision of law. The take prohibition also proscribes incidental take. CESA authorizes development and implementation of voluntary locally designed programs ("local programs") to minimize the take of listed species on agricultural lands and to encourage habitat on farms and ranches. Landowners who participate in local programs by implementing wildlife-friendly agricultural practices are not prohibited from incidentally taking listed species during routine and ongoing agricultural activities. CESA also provides that any accidental take of endangered, threatened or candidate species that results from otherwise lawful routine and ongoing agricultural activities is not prohibited. The Department is required to adopt regulations to authorize local programs and to define the term "routine and ongoing agricultural activities."

Existing regulations define "routine and ongoing agricultural activities" and establish a procedure for development and implementation of local programs. These regulations, in effect for three years, allow individuals, groups or entities to prepare a local program that is effective upon filing with the Department. Under the existing regulations, the Department does not review a local program to determine whether it meets standards set by the Legislature, nor does it approve the local programs.

SUMMARY OF THE PROPOSED AMENDMENTS

The Department proposes to amend the existing regulations to provide for Department review and approval of local programs. The proposal would require the Department to determine that a local program meets the specific standards set forth in Fish and Game Code section 2086 and to make findings pursuant to the California Environmental Quality Act ("CEQA") regarding a local program's potential to cause significant adverse environmental effects. To satisfy CEQA, the proposed regulations will require

persons who apply for Department approval of a local program to submit an environmental analysis of the program's potential significant effects. The proposal would amend the definition of "routine and ongoing agricultural activities" to include a more detailed list of the activities that fall within the definition and to specifically exclude the activities undertaken to facilitate conversion of agricultural lands to non-agricultural uses and to convert rangeland to more intensive agricultural uses. The proposed regulations would add definitions for "local program" and "Department", make changes to the elements that must be included in a local program, and establish a detailed procedure for Department review of local programs and program amendments, including an opportunity for public review and comment when the Department acts as lead agency under CEQA.

FEDERAL REGULATION AND STATUTE

Although CESA is similar to the federal Endangered Species Act, 16 U.S.C. section 1531, et seq., there is no counterpart to the proposed regulations in federal statute or regulations. The Department anticipates that many of the local programs developed and approved pursuant to the proposed regulations will seek take authorization under the federal Endangered Species Act through federal incidental take permits issued pursuant to 16 U.S.C. section 1539(a)(1)(B). Federal take permits that contain the U.S. Fish and Wildlife Service's "safe harbor" assurances may be particularly well-suited for the local programs developed under the proposed regulations, but the federal agency's safe harbor policy is not specific to agriculture.

The proposed regulations do not duplicate or conflict with federal statutes or regulations.

OBJECTIVES OF THE PROPOSED AMENDMENTS

Senate Bill 231, which added sections 2086-2089 to the Fish and Game Code, required that local programs be designed "to maximize participation and to gain the maximum wildlife benefits without compromising the economics of agricultural operations." The objective of these proposed amendments is to revise the implementing regulations so they better facilitate development of local programs and participation in those programs. In the three years that the existing regulations have been in place, no local programs have been filed with the Department. In an attempt to accomplish the Legislature's objective of maximizing farmers' and ranchers' participation in local programs, the Department is proposing amendments to address problems that representatives of both agricultural groups and conservation groups have identified as impediments to development and implementation of local programs.

FISCAL AND FINANCIAL IMPACTS

Mandates on Local Agencies and School Districts

The Department has determined that the proposed regulations will not impose a mandate on local agencies or school districts. The proposed amendments will likely increase the costs of preparing a local program in many cases by requiring CEQA compliance where it might not have been required before. But the proposed regulations do not require local agencies, school districts or any other entity or person to prepare and implement a local program. To the extent that any local agency elects to prepare, administer or otherwise participate in a local program, such participation would be voluntary and would not constitute a mandate.

COST OR SAVINGS TO ANY STATE AGENCY, LOCAL AGENCY, SCHOOL DISTRICT

No costs or savings from the proposed regulations have been identified for any state agency other than the Department, for any local agency, or for any school district. Because the proposed regulations do not impose a mandate on local agencies or school districts, no state reimbursement under Government Code sections 17500 et seq. will be required. The responsibilities of the Department will increase upon adoption of the proposed amendments because of the requirements that the Department conduct detailed review of local programs under CESA and CEQA standards and make corresponding findings. However, the Department's costs of administering this program were addressed previously; costs that may be associated specifically with the proposed amendments will depend largely on the number of local programs submitted for Department review, and the Department intends to handle these reviews with existing staff and resources.

COST OR SAVINGS IN FEDERAL FUNDS TO THE STATE

Adoption of the proposed amended regulations will have no effect on federal funding of state programs, including funds received by California under section 6 of the federal Endangered Species Act for habitat land acquisitions.

SIGNIFICANT ADVERSE ECONOMIC IMPACTS ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, and will not directly affect the ability of

California businesses to compete with businesses in other states. The proposed amendments affect a regulatory program that is purely voluntary, so the only businesses or individuals that will be affected will be those who elect to develop or participate in a local program. It is reasonable to expect that as businesses they would only choose to participate if there are not adverse economic impacts to them or if the benefits of participating outweigh the economic impacts. For example, farmers and ranchers may chose to develop or participate in a local program because participation would cost less than employing other means of complying with CESA.

EFFECT ON SMALL BUSINESSES

The proposed amendments will not have an adverse economic impact on small businesses because both development of and participation in local programs are voluntary, and presumably would occur only when participation in the local program provided efficiencies over complying with CESA by other means. Furthermore, the enabling statute and proposed regulations state that local programs must be designed to “gain the maximum wildlife benefits *without compromising the economics of agricultural operations.*”

EFFECT ON HOUSING COSTS

The proposed regulations will not have an adverse impact on housing costs because they only apply to voluntary programs and accidental take that are associated with agricultural activities, which by definition exclude urban development including construction of residential units. Construction of farm worker housing may be covered by local programs developed pursuant to the proposed regulations to the extent such construction is consistent with the Williamson Act; in such cases, the costs of constructing farm worker housing would either be unaffected by the amended regulations or would be reduced if the costs of participating in a local program were less than the costs of obtaining other take authorization under CESA.

COST IMPACTS ON A REPRESENTATIVE PERSON OR BUSINESS

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

ASSESSMENT OF POTENTIAL FOR ADVERSE ECONOMIC IMPACT

The Department has assessed the potential for the proposed regulations to adversely affect California business enterprises and individuals, including whether it will affect the creation or elimination of jobs or the creation, elimination or expansion of

businesses, as required by Government Code section 11346.3. The proposed amendments are not expected to have a positive or adverse effect on jobs or businesses in California. The Department has also concluded that proposed revised regulations will not impose unnecessary or unreasonable reporting, record-keeping or compliance requirements.

The Department’s complete Economic and Fiscal Impact Statement (Form Std. 399) for the proposed amendments is available from the agency contact person named in this notice, or can be viewed on the Department’s Internet site.

NECESSITY OF REPORTING REQUIREMENT

The proposed action would add a reporting requirement that may apply to some businesses. Proposed section 786.2(d)(11) provides in relevant part that each local program approved by the Department must prepare an annual report to the Department that includes a summary of the acreage benefitting from the local program, a summary of the success of management practices contained in the local program, and any recommendations the local program administrator might have on improving participation in the program or improving wildlife benefits from the program. This reporting requirement will apply to whichever entity or person takes responsibility for administering a local program, and that entity may be a business. Government Code section 11346.3(c) requires that for any regulatory reporting requirement that will apply to businesses, the adopting agency find that the requirement is necessary for the health, safety or welfare of the people of the state.

The Department has determined that application of the reporting requirement in proposed subsection 786.2(d)(11) to businesses that assume responsibility for administering a local program under the proposed regulations is necessary for the welfare of the people of the state. This finding is based on the Department’s determination that it will be unable to carry out responsibilities assigned to it by the Legislature if this reporting requirement does not apply to businesses that undertake administration of a local program. The Department has no means to independently collect the information that would be submitted in the reports, since no provision of law entitles the Department to enter private lands covered by local programs without the permission of the landowner or to independently access records relating to administration of the local program. Inability to receive the annual reports would therefore deprive the Department of necessary information that it needs to carry out responsibilities under this regulatory program, including but not limited to its responsibility for providing assistance in the

development of new local programs (proposed subsections 786.2(a) and (b)); for assembling and maintaining information about management practices (proposed subsections 786.2(c)); for initiating an amendment to a local program when necessary to bring the program into compliance with statutory standards (proposed subsection 786.4(b)); for terminating a local program not meeting legal standards (proposed section 786.5); and for reporting information about the local programs to the Legislature (Fish and Game Code section 2086(d)(2)).

CONSIDERATION OF ALTERNATIVES

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

If the Department makes changes in the text of its proposed regulations, the revised text will be available to the public at least fifteen (15) days prior to the date on which the Department considers the proposed regulation for adoption unless the change is nonsubstantial or solely grammatical in nature. Changes must be sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed action.

AUTHORITY AND REFERENCE SECTIONS

The authority for the proposed regulations is found in Fish and Game Code sections 702, 2086 and 2089. The proposed regulations would implement, interpret or make specific the following sections of the Fish and Game Code: 700, 704, 2062, 2067, 2068, 2080, 2086, 2087, 2088, 2089, and 2835.

TITLE 22. DEPARTMENT OF SOCIAL SERVICES

NOTICE OF PROPOSED CHANGES IN REGULATIONS

ITEM #2 Residential Care Facilities for the Elderly (RCFE)—Regulation Clean-Up [ORD #0401-07]

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held March 13, 2002, as follows:

March 13, 2002
Office Building # 9
744 P Street, Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The CDSS will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify CDSS at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on March 13, 2002.

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

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

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

CONTACT: Anthony J. Velasquez, Chief
Office of Regulations Development
California Department of
Social Services
744 P Street, MS 7-192
Sacramento, California 95814

TELEPHONE: (916) 657-2586

TELEFAX: (916) 654-3286

E-MAIL: ord@dss.ca.gov

CHAPTERS

Community Care Licensing, Title 22, Division 6,
Chapter 1—General Licensing Requirements, Section

8007 (Exemption From Licensure), Chapter 8—Residential Care for the Elderly, Section 87101 (Definitions), Section 87102 (Definitions—Forms), Section 87107 (Exemption From Licensure), Section 87114 (Continuation of Licensure Under Emergency Conditions/Sale of Property, Section 87118 (Nondiscrimination), Section 87222 (Plan of Operation), Section 87227.1 (Theft and Loss), Section 87561 (Reporting Requirements), Section 87583.1 (Resident Participation in Decision Making), Section 87585 (Mental Condition), Section 87587 (Reappraisals), Section 87700 (Health and Safety Protection), and Section 87702 (Allowable Health Conditions and the Use of Home Health Agencies); Chapter 8.5—Residential Care Facilities for the Chronically Ill, Section 87807 (Exemption From Licensure) and Section 87854 (Penalties).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In 1998, the legislature enacted AB 2686, Chapter 945 (Statutes of 1998) which added Health and Safety Code Sections 1505 and 1568.03. In accordance with the provisions of these Health and Safety Code Sections, CDSS is amending Sections 80007, 87107(a)(9), and 87807(a)(6) to exempt from licensure any housing project for elderly or disabled persons, or both, that meets specified federal requirements and where supportive services are made available to residents under certain circumstances.

In 1991, the legislature enacted SB 994, Chapter 888 (Statutes of 1991) which added Health and Safety Code Sections 1569.145(f)(1) and (h). In accordance with the provisions of these Health and Safety Code Sections, CDSS is amending Section 87101(r)(1) to include the definition of “family member”. A “family member” includes all persons previously identified as “relatives” in Residential Care Facilities for the Elderly (RCFE) regulations and additionally includes an unmarried spouse, adopted children, and stepchildren. CDSS is also amending Sections 87101(s) and 87107(a)(7) to exempt from licensure those arrangements where care and supervision are provided by a “family member” to an elderly relative(s).

In 1994, the legislature enacted SB 1558, Chapter 1088 (Statutes of 1994) which added Health and Safety Code Section 1569.193. In accordance with the provisions of this Health and Safety Code Section, CDSS is amending Section 87114 to permit an adult relative or other nonrelated adult who has control of the property, to be designated in advance as the responsible party to continue operation of the facility when a licensee dies, provided certain conditions are met.

The CDSS is amending Section 87118(a) to be consistent with a petition CDSS received pursuant to Government Code Section 11340.6 that Section 87118 of the RCFE regulations be amended to address discrimination against residents in licensed facilities. Section 87118(a) is being amended to ensure that “All licensed facilities shall receive persons on a nondiscriminatory basis according equal treatment and services without regard to race, color, religion, national origin, actual or perceived sexual orientation or ancestry.”

In 1996, the legislature enacted SB 571, Chapter 434 (Statutes of 1996) which added Health and Safety Code Section 1569.316(a). In accordance with the provisions of this Health and Safety Code Section, CDSS is amending Sections 87222(a)(11) and 87575(a)(5) to require the referring agency or facility, or its designee, to provide to the administrator of an RCFE, all information in its possession concerning any history of dangerous propensity of the client prior to placement in the RCFE.

In 1988, the legislature enacted AB 3624, Chapter 750 (Statutes of 1988) which added Health and Safety Code Sections 1569.152 and 1569.153. In accordance with the provisions of these Health and Safety Code Sections, CDSS is adopting new Section 87227.1 to require licensees to establish a theft and loss prevention program and detailed procedures to investigate occurrences of theft and loss.

The CDSS is amending Section 87561(a)(1)(A) to clarify that a licensee must report the death of a resident from any cause “regardless of where the death occurred, including but not limited to a day program, a hospital, enroute to or from a hospital, or visiting away from the facility”.

In 1998, the legislature enacted AB 1338, Chapter 578 (Statutes of 1998) which added Health and Safety Code Section 1569.156. In accordance with the provisions of this Health and Safety Code Section, CDSS is amending Sections 87583.1 and 87587 to require RCFEs to inform residents of their right to make decisions concerning their medical care and to formulate advance directives.

In 1998, the legislature enacted AB 2155, Chapter 660 (Statutes of 1998) which added Health and Safety Code Section 1569.80. In accordance with the provisions of Health and Safety Code Section 1569.80, CDSS is amending Section 87583.1 to permit an RCFE resident, or the resident’s representative, or both to participate in decisionmaking regarding the care and services to the resident. In 1999, the legislature enacted AB 1433, Chapter 411 (Statutes of 1999) which added Business and Professions Code Section 680. In accordance with the provisions of this Business and Professions Code Section, CDSS is amending Section 87700 to require licensed health

care practitioners to disclose their credentials on a name tag while working in an RCFE.

In 1997, the legislature enacted SB 1231, Chapter 494 (Statutes of 1997) which added Health and Safety Code Section 1569.725. In accordance with the provisions of this Health and Safety Code Section, CDSS is adopting new Sections 87702(b) and (c) specifying that an RCFE may provide incidental medical care to its residents through a home health agency (HHA) when the licensee meets specified conditions. The facility must have the ability to provide the needed supporting care and supervision; the licensee must advise the HHA of the RCFE regulations; the RCFE and HHA must complete a protocol regarding the responsibility of each party; the HHA must provide ongoing communication about the frequency and duration of the services it provides.

COST ESTIMATE

1. Costs or Savings to State Agencies: None
2. Costs to Local Agencies or School Districts: None
3. Nondiscretionary Costs or Savings to Local Agencies: None
4. Federal Funding to State Agencies: None

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

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

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

The CDSS has determined that the proposed regulations will affect small businesses.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of

California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

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

STATEMENT OF ALTERNATIVES CONSIDERED

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

AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Health and Safety Code Sections 1530, 1531, 1562.3(i), and 1569.30; Welfare and Institutions Code Sections 15763(a), 15763(a)(2), and 15763(d). Subject regulations implement and make specific Health and Safety Code Sections 1505, 1568.03, 1569.80, 1569.145, 1569.152, 1569.153, 1569.154, 1569.156, 1569.191, 1569.193, 1569.316, 1569.725, and Business and Professions Code Section 680.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez
(916) 657-2586
Backup: Steve Smalley
(916) 657-2587

CDSS REPRESENTATIVE REGARDING SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Barbara Baker
(916) 322-3178
Backup: Joan Regeleski
(916) 324-3058

AGENDA ITEM(S) FOR THESE PUBLIC HEARINGS—March 13, 2002

- ITEM #1 ORD # 0601-13
Refugee Cash Assistance (RCA)/Entrant Cash Assistance (ECA) Amendments
- ITEM #2 ORD # 0401-07
Residential Care Facilities for the Elderly (RCFE) Regulations cleanup

**TITLE 28. DEPARTMENT OF
MANAGED HEALTH CARE**

ACTION
NOTICE OF PROPOSED RULEMAKING
SUBJECT

**Definition of “HIV/AIDS Specialist” in the
context of referrals for care pursuant to
California Health and Safety Code
section 1374.16**

PUBLIC PROCEEDINGS

NOTICE IS HEREBY GIVEN that the Director of the Department of Managed Health Care (“Director”) has proposed new and amended regulations under the Knox-Keene Health Care Service Plan Act of 1975 that clarify the definition of “HIV/AIDS specialist” in the context of referrals per California Health and Safety Code section 1374.6. The Director hereby provides notice of his intention to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC COMMENTS

The Director will conduct public proceedings, during which time any interested person or such person’s duly authorized representative may present statements, arguments, or contentions relevant to the action described in this notice. Any written statements, arguments, or contentions must be received by the Department of Managed Health Care, ATTN: Lyn Amor Macaraeg, 980 9th Street, Suite 500, Sacramento, California, 95814, by 5 p.m. on March 11, 2002. The Department hereby designates 5 p.m. March 11, 2002, as the close of the written comment period. It is requested, but not required, that written statements, arguments or contentions sent by mail, other delivery service, or hand-delivered be submitted in triplicate.

Comments by FAX (to Lyn Amor Macaraeg, at fax (916) 324-6459) or by e-mail (to Lyn Amor Macaraeg at the following e-mail address: geninfo@dmhc.ca.gov) must be received before 5 p.m. on the last day of the public comment period, March 11, 2002. All comments, including e-mail or fax transmissions, should include the author’s name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the text of the proposed regulations on which additional comments may be solicited.

CONTACTS

Inquiries concerning the action described in this notice may be directed to Curtis Leavitt, Assistant

Chief Counsel, at (916) 322-7550, or to the designated backup contact person, Ms. Lyn Amor Macaraeg, at (916) 322-7550. Inquiries concerning the substance of the regulations may be directed to Curtis Leavitt, at (916) 322-7550.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The Director licenses and regulates health care service plans under the Knox-Keene Health Care Service Plan Act of 1975 (“Knox-Keene Act”), Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code. Pursuant to the Knox-Keene Act, the Director proposes to adopt section 1300.74. This new section will clarify the definition of “HIV/AIDS specialist” for the purpose of referrals pursuant to California Health and Safety Code section 1374.16.

Health and Safety Code section 1374.16 states that health plans must establish and implement a procedure that provides a standing referral to a specialist if an enrollee requires continuing care. Section 1374.16 (g) requires that enrollees with human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) be provided access to providers with “demonstrated expertise in treating a condition or disease involving a complicated treatment regimen that requires ongoing monitoring of the patient’s adherence to the regimen.” Section 1374.16(h) further states that this section shall become inoperative on “. . . (T)he date of adoption of an accreditation or designation by an agency of the state or federal government or by a voluntary national health organization of an HIV or AIDS specialist . . . ”

There is no commonly agreed upon definition of an “HIV/AIDS” specialist in the medical community. As a result, some enrollees have been directed by plans to specialists who are underqualified to provide care to these patients. This dilemma was noted by the Governor in a veto message directing the Director of the Department to promulgate a regulation as soon as possible that defines an HIV/AIDS specialist for the purposes of Health and Safety Code section 1374.16. (*Governor’s veto message to Assem. on Assem. Bill No. 937 (Oct. 10, 2001)(2001–2002 Reg. Sess.)*)

The Director proposes adopting section 1300.74 to clarify what physicians are “HIV/AIDS specialists” for the purpose of these referrals. The requirements will take effect on July 1, 2002, so that plans have adequate time to contract with qualified physicians.

AUTHORITY

Health and Safety Code section 1344.

REFERENCE

Health and Safety Code sections.1344, 1374.16.

FISCAL IMPACT STATEMENT

- A. Cost to Local Government: None
- B. Cost to Any State Agency: None (The Department of Managed Health Care obtains reimbursement for its costs from the health care industry it regulates).
- C. Costs or Savings in Federal Funding to the State: None
- D. All cost impacts, known to the Department at the time the notice was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the action: The Department has initially determined that the proposed regulations will not impose a significant cost impact on any business to comply with this regulation. This regulation clarifies the definition of "HIV/AIDS" specialist. Compliance could result in some costs depending on how much plans are already paying for specialists who may or may not qualify under this definition.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None

DETERMINATIONS

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

The Department has made an initial determination that the regulations would not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Since the regulations apply to all full-service health plans doing business in this State, they should not result in any competitive disadvantage to any particular health plan. Full-service health plans are not generally in competition with similar organizations in other states.

The Department has made a determination that the regulations affect small businesses, since some of the entities required to comply with the regulations are small businesses. The express terms of the proposed action written in plain English are available from the agency contact person named in this notice. Copies may also be obtained from the Department's Sacramento office upon request.

The Department has determined that the regulations will have no impact on housing costs.

The Department has determined that the regulations will not significantly affect the creation or elimination of jobs within the State of California.

The Department has determined that the regulations will not significantly affect the creation of new businesses or the elimination of existing businesses within the State of California.

The Department has determined that the regulations will not significantly affect the expansion of businesses currently doing business within the State of California.

**FINDING RE: REPORTING REQUIREMENT
(GOVERNMENT CODE SECTION 11346.3(C))**

Government Code section 11346.3(c) provides as follows:

No administrative regulation adopted on or after January 1, 1993, that requires a report shall apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses.

These regulations do not impose any reporting requirements.

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

The Department has prepared and has available for public review the following documents:

1. An initial statement of reasons for the new regulation;
2. Text of the proposed regulation; and,
3. All information upon which this proposal is based (rulemaking file).

A copy of any or all of these items is available upon request by writing to the Department of Managed Health Care, ATTN: Ms. Lyn Amor Macaraeg, 980 9th Street, Suite 500, Sacramento, California 95814, which address will also be the location of public records, including reports, documentation, and other material related to this notice of proposed action. Additionally, a copy of the final statement of reasons (when prepared) will be available upon request by writing to the same address.

INTERNET AVAILABILITY

Materials regarding this notice of proposed action that are available via the Internet may be accessed at the following website:

<http://www.dmhc.ca.gov/library/regulations>.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

The full text of any regulation that is changed or modified from the express terms of the legally effective regulations described in this notice will be made available to the public at least 15 days prior to the date on which the Department adopts, amends, or

repeals the resulting regulation, unless the modification is only non-substantial or solely grammatical in nature. A request for a copy of any changed or modified regulation(s) should be addressed to the Department of Managed Health Care, ATTN: Ms. Lyn Amor Macaraeg, 980 9th Street, Suite 500, Sacramento, California 95814. The Director will accept written comments on the changed or modified regulation(s) for 15 days after the date on which they are made available.

ALTERNATIVES CONSIDERED

In accordance with Government Code section 11346.5(a)(13) the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

NO HEARING HAS BEEN SCHEDULED

No hearing has been scheduled. Any interested person or his or her duly authorized representative may request in writing to the above contact person, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Government Code section 11346.8.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

NOTICE OF PROPOSED CHANGES IN REGULATIONS

ITEM #1 Refugee Cash Assistance (RCA)/Entrant Cash Assistance (ECA) Amendments [ORD # 0601-13]

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at public hearings to be held March 12, and 13, 2002, as follows:

March 12, 2002

Community Care Licensing Regional Office
100 Corporate Point #350
(Entrance on Slausen)
Culver City, California

March 13, 2002

Office Building # 9
744 P Street, Auditorium
Sacramento, California

The public hearings will convene at 10:00 a.m. and will remain open only as long as attendees are

presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facilities are accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on March 13, 2002.

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

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

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

CONTACT: Anthony J. Velasquez, Chief
Office of Regulations Development
California Department of
Social Services
744 P Street, MS 7-192
Sacramento, California 95814

TELEPHONE: (916) 657-2586

TELEFAX: (916) 654-3286

E-MAIL: ord@dss.ca.gov

CHAPTERS

Chapter 69-200 (Refugee Resettlement Program), Sections 60-201 (General Statement), 69-202 (Immigration and Naturalization Service [INS] Status Requirements), 69-203 (Resettlement Agency, Sponsor and County Responsibilities), 69-204 (Eligibility for SSI/SSP and CalWORKs Programs), 69-205 (Eligibility for Refugee Cash Assistance [RCA]), 69-206 (Income and Resources), 69-207 (Registration,

Employment and Employment-Directed Education/Requirements), 69-208 (Cause Determinations), 69-209 (Penalties for Failure or Refusal to Accept Employability Services or Employment), 69-210 (Notices and Hearings), 69-211 (Aid Payments), 69-212 (Overpayment/Underpayment Adjustment and Fraud Referrals), 69-213 (Unaccompanied Refugee Minors), 69-214 (Termination of Aid), 69-215 (Termination of Aid), 69-216 (Case Records), 69-217 (Claiming and Reimbursement); and Chapter 69-300 (Cuban/Haitian Entrant Program), Sections 69-301 (General Statement), 69-302 (Status Requirements), 69-303 (Time-Eligibility), 69-304 (Terminology), 69-305 (Unaccompanied Cuban/Haitian Entrant Minor), and 69-306 (Case Records).

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

New federal regulations provide states with the option of operating a publicly administered Refugee Cash Assistance (RCA)/Entrant Cash Assistance (ECA) program consistent with the provisions of each state's Temporary Aid to Needy Families (TANF) Program with regard to determination of eligibility, treatment of income and resources, benefit levels and budgeting methods. This will allow California counties to operate their RCA programs in accordance with the California Work Opportunity and Responsibility to Kids (CalWORKs) program instead of the obsolete Aid to Families with Dependent Children (AFDC) program. California counties have been and are forced to maintain and apply two separate and distinctly different sets of program policies and procedures for their RCA and CalWORKs clients even though RCA eligibility and grants are determined across the state by TANF/CalWORKs workers and automated systems.

Current regulations allow persons granted asylum the same resettlement and medical assistance granted to refugees admitted for resettlement. However, very few asylees have ever been able to take advantage of this assistance because up to now the federal Office of Refugee Resettlement began the eligibility clock from the time the asylee entered the U.S. These emergency regulations change the eligibility starting date for asylees to the date they are granted asylum rather than the date they entered the U.S. making it possible for persons granted asylum to more readily access refugee resettlement assistance and benefits.

Current internal Social Security Administration (SSA) procedures for RCA clients, asylees and Cuban and Haitian entrants often deter these individuals from applying for and receiving social security numbers for several months after they receive their status. These regulations ensure that CWD's cannot deny RCA and services to asylees and Cuban and Haitian entrants.

Currently, prior to the CWD approving aid for refugees, the CWD must contact the responsible voluntary resettlement agency and inquire as to what assistance, if any, was provided to the refugee. This assistance is then counted against the eligibility determination of the cash assistance payment. These regulations change this process. The CWD may no longer consider any cash grant provided to the applicant by a voluntary resettlement agency reception and placement program in determining income eligibility for RCA.

Also, since regulations relating to refugee services programs are not amended regularly, obsolete program references and current terminology are being amended at this time. These amendments include updating the term "Aid to Families with Dependent Children (AFDC)" to "California Work Opportunity and Responsibility to Kids (CalWORKs)" as a result of AB 1542, Chapter 270, Statutes of 1997 and updating the Department's acronym from "DSS" to "CDSS." In addition, nonsubstantive renumbering and reformatting is being done for clarity and to make the regulations more user friendly.

COST ESTIMATE

1. Costs or Savings to State Agencies: No fiscal impact exists because this regulation does not affect any state agency or program.
2. Costs to Local Agencies or School Districts: No fiscal impact exists because this regulation does not affect any local entity or program.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: Funding for these regulation changes is included in the Fiscal Year 2001-02 appropriation of \$4,951,000 for the Refugee Cash Assistance Program.

LOCAL MANDATE STATEMENT

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

**STATEMENT OF SIGNIFICANT ADVERSE
ECONOMIC IMPACT ON BUSINESS**

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

**STATEMENT OF POTENTIAL COST IMPACT
ON PRIVATE PERSONS OR BUSINESSES**

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

SMALL BUSINESS IMPACT STATEMENT

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

**ASSESSMENT OF JOB CREATION
OR ELIMINATION**

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

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

STATEMENT OF ALTERNATIVES CONSIDERED

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

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553 and 10554. Subject regulations implement and make specific Welfare and Institutions Code Sections 10553 and 10554; 45 CFR Sections 400 and 401; Federal Office of Refugee Resettlement (ORR) Letter #00-17, dated September 14, 2000; and Federal Office of Refugee Resettlement Letter #00-23, dated November 16, 2000; Federal Office of Refugee Resettlement State Letter, dated September 3, 1993; Federal Office of Refugee Resettlement State Letter, dated October 16, 1992; Federal Office of Refugee Resettlement State Letter, dated July 6, 1989; and Letter to H. Gary Mounts, Deputy Associate Administrator, ORR, dated March 4, 1988.

**CDSS REPRESENTATIVE REGARDING
RULEMAKING PROCESS OF THE
PROPOSED REGULATION**

Contact Person: Anthony J. Velasquez
(916) 657-2586
Backup: Rick Torres
(916) 657-2596

**CDSS REPRESENTATIVE REGARDING
SUBSTANCE OF THE PROPOSED REGULATION**

Program Contact: Betts Smith
(916) 654-0495
Backup: Linda Keene
(916) 654-2602

EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

**AGENDA ITEM(S) FOR THESE PUBLIC
HEARINGS—March 12, and 13, 2002**

Both dates

ITEM #1 ORD # 0601-13 Refugee Cash Assistance (RCA)/Entrant Cash Assistance (ECA) Amendments

March 13, 2002 hearing only

ITEM #2 ORD # 0401-07 Residential Care Facilities for the Elderly (RCFE) Regulations cleanup

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
HEALTH SERVICES**

DRUG USE REVIEW BOARD

Notice is hereby given that the Drug Use Review (DUR) Board will conduct a public meeting in the Penthouse Suite, 714 P Street, Sacramento, CA beginning at 10 a.m. on Monday, February 4th 2002.

Agenda:

1. DUR Drug Information Alert Incidence Updates
2. DUR Program Enhancements
3. DUR Projects Overview and Update
4. DUR Education Articles
5. Operational Issues

Speaker Request Forms will be available at the meeting or may be obtained by contacting Electronic Data Systems Corporation, 3215 Prospect Park Drive, Rancho Cordova, CA 95670. Attention: DUR Pharmacist Jude Simon-Leack, Pharm.D., and MSW.

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

**CALIFORNIA REGULATORY REGISTER
NOTICE ACTION DESCRIPTION FOR AN
EMERGENCY RESPONSE INCIDENT,
POLYCHLORINATED BIPHENYL (PCB),
CONSOLIDATION, AND SMALL LOAD
HAZARDOUS WASTE TRANSPORTATION
VARIANCE ISSUED BY THE STATEWIDE
COMPLIANCE DIVISION, TRANSPORTATION
SECTION, FOR THE CITY OF GLENDALE.**

On December 17, 2001, the Department of Toxic Substances Control (DTSC) granted a regulatory exemption variance to the City of Glendale, a registered transporter of hazardous waste, to conduct emergency response incident transporter operations, PCB waste transporter operations, consolidation operations, and small load transporter operations authorized under Sections 66263.43, 66263.44, 66263.45, and 66263.46 of 22 CCR. The variance permits the grantee to transport PCB, paint, solvent, acid, and other abandoned hazardous waste to the grantee's central collection facility or temporary storage facility without use of hazardous waste manifest. The wastes will subsequently be transported using a hazardous waste manifest to a permitted hazardous waste disposal or recycling facility.

CEQA Exemption. The project qualifies for a CEQA exemption under Public Resources Code Section 21080(b)(1), Ministerial Projects. This variance is issued pursuant to Chapter 13, Article 4, Section 66263.40 et seq. (Regulatory Exemptions for Certain Transportation Operations), that allows for five specific types of transportation requirement exemptions. Applicants must meet preset regulatory standards. In applying these standards, DTSC only verifies specific facts regarding eligibility and may not add case-specific conditions.

The grantee's temporary storage facility or central collection facility is located at 780 Flower Street, Glendale, California 91201. This variance expires on December 17, 2003. For more information please call Maria Salomon of DTSC's Transportation Section at (916) 255-3624.

**CALIFORNIA REGULATORY REGISTER
NOTICE ACTION DESCRIPTION FOR AN
EMERGENCY RESPONSE INCIDENT,
POLYCHLORINATED BIPHENYL (PCB),
CONSOLIDATION, AND SMALL LOAD
HAZARDOUS WASTE TRANSPORTATION
VARIANCE ISSUED BY THE STATEWIDE
COMPLIANCE DIVISION, TRANSPORTATION
SECTION, FOR THE LOS ANGELES
DEPARTMENT OF WATER AND POWER.**

On December 4, 2001, the Department of Toxic Substances Control (DTSC) granted a regulatory exemption variance to the Los Angeles Department of Water and Power, a registered transporter of hazardous waste, to conduct emergency response incident transporter operations, PCB waste transporter operations, consolidation operations, and small load transporter operations authorized under Sections 66263.43, 66263.44, 66263.45, and 66263.46 of 22 CCR. The variance permits the grantee to transport PCB, paint, solvent, and other hazardous waste to the grantee's central collection facility or temporary storage facility without use of hazardous waste manifest. The wastes will subsequently be transported using a hazardous waste manifest to a permitted hazardous waste disposal or recycling facility.

CEQA Exemption. The project qualifies for a CEQA exemption under Public Resources Code Section 21080(b)(1), Ministerial Projects. This variance is issued pursuant to Chapter 13, Article 4, Section 66263.40 et seq. (Regulatory Exemptions for Certain Transportation Operations), that allows for five specific types of transportation requirement exemptions. Applicants must meet preset regulatory standards. In applying these standards, DTSC only verifies specific facts regarding eligibility and may not add case-specific conditions.

The grantee has numerous temporary storage facilities. This variance expires on December 4, 2003. For more information please call Maria Salomon of DTSC's Transportation Section at (916) 255-3624.

**CALIFORNIA REGULATORY REGISTER
NOTICE ACTION DESCRIPTION FOR A
CONSOLIDATION HAZARDOUS WASTE
TRANSPORTATION VARIANCE ISSUED BY
THE STATEWIDE COMPLIANCE DIVISION,
TRANSPORTATION SECTION, FOR PACIFIC
GAS AND ELECTRIC COMPANY AUBERRY
HYDRO SERVICE CENTER.**

On December 31, 2001, the Department of Toxic Substances Control (DTSC), granted a regulatory exemption variance to Pacific Gas and Electric Company Auberry Hydro Service Center, a registered transporter of hazardous waste, to conduct consolidation transporter operations authorized under Section

66263.45 of Title 22, California Code of Regulations (22 CCR). The variance permits the grantee to transport oily debris to a temporary hazardous waste storage facility without the use of a hazardous waste manifest. The waste may be stored at the temporary hazardous waste storage facility for 90 days or less. The consolidated waste will subsequently be transported to a permitted hazardous waste disposal or recycling facility on a hazardous waste manifest.

CEQA Exemption. The project qualifies for a CEQA exemption under Public Resources Code Section 21080(b)(1), Ministerial Projects. This variance is issued pursuant to Chapter 13, Article 4, Section 66263.40 et seq., (Regulatory Exemptions for Certain Transportation Operations), that allows for five specific types of transportation requirement exemptions. Applicants must meet preset regulatory standards. In applying these standards, DTSC only verifies specific facts regarding eligibility and may not add case-specific conditions.

The grantee's temporary hazardous waste storage facility is located at 33755 Old Mill Road, Auberry, California 93602. The variance expires on December 31, 2003. For more information please call Maria Salomon of DTSC's Transportation Section at (916) 255-3624.

**CALIFORNIA REGULATORY REGISTER
NOTICE ACTION DESCRIPTION FOR A
CONSOLIDATION HAZARDOUS WASTE
TRANSPORTATION VARIANCE ISSUED BY
THE STATEWIDE COMPLIANCE DIVISION,
TRANSPORTATION SECTION, FOR PACIFIC
GAS AND ELECTRIC COMPANY AUBURN
SERVICE CENTER.**

On January 9, 2002, the Department of Toxic Substances Control (DTSC), granted a regulatory exemption variance to Pacific Gas and Electric Company Auburn Service Center, a registered transporter of hazardous waste, to conduct consolidation transporter operations authorized under Section 66263.45 of Title 22, California Code of Regulations (22 CCR). The variance permits the grantee to transport oily debris and waste aerosol cans to a temporary hazardous waste storage facility without the use of a hazardous waste manifest. The waste may be stored at the temporary hazardous waste storage facility for 90 days or less. The consolidated waste will subsequently be transported to a permitted hazardous waste disposal or recycling facility on a hazardous waste manifest.

CEQA Exemption. The project qualifies for a CEQA exemption under Public Resources Code Section 21080(b)(1), Ministerial Projects. This variance is issued pursuant to Chapter 13, Article 4, Section 66263.40 et seq., (Regulatory Exemptions for

Certain Transportation Operations), that allows for five specific types of transportation requirement exemptions. Applicants must meet preset regulatory standards. In applying these standards, DTSC only verifies specific facts regarding eligibility and may not add case-specific conditions.

The grantee's temporary hazardous waste storage facility is located at 343 Sacramento Street, Auburn, California 95603. The variance expires on January 9, 2004. For more information please call Maria Salomon of DTSC's Transportation Section at (916) 255-3624.

PROPOSITION 65

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES
January 25, 2002**

**CHEMICAL LISTED EFFECTIVE
January 25, 2002
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER**

**CHEMICALS DELISTED EFFECTIVE
January 25, 2002
FROM THE LIST OF CHEMICALS AS KNOWN
TO THE STATE OF CALIFORNIA TO CAUSE
REPRODUCTIVE TOXICITY**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding *N-carboxymethyl-N-nitrosourea* to the list of chemicals known to the State to cause cancer and removing *cyclohexanol* and *2, 4-DP (dichloroprop)* from the list of chemicals known to the State to cause reproductive toxicity for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). The listing of *N-carboxymethyl-N-nitrosourea* and the delisting of *cyclohexanol* and *2, 4-DP (dichloroprop)* are effective **January 25, 2002.**

N-carboxymethyl-N-nitrosourea (CAS # 60391-92-6) was considered for listing under Proposition 65 by the “state’s qualified experts” (the Carcinogen Identification Committee (CIC) of the OEHHA Science Advisory Board) at a public meeting held on December 18, 2001. The CIC determined that *N-carboxymethyl-N-nitrosourea* was clearly shown through scientifically valid testing according to generally accepted principles to cause cancer. Regulations governing the listing of chemicals by the “state’s qualified experts” mechanism are published in Title 22, California Code of Regulations (22 CCR), Section 12305(a)(1).

Cyclohexanol (CAS #108-93-0) and *2,4-DP (dichloroprop)* (CAS # 120-36-5) were considered by the “state’s qualified experts” (the Developmental and Reproductive Toxicant (DART) Identification Committee of the OEHHA Science Advisory Board) for removal from the list of chemicals known to the State to cause reproductive toxicity at a public meeting held on December 17, 2001. The DART Identification Committee determined that *cyclohexanol* and *2, 4-DP (dichloroprop)* should be removed from the list of chemicals known to the State to cause reproductive toxicity.

The reader is directed to the *Notice to Interested Parties* published in the October 5, 2001, issue of the *California Regulatory Notice Register* (Register 01, No. 40-Z) for the supporting documentation which the CIC relied upon in making its determination that *N-carboxymethyl-N-nitrosourea* has been clearly shown to cause cancer. The reader is directed to another *Notice to Interested Parties* also published in the same issue of the *California Regulatory Notice Register* for the supporting documentation which the DART Identification Committee relied upon in its reconsideration of listing of *cyclohexanol* and *2, 4-DP (dichloroprop)*.

A complete, updated chemical list is published elsewhere in this issue of the *California Regulatory Notice Register*.

In summary, the following chemical added to the Proposition 65 chemical list as **known to the State to cause cancer**:

Carcinogen

Chemical	CAS No.	Listing Mechanism ¹
N-Carboxymethyl-N-nitrosourea	60391-92-6	SQE

¹ Listing mechanism: SQE—“state’s qualified experts” mechanisms (22 CCR Section 12305(a)(1))

STATE OF CALIFORNIA
 ENVIRONMENTAL PROTECTION AGENCY
 OFFICE OF ENVIRONMENTAL
 HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC
 ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE STATE
 TO CAUSE CANCER OR
 REPRODUCTIVE TOXICITY
 JANUARY 25, 2002

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikethrough were placed on the list with the date noted, and have subsequently been removed.

CHEMICALS KNOWN TO THE STATE
 TO CAUSE CANCER

Chemical	CAS Number	Date
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148685	January 1, 1990
Acetaldehyde	75070	April 1, 1988
Acetamide	60355	January 1, 1990
Acetochlor	34256821	January 1, 1989
2-Acetylaminofluorene	53963	July 1, 1987
Acifluorfen	62476599	January 1, 1990
Acrylamide	79061	January 1, 1990
Acrylonitrile	107131	July 1, 1987
Actinomycin D	50760	October 1, 1989
Adriamycin (Doxorubicin hydrochloride)	23214928	July 1, 1987
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688537	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972608	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309002	July 1, 1988
Allyl chloride	407051	January 1, 1990
Delisted October 29, 1999	117793	October 1, 1989
2-Aminoanthraquinone	60093	January 1, 1990
p-Aminoazobenzene	97563	July 1, 1987
ortho-Aminoazotoluene		
4-Aminobiphenyl (4-aminodiphenyl)	92671	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81492	August 26, 1997

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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>	<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
3-Amino-9-ethylcarbazole hydrochloride	6109973	July 1, 1989	beta-Butyrolactone	3068880	July 1, 1987
2-Aminofluorene	153786	January 29, 1999	Cacodylic acid	75605	May 1, 1996
1-Amino-2-methylanthraquinone	82280	October 1, 1989	Cadmium and cadmium compounds	—	October 1, 1987
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712685	July 1, 1987	Caffeic acid	331395	October 1, 1994
4-Amino-2-nitrophenol	119346	January 29, 1999	Captafol	2425061	October 1, 1988
Amitrole	61825	July 1, 1987	Captan	133062	January 1, 1990
Analgesic mixtures containing phenacetin	—	February 27, 1987	Carbazole	86748	May 1, 1996
Aniline	62533	January 1, 1990	Carbon tetrachloride	56235	October 1, 1987
Aniline hydrochloride	142041	May 15, 1998	Carbon-black extracts	—	January 1, 1990
ortho-Anisidine	90040	July 1, 1987	<u>N-Carboxymethyl-N-nitroso</u>	<u>60391926</u>	<u>January 25, 2002</u>
ortho-Anisidine hydrochloride	134292	July 1, 1987	Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Antimony oxide (Antimony trioxide)	1309644	October 1, 1990	Certain combined chemotherapy for lymphomas	—	February 27, 1987
Aramite	140578	July 1, 1987	Chlorambucil	305033	February 27, 1987
Arsenic (inorganic arsenic compounds)	—	February 27, 1987	Chloramphenicol	56757	October 1, 1989
Asbestos	1332214	February 27, 1987	Chlordane	57749	July 1, 1988
Auramine	492808	July 1, 1987	Chlordecone (Kepone)	143500	January 1, 1988
Azacitidine	320672	January 1, 1992	Chlordimeform	6164983	January 1, 1989
Azaserine	115026	July 1, 1987	Chlorendic acid	115286	July 1, 1989
Azathioprine	446866	February 27, 1987	Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171262	July 1, 1989
Azobenzene	103333	January 1, 1990	p-Chloroaniline	106478	October 1, 1994
Benz[a]anthracene	56553	July 1, 1987	p-Chloroaniline hydrochloride	20265967	May 15, 1998
Benzene	71432	February 27, 1987	Chlorodibromomethane	124481	January 1, 1990
Benzidine [and its salts]	92875	February 27, 1987	Delisted October 29, 1999	124481	January 1, 1990
Benzidine-based dyes	—	October 1, 1992	Chloroethane (Ethyl chloride)	75003	July 1, 1990
Benzo[b]fluoranthene	205992	July 1, 1987	1-(2-Chloroethyl)-3-cyclohexyl-1-nitroso	13010474	January 1, 1988
Benzo[j]fluoranthene	205823	July 1, 1987	(Lomustine)	—	—
Benzo[k]fluoranthene	207089	July 1, 1987	1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitroso	13909096	October 1, 1988
Benzofuran	271896	October 1, 1990	(CCNU)	67663	October 1, 1987
Benzo[a]pyrene	50328	July 1, 1987	Chloroform	—	—
Benzotrichloride	98077	July 1, 1987	Chloromethyl methyl ether (technical grade)	107302	February 27, 1987
Benzyl chloride	100447	January 1, 1990	3-Chloro-2-methylpropene	563473	July 1, 1989
Benzyl violet 4B	1694093	July 1, 1987	1-Chloro-4-nitrobenzene	100005	October 29, 1999
Beryllium and beryllium compounds	—	October 1, 1987	4-Chloro-ortho-phenylenediamine	95830	January 1, 1988
Betel quid with tobacco	—	January 1, 1990	p-Chloro-o-toluidine	95692	January 1, 1990
2,2-Bis(bromomethyl)-1,3-propanediol	3296900	May 1, 1996	p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
Bis(2-chloroethyl)ether	111444	April 1, 1988	5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlor-napazine)	494031	February 27, 1987	Chloroprene	126998	June 2, 2000
Bischloroethyl nitroso	154938	July 1, 1987	Chlorothalonil	1897456	January 1, 1989
(BCNU)(Carmustine)	542881	February 27, 1987	Chlorotrianisene	569573	September 1, 1996
Bis(chloromethyl)ether	—	October 29, 1999	Chlorozotocin	54749905	January 1, 1992
Bis(2-chloro-1-methylethyl)ether, technical grade	—	October 29, 1999	Chromium (hexavalent compounds)	—	February 27, 1987
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990	Chrysene	218019	January 1, 1990
Bracken fern	—	January 1, 1990	C.I. Acid Red 114	6459945	July 1, 1992
Bromodichloromethane	75274	January 1, 1990	C.I. Basic Red 9	—	—
Bromoethane	74964	December 22, 2000	monohydrochloride	569619	July 1, 1989
Bromoform	75252	April 1, 1991	C.I. Direct Blue 15	2429745	August 26, 1997
1,3-Butadiene	106990	April 1, 1988			
1,4-Butanediol dimethanesulfonate (Busulfan)	55981	February 27, 1987			
Butylated hydroxyanisole	25013165	January 1, 1990			

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C.I. Direct Blue 218	28407376	August 26, 1997	3,3'-Dichlorobenzidine		
C.I. Solvent Yellow 14	842079	May 15, 1998	dihydrochloride	612839	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865133 79217600	January 1, 1992	1,4-Dichloro-2-butene	764410	January 1, 1990
Cidofovir	113852372	January 29, 1999	3,3'-Dichloro-4,4'-diaminodiphenyl ether	28434868	January 1, 1988
Cinnamyl anthranilate	87296	July 1, 1989	1,1-Dichloroethane	75343	January 1, 1990
Cisplatin	15663271	October 1, 1988	Dichloromethane (Methylene chloride)	75092	April 1, 1988
Citrus Red No. 2	6358538	October 1, 1989	1,2-Dichloropropane	78875	January 1, 1990
Clofibrate	637070	September 1, 1996	1,3-Dichloropropene	542756	January 1, 1989
Cobalt metal powder	7440484	July 1, 1992	Dieldrin	60571	July 1, 1988
Cobalt [II] oxide	1307966	July 1, 1992	Dienestrol	84173	January 1, 1990
Cobalt sulfate heptahydrate	10026241	June 2, 2000	Diepoxybutane	1464535	January 1, 1988
Coke oven emissions	—	February 27, 1987	Diesel engine exhaust	—	October 1, 1990
Conjugated estrogens	—	February 27, 1987	Di(2-ethylhexyl)phthalate	117817	January 1, 1988
Creosotes	—	October 1, 1988	1,2-Diethylhydrazine	1615801	January 1, 1988
para-Cresidine	120718	January 1, 1988	Diethyl sulfate	64675	January 1, 1988
Cupferron	135206	January 1, 1988	Diethylstilbestrol (DES)	56531	February 27, 1987
Cycasin	14901087	January 1, 1988	Diglycidyl resorcinol ether (DGRE)	101906	July 1, 1989
Cyclophosphamide (anhydrous)	50180	February 27, 1987	Dihydrosafrole	94586	January 1, 1988
Cyclophosphamide (hydrated)	6055192	February 27, 1987	Diisopropyl sulfate	2973106	April 1, 1993
Cytembena	21739913	May 15, 1998	3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119904	January 1, 1988
D&C Orange No. 17	3468631	July 1, 1990	3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325400	October 1, 1990
D&C Red No. 8	2092560	October 1, 1990	Dimethyl sulfate	77781	January 1, 1988
D&C Red No. 9	5160021	July 1, 1990	4-Dimethylaminoazo- benzene	60117	January 1, 1988
D&C Red No. 19	81889	July 1, 1990	trans-2-[(Dimethyl- amino)methylimino]-5- [2-(5-nitro-2-furyl)vinyl] -1,3,4-oxadiazole	55738540	January 1, 1988
Dacarbazine	4342034	January 1, 1988	7,12-Dimethylbenz(a) anthracene	57976	January 1, 1990
Daminozide	1596845	January 1, 1990	3,3'-Dimethylbenzidine (ortho-Tolidine)	119937	January 1, 1988
Dantron (Chrysazin; 1,8-Dihydroxyanthraqui- none)	117102	January 1, 1992	3,3'-Dimethylbenzidine dihydrochloride	612828	April 1, 1992
Daunomycin	20830813	January 1, 1988	Dimethylcarbamoyl chloride	79447	January 1, 1988
DDD (Dichlorodiphenyldichloro- ethane)	72548	January 1, 1989	1,1-Dimethylhydrazine (UDMH)	57147	October 1, 1989
DDE (Dichlorodiphenyldichloro- ethylene)	72559	January 1, 1989	1,2-Dimethylhydrazine	540738	January 1, 1988
DDT (Dichlorodiphenyltrichloro- ethane)	50293	October 1, 1987	Dimethylvinylchloride	513371	July 1, 1989
DDVP (Dichlorvos)	62737	January 1, 1989	3,7-Dinitrofluoranthene	105735715	August 26, 1997
N,N'-Diacetylbenzidine	613354	October 1, 1989	3,9-Dinitrofluoranthene	22506532	August 26, 1997
2,4-Diaminoanisole	615054	October 1, 1990	1,6-Dinitropyrene	42397648	October 1, 1990
2,4-Diaminoanisole sulfate	39156417	January 1, 1988	1,8-Dinitropyrene	42397659	October 1, 1990
4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)	101804	January 1, 1988	Dinitrotoluene mixture, 2,4-/2,6- 2,4-Dinitrotoluene	— 121142	May 1, 1996 July 1, 1988
2,4-Diaminotoluene	95807	January 1, 1988	2,6-Dinitrotoluene	606202	July 1, 1995
Diaminotoluene (mixed)	—	January 1, 1990	Di-n-propyl isocinchomer- onate (MGK Repellent 326)	136458	May 1, 1996
Dibenz[a,h]acridine	226368	January 1, 1988	1,4-Dioxane	123911	January 1, 1988
Dibenz[a,j]acridine	224420	January 1, 1988	Diphenylhydantoin (Pheny- toin)	57410	January 1, 1988
Dibenz[a,h]anthracene	53703	January 1, 1988	Diphenylhydantoin (Phenytoin), sodium salt	630933	January 1, 1988
7H-Dibenzo[c,g]carbazole	194592	January 1, 1988	Direct Black 38 (technical grade)	1937377	January 1, 1988
Dibenzo[a,e]pyrene	192654	January 1, 1988	Direct Blue 6 (technical grade)	2602462	January 1, 1988
Dibenzo[a,h]pyrene	189640	January 1, 1988			
Dibenzo[a,i]pyrene	189559	January 1, 1988			
Dibenzo[a,l]pyrene	191300	January 1, 1988			
1,2-Dibromo-3-chloropropane (DBCP)	96128	July 1, 1987			
2,3-Dibromo-1-propanol	96139	October 1, 1994			
Dichloroacetic acid	79436	May 1, 1996			
p-Dichlorobenzene	106467	January 1, 1989			
3,3'-Dichlorobenzidine	91941	October 1, 1987			

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Direct Brown 95 (technical grade)	16071866	October 1, 1988	Hydrazine sulfate	10034932	January 1, 1988
Disperse Blue 1	2475458	October 1, 1990	Hydrazobenzene (1,2-Diphenylhydrazine)	122667	January 1, 1988
Epichlorohydrin	106898	October 1, 1987	Indeno [1,2,3-cd]pyrene	193395	January 1, 1988
Erionite	12510428	October 1, 1988	Indium phosphide	22398807	February 27, 2001
Estradiol 17B	50282	January 1, 1988	IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180966	April 1, 1990
Estragole	140670	October 29, 1999	Iprodione	36734197	May 1, 1996
Estrone	53167	January 1, 1988	Iron dextran complex	9004664	January 1, 1988
Estropipate	7280377	August 26, 1997	Isobutyl nitrite	542563	May 1, 1996
Ethinylestradiol	57636	January 1, 1988	Isoprene	78795	May 1, 1996
Ethoprop	13194484	February 27, 2001	Isosafrole	120581	October 1, 1989
Ethyl acrylate	140885	July 1, 1989	Isoxaflutole	141112290	December 22, 2000
Ethyl methanesulfonate	62500	January 1, 1988	Lactofen	77501634	January 1, 1989
Ethyl-4,4'-dichloro-benzilate	510156	January 1, 1990	Lasiocarpine	303344	April 1, 1988
Ethylene dibromide	106934	July 1, 1987	Lead acetate	301042	January 1, 1988
Ethylene dichloride (1,2-Dichloroethane)	107062	October 1, 1987	Lead and lead compounds	—	October 1, 1992
Ethylene oxide	75218	July 1, 1987	Lead phosphate	7446277	April 1, 1988
Ethylene thiourea	96457	January 1, 1988	Lead subacetate	1335326	October 1, 1989
Ethyleneimine	151564	January 1, 1988	Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Fenoxycarb	72490018	June 2, 2000	Lynestrenol	52766	February 27, 2001
Folpet	133073	January 1, 1989	Mancozeb	8018017	January 1, 1990
Formaldehyde (gas)	50000	January 1, 1988	Maneb	12427382	January 1, 1990
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570750	January 1, 1988	Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006837	January 1, 1990
Furan	110009	October 1, 1993	Medroxyprogesterone acetate	71589	January 1, 1990
Furazolidone	67458	January 1, 1990	MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094112	October 1, 1994
Furmecyclo	60568050	January 1, 1990	MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	7500040	October 1, 1994
Fusarin C	79748815	July 1, 1995	Melphalan	148823	February 27, 1987
Ganciclovir sodium	82410320	August 26, 1997	Merphalan	531760	April 1, 1988
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990	Mestranol	72333	April 1, 1988
Gemfibrozil	25812300	December 22, 2000	Metham sodium	137428	November 6, 1998
Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990	8-Methoxypsoralen with ultraviolet A therapy	298817	February 27, 1987
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730114	January 1, 1990	5-Methoxypsoralen with ultraviolet A therapy	484208	October 1, 1988
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730103	January 1, 1990	2-Methylaziridine (Propyleneimine)	75558	January 1, 1988
Glycidaldehyde	765344	January 1, 1988	Methylazoxymethanol	590965	April 1, 1988
Glycidol	556525	July 1, 1990	Methylazoxymethanol acetate	592621	April 1, 1988
Griseofulvin	126078	January 1, 1990	Methyl carbamate	598550	May 15, 1998
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568028	January 1, 1988	3-Methylcholanthrene	56495	January 1, 1990
HC Blue 1	2784943	July 1, 1989	5-Methylchrysene	3697243	April 1, 1988
Heptachlor	76448	July 1, 1988	4,4'-Methylene bis(2-chloroaniline)	101144	July 1, 1987
Heptachlor epoxide	1024573	July 1, 1988	4,4'-Methylene bis(N,N-dimethyl)benzenamine	101611	October 1, 1989
Hexachlorobenzene	118741	October 1, 1987	4,4'-Methylene bis(2-methylaniline)	838880	April 1, 1988
Hexachlorocyclohexane (technical grade)	—	October 1, 1987	4,4'-Methylenedianiline	101779	January 1, 1988
Hexachlorodibenzo-dioxin	34465468	April 1, 1988	4,4'-Methylenedianiline dihydrochloride	13552448	January 1, 1988
Hexachloroethane	67721	July 1, 1990			
Hexamethylphosphoramide	680319	January 1, 1988			
Hydrazine	302012	January 1, 1988			

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Methyleugenol	93152	November 16, 2001	4-Nitropyrene	57835924	October 1, 1990
Methylhydrazine and its salts	—	July 1, 1992	N-Nitrosodi-n-butylamine	924163	October 1, 1987
Methyl iodide	74884	April 1, 1988	N-Nitrosodiethanolamine	1116547	January 1, 1988
Methylmercury compounds	—	May 1, 1996	N-Nitrosodiethylamine	55185	October 1, 1987
Methyl methanesulfonate	66273	April 1, 1988	N-Nitrosodimethylamine	62759	October 1, 1987
2-Methyl-1-nitroanthraquin- one (of uncertain purity)	129157	April 1, 1988	p-Nitrosodiphenylamine	156105	January 1, 1988
N-Methyl-N'-nitro-N- nitrosoguanidine	70257	April 1, 1988	N-Nitrosodiphenylamine	86306	April 1, 1988
N-Methylolacrylamide	924425	July 1, 1990	N-Nitrosodi-n-propylamine	621647	January 1, 1988
Methylthiouracil	56042	October 1, 1989	N-Nitroso-N-ethylurea	759739	October 1, 1987
Metiram	9006422	January 1, 1990	3-(N-Nitrosomethylamino) propionitrile	60153493	April 1, 1990
Metronidazole	443481	January 1, 1988	4-(N-Nitrosomethylam- ino)-1-(3-pyridyl)1- butanone	64091914	April 1, 1990
Michler's ketone	90948	January 1, 1988	N-Nitrosomethylethyl- amine	10595956	October 1, 1989
Mirex	2385855	January 1, 1988	N-Nitroso-N-methylurea	684935	October 1, 1987
Mitomycin C	50077	April 1, 1988	N-Nitroso-N-methylurethane	615532	April 1, 1988
Monocrotaline	315220	April 1, 1988	N-Nitrosomethylvinyl- amine	4549400	January 1, 1988
5-(Morpholinomethyl)-3-[(5-nitro- furfurylidene)- amino]-2-oxalolidinone	139913	April 1, 1988	N-Nitrosomorpholine	59892	January 1, 1988
Mustard Gas	505602	February 27, 1987	N-Nitrosornicotine	16543558	January 1, 1988
MX (3-chloro-4-dichloromethyl-5- hydroxy-2(5H)-furanone)	77439760	December 22, 2000	N-Nitrosopiperidine	100754	January 1, 1988
Nafenopin	3771195	April 1, 1988	N-Nitrosopyrrolidine	930552	October 1, 1987
Nalidixic acid	389082	May 15, 1998	N-Nitrososarcosine	13256229	January 1, 1988
1-Naphthylamine	134327	October 1, 1989	o-Nitrotoluene	88722	May 15, 1998
2-Naphthylamine	91598	February 27, 1987	Norethisterone (Norethin- dron)	68224	October 1, 1989
Nickel and certain nickel compounds	—	October 1, 1989	Norethynodrel	68235	February 27, 2001
Nickel carbonyl	13463393	October 1, 1987	Ochratoxin A	303479	July 1, 1990
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987	Oil Orange SS	2646175	April 1, 1988
Nickel subsulfide	12035722	October 1, 1987	Oral contraceptives, combined	—	October 1, 1989
Niridazole	61574	April 1, 1988	Oral contraceptives, sequential	—	October 1, 1989
Nitrilotriacetic acid	139139	January 1, 1988	Oxadiazon	19666309	July 1, 1991
Nitrilotriacetic acid, tri- sodium salt mono- hydrate	18662538	April 1, 1989	Oxazepam	604751	October 1, 1994
5-Nitroacenaphthene	602879	April 1, 1988	Oxymetholone	434071	January 1, 1988
5-Nitro-o-anisidine	99592	October 1, 1989	Oxythioquinox	2439012	August 20, 1999
o-Nitroanisole	91236	October 1, 1992	Palygorskite fibers (>5µm in length)	12174117	December 28, 1999
Nitrobenzene	98953	August 26, 1997	Panfuran S	794934	January 1, 1988
4-Nitrobiphenyl	92933	April 1, 1988	Pentachlorophenol	87865	January 1, 1990
6-Nitrochrysene	7496028	October 1, 1990	Phenacetin	62442	October 1, 1989
Nitrofen (technical grade)	1836755	January 1, 1988	Phenazopyridine	94780	January 1, 1988
2-Nitrofluorene	607578	October 1, 1990	Phenazopyridine hydrochloride	136403	January 1, 1988
Nitrofurazone	59870	January 1, 1990	Phenesterin	3546109	July 1, 1989
1-[(5-Nitrofurfurylidene)-amino]- 2-imidazolidinone	555840	April 1, 1988	Phenobarbital	50066	January 1, 1990
N-[4-(5-Nitro-2-furyl)-2- thiazolyl]acetamide	531828	April 1, 1988	Phenolphthalein	77098	May 15, 1998
Nitrogen mustard (Mechlorethamine)	51752	January 1, 1988	Phenoxybenzamine	59961	April 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55867	April 1, 1988	Phenoxybenzamine hydrochloride	63923	April 1, 1988
Nitrogen mustard N-oxide	126852	April 1, 1988	o-Phenylenediamine and its salts	95545	May 15, 1998
Nitrogen mustard N-oxide hydrochloride	302705	April 1, 1988	Phenyl glycidyl ether	122601	October 1, 1990
Nitromethane	75525	May 1, 1997	Phenylhydrazine and its salts	—	July 1, 1992
2-Nitropropane	79469	January 1, 1988	o-Phenylphenate, sodium	132274	January 1, 1990
1-Nitropyrene	5522430	October 1, 1990	o-Phenylphenol	90437	August 4, 2000
			PhiP(2-Amino-1-methyl-6- phenylimidazol[4,5-b] pyridine)	105650235	October 1, 1994
			Polybrominated biphenyls	—	January 1, 1988
			Polychlorinated biphenyls	—	October 1, 1989

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Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973981	January 1, 1988
Ponceau MX	3761533	April 1, 1988
Ponceau 3R	3564098	April 1, 1988
Potassium bromate	7758012	January 1, 1990
Primidone	125337	August 20, 1999
Procarbazine	671169	January 1, 1988
Procarbazine hydrochloride	366701	January 1, 1988
Procymidone	32809168	October 1, 1994
Progesterone	57830	January 1, 1988
Pronamide	23950585	May 1, 1996
Propachlor	1918167	February 27, 2001
1,3-Propane sultone	1120714	January 1, 1988
Propargite	2312358	October 1, 1994
beta-Propiolactone	57578	January 1, 1988
Propylene oxide	75569	October 1, 1988
Propylthiouracil	51525	January 1, 1988
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50555	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Saccharin		
Delisted April 6, 2001	81072	October 1, 1989
Saccharin, sodium	128449	January 1, 1988
Safrole	94597	January 1, 1988
Salicylazosulfapyridine	599791	May 15, 1998
Selenium sulfide	7446346	October 1, 1989
Shale-oils	68308349	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spironolactone	52017	May 1, 1997
Stanozolol	10418038	May 1, 1997
Sterigmatocystin	10048132	April 1, 1988
Streptozotocin (streptozocin)	18883664	January 1, 1988
Styrene oxide	96093	October 1, 1988
Sulfallate	95067	January 1, 1988
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540291	September 1, 1996
Terrazole	2593159	October 1, 1994
Testosterone and its esters	58220	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746016	January 1, 1988
1,1,2,2-Tetrachloroethane	79345	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127184	April 1, 1988
p-a,a,a-Tetrachloro-toluene	5216251	January 1, 1990
Tetrafluoroethylene	116143	May 1, 1997
Tetranitromethane	509148	July 1, 1990
Thioacetamide	62555	January 1, 1988
4,4'-Thiodianiline	139651	April 1, 1988
Thiodicarb	59669260	August 20, 1999
Thiourea	62566	January 1, 1988
Thorium dioxide	1314201	February 27, 1987

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Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471625	October 1, 1989
ortho-Toluidine	95534	January 1, 1988
ortho-Toluidine hydrochloride	636215	January 1, 1988
para-Toluidine		
Delisted October 29, 1999	406490	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001352	January 1, 1988
Treosulfan	299752	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817094	January 1, 1992
Trichloroethylene	79016	April 1, 1988
2,4,6-Trichlorophenol	88062	January 1, 1988
1,2,3-Trichloropropane	96184	October 1, 1992
Trimethyl phosphate	512561	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
Triphenyltin hydroxide	76879	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziuone)	68768	October 1, 1989
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52244	January 1, 1988
Tris(2-chloroethyl) phosphate	115968	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126727	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450060	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450071	April 1, 1988
Trypan blue (commercial grade)	72571	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66751	April 1, 1988
Urethane (Ethyl carbamate)	51796	January 1, 1988
Vinclozolin	50471448	August 20, 1999
Vinyl bromide	593602	October 1, 1988
Vinyl chloride	75014	February 27, 1987
4-Vinylcyclohexene	100403	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106876	July 1, 1990
Vinyl fluoride	75025	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79005	October 1, 1990
2,6-Xylidine (2,6-Dimethylaniline)	87627	January 1, 1991
Zileuton	111406872	December 22, 2000
Zineb		
Delisted October 29, 1999	42122677	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Acetazolamide	developmental	59665	August 20, 1999
Acetohydroxamic acid	developmental	546883	April 1, 1990
Actinomycin D	developmental	50760	October 1, 1992
All-trans retinoic acid	developmental	302794	January 1, 1989
Alprazolam	developmental	28981977	July 1, 1990

CALIFORNIA REGULATORY NOTICE REGISTER 2002, VOLUME NO. 4-Z

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Altretamine	developmental, male	645056	August 20, 1999	Clorazepate dipotassium	developmental	57109907	October 1, 1992
Amantadine hydrochloride	developmental	665667	February 27, 2001	Cocaine	developmental, female	50362	July 1, 1989
Amikacin sulfate	developmental	39831555	July 1, 1990	Codeine phosphate	developmental	52288	May 15, 1998
Aminoglutethimide	developmental	125848	July 1, 1990	Colchicine	developmental, male	64868	October 1, 1992
Aminoglycosides	developmental	—	October 1, 1992	Conjugated estrogens	developmental	—	April 1, 1990
Aminopterin	developmental, female	54626	July 1, 1987	Cyanazine	developmental	21725462	April 1, 1990
Amiodarone hydrochloride	developmental, female, male	19774824	August 26, 1997	Cycloate	developmental	1134232	March 19, 1999
Amitraz	developmental	33089611	March 30, 1999	Cyclohexanol	male	108930	November 6, 1998
Amoxapine	developmental	14028445	May 15, 1998	Delisted January 25, 2002			
Anabolic steroids	female, male	—	April 1, 1990	Cycloheximide	developmental	66819	January 1, 1989
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992	Cyclophosphamide (anhydrous)	developmental, female, male	50180	January 1, 1989
Anisindione	developmental	117373	October 1, 1992	Cyclophosphamide (hydrated)	developmental, female, male	6055192	January 1, 1989
Arsenic (inorganic oxides)	developmental	—	May 1, 1997	Cyhexatin	developmental	13121705	January 1, 1989
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50782	July 1, 1990	Cytarabine	developmental	147944	January 1, 1989
Atenolol	developmental	29122687	August 26, 1997	Dacarbazine	developmental	4342034	January 29, 1999
Auranofin	developmental	34031328	January 29, 1999	Danazol	developmental	17230885	April 1, 1990
Azathioprine	developmental	446866	September 1, 1996	Daurorubicin hydrochloride	developmental	23541506	July 1, 1990
Barbiturates	developmental	—	October 1, 1992	2,4-D butyric acid	developmental, male	94826	June 18, 1999
Beclomethasone dipropionate	developmental	5534098	May 15, 1998	o,p' -DDT	developmental, female, male	789026	May 15, 1998
Benomyl	developmental, male	17804352	July 1, 1991	p,p' -DDT	developmental, female, male	50293	May 15, 1998
Benzene	developmental, male	71432	December 26, 1997	2,4-DP (dichloroprop)	developmental	120365	April 27, 1999
Benzphetamine hydrochloride	developmental	5411223	April 1, 1990	Delisted January 25, 2002			
Benzodiazepines	developmental	—	October 1, 1992	Demeclocycline hydrochloride (internal use)	developmental	64733	January 1, 1992
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154938	July 1, 1990	Diazepam	developmental	439145	January 1, 1992
Bromacil lithium salt	developmental	53404196	May 18, 1999	Diazoxide	developmental	364987	February 27, 2001
Bromoxynil	developmental	1689845	October 1, 1990	1,2-Dibromo-3-chloropropane (DBCP)	male	96128	February 27, 1987
Bromoxynil octanoate	developmental	1689992	May 18, 1999	Dichlorophene	developmental	97234	April 27, 1999
Butabarbital sodium	developmental	143817	October 1, 1992	Dichlorophenamide	developmental	120978	February 27, 2001
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55981	January 1, 1989	Diclofop methyl	developmental	51338273	March 5, 1999
Cadmium	developmental, male	—	May 1, 1997	Dicumaryl	developmental	66762	October 1, 1992
Carbamazepine	developmental	298464	January 29, 1999	Diethylstilbestrol (DES)	developmental	56531	July 1, 1987
Carbon disulfide	developmental, female, male	75150	July 1, 1989	Diffunisal	developmental, female	22494424	January 29, 1999
Carbon monoxide	developmental	630080	July 1, 1989	Dihydroergotamine mesylate	developmental	6190392	May 1, 1997
Carboplatin	developmental	41575944	July 1, 1990	Diltiazem hydrochloride	developmental	33286225	February 27, 2001
Chenodiol	developmental	474259	April 1, 1990	<i>m</i> -Dinitrobenzene	male	99650	July 1, 1990
Chinethionat (Oxythioquinox)	developmental	2439012	November 6, 1998	<i>o</i> -Dinitrobenzene	male	528290	July 1, 1990
Chlorambucil	developmental	305033	January 1, 1989	<i>p</i> -Dinitrobenzene	male	100254	July 1, 1990
Chlorcyclizine hydrochloride	developmental	1620219	July 1, 1987	2,4-Dinitrotoluene	male	121142	August 20, 1999
Chlordecone (Kepone)	developmental	143500	January 1, 1989	2,6-Dinitrotoluene	male	606202	August 20, 1999
Chlordiazepoxide	developmental	58253	January 1, 1992	Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Chlordiazepoxide hydrochloride	developmental	438415	January 1, 1992	Dinocap	developmental	39300453	April 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010474	July 1, 1990	Dinoseb	developmental, male	88857	January 1, 1989
Chlorsulfuron	developmental, female, male	64902723	May 14, 1999	Diphenylhydantoin (Phenytoin)	developmental	57410	July 1, 1987
Cidofovir	developmental, female, male	113852372	January 29, 1999	Disodium cyanodithioimidocarbonate	developmental	138932	March 30, 1999
Cladribine	developmental	4291638	September 1, 1996	Doxorubicin hydrochloride	developmental, male	23214928	January 29, 1999
Clarithromycin	developmental	81103119	May 1, 1997	Doxycycline (internal use)	developmental	564250	July 1, 1990
Clobetasol propionate	developmental, female	25122467	May 15, 1998	Doxycycline calcium (internal use)	developmental	94088854	January 1, 1992
Clomiphene citrate	developmental	50419	April 1, 1990	Doxycycline hyclate (internal use)	developmental	24390145	October 1, 1991
				Doxycycline monohydrate (internal use)	developmental	17086281	October 1, 1991
				Endrin	developmental	72208	May 15, 1998
				Epichlorohydrin	male	106898	September 1, 1996
				Ergotamine tartrate	developmental	379793	April 1, 1990
				Estropipate	developmental	7280377	August 26, 1997
				Ethionamide	developmental	536334	August 26, 1997
				Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
				Ethyl dipropylthiocarbamate	developmental	759944	April 27, 1999
				Ethylene dibromide	developmental, male	106934	May 15, 1998

CALIFORNIA REGULATORY NOTICE REGISTER 2002, VOLUME NO. 4-Z

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Ethylene glycol monoethyl ether	developmental, male	110805	January 1, 1989	Methotrexate	developmental	59052	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109864	January 1, 1989	Methotrexate sodium	developmental	15475566	April 1, 1990
Ethylene glycol monoethyl ether acetate	developmental, male	111159	January 1, 1993	Methyl bromide as a structural fumigant	developmental	74839	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110496	January 1, 1993	Methyl chloride	developmental	74873	March 10, 2000
Ethylene oxide	female	75218	February 27, 1987	Methyl mercury	developmental	—	July 1, 1987
Ethylene thiourea	developmental	96457	January 1, 1993	N-Methylpyrrolidone	developmental	872504	June 15, 2001
Etodolac	developmental, female	41340254	August 20, 1999	Methyltestosterone	developmental	58184	April 1, 1990
Etoposide	developmental	33419420	July 1, 1990	Metiram	developmental	9006422	March 30, 1999
Etretinate	developmental	54350480	July 1, 1987	Midazolam hydrochloride	developmental	59467968	July 1, 1990
Fenoxaprop ethyl	developmental	66441234	March 26, 1999	Minocycline hydrochloride (internal use)	developmental	13614987	January 1, 1992
Filgrastim	developmental	121181531	February 27, 2001	Misoprostol	developmental	59122462	April 1, 1990
Fluazifop butyl	developmental	69806504	November 6, 1998	Mitoxantrone hydrochloride	developmental	70476823	July 1, 1990
Flunisolide	developmental, female	3385033	May 15, 1998	Myclobutanol	developmental, male	88671890	April 16, 1999
Fluorouracil	developmental	51218	January 1, 1989	Nabam	developmental	142596	March 30, 1999
Fluoxymesterone	developmental	76437	April 1, 1990	Nafarelin acetate	developmental	86220420	April 1, 1990
Flurazepam hydrochloride	developmental	1172185	October 1, 1992	Neomycin sulfate (internal use)	developmental	1405103	October 1, 1992
Flurbiprofen	developmental, female	5104494	August 20, 1999	Netilmicin sulfate	developmental	56391572	July 1, 1990
Flutamide	developmental	13311847	July 1, 1990	Nickel carbonyl	developmental	13463393	September 1, 1996
Fluticasone propionate	developmental	80474142	May 15, 1998	Nicotine	developmental	54115	April 1, 1990
Fluvalinate	developmental	69409945	November 6, 1998	Nifedipine	developmental, female, male	21829254	January 29, 1999
Ganciclovir sodium	developmental, male	82410320	August 26, 1997	Nimodipine	developmental	66085594	April 24, 2001
Gemfibrozil	female, male	25812300	August 20, 1999	Nitrapyrin	developmental	1929824	March 30, 1999
Goserelin acetate	developmental, female, male	65807025	August 26, 1997	Nitrofurantoin	developmental, male	67209	April 1, 1991
Halazepam	developmental	23092173	July 1, 1990	Nitrogen mustard (Mechlorethamine)	developmental	51752	January 1, 1989
Halobetasol propionate	developmental	66852548	August 20, 1999	Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55867	July 1, 1990
Haloperidol	developmental, female	52868	January 29, 1999	Norethisterone	developmental	68224	April 1, 1990
Haloethane	developmental	151677	September 1, 1996	Norethisterone acetate (Norethindrone acetate)	developmental	51989	October 1, 1991
Heptachlor	developmental	76448	August 20, 1999	Norethisterone (Norethindrone)/Ethinyl estradiol	developmental	68224/57636	April 1, 1990
Hexachlorobenzene	developmental	118741	January 1, 1989	Norethisterone (Norethindrone)/Mestranol	developmental	68224/72333	April 1, 1990
Hexamethylphosphoramide	male	680319	October 1, 1994	Norgestrel	developmental	6533002	April 1, 1990
Histrelin acetate	developmental	—	May 15, 1998	Oxadiazon	developmental	19666309	May 15, 1998
Hydramethylnon	developmental, male	67485294	March 5, 1999	Oxazepam	developmental	604751	October 1, 1992
Hydroxyurea	developmental	127071	May 1, 1997	Oxydemeton methyl	female, male	301122	November 6, 1998
Idarubicin hydrochloride	developmental, male	57852570	August 20, 1999	Oxymetholone	developmental	434071	May 1, 1997
Ifosfamide	developmental	3778732	July 1, 1990	Oxytetracycline (internal use)	developmental	79572	January 1, 1991
Iodine-131	developmental	10043660	January 1, 1989	Oxytetracycline hydrochloride (internal use)	developmental	2058460	October 1, 1991
Isotretinoin	developmental	4759482	July 1, 1987	Paclitaxel	developmental, female, male	33069624	August 26, 1997
Lead	developmental, female, male	—	February 27, 1987	Paramethadione	developmental	115673	July 1, 1990
Leuprolide acetate	developmental, female, male	74381536	August 26, 1997	Penicillamine	developmental	52675	January 1, 1991
Levodopa	developmental	59927	January 29, 1999	Pentobarbital sodium	developmental	57330	July 1, 1990
Levonorgestrel implants	female	797637	May 15, 1998	Pentostatin	developmental	53910251	September 1, 1996
Linuron	developmental	330552	March 19, 1999	Phenacemide	developmental	63989	July 1, 1990
Lithium carbonate	developmental	554132	January 1, 1991	Phenprocoumon	developmental	435972	October 1, 1992
Lithium citrate	developmental	919164	January 1, 1991	Pimozide	developmental, female	2062784	August 20, 1999
Lorazepam	developmental	846491	July 1, 1990	Pipobroman	developmental	54911	July 1, 1990
Lovastatin	developmental	75330755	October 1, 1992	Plicamycin	developmental	18378897	April 1, 1990
Mebendazole	developmental	31431397	August 20, 1999	Polybrominated biphenyls	developmental	—	October 1, 1994
Medroxyprogesterone acetate	developmental	71589	April 1, 1990	Polychlorinated biphenyls	developmental	—	January 1, 1991
Megestrol acetate	developmental	595335	January 1, 1991	Potassium dimethyldithiocarbamate	developmental	128030	March 30, 1999
Melphalan	developmental	148823	July 1, 1990	Pravastatin sodium	developmental	81131706	March 3, 2000
Menotropins	developmental	9002680	April 1, 1990	Prednisolone sodium phosphate	developmental	125020	August 20, 1999
Meprobamate	developmental	57534	January 1, 1992	Procarbazine hydrochloride	developmental	366701	July 1, 1990
Mercaptopurine	developmental	6112761	July 1, 1990	Propargite	developmental	2312358	June 15, 1999
Mercury and mercury compounds	developmental	—	July 1, 1990	Propylthiouracil	developmental	51525	July 1, 1990
Methacycline hydrochloride	developmental	3963959	January 1, 1991	Pyrimethamine	developmental	58140	January 29, 1999
Metham sodium	developmental	137428	May 15, 1998				
Methazole	developmental	20354261	December 1, 1999				
Methimazole	developmental	60560	July 1, 1990				

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Quazepam	developmental	36735225	August 26, 1997
Quizalofop-ethyl	male	76578148	December 24, 1999
Resmethrin	developmental	10453868	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791045	April 1, 1990
		36791045	February 27, 2001
Rifampin	developmental, female	13292461	February 27, 2001
Secobarbital sodium	developmental	309433	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethylthiocarbamate	developmental	128041	March 30 1999
Sodium fluoroacetate	male	62748	November 6, 1998
Streptomycin sulfate	developmental	3810740	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883664	August 20, 1999
Sulfasalazine	male	599791	January 29, 1999
Sulindac	developmental, female	38194502	January 29, 1999
Tamoxifen citrate	developmental	54965241	July 1, 1990
Temazepam	developmental	846504	April 1, 1990
Teniposide	developmental	29767202	September 1, 1996
Terbacil	developmental	5902512	May 18, 1999
Testosterone cypionate	developmental	58208	October 1, 1991
Testosterone enanthate	developmental	315377	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-paradioxin (TCDD)	developmental	1746016	April 1, 1991
Tetracycline (internal use)	developmental	60548	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64755	January 1, 1991
Thalidomide	developmental	50351	July 1, 1987
Thioguanine	developmental	154427	July 1, 1990
Thiophanate methyl	female, male	23564058	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842071	July 1, 1990
Toluene	developmental	108883	January 1, 1991
Triadimefon	developmental, female, male	43121433	March 30, 1999
Triazolam	developmental	28911015	April 1, 1990
Tributyltin methacrylate	developmental	2155706	December 1, 1999
Trientine hydrochloride	developmental	38260014	February 27, 2001
Triforine	developmental	26644462	June 18, 1999
		37273840	
Trilostane	developmental	13647353	April 1, 1990
Trimethadione	developmental	127480	January 1, 1991
Trimetrexate glucuronate	developmental	82952645	August 26, 1997
Uracil mustard	developmental, female, male	66751	January 1, 1992
Urethane	developmental	51796	October 1, 1994
Urofollitropin	developmental	26995915	April 1, 1990
Valproate (Valproic acid)	developmental	99661	July 1, 1987
Vinblastine sulfate	developmental	143679	July 1, 1990
Vinclozolin	developmental	50471448	May 15, 1998
Vincristine sulfate	developmental	2068782	July 1, 1990
Warfarin	developmental	81812	July 1, 1987
Zileuton	developmental, female	111406872	December 22, 2000

Date: January 25, 2002

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.

BOARD OF EQUALIZATION Cigarette and Tobacco Products Tax Regulations

This rulemaking action revises the cigarette tax regulations to conform to legislative changes made in 1989, 1992, and 1993, and to other changes such as the recent tobacco litigation settlement agreements. The action adds “tobacco products” to “cigarettes” in several provisions, clarifies the treatment of cigarette and tobacco product sample giveaways, updates terminology, revises record keeping, adding provisions regarding electronic record keeping, and makes other similar revisions.

Title 18
California Code of Regulations
ADOPT: 4063.5, 4098 AMEND: 4018, 4021, 4022, 4023, 4026, 4027, 4034, 4047, 4055, 4056, 4057, 4058, 4059, 4060, 4062, 4063, 4064, 4065, 4080, 4081, 4091, 4092 REPEAL: 4028, 4067, 4079, 4082
Filed 01/16/02
Effective 02/15/02
Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF EQUALIZATION Possessory Interests in Taxable Government-Owned Real Property

This rulemaking action specifies how the assessed value of all taxable possessory interests in local government-owned extraterritorial real property shall be reduced if it exceeds the limitation established by article XIII, section 11(f) of the California Constitution.

Title 18
California Code of Regulations
ADOPT: 29
Filed 01/10/02
Effective 02/09/02
Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF PHARMACY
Quality Assurance Programs

The regulatory action deals with Quality Assurance Programs.

Title 16
California Code of Regulations
ADOPT: 1711
Filed 01/14/02
Effective 01/14/02
Agency Contact:
Paul Riches (916) 445-5014 x4016

BUREAU OF BARBERING AND COSMETOLOGY
Cleaning and Disinfecting Whirlpool Footspas

The proposed emergency regulatory action is the second readoption of provisions establishing cleaning and disinfecting procedures for whirlpool footspas and administrative fines for the initial and repeat violation of the procedures. The prior emergency filings were OAL file numbers 01-0508-06E and 01-0910-01EE.

Title 16
California Code of Regulations
ADOPT: 980.1 AMEND: 974
Filed 01/14/02
Effective 01/14/02
Agency Contact: Tiffany Wetzel (916) 324-8945

CALIFORNIA HORSE RACING BOARD
Withdrawals from an Advance Deposit Wagering Account with all Entities

This action specifies the procedure to be followed by an entity with custody of Advance Deposit Wagering Account funds when the Account Holder requests a withdrawal of funds.

Title 4
California Code of Regulations
ADOPT: 2078
Filed 01/10/02
Effective 01/10/02
Agency Contact: Pat Noble (916) 263-6033

**CALIFORNIA INTEGRATED WASTE
MANAGEMENT BOARD**
Recycling Rates

This is the emergency readoption of an amendment to the definition of the term "recycling rate" necessary so that annual determinations concerning attainment of the statutory recycling goals of 25% and 55% will be based upon data reported during the previous year.

Title 14
California Code of Regulations
AMEND: 17943(b)(26)
Filed 01/16/02
Effective 01/16/02
Agency Contact: Jan Howard (916) 341-6514

**COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING**
Elder/Dependent Adult Abuse Training

Existing law requires police officers and deputy sheriffs assigned to field duties to complete an elder abuse training course certified by the POST Commission. The State Legislature mandated, in AB 1819, changes to Penal Code section 13515 expanding the existing required subjects to include dependant adults. AB 1819 also added to the subjects required by Penal Code section 13515 physical and psychological abuse of elders and dependant adults, and the role of adult protective services and public guardian offices. This regulatory action puts into regulation the changes made to Penal Code section 13515 by AB 1819.

Title 11
California Code of Regulations
AMEND: 1081
Filed 01/09/02
Effective 02/08/02
Agency Contact: Leah Cherry (916) 227-3891

**COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING**
Continuing Professional Training Perishable and Communications Skills

This nonsubstantive file makes a clarifying change to the regulation.

Title 11
California Code of Regulations
AMEND: 1005
Filed 01/14/02
Effective 02/13/02
Agency Contact: Leah Cherry (916) 227-3891

DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

The regulatory action is the Certificate of Compliance for the emergency filing that established a specified portion of Los Angeles County as an interior quarantine area for the Mediterranean fruit fly.(Prior OAL file 01-0907-02E; Department of Food and Agriculture file PH0202.)

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 01/14/02
Effective 01/14/02
Agency Contact:
Barbara J. Hass (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE
Oriental Fruit Fly Interior Quarantine

This action would establish a quarantine for the Oriental fruit fly in the San Diego area.

Title 3
California Code of Regulations
AMEND: 3423(b)

Filed 01/14/02
 Effective 01/14/02
 Agency Contact:
 Barbara J. Hass (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE
 Labeling and Specifications for Engine Coolants

The proposed regulatory action amends the technical specifications and testing procedures governing various types of engine coolants including recycled engine coolants.

Title 4
 California Code of Regulations
 ADOPT: 4160, 4161, 4162, 4263, 4164, 4165, 4166, 4167, 4168, 4169, 4170, 4171 REPEAL: 4160, 4161, 4162, 4164, 4167, 4168, 4169, 4170, 4171, 4172, 4173, 4174, 4175
 Filed 01/11/02
 Effective 01/11/02
 Agency Contact: David Lazier (916) 229-3044

DEPARTMENT OF INDUSTRIAL RELATIONS
 Prevailing Wage Hearings Under Labor Code Section 1742

This action establishes a complete set of rules for administrative appeals of civil wage and penalty assessments connected with the payment of prevailing wages on public works projects.

Title 8
 California Code of Regulations
 ADOPT: 17201, 17202, 17203, 17204, 17205, 17206, 17207, 17208, 17209, 17210, 17211, 17212, 17220, 17221, 17222, 17223, 17224, 17225, 17226, 17227, 17228, 17229, 17230, 17231, 17232, 17234, 17235, 17236, 17237, 17240, 17241, 17242, 17243, 17244, 17245
 Filed 01/15/02
 Effective 01/15/02
 Agency Contact: John Cumming (415) 703-4265

DEPARTMENT OF INDUSTRIAL RELATIONS
 Recording of Occupational Injuries and Illnesses

This regulatory action repeals existing requirements for documenting occupational illness and injury, and replaces them with new requirements and forms.

Title 8
 California Code of Regulations
 ADOPT: 14300.1, 14300.2, 14300.03, 14300.04, 14300.05, 14300.06, 14300.07, 14300.08, 14300.09, 14300.10, 14300.11, 14300.12, 14300.13, 14300.14, 14300.15, 14300.16, 14300.17, 14300.18, 14300.19, 14300.20, 14300.21, 14300.22, 14300.23, 14300.24, 14300.25
 Filed 01/15/02
 Effective 01/15/02
 Agency Contact: Robert Barish (415) 703-5161

DEPARTMENT OF INSURANCE
 Premium Rates for Credit Life and Disability Insurance

The California Department of Insurance is amending sections 2248.31, 2248.32, 2248.35, 2248.40, 2248.41, 2248.42, and 2248.47 pertaining to premium rates for credit life/credit disability insurance. This file is exempt from review by the Office of Administrative Law correcting File No. 94-0328-01P pertaining to premium rates for credit life/credit disability insurance.

Title 10
 California Code of Regulations
 AMEND: 2248.31, 2248.32, 2248.35, 2248.40, 2248.41, 2248.42, and 2248.47
 Filed 01/09/02
 Effective 01/09/02
 Agency Contact:
 Brian G. Soublet (916) 492-3521

DEPARTMENT OF INSURANCE
 Workers Compensation Rates

This action updates the California Workers' Compensation Uniform Statistical Reporting Plan and the Experience Rating Plan.

Title 10
 California Code of Regulations
 AMEND: 2318.6, 2353.1
 Filed 01/10/02
 Effective 02/09/02
 Agency Contact: Larry C. White (415) 538-4423

DEPARTMENT OF MOTOR VEHICLES
 Driver Education Certification Forms

This is nonsubstantive change repealing a section whose authority has been repealed and updating a reference to the California Code of Regulations.

Title 13
 California Code of Regulations
 AMEND: 50.45 REPEAL: 50.40
 Filed 01/10/02
 Effective 02/09/02
 Agency Contact: Maria Grijalva (916) 657-9001

DEPARTMENT OF SOCIAL SERVICES
 Recipient Claim Establishment and Collections

This filing is a certificate of compliance for an emergency regulatory action which implemented changes made by the USDA to the Food Stamp Program concerning recipient claim collections that were required to be in place by August 1, 2001.

Title MPP
 California Code of Regulations
 ADOPT: 63-016 AMEND: 63-102, 63-300, 63-504, 63-801, 63-802, 63-804

Filed 01/14/02
Effective 01/14/02
Agency Contact:
Anthony J. Velasquez (916) 657-2586

DEPARTMENT OF THE YOUTH AUTHORITY
Medical Regulations

This regulatory action adopts provisions dealing with the involuntary administration of psychotropic drugs.

Title 15
California Code of Regulations
ADOPT: 4742, 4743, 4744, 4745, 4746, 4747
AMEND: 4730, 4732, 4733, 4734, 4735, 4736, 4737, 4739, 4740
Filed 01/09/02
Effective 02/08/02
Agency Contact:
Catherine Sorenson (916) 262-1437

FAIR POLITICAL PRACTICES COMMISSION
Online Disclosure of Contributions and Independent Expenditures

The Fair Political Practices Commission is adopting sections 18539, and 18550, of title 2, California Code of Regulations, pertaining to online disclosure of contributions and online disclosure of independent expenditures. The Office of Administrative Law has filed the above regulatory action with the Secretary of State in accordance with the decision of the Third District Court of Appeal in *Fair Political Practices Commission v. Office of Administrative Law, et al.*, 3 Civil 10924, dated April 27, 1992.

Title 2
California Code of Regulations
ADOPT: 18539, 18550
Filed 01/16/02
Effective 02/15/02
Agency Contact: Scott Tocher (916) 322-5660

FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest

The Fair Political Practices Commission is amending sections 18232, 18702.1, 18705.5, and 18708 of title 2 of the California Code of Regulations. These sections pertain to salary and reimbursement for expenses or per diem received from a state, local, or federal government agency; determining when a public official is making a governmental decision; materiality standard: economic interest in personal finances; and legally required participation. The Office of Administrative Law has filed the above regulatory action with the Secretary of State in accordance with the decision of the Third District Court of Appeal in

Fair Political Practices Commission v. Office of Administrative Law, et al., 3 Civil CO 10924, dated April 27, 1992.

Title 2
California Code of Regulations
AMEND: 18232, 18702.1, 18705.5, 18708
Filed 01/16/02
Effective 02/15/02
Agency Contact: Bill Williams (916) 322-5660

FISH AND GAME COMMISSION
Sport Fishing Regulations for 2002–2003

This regulatory action contains the sport fishing regulations for 2002–2003.

Title 14
California Code of Regulations
ADOPT: 2.10, 5.60, 28.59 AMEND: 1.24, 2.06, 4.00, 4.15, 5.00, 5.05, 5.15, 5.20, 5.35, 5.40, 5.75, 7.00, 7.50, 8.00, 27.60, 27.65, 27.82, 28.27, 28.54, 28.55, 29.15, 40 REPEAL: 2.01, 2.02, 2.03, 2.04, 2.07, 2.10, 2.13, 2.14, 5.70, 41, 41.5, 42, 42.5
Filed 01/10/02
Effective 01/10/02
Agency Contact: John M. Duffy (916) 653-4899

PUBLIC UTILITIES COMMISSION
Conflict of Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for printing only.

Title 20
California Code of Regulations
AMEND: 201
Filed 01/16/02
Effective 02/15/02
Agency Contact:
Wesley M. Franklin (415) 703-1723

SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MT. CONSERVANCY
Contracting With Private Engineering Firms

This regulatory action adopts the requirements for contracting with private architectural, landscape architectural, engineering, environmental, or land surveying services.

Title 14
California Code of Regulations
ADOPT: 14021, 14022, 14023, 14024, 14025, 14026, 14027, 14028, 14029, 14030, 14031, 14032
Filed 01/09/02
Effective 02/08/02
Agency Contact:
Terry T. Fujimoto (213) 897-2706

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN SEPTEMBER 12, 2001 TO
JANUARY 16, 2002**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's 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 1

01/08/02 AMEND: 1402, 1414, 1437

Title 2

01/16/02 AMEND: 18232, 18702.1, 18705.5, 18708

01/16/02 ADOPT: 18539, 18550

12/27/01 AMEND: 18428

12/26/01 AMEND: 2554(b)(4), 2555(a)(1)

12/21/01 AMEND: 1859.2, 1859.81

12/20/01 AMEND: 2300(b)

12/20/01 AMEND: 45100

12/18/01 AMEND: 2541(c), 2541(d)

12/12/01 ADOPT: 1896.300, 1896.310, 1896.320, 1896.330, 1896.340, 1896.350, 1896.360, 1896.370

11/27/01 ADOPT: 599.911, 599.912, 599.913

11/26/01 ADOPT: 18540

11/16/01 ADOPT: 18539.2

11/06/01 ADOPT: 18536 REPEAL: 18536

10/31/01 AMEND: 599.911, 599.912, 599.913

10/31/01 AMEND: 599.936

10/29/01 ADOPT: 18543

10/29/01 ADOPT: 18542

10/18/01 ADOPT: 18404.2

10/09/01 ADOPT: 18530.4, 18570

10/04/01 ADOPT: 18531.6

10/04/01 AMEND: 599.502, 599.508

10/01/01 AMEND: 599.616.1, 599.619, 599.631, 599.723.1

09/17/01 ADOPT: 549.90

09/14/01 ADOPT: 58100

Title 3

01/14/02 AMEND: 3423(b)

01/14/02 AMEND: 3406(b)

01/08/02 AMEND: 576.1

01/04/02 AMEND: 3591.16(a)

12/27/01 AMEND: 2

12/26/01 ADOPT: 950, 951, 952, 953, 954, 955
AMEND: 900.1, 901, 927, 930, 931

12/26/01 AMEND: 6650, 6654, 6656

12/20/01 ADOPT: 7010

12/14/01 AMEND: 3700 (a),(b),(c)

12/12/01 AMEND: 3591.2(a)

12/05/01 ADOPT: 1301, 1301.1, 1301.2, 1301.3, 1301.4, 1301.5, 1301.6, 1301.7, 1301.8, 1301.9

12/04/01 AMEND: 3591.12(a)

11/28/01 AMEND: 3430(b)

11/28/01 AMEND: 1359, 1392.4, 1436.30 REPEAL: 1359.1, 1360, 1361, 1362, 1363

11/27/01 AMEND: 6252, 6256

11/26/01 AMEND: 1380.19

10/25/01 ADOPT: 480.9 AMEND: 300 (c)(1)

10/24/01 ADOPT: 1301, 1301.1, 1301.2, 1301.3, 1301.4, 1301.5, 1301.6, 1301.7, 1301.8, 1301.9

10/19/01 ADOPT: 2302 AMEND: 2303

10/15/01 AMEND: 6450.2, 6450.3

10/15/01 AMEND: 3591.16

10/11/01 ADOPT: 6625 AMEND: 6624

10/04/01 AMEND: 3423(b)

10/04/01 ADOPT: 3700

Title 4

01/11/02 ADOPT: 4160, 4161, 4162, 4263, 4164, 4165, 4166, 4167, 4168, 4169, 4170, 4171 REPEAL: 4160, 4161, 4162, 4164, 4167, 4168, 4169, 4170, 4171, 4172, 4173, 4174, 4175

01/10/02 ADOPT: 2078

01/07/02 ADOPT: 2071

01/07/02 ADOPT: 2072

01/07/02 ADOPT: 2073

01/07/02 ADOPT: 2082

01/07/02 ADOPT: 2076

01/04/02 ADOPT: 2083

01/03/02 ADOPT: 2075

01/03/02 ADOPT: 2070

01/03/02 ADOPT: 2080

01/03/02 ADOPT: 2079

01/03/02 ADOPT: 2074

01/03/02 ADOPT: 2077

12/12/01 REPEAL: 143.4

12/11/01 AMEND: 1979

12/10/01 AMEND: 1969

11/29/01 ADOPT: 12130

11/20/01 AMEND: 376, 377

11/19/01 ADOPT: 12100, 12102, 12104, 12106, 12108, 12110, 12120

11/19/01 ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337 AMEND: 10317(c)

11/01/01 AMEND: 401, 403

10/29/01 AMEND: 8070(e)

10/12/01 ADOPT: 4144

10/11/01 AMEND: 1433

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10/09/01 ADOPT: 7000, 7001, 7002, 7003, 7003.5, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7013.1, 7013.5, 7014, 7015, 7016, and 7017 REPEAL: 7000, 7001, 7002, 7003, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7014, 7015, 7016

Title 5

01/08/02 AMEND: 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039
01/08/02 REPEAL: 11820, 11822, 11823, 11827, 11828, 11829, 11831, 11832, 11833, 11834
01/07/02 AMEND: 73000, 73010, 73100, 73110, 73120, 73130, 73140, 73150, 73160, 73165, 73170, 73180, 73190, 73200, 73210, 73230, 73240, 73260, 73270, 73280, 73290, 73300, 73310, 73320, 73330, 73340, 73350, 73360, 73380, 73390, 73400, 73410, 73420, 73430, 73440
01/07/02 AMEND: 42713
12/27/01 ADOPT: 31000, 31001, 31003, 31004, 31005, 31006, 31007
12/26/01 AMEND: 80487
12/21/01 ADOPT: 1215, 1216, 1217, 1217.5, 1218, 1219, 1219.5
12/21/01 ADOPT: 31000, 31001, 31002, 31003, 31004, 31005, 31006, 31007
12/18/01 AMEND: 30950, 30951, 30951.1, 30952, 30953, 30954, 30955, 30956, 30957, 30958, 30959
12/12/01 AMEND: 80225
12/05/01 ADOPT: 20430, 20432, 20434, 20436, 20438, 20440, 20442, 20444
11/26/01 AMEND: 22000
11/19/01 AMEND: 80026, 80027
11/15/01 AMEND: 1032 (i)
11/06/01 AMEND: 18302
11/05/01 REPEAL: 18140, 18141, 18142, 18143, 18144, 18145, 18146, 18147, 18148, 18149, 18150, 18151, 18152, 18153, 18154, 18155, 18156, 18157, 18158, 18159, 18160, 18161, 18162, 18163, 18164, 18165, 18166, 18167, 18168, 18169, 18170, 18171, 18172, 18173, 18174
10/26/01 ADOPT: 18400, 18405, 18406, 18407, 18408, 18409, 18409.5, 18410, 18411, 18412, 18413, 18414, 18415, 18416, 18417, 18418, 18419, 18420, 18421, 18422, 18423, 18424, 18425, 18426, 18427, 18428, 18429, 18430, 18431, 18432, 18433, 18434
10/22/01 AMEND: 74000, 74002, 74004, 74006, 74008, 74010, 74014, 74016, 74018,

74020, 74030, 74040, 74050, 74100, 74120, 74130, 74140, 74150, 74160, 74170, 74180, 74190, 74200, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130

10/16/01 AMEND: 53309, 53310
10/10/01 AMEND: 59020, 59022, 59023
10/04/01 ADOPT: 40701 AMEND: 40700
10/04/01 ADOPT: 11510, 11511, 11511.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, 11517
09/19/01 AMEND: 15440, 15443, 15444, 15445, 15453, 15454, 15456, 15457, 15458, 15459, 15467, 15468, 15472, 15474, 15475, 15476, 15480, 15481, 15483, 15484, 15485, 15486 REPEAL: 15469, 15471, 15473

Title 7

12/11/01 ADOPT: 236
11/27/01 ADOPT: 212.5

Title 8

01/15/02 ADOPT: 17201, 17202, 17203, 17204, 17205, 17206, 17207, 17208, 17209, 17210, 17211, 17212, 17220, 17221, 17222, 17223, 17224, 17225, 17226, 17227, 17228, 17229, 17230, 17231, 17232, 17234, 17235, 17236, 17237, 17240, 17241, 17242, 17243, 17244, 17245
01/15/02 ADOPT: 14300.1, 14300.2, 14300.03, 14300.04, 14300.05, 14300.06, 14300.07, 14300.08, 14300.09, 14300.10, 14300.11, 14300.12, 14300.13, 14300.14, 14300.15, 14300.16, 14300.17, 14300.18, 14300.19, 14300.20, 14300.21, 14300.22, 14300.23, 14300.24, 14300.25
01/04/02 ADOPT: 11170 AMEND: 11160
01/03/02 AMEND: 3472, 4884, 4885, 4886, 4907, 4924, 4965, 4966, 4968
12/31/01 AMEND: 9792.1
12/26/01 AMEND: 1532.1
12/24/01 AMEND: 31100
12/04/01 ADOPT: 32015, 32016, 32325, 32603, 32604, 6000, 60010, 60020, 60030, 60035, 60040, 60050, 60070, 61000, 61005, 61010, 61020, 61030, 61040, 61050, 61055, 61060, 61065, 61070, 61072, 61075, 61080, 61090, 61100, 61105, 61110, 61115, 61120, 61125, 61130
11/29/01 AMEND: 5031(c)(3)
11/19/01 AMEND: 341.15
11/08/01 AMEND: 3340(c) and (d)
11/02/01 AMEND: 15212
10/30/01 ADOPT: 344.5, 344.6, 344.7, 344.8, 344.9, 344.10, 344.11, 344.12, 344.13,

344.14, 344.15, 344.16, 344.17 AMEND:
 Re-number 344.10 to 344.18
 10/29/01 AMEND: 65
 10/24/01 AMEND: 6249, 6251, 6260, 6262, 6270,
 6272, 6281, 6282, 6283, 6290, 6295,
 6328, 6329, Appendix A
 10/23/01 AMEND: 1698(e)(1)(2)
 09/27/01 AMEND: 3469
 09/26/01 AMEND: 2943

Title 9

12/12/01 ADOPT: 9500, 9505, 9510, 9515, 9517,
 9520, 9525, 9530, 9532, 9533, 9535,
 9540, 9545
 12/10/01 AMEND: 7050, 7051, 7053, 7054, 7056,
 7057

Title 10

01/10/02 AMEND: 2318.6, 2353.1
 01/09/02 AMEND: 2248.31, 2248.32, 2248.35,
 2248.40, 2248.41, 2248.42, and 2248.47
 01/08/02 AMEND: 5460, 5461, 5462, 5463, 5464,
 5465
 12/31/01 ADOPT: 1729, 1741.5, 1950.302
 AMEND: 1741.5
 12/31/01 ADOPT: 2695.30
 12/26/01 AMEND: 2698.70, 2698.71
 12/26/01 ADOPT: 2278, 2278.1, 2278.2, 2278.3,
 2278.4, 2278.5
 10/31/01 AMEND: 4081, 4081.5
 10/23/01 AMEND: 2699.6619, 2699.6629
 10/12/01 AMEND: 2698.61, 2698.62, 2698.65,
 2698.66, 2698.67
 10/11/01 ADOPT: 2695.30
 10/02/01 AMEND: 2248.30, 2248.31, 2248.32,
 2248.33, 2248.34, 2248.39, 2248.40,
 2248.41, 2248.42, 2248.43, 2248.45,
 2248.47 REPEAL: 2248.48
 09/25/01 ADOPT: 2130, 2130.1, 2130.2, 2130.3,
 2130.4, 2130.5, 2130.6, 2130.7, 2130.8
 09/17/01 ADOPT: 2192.1, 2192.2, 2192.3, 2912.4,
 2192.5, 2192.6, 2192.7, 2192.8, 2192.9,
 2192.10, 2192.11, 2192.12, 2192.13
 09/17/01 ADOPT: 5904.1, 5906 AMEND: 5900,
 5901, 5903, 5904, 5905
 09/13/01 ADOPT: 2393, 2394, 2395, 2396, 2397,
 2398

Title 11

01/14/02 AMEND: 1005
 01/09/02 AMEND: 1081
 12/31/01 AMEND: 3000, 3001, 3003, 3007
 12/05/01 AMEND: 1005
 10/29/01 ADOPT: 410, 411, 415, 416, 417, 418,
 419, 420, 421, 422, 423, 424, 425, 426
 10/17/01 AMEND: 1005, 1018
 09/26/01 ADOPT: 977.10, 977.15, 977.20, 977.30,
 977.30, 977.31, 977.32, 977.33, 977.34,

977.35, 977.36, 977.40, 977.41, 977.42,
 977.43, 977.44, 977.45, 977.46, 977.47,
 977.48, 977.49, 977.50, 977.51, 977.55,
 977.60, 977.70, 977.71, 977.80, 977.85,
 977.90

Title 13

01/10/02 AMEND: 50.45 REPEAL: 50.40
 10/30/01 AMEND: 553
 10/24/01 AMEND: 1200, 1201, 1213.2
 10/17/01 AMEND: 20.04

Title 14

01/16/02 AMEND: 17943(b)(26)
 01/10/02 ADOPT: 2.10, 5.60, 28.59 AMEND:
 1.24, 2.06, 4.00, 4.15, 5.00, 5.05, 5.15,
 5.20, 5.35, 5.40, 5.75, 7.00, 7.50, 8.00,
 27.60, 27.65, 27.82, 28.27, 28.54, 28.55,
 29.15, 40 REPEAL: 2.01, 2.02, 2.03,
 2.04, 2.07, 2.10, 2.13, 2.14, 5.70, 41,
 41.5, 42, 42.5
 01/09/02 ADOPT: 14021, 14022, 14023, 14024,
 14025, 14026, 14027, 14028, 14029,
 14030, 14031, 14032
 12/31/01 ADOPT: 749.1
 12/20/01 AMEND: 2.00
 12/19/01 ADOPT: 180.4
 12/17/01 AMEND: 120
 12/13/01 AMEND: 670.5
 12/11/01 ADOPT: 17367, 17368, 17369, 17370.1,
 17370.2, 18225
 11/29/01 ADOPT: 1057, 1057.1, 1057.2, 1057.3,
 1057.4, 1057.5, 1058, 1058.1, 1058.2,
 1058.3, 1058.4, 1058.5
 11/20/01 AMEND: 895.1, 898, 898.2, 914.8
 [934.8, 954.8], 916 [936, 956], 916.2
 [936.2, 956.2], 916.9 [936.9, 956.9],
 916.11 [936.11, 956.11], 916.12 [936.12,
 956.12], 923.3 [943.3, 963.3], 923.9
 [943.9, 963.9]
 11/16/01 AMEND: 1038, 1104.1
 11/08/01 AMEND: 150.16
 11/07/01 AMEND: 1037.5
 11/01/01 ADOPT: 17211, 17211.1, 17211.2,
 17211.3, 17211.4, 17211.5, 17211.6,
 17211.7, 17211.8, 17211.9
 10/31/01 AMEND: 163, 163.5, 164
 10/31/01 AMEND: 300(a)
 10/30/01 ADOPT: 1059
 10/25/01 AMEND: 165, 165.5
 10/23/01 AMEND: 550, 551, 552
 10/17/01 AMEND: 27.82, 28.54, 28.55
 10/04/01 ADOPT: 6595
 10/03/01 AMEND: 502, 507(c) and 507.1
 10/03/01 AMEND: 11900
 10/03/01 AMEND: 14111
 09/25/01 AMEND: 1038
 09/24/01 ADOPT: 159 REPEAL: 148

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09/24/01 ADOPT: 17367, 17368, 17369, 17370.1, 17370.2, 18225
09/18/01 AMEND: 150.16
09/17/01 AMEND: 790, 791, 791.7, 795, 796, 797, Forms 1924, 1925, 1929, 1930, 1946, 1947, 1962, and 1972
09/17/01 AMEND: 17943

Title 15

01/09/02 ADOPT: 4742, 4743, 4744, 4745, 4746, 4747 AMEND: 4730, 4732, 4733, 4734, 4735, 4736, 4737, 4739, 4740
01/08/02 REPEAL: 3074
11/29/01 ADOPT: 4746.5
11/27/01 AMEND: 6045.2(e)(2)(G)
11/20/01 ADOPT: 2646.1 AMEND: 2646
10/23/01 AMEND: 3375.2, 3378
10/16/01 AMEND: 3341.5
10/04/01 AMEND: 4720.1
09/20/01 AMEND: 4695

Title 16

01/14/02 ADOPT: 980.1 AMEND: 974
01/14/02 ADOPT: 1711
12/19/01 AMEND: 1388, 1388.6, 1389, 1392, 1397.63 REPEAL: 1388.5
12/18/01 AMEND: 1397.61, 1397.64, 1397.65
12/17/01 ADOPT: 2412 AMEND: 2418 REPEAL: 2411 (a)(1)(A)
12/17/01 AMEND: 1088
12/07/01 ADOPT: 386
12/04/01 AMEND: 1887.3
11/28/01 ADOPT: 872, 872.1
11/27/01 AMEND: 3340.16.5
11/20/01 ADOPT: 2450
10/31/01 ADOPT: 890
10/23/01 ADOPT: 1999.5 AMEND: 1970, 1970.6
10/19/01 ADOPT: 1357.1, 1357.2, 1357.3, 1357.4, 1357.5, 1357.6
10/18/01 AMEND: 2420
10/16/01 AMEND: 1391.12(b)
10/16/01 AMEND: 1870
10/15/01 ADOPT: 1024.1, 1024.3, 1024.4, 1024.5, 1024.6, 1024.7, 1024.8, 1024.9, 1024.10, 1024.11, 1024.12 AMEND: 1000 REPEAL: 1024.1
10/03/01 AMEND: 1760
09/27/01 AMEND: 1399.157 (b)
09/19/01 AMEND: 89.1 REPEAL: 55
09/19/01 AMEND: 1419.3
09/13/01 ADOPT: 980.1 AMEND: 974

Title 17

12/28/01 AMEND: 6508
11/19/01 AMEND: 57310, 57332, 57530
11/19/01 ADOPT: 37000, 37020, 37025, 37100
11/14/01 ADOPT: 33001, 33002, 33003, 33004, 3005, 33006, 33007, 33008, 33009,

33010, 33011, 33012, 33013, 330014, 33015, 33025 AMEND: 33020, 33030, 33040 REPEAL: 33001, 33010

11/07/01 AMEND: 60201
11/05/01 ADOPT: 2638 AMEND: 2500, 2502, 2505, 2551, 2552, 2553, 2596, 2614, 2626
10/29/01 ADOPT: 30400.5, 30400.60, 30403.5, 30403.8, 30406
10/29/01 ADOPT: 30437 AMEND: 30424, 30425, 30427, 30427.2, 30436, 30447
10/25/01 ADOPT: 54327.2 AMEND: 54302, 54327, 54327.1, 56002, 56093, 58651
10/15/01 AMEND: 30225, 30253, 30350
10/11/01 AMEND: 56033

Title 18

01/16/02 ADOPT: 4063.5, 4098 AMEND: 4018, 4021, 4022, 4023, 4026, 4027, 4034, 4047, 4055, 4056, 4057, 4058, 4059, 4060, 4062, 4063, 4064, 4065, 4080, 4081, 4091, 4092 REPEAL: 4028, 4067, 4079, 4082
01/10/02 ADOPT: 29
01/08/02 AMEND: 1620
01/07/02 AMEND: 122.5
12/24/01 AMEND: 17000.30
12/24/01 ADOPT: 17951-6 AMEND: 17951-4
12/17/01 AMEND: 1642
12/14/01 ADOPT: 138
12/06/01 AMEND: 1660
12/04/01 AMEND: 1661
11/20/01 AMEND: 19513
11/08/01 ADOPT: 206
11/01/01 AMEND: 1598
11/01/01 AMEND: 1617
10/12/01 ADOPT: 18567
09/20/01 AMEND: 1574
09/17/01 AMEND: 23101.5
09/13/01 AMEND: 1705.1

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12/28/01 ADOPT: 981.3 AMEND: 981.3
12/27/01 ADOPT: 565.1, 567.1, 567.2, 567.3, 567.4, 567.5, 567.6, 567.7, 567.8, 573, 575 AMEND: 550, 550.2, 557.1, 557.3, 557.4, 557.5, 557.6, 557.8, 557.9, 557.12, 557.13, 557.14, 557.16, 557.18, 557.19, 557.20, 557.21, 557.22, 557.23, 560, 560.1, 560.2, 560.3

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01/16/02 AMEND: 201

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12/04/01 AMEND: 7000

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01/08/02 ADOPT: 7630, 7632, 7632.1, 7632.3, 7632.5, 7634, 7634.1, 7634.3, 7634.5,

7636, 7636.1, 7636.3, 7636.5, 7637.7,
7636.9, 7638, 7638.1, 7638.3, 7638.5,
7638.7, 7638.9, 7638.11, 7638.13

12/31/01 AMEND: 66260.10, 66262.12, 66263.40,
66268.7 REPEAL: 66263.42

12/19/01 AMEND: 5151(c), 5151(e), 51518(b),
51521(i), 51527(b)

12/18/01 ADOPT: 11000, 110042, 110046,
110088, 110099, 110129, 110135,
110147, 110148, 110150, 110164,
110182, 110184, 110186, 110194,
110200, 110220, 110224, 110230,
110252, 110261, 110289, 110341,
110410, 110431, 110436, 110445,
110456, 110474, 110478, 110479,

11/30/01 ADOPT: 66273.6, 66273.80-66273.90
AMEND: 66261.9, 66273.1, 66273.8,
66273.9

11/13/01 ADOPT: 64860

11/08/01 ADOPT: 67900.1, 67900.2, 67900.3,
67900.4, 67900.5, 67900.6, 67900.7,
67900.8, 67900.9, 67900.10, 67900.11,
67900.12

11/08/01 ADOPT: 66250, 66250.1, 66250.2

11/06/01 AMEND: 4408, 4409, 4414

11/06/01 AMEND: 66264.140, 66264.143,
66264.145, 66264.147, 66265.140,
66265.143, 66265.145, 66265.147

11/02/01 ADOPT: 66261.9, 66273.1, 66273.2,
66273.3, 66273.4, 66273.5, 66273.6,
66273.7, 66273.8, 66273.9, 66273.10,
66273.11, 66273.12, 66273.13, 66273.14,
66273.15, 66273.16, 66273.17, 66273.18,
66273.19, 66273.20, 66273.30, 66273.31,
66273.32, 66273.33

11/02/01 ADOPT: 100901, 100902, 100903,
100904, 100904.5 AMEND: 100900

10/24/01 AMEND: 12000

10/02/01 ADOPT: 68300, 68301, 68302, 68303,
68304, 68305, 68306, 68307, 68308,
68309

09/24/01 ADOPT: 110250, 110374, 117016,
117019, 117021, 117025, 117030,
117036, 117042, 117047, 117049,
117052, 117054, 117064, 117074,
117080, 117083, 117085, 117089,
117091, 117094, 117200, 117300,

117301, 117302, 117303, 117400,
117401, 117402, 117403

09/19/01 ADOPT: 123000

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11/08/01 AMEND: 84110, 85002, 87102

10/25/01 ADOPT: 85081, 87593 AMEND: 85001,
87101

09/24/01 ADOPT: 87701.1, 87716.1 AMEND:
87101, 87102, 87570, 87575, 87575.1,
87701, 87701.1, 87702, 87716, 87124.1,
87721

09/19/01 AMEND: 87564.3, 87730

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01/03/02 AMEND: 3904

12/28/01 AMEND: 451.1, 451.4, 451.5

11/27/01 AMEND: 3952

10/09/01 AMEND: 3988

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01/08/02 ADOPT: 7300, 7301, 7302, 7303, 7304,
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7317, 7318, 7319, 7320, 7321, 7322,
7323, 7224, 7325, 7326, 7327, 7328,
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01/03/02 ADOPT: 1302, 1316, 1317, 1318, 1319
AMEND: 1300, 1304, 1306, 1310

12/19/01 AMEND: 8202, 8203, 8212, 8212.1

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10/24/01 AMEND: 15240

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12/27/01 ADOPT: 1300.41.8

12/12/01 ADOPT: 1000

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01/14/02 ADOPT: 63-016 AMEND: 63-102, 63-
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12/11/01 AMEND: 44-314, 82-518

11/29/01 ADOPT: 44-302 AMEND: 25-301, 25-
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10/15/01 AMEND: 44-211.63, 44-211.64

10/10/01 AMEND: 42-205, 43-119, 44-133

10/01/01 AMEND: 63-102, 63-300, 63-301, 63-
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09/17/01 ADOPT: 49-101, 49-105, 49-110, 49-115,
49-120, 49-125

