



California Regulatory Notice Register

REGISTER 2007, NO. 50-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

DECEMBER 14, 2007

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest Codes — Notice File No. Z07-1129-01 2087
 MULTI-COUNTY: Sacramento Regional Transit District

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest Code — Notice File No. Z07-1203-01 2088
 MULTI-COUNTY: Truckee Donner Public Utility District
 Truckee Tahoe Airport District

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest Codes — Notice File No. Z07-1128-01 2089
 STATE AGENCY: Elk Grove—Rancho Cordova—El Dorado Connector Authority

TITLE 2. STATE PERSONNEL BOARD
Service of Documents in State Personnel Proceedings — Notice File No. Z07-1204-06 2090

TITLE 5. COMMISSION ON TEACHER CREDENTIALING
Issue Date & Processing Time for Credentials and Permits — Notice File No. Z07-1204-02 2092

TITLE 10. DEPARTMENT OF INSURANCE
Total Disability Definition in Standard Credit Policy Forms — Notice File No. Z07-1128-02 2094

TITLE 22. DEPARTMENT OF PUBLIC HEALTH
Skilled Nursing Facility Nursing Staff-to-Patient Ratios — Notice File No. Z07-1029-01 2098

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME
CESA Consistency Determination Request for San Ardo to Coalinga Heated Crude Oil Pipeline Project, Monterey and Fresno Counties 2102

(Continued on next page)

Time-Dated Material

DEPARTMENT OF FISH AND GAME

CESA Consistency Determination Request for State Route 20 Embankment Repair Project, Colusa County 2103

DEPARTMENT OF FISH AND GAME

CESA Consistency Determination Request for Varner Harbor Dredging Project, Riverside County 2104

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 2104

Sections Filed, July 4, 2007 to December 5, 2007 2108

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

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Thomson West and is offered by subscription for \$202.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Thomson-West/Barclays, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Sacramento Regional Transit District

A written comment period has been established commencing on **December 14, 2007**, and closing on **January 28, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **January 28, 2008**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

spective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Truckee Donner Public Utility District
Truckee Tahoe Airport District

A written comment period has been established commencing on **December 14, 2007**, and closing on **January 28, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **January 28, 2008**.

If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

ADOPTION

STATE AGENCY: Elk Grove—Rancho Cordova—El Dorado Connector Authority

A written comment period has been established commencing on **December 14, 2007**, and closing on **January 28, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **January 28, 2008**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

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

TITLE 2. STATE PERSONNEL BOARD

**NOTICE OF PROPOSED REVISION OF
REGULATIONS AND STATEMENT
OF REASONS**

**CALIFORNIA CODE OF REGULATIONS
Title 2. Administration**

Division 1. Administrative Personnel

Chapter 1. State Personnel Board

Subchapter 1 — General Civil Service Regulations

Article 4. Hearings and Appeals

DATE: December 14, 2007
**TO: ALL STATE AGENCIES, EM-
PLOYEE ORGANIZATIONS, AND
MEMBERS OF THE GOVERNOR'S
CABINET**
**SUBJECT: PROPOSED REGULATION CON-
CERNING SERVICE OF DOC-
UMENTS IN STATE PERSONNEL
BOARD PROCEEDINGS**

AUTHORITY

Under authority established in Government Code (GC) sections 18211, 18214 and 18701, the State Personnel Board (SPB) proposes to add Section 51.10 to Title 2 of the California Code of Regulations (2 CCR), to clarify the manner in which documents may be served in proceedings before the SPB.

REFERENCE

These regulations are to implement, interpret, and/or make specific GC sections 18575 and 18672.

PUBLIC HEARING

Date and Time: February 5, 2008, from 9:45 a.m. to 10:15 a.m.
Place: State Personnel Board
First Floor Auditorium
801 Capitol Mall
Sacramento, CA 95814
Purpose: To receive written and/or oral comments about this action.

WRITTEN PUBLIC COMMENT PERIOD

The written public comment period will close Monday, January 28, 2008, at 5:00 p.m. This comment period allows time for SPB staff to provide copies of any written comments to the five-member State Personnel Board (Board) for consideration at the time of the hearing. Any person may submit written comments about the proposed amendments. To be considered by the Board, the appropriate person identified below must receive written comments before the close of the written public comment period.

Written comments may be submitted to:

Senior Staff Counsel Bruce A. Monfross
State Personnel Board
801 Capitol Mall, MS 53
Sacramento, CA 95814

or to: bmonfross@spb.ca.gov
or faxed to his attention at: (916) 653-4256.

In the alternative, written comments can be submitted to:

Senior Staff Counsel Stephanie Ramirez-Ridgeway
State Personnel Board
801 Capitol Mall, MS 53
Sacramento, CA 95814

or to: sramirez-ridgeway.spb.ca.gov
or faxed to her attention at: (916) 653-4256.

**AVAILABILITY OF PROPOSED TEXT AND
STATEMENT OF REASONS/CONTACT PERSONS**

Copies of the express terms of the proposed action, the Statement of Reasons, and all of the information upon which this proposal is based are available for review upon request to Bruce Monfross. The rulemaking file is available for review during normal business hours at SPB, 801 Capitol Mall, Sacramento, CA 95814. Additional information or questions regarding the substance of the proposed action should be directed to Bruce Monfross, as specified above. Questions regarding the regulatory process in conjunction with this regulation should be directed to Bruce Monfross at SPB, 801 Capitol Mall, MS 53, Sacramento, CA 95814, or by telephone at (916) 653-1456 or TDD (916) 653-1498.

**AVAILABILITY OF CHANGES TO
PROPOSED TEXT**

If any substantial and sufficiently related changes are made to the text as a result of comments received during the public comment period, SPB will make the full text of the changed regulations available for at least 15 days

before the date the regulations are permanently amended.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

GC section 18211 specifies that regulations promulgated by the SPB are exempt from the Administrative Procedure Act (GC section 11340 *et seq.*), except as provided in GC sections 18215 and 18216. The exceptions in GC sections 18215 and 18216 do not apply to the service of documents in the type of SPB proceedings contemplated within the proposed regulation.

GC section 18701 authorizes the Board to prescribe, amend, and repeal regulations for the administration and enforcement of the Civil Service Act (GC section 18500 *et seq.*).

GC section 18575 specifies the manner in which notices of disciplinary actions and notices of rejections during probationary periods must be served on employees subject to the Board's jurisdiction.

GC section 18672 specifies the manner in which Board-issued subpoenas must be served in Board proceedings.

The purpose of the proposed regulation is to clarify the manner in which service of various personnel actions, including, but not limited to, disciplinary actions, rejections during probationary period, medical actions, and non-punitive actions, can be made on state civil service, local civil service, and California State University (CSU) employees. The proposed regulation is also designed to specify the manner in which SPB-issued subpoenas may be served in SPB proceedings.

IMPACT ON SMALL BUSINESSES

No impact, is related solely to hearings conducted by the SPB related to personnel actions taken against state civil service or local civil service employees.

LOCAL MANDATE

The proposed regulation imposes no mandate on local agencies or school districts and, therefore, requires no reimbursement pursuant to GC section 17561.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies:

No impact.

Impact on Housing Costs:

No impact.

Costs or Savings in Federal Funding to the State:

No impact.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed:

No impact.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies:

No impact.

Cost Impact on Private Persons or Businesses:

The SPB 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 ADVERSE
ECONOMIC IMPACT ON BUSINESS**

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

**ASSESSMENT REGARDING THE EFFECT
ON JOBS/BUSINESSES**

The SPB has made an initial determination that the proposed regulation would not affect the creation or elimination of jobs within California, the creation of new businesses or elimination of existing businesses within California, or the expansion of current businesses in California.

ALTERNATIVES STATEMENT

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

FINAL STATEMENT OF REASONS

It is anticipated that the proposed regulations will be filed with the Office of Administrative Law pursuant to GC section 11346.9, and shall include a Final Statement of Reasons for the amendments. Copies of the Final Statement of Reasons may be obtained from the contact person when it becomes available.

ACCESSING INFORMATION REGARDING THIS
RULEMAKING FILE ON THE STATE
PERSONNEL BOARD WEBSITE

The text of the proposed amendments, the Notice of Proposed Amendment of Regulations and Statement of Reasons can be viewed at www.spb.ca.gov.

**TITLE 5. COMMISSION ON TEACHER
CREDENTIALING**

**Division VIII of Title 5 of the California Code of
Regulations**

**Proposed Amendments to California Code of
Regulations, Title 5, §80440 Pertaining to Date of
Issuance of Credentials and §80443 Pertaining to
Processing Time for Credentials and Permits**

Notice of Proposed Rulemaking

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

Public Hearing

A public hearing on the proposed actions will be held:

February 1, 2008
8:30 a.m.
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on January 28, 2008. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Tammy A. Duggan, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tduggan@ctc.ca.gov.

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

Authority and Reference

Education Code section 44225 authorizes the Commission to promulgate rules and regulations, which will implement, interpret or make specific section 44350 of the Education Code and govern the procedures of the Commission.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Summary of Existing Laws and Regulations

Assembly Bill (AB) 469 (Chap. 133, Stats, 2007) amended Education Code section 44350 to require the Commission to process an application within 50 business days of receipt. This is a reduction of the previous regulatory mandate of 75 working days. The new timeline pertains to all applications, whether submitted online or by paper through the U.S. mail. The only exceptions to the 50-day processing timeline are applications submitted by individuals who must undergo a Commission fitness review.

Another provision of AB 469 requires school districts, county offices of education, nonpublic schools, charter schools, colleges and universities to submit application packets to the Commission no more than three months after the requested issuance date for the document. This is a reduction of the previous four month timeline. This provision pertains to all applications, submitted online or through the U.S. mail, regardless of whether the application is accompanied by fingerprint cards. A document for an application received more than three months after the requested issuance date will be issued effective the date the application is received at the Commission provided all requirements for the document have been met.

Proposed Amendments to Title 5 Regulations

Section 80440

§80440(a)(2) Education Code section 44350 requires the submission of an application to the Commission not more than three months after the requested issuance date of the document. Staff is proposing that the language pertaining to the submission of applications be changed from four months to three months. Staff is also proposing the deletion of the language pertaining to the submission of applications in forty-five working days for individuals who do not have fingerprint clearance on file at the Commission.

§80440(h) Education Code section 44350 requires the submission of an application to the Commission not more than three months after the requested issuance date of the document. Staff is proposing that the language pertaining to the submission of applications be changed from four months to three months. Staff is also proposing the deletion of the language pertaining to the

submission of applications in forty–five working days for individuals who do not have fingerprint clearance on file at the Commission.

§80440(c)(2) Staff proposes that the submission timeline for renewal applications be changed from four months to three months.

Section 80443

§80443(a)(1) Staff proposes that 75 working days for the processing of applications be changed to 50 business days to align with Education Code section 44350. Staff also proposes deletion of the language pertaining to the return of incomplete applications, as all applications will be processed in 50 business days.

§80443(a)(2) Staff proposes that the language concerning maximum processing times be deleted, as it provides outdated information.

§80443(b)–(d) Staff proposes deletion of these subsections due to the repeal of the Permit Reform Act of 1981 (Government Codes sections 15374–15378, which was the statutory authority for these provisions). (Chap. 229, Stats 2003, section 1.8 (AB 1757).)

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations: None.

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

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

Cost or savings to any state agency: None.

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

Significant effect on housing costs: None.

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

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

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

Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]: The Commission has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California,

or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendments to the regulations do not affect small businesses.

Consideration of Alternatives

The Commission must determine that no alternative considered will be more effective in carrying out the purpose for which the action is proposed or will be as effective and less burdensome to affected private persons or small businesses than the proposed actions. These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

Contact Person/Further Information

General or substantive inquires concerning the proposed action may be directed to Tammy A. Duggan by telephone at (916) 323–5354 or Tammy A. Duggan, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95814. General question inquiries may also be directed to Janet Bankovich at (916) 323–7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission’s website at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

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

Modification of Proposed Action

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

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission’s website at www.ctc.ca.gov or you may obtain a copy by contacting Tammy A. Duggan at (916) 323–5354.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's website at www.ctc.ca.gov.

**TITLE 10. DEPARTMENT OF
INSURANCE**

CALIFORNIA DEPARTMENT OF INSURANCE

**TOTAL DISABILITY DEFINITION IN STANDARD CREDIT
POLICY FORMS REGULATIONS**

**NOTICE OF PROPOSED
REGULATORY ACTION**

DATE: December 14, 2007
REGULATION FILE: REG-2007-00030

SUBJECT OF PROPOSED RULEMAKING

The Insurance Commissioner proposes to amend the regulations described below after considering comments from the public. The Commissioner proposes to make revisions in the California Code of Regulations, Title 10, Chapter 5, Subchapter 2, Article 6.9, pertaining to credit disability insurance on revolving accounts and on loans of ten years duration or less, which is sold in connection with such indebtednesses (hereinafter, "credit disability insurance"). The Article is the Standard Credit Life and Credit Disability Policy Forms regulations that implement the system of mandatory standard credit life and disability insurance policy forms required by Insurance Code § 779.27.

AUTHORITY AND REFERENCE

The regulations to be changed were adopted pursuant to the authority granted to the Commissioner of Insurance by Insurance Code §§ 779.21 and 779.27. The regulation provisions to be amended implement, interpret and make specific the provisions of §§ 779.2, 779.3, 779.4, 779.7, 779.8, 779.27, Ins. C.; §§ 18290, 18291, 18292, 22314, 22315, 22455, Fin. C.; Erreca v. Western States Life Insurance Co. (1942) 19 Cal.2d 388, and Moore v. American United Life Insurance Co. (1984), 150 Cal. App.3d 610.

PUBLIC HEARING

The Commissioner will hold a public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to the amended regulations, as follows:

Date and time: February 7, 2008 at 1:00 p.m.

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

The hearing will continue on the date noted above until all testimony has been submitted or 5:00 p.m., whichever is earlier. Note that written comments received before or during the hearing will be given the same weight in the rule-making process as oral testimony, if any, received at the hearing.

**PRESENTATION OF WRITTEN COMMENTS;
CONTACT PERSONS**

All persons are invited to submit written comments on the proposed amendments during the public comment period. The public comment period will end at 5:00 p.m. on February 7, 2008. Please direct all written comments to the following contact person:

Peter Groom, Senior Counsel
California Department of Insurance
45 Fremont Street
San Francisco, CA 94105
Telephone: (415) 538-4421
E-mail: groomp@insurance.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. If he is unavailable, inquiries may be addressed to the following backup contact person:

George Teekell, Staff Counsel
California Department of Insurance
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4390

DEADLINE FOR WRITTEN COMMENTS

All written materials must be received by the Insurance Commissioner, addressed to one of the contact persons at his respective address listed above, no later than 5:00 p.m. on February 7, 2008. Any written materials received after that time will not be considered.

COMMENTS TRANSMITTED BY E-MAIL
OR FACSIMILE

The Commissioner will accept written comments transmitted by e-mail provided they are sent to the following e-mail address: groomp@insurance.ca.gov. The Commissioner will also accept written comments transmitted by facsimile provided they are directed to the attention of Peter Groom, Senior Counsel, and sent to the following facsimile number: (415) 904-5729. **Comments sent to other e-mail addresses or other facsimile numbers will not be accepted. Comments sent by e-mail or facsimile are subject to the deadline set forth above for written comments.**

INFORMATIVE DIGEST

Summary of Existing Law and Policy Statement Overview

Credit disability insurance policy forms are subject to special laws and regulations set forth in the Insurance Code and in Article 6.9 of Title 10, California Code of Regulations, Chapter 5, Subchapter 2. Article 6.9 (§§ 2249.1-2249.16) implements the system of mandatory standard credit life and disability insurance policy forms required by Ins. C. § 779.27. Insurers must use the standard forms when possible and they need not be approved by the Department before use. The system also provides for “non-standard” forms that must be approved by the Department following rules in the regulation.

Among other things, the regulations establish a standard “Definition of Total Disability” (§ 2249.12, paragraph PG 1) which is used to determine whether a disabled debtor qualifies for benefits under the Total Disability Insurance Benefit provision (if any) in a credit insurance certificate subject to the regulations. Section 2249.9 specifies the text blocks that comprise the standard certificates and the Notices of Proposed Insurance used with them. Section 2249 sets forth the credit insurance policy forms that must be approved by the Department before their issuance. Section 2215 prescribes dates by which credit insurance policy forms must have been brought into compliance with the original regulations and with the regulations as they were amended in 2006.

The basic policy of this rulemaking action is to make the existing standard Definition of Total Disability provision in the regulations more reflective of California case law. This rulemaking action would also correct an unrelated error in the existing regulations pertaining to

the contents of the standard Identification Number 11 Notice of Proposed Insurance. It would also make technical changes relating to both matters.

Effect of Proposed Action

The effect of the proposed action would be that debtors insured for disability under policies and certificates subject to Article 6.9 would be provided with more specific details than currently provided, of the extent to which they must be disabled in order to receive benefits under their insurance coverage. Insurers would also be able to rely on the Definition of Total Disability printed in their forms in administering disability claims, which currently, they cannot. The disability coverages would not change, however, because California case law already requires insurers to follow the criteria reflected in the new language.

The following is a summary of the changes proposed in this rulemaking action.

1. Make more specific the “Definition of Total Disability”. Existing regulations provide for a standard “Definition of Total Disability,” for use in credit insurance policy forms covering total disability. That definition only generally reflects current California case law on what constitutes “total disability” in insurance policies. The definition would be amended to better reflect the case law. (Title 10, Cal Code of Regs § 2249.12, paragraph PG 1.)

2. Correct Error in List of Block Number Section. Existing regulations call for an opening paragraph in the standard Notice of Proposed Insurance for ID #11 life and disability insurance policy forms that refers only to life insurance. The regulations would be amended to call for such a paragraph that refers also to disability insurance. (Title 10, Cal Code of Regs § 2249.9, paragraph #11.)

3. Waive Re-filing of Changed Policy Forms. Existing regulations require that credit policy forms that do not conform to the standard forms provisions must be approved before they are used. The regulations would be amended to waive the re-filing of such forms that have been changed only to reflect the amendments made by this rule-making action. (Title 10, Cal Code of Regs § 2249.2.)

4. Amend Compliance Date. Existing regulations prescribe a time by which forms subject thereto must comply with the regulations as they were amended in 2006. The regulations would be amended to similarly provide for a time by which such policy forms must comply with the amendments made by this rule-making action. (Title 10, Cal Code of Regs § 2249.15.)

COMPARABLE FEDERAL LAW

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

LOCAL MANDATE

The Commissioner has determined that the proposed amended regulations would not impose any policy or expenditure mandate on local agencies or school districts.

FISCAL IMPACT ON STATE OR LOCAL GOVERNMENT AGENCIES

The Commissioner has determined that the proposed amended regulations would result in no cost or savings to any state agency, no cost to any local agency or school district that would be required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, no other nondiscretionary cost or savings imposed on local agencies, and no cost or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Commissioner has determined that the matters proposed herein would have no significant effect on housing costs.

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

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

The Commissioner has made an initial determination that the proposed amendments would potentially affect 21 California-licensed disability insurers who, in 2007, reported themselves as being active in the California insurance market subject to the regulations. (There were over 900 insurers licensed for disability insurance in California in 2007.) The insurers that issue credit insurance policies and certificates subject to the regulations that provide disability coverage would have to reprint those documents to include the amended Definition of Total Disability. The impact on individual insurers would depend upon the extent to which they provide disability coverage (some credit insurance products

provide only life insurance), how often they reprint their forms in the normal course of business, whether they print supplies of their forms in advance or whether they print them "as needed" from an electronic database, etc. We understand that, in general, policy form drafting and printing costs do not comprise a significant portion of credit disability insurers' operating expenses.

The Commissioner has made an initial determination that the proposed amendments would also potentially affect creditors, insurance administrators and insurance producers that distribute credit insurance policy forms covering disability to debtors. These entities would have to distribute the revised policy forms throughout their operations and ensure that the proper forms were supplied to their customers. We understand that, in general, policy form distribution costs do not comprise a significant portion of these entities' operating expenses. Note that the proposed amendments would not affect individual policies and certificates that were delivered to debtors before the date of mandatory compliance with the amendments.

The Commissioner has made an initial determination that the proposed amendments to Article 6.9 would not affect the ability of California businesses to compete with businesses in other states.

The Commissioner has attempted to lessen any adverse economic impact on the insurance industry by setting a reasonable phase-in period for compliance with the amendments. This would allow affected entities to exhaust existing supplies of policy forms and to update their policy forms on a routine basis. The Commissioner also proposes to waive the refile of previously-approved non-standard policy forms that are changed solely to reflect the amended provisions. Nevertheless, the Commissioner invites interested parties to submit proposals for lessening any adverse economic impact on business. Submissions may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

ASSESSMENT REGARDING THE EFFECT ON JOBS AND BUSINESSES

The Commissioner is required to assess any impact the regulations may have on the creation or elimination

of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. The Commissioner has made an initial determination that the proposed amendments would not affect the creation or elimination of jobs within California, the creation of new businesses or the elimination of existing businesses within California, or the expansion of businesses currently doing business within California.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The Commissioner is aware that the proposed amendments will likely cause insurers to incur unquantifiable expenses to revise and reprint many of their existing forms, as noted above. There may be unquantifiable cost impacts on those creditors, insurance administrators and insurance producers that distribute policy forms to debtors who seek credit disability insurance after the effective date of the amendments. These entities would have to distribute the new forms throughout their operations and ensure that they were properly supplied to their customers, as noted above. The Commissioner is not aware of any cost impacts that representative private persons or businesses, other than the businesses identified above, would necessarily incur in reasonable compliance with the proposed amendments.

SMALL BUSINESS

The Commissioner has determined that the proposed amendments would affect only those small businesses that distribute or market credit disability insurance to their customers. Such business would have to take steps to ensure that they used the proper, updated policy forms as supplied by the insurers. The costs of that impact are unquantifiable.

Insurers are not small businesses pursuant to Government Code § 11342.610(b)(2).

ALTERNATIVES

The Commissioner must determine that no reasonable alternative considered by the Commissioner or that has otherwise been identified and brought to the attention of the Commissioner would be more effective in carrying out the purposes for which the amended regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed regulations. One alternative would be not to amend the regulations as proposed, so that insurers

would have to develop on their own appropriate definitions of total disability and file or refile for approval, every credit policy form that contained a total disability benefit. The only other alternative would be to allow insurers to continue using the existing inadequate definition of total disability and hope that insurers would apply the case law in their claims administration. This alternative would deny to insureds an adequate explanation of the standards that the insurers would use in administering their disability claims. The Commissioner is aware of no other reasonable alternative to the proposed amendments that would be less burdensome on the entities subject to the regulations. The Commissioner invites public comment on alternatives to the regulations.

FINDING OF NECESSITY

The Commissioner finds that it is necessary for the welfare of the people of the state that the proposed amended regulations apply to businesses.

TEXT OF REGULATIONS AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons that sets forth the reasons for the proposed amendments. Upon request, the Initial Statement of Reasons will be made available for inspection and copying. Requests to view the Initial Statement of Reasons or questions regarding this proceeding should be directed to the contact person listed above. Upon request, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. Requests to view the Final Statement of Reasons should be directed to the contact person listed above.

The file for this proceeding, which includes a copy of the proposed amended regulations, the Statement of Reasons, the information upon which the proposed action is based, and any supplemental information, including any reports, documentation and other materials related to the proposed action that is contained in the rulemaking file, is available for inspection and copying at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

AUTOMATIC MAILING

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

WEBSITE POSTINGS

Documents concerning this proceeding are available on the Department’s website. To access them, go to <http://www.insurance.ca.gov>. Find at the right-hand side of the page the heading, ‘QUICK LINKS.’ Under the heading for ‘For Insurers’, select ‘Legal Information.’ from the drop-down menu. When the ‘INSURERS: LEGAL INFORMATION’ screen appears, click the bulleted item: ‘Proposed Regulations.’ The ‘INSURERS: PROPOSED REGULATIONS’ screen will be displayed. Select the link: ‘Search for Proposed Regulations.’ Then, when the ‘Search or Browse for Documents for Proposed Regulations’ screen appears, you may choose to find the documents by searching by the regulation File Number, REG-2007-00030. (You may also search for them by the rulemaking action caption, “Total Disability Definition in Standard Credit Policy Forms Regulations.”) A list of the posted documents for this rule-making action will appear. Click on the desired document to view it. You may also download documents for printing.

MODIFIED LANGUAGE

If the regulations adopted by the Department differ from those that have originally been made available but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Interested persons may view and/or download the changed regulations from the Department website or request a copy of them prior to adoption from the contact person listed above.

TITLE 22. DEPARTMENT OF PUBLIC HEALTH

ACTION: Notice of Emergency Rulemaking
Title 22, California Code of Regulations

SUBJECT: Skilled Nursing Facility Nursing
Staff-to-Patient Ratios, DPH-03-010E

The California Department of Public Health (Department) has adopted the regulations described in this notice on an emergency basis, and they are now in effect.

PUBLIC PROCEEDINGS

Notice is hereby given that the California Department of Public Health will conduct a public hearing commencing at 10 a.m. on January 30, 2008, in the Auditorium, 1500 Capitol Avenue, Sacramento, CA, during which time any interested person or such person’s duly authorized representative may present statements, ar-

guments or contentions (all of which are hereinafter referred to as comments) relevant to the action described in this notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Health and Safety Code (HSC) Section 1276.65 requires the California Department of Public Health (Department), upon an appropriation in the annual Budget Act or another statute, to establish minimum staff-to-patient ratios for direct caregivers working in a skilled nursing facility (SNF). Under this statute, “direct caregivers” means registered nurses, licensed vocational nurses, licensed psychiatric technicians and certified nurse assistants. Persons employed by a SNF who provide services such as food preparation, housekeeping, laundry, or maintenance services shall not (emphasis added) be counted in determining ratios.

Article 1 of Chapter 3 of Division 5 of Title 22 of the California Code of Regulations (CCR) includes the meaning of words used in this chapter of the regulations for SNFs. Included in these definitions are the terms used to identify personnel working in the SNF. Although specific definitions of licensed and unlicensed nurses are included in this article of Title 22, the term “direct caregiver,” which is referenced in the statute, requires a definition as it relates to the nurses who provide hands on care to patients/residents. Section 72038 of 22 CCR will provide this definition and will be added to Article 1. Implementation of 22 CCR section 72038 is contingent on an appropriation in the annual Budget Act or another statute in accordance with Health and Safety Code section 1276.65(i).

Upon implementation of 22 CCR section 72077.1, as a result of an appropriation in the annual Budget Act or another statute, 22 CCR section 72077 is replaced by section 72077.1, which is a restatement of the content of section 72077 but is changed only to add “resident” as the equivalent of “patient” to capture terminology commonly used in many related statutes and regulations, including HSC section 1276.65.

Upon implementation of 22 CCR section 72329.1, as a result of an appropriation in the annual Budget Act or another statute, 22 CCR section 72329 is replaced by section 72329.1, which is a restatement of the content of section 72329 but is changed to set forth current minimum nursing care requirements for patients in SNFs. HSC section 1276.5 increased the requirement for nursing care from 3.0 nursing hours per patient day to 3.2 nursing hours per patient day. In 2001, in a report entitled “Nursing Staff Requirements and the Quality of Nursing Home Care” (Exhibit F), the Department recommended future consideration of converting the minimum standard of 3.2 nursing hours per patient day to a

staff-to-patient ratio in a manner that ensures flexibility in addressing individual patient needs. HSC section 1276.65 mandated the conversion of the current 3.2 nursing hours per patient day to a staff-to-patient ratio. This statute also required the Department to establish a procedure for a facility to apply for a waiver that addresses individual patient needs, except that in no instance shall the minimum staff-to-patient ratios provide less care than the 3.2 nursing hours per patient day required under section 1276.5 of the HSC and section 14110.7 of the Welfare and Institutions Code. It also required that facilities post information about staffing assignments.

22 CCR section 72329.1(f) changes the required nursing hours per patient day from 3.0 to 3.2.

22 CCR section 72329.1(g) specifies the staffing ratios.

22 CCR section 72329.1(h) specifies requirements for documentation and record retention of staffing assignments.

22 CCR section 72329.1(i) specifies the posting requirements.

22 CCR section 72329.1(j) specifies the procedure for facilities to apply for a waiver that addresses individual resident needs.

These emergency regulations will add sections 72038, 72077.1 and 72329.1 of 22 CCR to define terms and set forth nurse-to-patient (resident) ratios for SNFs with implementation contingent upon an appropriation in the annual Budget Act or another statute in accordance with Health and Safety Code section 1276.65(i). Amendments added to sections 72077 and 72329 of 22 CCR make these sections inoperative upon the implementation of sections 72077.1 and 72329.1.

The authority and reference citations are being amended, resulting in nonsubstantive changes pursuant to 1 CCR 100, to reflect the reorganization of the Department of Health Services into the California Department of Health Care Services and the California Department of Public Health, pursuant to SB 162. (Ortiz, Chapter 241, Statutes of 2006.)

Language has been added to 22 CCR as sections 72038, 72077.1, and 72329.1 to provide for initial implementation of those sections contingent upon an appropriation in the annual Budget Act or another statute, in accordance with Health and Safety Code section 1276.65(i). Language has been added to sections 72077 and 72329 to make them inoperative upon the implementation of sections 72077.1, and 72329.1.

AUTHORITY

Sections 1250, 1275, 1276.5, 1276.65, 100275 and 131200, Health and Safety Code.

REFERENCE

Sections 1276, 1276.5, 1275.65, 13131 and 131051, Health and Safety Code; and Section 14110.7(c) Welfare and Institutions Code.

COMMENTS

Any written comments pertaining to these regulations, regardless of the method of transmittal, must be received by the Office of Regulations and Hearings by 5 p.m. on February 1, 2008, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Persons wishing to use the California Relay Service may do so at no cost. The telephone numbers for accessing this service are: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD. Written comments may be submitted as follows:

1. By mail or hand-delivered to the Office of Regulations and Hearings, California Department of Public Health, MS 0507, 1501 Capitol Avenue, P.O. Box 997377, Sacramento, CA 95899-7377. It is requested but not required that written comments sent by mail or hand-delivered be submitted in triplicate; or
2. By fax transmission: (916) 440-7714; or
3. By email to regulations@cdph.ca.gov (it is requested that email transmissions of comments, particularly those with attachments, contain the regulation package identifier "DPH-03-010" in the subject line to facilitate timely identification and review of the comment).

All comments, including email 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 emergency changes to the regulation text on which additional comments may be solicited.

INQUIRIES

Inquiries regarding the substance of the emergency regulations described in this notice may be directed to Gina Henning, Chief of Policy, Research, and Enforcement Branch, Licensing and Certification, at (916) 440-7360.

All other inquiries concerning the action described in this notice may be directed to Barbara S. Gallaway of the Office of Regulations and Hearings at (916) 440-7689, or to the designated backup contact person, Miyoko Sawamura, Chief, Office of Regulations and Hearings, at (916) 440-7695.

CONTACTS

In any inquiries or written comments, please identify the action by using the Department regulation package identifier, DPH-03-010.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF REGULATIONS

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

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) that are available via the Internet may be accessed at www.cdph.ca.gov by clicking on these links, in the following order: Decisions Pending and Opportunity for Public Participation, Regulations, Proposed.

In order to request a copy of this public notice, the regulation text, and the initial statement of reasons be mailed to you, please call (916) 440-7695 (or California Relay at 711/1-800-735-2929), or email regulations@cdph.ca.gov, or write to the Office of Regulations and Hearings at the address noted above. Upon specific request, these documents will be made available in Braille, large print, and audiocassette or computer disk.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

FISCAL IMPACT ESTIMATE

A. Fiscal Effect on Local Government: None. Implementation of these regulations shall be contingent on an appropriation in the annual Budget Act or another statute, in accordance with

Health and Safety Code section 1276.65. At such time that these regulations are implemented, they may result in unknown increases to the cost of doing business in SNFS in California.

- B. Fiscal Effect on State Government: None. Subject to an appropriation and if facilities fully comply with this change, there will be an increase in State expenditures of approximately \$207,689,000. Of that amount, \$103,844,000 represents General Fund expenditures.
- C. Fiscal Effect on Federal Funding of State Programs: None. As the underlying computation of costs for the delivery of nursing home services will increase, Medi-Cal reimbursement will likewise escalate. There will be a \$103,844,000 annual increase in General Fund expenditures for skilled nursing home rates. Federal Funds will not be affected until state funds are appropriated.
- D. All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action: While the costs that businesses and individuals would incur to comply with the proposed action are unknown at this time, it is known that these regulations will minimally increase required staffing in facilities effected, which will increase the cost of doing business by SNFs in California.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None.

DETERMINATIONS

The California Department of Public Health (Department) has determined that the emergency 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 adoption of these emergency regulations may have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Initial implementation of these emergency regulations is contingent on an appropriation in the annual Budget Act or another statute, in accordance with Health and Safety Code section 1276.65(i). The Department has determined that the emergency regulations will not have any economic impact in California until the appropriation occurs.

The Department has identified that the skilled nursing facility (SNF) is the type of business that would be directly affected. These emergency regulations require a specified minimum number of direct care staff to be assigned the care for no more than a specified number of patients during a shift. The emergency regulations also require SNFs to submit staffing and payroll records to the Department and to post, for public viewing, staff assignments and resident census information.

The Department has made the initial determination that the adoption of these emergency regulations may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Department has not considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Submissions may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

Because initial implementation of these emergency regulations is contingent on an appropriation in the annual Budget Act or another statute, in accordance with Health and Safety Code section 1276.65(i), the Department has determined that the emergency regulations will not have any economic impact in California until the appropriation occurs.

To the extent that the increased cost is passed along to residents and long term care insurance carriers, these emergency regulations may have a deleterious effect on the State's competitiveness for containing the cost of health care delivery compared with SNFs in other states. However, the Department has utilized the Office of Statewide Health Planning and Development (OSHPD Annual Financial Data Profile (2001–2005) as a document relied upon (Exhibit H) and has determined that the current reported productive hours per patient day closely align with the requirements of these emergency regulations. Because initial implementation of these emergency regulations is contingent on an appropriation in the Annual Budget Act or another statute, in accordance with Health and Safety Code section 1276.65(i), the emergency regulations will not have any economic impact in California until the appropriation occurs.

Based on the OSHPD Aggregate Long-Term Care (LTC) Facility Financial Data for California Report Periods, staffing costs account for 58.96% of total free-standing LTC facilities' costs. Each one dollar increase in the average cost per patient day generates an industry-wide cost increase of just under \$36 million. Currently Medi-Cal pays for about 60 percent of the care provided by California's SNFs. Any increase in minimum nursing staff requirements can be reasonably expected to have a significant impact on the State's General Fund and on the finances of individuals who pay privately for their stay in SNFs. However, implementation of the regulations that result in the above-described economic impacts are contingent upon an appropriation in the annual Budget Act or another statute, in accordance with Health and Safety Code section 1276.65(i).

The Department has determined that the emergency regulations may significantly affect the following:

The creation or elimination of jobs within the State of California.

The Department has determined that with implementation of this requirement, SNFs may need to increase their overall direct caregiver staffing, so these emergency regulations may result in the creation of a larger workforce in SNFs. Larger SNFs have also voiced their concern that the record keeping and increased staffing expertise needed to meet the requirements in the emergency regulations would require an additional full time licensed nurse.

Because the ratios are expected to minimally impact staffing in SNFs, the Department has determined that implementation of the emergency regulations would not significantly affect the following:

- (1) The creation of new businesses or the elimination of existing businesses within the State of California.
- (2) The expansion of businesses currently doing business within the State of California.

The Department has determined that implementation of these emergency regulations will affect small business.

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

These emergency regulations impose a reporting requirement that SNFs submit staffing and payroll records to the Department. The Department finds that it is necessary for the protection of the health, safety, or welfare of the people of the State of California that the regulation applies to businesses.

In addition to submitting staffing and payroll records, the emergency regulations require that SNFs post, in a location accessible by the public, patient specific (by room and bed identifiers) staff assignments and retain this information for a period not less than three years.

This requirement could be viewed as an extension of current staffing documentation; however, the necessity for duplicating some of the staffing data, making the information available to the Department and for public viewing, in addition to preserving the documentation for a period of three years could possibly increase the workload of the facility. These direct costs are unknown, but the Department does presume that there will be some costs. It is important to note that the Code of Federal Regulations currently requires facilities certified to participate in the Medicare and Medi-Cal Programs to post the resident census and the total number and actual hours worked by licensed nurses and certified nurse aides (42 CFR 483.30(e)) (Exhibit A). These emergency regulations will extend this obligation to all licensed SNFs.

ADDITIONAL STATEMENTS AND COMMENTS

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

Other regulation changes may be scheduled for hearing at the same time appointed for public hearing on the action described in this notice. An agenda for the public hearing will be posted at the time and place of hearing designated above.

For individuals with disabilities, the Department will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of public hearing materials into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call or write: Miyoko Sawamura, Chief, Office of Regulations and Hearings, MS 0507, P.O. Box 997377, Sacramento, CA 95899-7377, voice (916) 440-7695 and/or California Relay 711/1-800-735-2929. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

Exhibit List

- A. Title 42, Code of Federal Regulations, Part 483. www.gpo.gov/nara/cfr/waisidx_05/42cfr483_05.html
- B. Nursing Homes: Enhanced HCFA Oversight of State Programs Would Better Ensure Quality Care. Testimony before the Special Committee on Aging, U.S. Senate, GAO, November 4, 1999. www.gao.gov/archive/2000/he00027t.pdf.
- C. Nursing Home Staffing Levels are Inadequate in the 13th Congressional District of California, Minority Staff, Special Investigations Division, Committee on Government Reform, U.S. House of Representatives, December 7, 2000. <http://oversight.house.gov/documents/2004083011471288096.pdf>
- D. Assembly Bill 1107 (Cedillo, Chapter 146, Statutes of 1999). www.leginfo.ca.gov.
- E. Assembly Bill 1731 (Shelley, Chapter 451, Statutes of 2000). www.leginfo.ca.gov.
- F. Nursing Staff Requirements and the Quality of Nursing Home Care, A report to the California Legislature by the California Department of Health Services, 2001. <http://www.dhs.ca.gov/Inc/reports/NursingStaffReport.pdf>
- G. Improving the Quality of Long-Term Care, Institute of Medicine, www.iom.edu/Object.File/Master/4/136/LTC8pagerFinal.pdf
- H. Office of Statewide Health Planning and Development (OSHPD) Long-Term Care Annual Financial Data Profile (2001-2005). Available on CD or at www.oshpd.ca.gov/HQAD/1tc/financia1/1tcfm.htm.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice

For Publication December 14, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
San Ardo to Coalinga Heated Crude
Oil Pipeline Project
Monterey and Fresno Counties

The Department of Fish and Game (Department) received a notice on November 29, 2007 that the Chevron Pipe Line Company (CPL) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the

California Endangered Species Act (CESA). This project consists of the construction and operation of a new 57.7 mile heated crude oil pipeline and supporting structures, including heating stations and a natural gas line, from the San Ardo Junction facility to the KLM Junction facility in Monterey and Fresno Counties, CA (Project). Project activities associated with staging and construction will result in temporary impacts to approximately 548.9 acres of habitat suitable for the San Joaquin kit fox (*Vulpes macrotis mutica*) and permanent impacts to approximately 12.44 acres of habitat suitable for the San Joaquin kit fox.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (1-1-07-F-0293)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps) on September 12, 2007 which considered the effects of the project on the Federally endangered and State threatened San Joaquin kit fox. Pursuant to California Fish and Game Code Section 2080.1, CPL is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, CPL will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

DEPARTMENT OF FISH AND GAME

[Editor’s Note: The following notice is being published as it was submitted by the agency.]

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CONSISTENCY DETERMINATION
Fish and Game Code Section 2080.1
CESA No. 2080-2007-029-02**

PROJECT: State Route 20 Embankment Repair Project
LOCATION: Colusa County
NOTIFIER: California Department of Transportation
APPLICANT: California Department of Transportation, District 3 Marysville

BACKGROUND

The proposed State Route 20 Embankment Repair Project is located along the State Route (SR) 20 and Interstate 5 separation bridge and the North Williams

Overhead Bridge, near the City of Williams, in Colusa County. The California Department of Transportation (Caltrans) proposes to stabilize the embankment slopes from post mile 21.5 to 22.4. The project will stabilize the embankment slopes of the two bridges by lime treating and/or replacing the problematic embankment fill material. The use of a plate pile system will be used in one section. In addition, slope paving will be done under the SR 20/Interstate 5 separation bridge. The project is expected to take 120 days to complete. The action will adversely affect the giant garter snake (GGS), listed as threatened under the California Endangered Species Act, Fish and Game Code section 2050 *et seq.* (CESA).

Caltrans does not propose to conduct work within aquatic GGS habitat. However, there are eight vegetated ditches/canals that are within 200 feet of proposed construction activities. The project area is also surrounded by rice fields, which also offer suitable GGS habitat. Areas within 200 feet of suitable aquatic GGS habitat are considered to be suitable upland habitat, per the US Fish and Wildlife Service’s (Service) January 24, 2005 *Programmatic Biological Opinion on the Effects of Small Highway Projects on the Threatened Giant Garter Snake in Butte, Colusa, Glenn, Sacramento, San Joaquin, Solano, Sutter, Yolo, and Yuba Counties, California*, Service File No. 1-1-03-F-0154 (Snake Programmatic Consultation). The project construction activities will occur within 8.55 acres of suitable GGS upland habitat, within one season, and will be temporary in nature.

Because of the project’s potential for take of the GGS, on September 5, 2007 the Service issued Biological Opinion No. 1-1-07-F-0327 (BO), and on October 22, the 2007 Amendment to the Biological Opinion for the State Route 20 Embankment Repair Project, File No. 1-1-08-F-0066 (Amendment) describing the project actions and setting forth measures to mitigate impacts to GGS and its habitat. On October 30, 2007, the Director of the Department of Fish and Game (DFG) received notice from Caltrans pursuant to Fish and Game Code Section

DETERMINATION

Based on the terms and conditions in the BO and the Amendment, DFG has determined that the BO and Amendment are consistent with CESA because the project and mitigation measures meet the conditions set forth in Fish and Game Code Section 2081(b) and (c) for authorization of incidental take of species protected under CESA. The Department specifically finds that the measures identified in the Biological Opinion will minimize and fully mitigate the project’s potential impacts on the GGS. These measures include, but are not limited to, the following requirements:

1. Caltrans shall comply with all avoidance and minimization measures set forth in the July 2007 Caltrans Biological Assessment;
2. Caltrans shall comply with all avoidance measures set forth in the Service's Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat (Guidelines) and Standard Avoidance and Minimization Measures During Construction Activities In Giant Garter Snake (*Thamnophis gigas*) Habitat from the Service's Snake Programmatic Consultation, as detailed in the BO and Amendment;
3. Caltrans shall restore all 8.55 acres of temporarily disturbed GGS habitat per the Service's Guidelines, and shall perform one year of monitoring of the restored habitat and the project site with a photo documentation report containing pre-and post-project area photos due one year from the date that the restoration action was completed. If the restoration is unsuccessful, as determined by the Service, Caltrans shall reinitiate consultation with the Service.

Pursuant to Fish and Game Code section 2080.1, incidental take authorization under CESA will not be required for incidental take of giant garter snake for the project, provided that Caltrans implements the project as described in the BO and Amendment and complies with the mitigation measures and other conditions described in the BO and Amendment. If there are any substantive changes to the project, including changes to the mitigation measures, or if the Service amends or replaces the BO, Caltrans will be required to obtain a new consistency determination or a CESA incidental take permit from the Department.

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice

For Publication December 14, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Varner Harbor Dredging Project
Riverside County

The Department of Fish and Game (Department) received a notice on November 30, 2007 that the California Department of Parks and Recreation (DPR) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species

protected by the California Endangered Species Act (CESA). This project consists of the dredging of the Varner Harbor channel and the repair of the north and south jetties at the Salton Sea State Recreation Area in Riverside County, CA (Project). Project activities associated with the Project will result in impacts to desert pupfish (*Cyprinodon macularius*) related to release of sediment during dredging that causes increased turbidity.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (FWS-ERIV-5297)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps) which considered the effects of the project on the Federally and State endangered desert pupfish. Pursuant to California Fish and Game Code Section 2080.1, DPR is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, DPR will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

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

File# 2007-1019-02
Air Resources Board
Emission Warranty and Recall Regulations

Air Resources Board proposes adoption and amendment of Title 13 emission warranty information reporting (EWIR) and recall regulations and incorporated ARB-published emission test procedures. The proposed action establishes or clarifies the proof required to demonstrate violations of ARB emission standards or test procedures; the corrective actions available to ARB to address the violations; and the way emissions warranty information is reported to ARB.

Title 13
 California Code of Regulations
 ADOPT: 2166, 2166.1, 2167, 2168, 2169, 2170,
 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5,
 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174
 AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111,
 2122, 2136, 2141, Incorporated Test Procedures
 Filed 12/05/2007
 Effective 01/04/2008
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2007-1016-01
BOARD OF BEHAVIORAL SCIENCES
 Applications Files/Fees/LEPs
 Board of Behavioral Sciences proposes amendment and repeal of Title 16 regulations to establish a 180-day waiting period between examinations for any applicant retaking an examination; provide all candidates with a one-year period in which to take an examination to avoid abandonment of an application; improve clarity; provide consistency across practice acts; remove outdated and unnecessary language; and implement changes for consistency with SB 1475 (2006).

Title 16
 California Code of Regulations
 AMEND: 1805, 1806, 1816, 1816.1, 1816.2,
 1816.4, 1816.6, 1854, 1856, 1858 REPEAL: 1833.3,
 1855, 1857
 Filed 11/30/2007
 Effective 12/30/2007
 Agency Contact:
 Cassandra Kearney (916) 574-7836

File# 2007-1015-07
BOARD OF FORESTRY AND FIRE PROTECTION
 Coho Salmon Incidental Take Assistance, 2007
 This regulatory action deals with Coho Salmon Incidental Take Assistance. These regulations become effective January 1, 2008, and become operative when the Department of Fish and Game regulations in Title 14, sections 787.0 through 787.9 become effective.

Title 14
 California Code of Regulations
 ADOPT: 916.9.1, 936.9.1, 916.9.2, 936.9.2,
 916.11.1, 936.11.1, 923.9.1, 943.9.1, 923.9.2,
 943.9.2 AMEND: 859.1, 916.9, 936.9, 956.9, 923.9,
 943.9, 963.9
 Filed 11/29/2007
 Effective 01/01/2008
 Agency Contact:
 Christopher Zimny (916) 653-9418

File# 2007-1015-06
BOARD OF FORESTRY AND FIRE PROTECTION
 Emergency Notice for Fuel Hazard Reduction, 2007
 This regulatory action modifies the fuel treatment standards, deletes the four foot flame length standard, establishes new treatment standards that reduce fire hazards, modifies the minimum post harvest stocking standards to allow more areas to be eligible for the treatments, clarifies treatment requirements for better compliance, and removes the time limitation on the effectiveness of the regulations. This regulatory action becomes effective on 1/1/2008.

Title 14
 California Code of Regulations
 AMEND: 895.1, 1052, 1052.1, 1052.4
 Filed 11/29/2007
 Effective 01/01/2008
 Agency Contact:
 Christopher Zimny (916) 653-9418

File# 2007-1015-08
BOARD OF FORESTRY AND FIRE PROTECTION
 Road Management Plan, 2007
 This action adopts provisions governing the creation and use of a Road Management Plan (RMP) as an optional alternative mechanism for analysis of the effects of transportation systems in affected timberland watersheds.

Title 14
 California Code of Regulations
 ADOPT: 1093, 1093.1, 1093.2, 1093.3, 1093.4,
 1093.6 AMEND: 895, 895.1, 1037
 Filed 11/29/2007
 Effective 01/01/2008
 Agency Contact:
 Christopher Zimny (916) 653-9418

File# 2007-1015-02
BOARD OF PAROLE HEARINGS
 Sexually Violent Predators Screening, Hold, Board Determination
 This is the certification of compliance for an action that updates the criteria for imposition of a temporary hold of up to 3 days beyond a prisoner's scheduled release date for determining whether that person may be subject to commitment as a sexually violent predator, and when the screening indicates the prisoner is likely to be a sexually violent predator, the criteria for determining whether good cause exists for a 45 day hold beyond the scheduled release date for referral to the State Department of Mental Health for full evaluation.

Title 15
California Code of Regulations
AMEND: 2600.1
Filed 11/29/2007
Effective 12/29/2007
Agency Contact: Devaney Sullivan (916) 322-6815

File# 2007-1108-01
BOARD OF PAROLE HEARINGS
Reportable Information

This certification of emergency file 07-0618-04E adds to the list of reportable information that would subject a parolee to the revocation of parole the condition that the parolee comply with the residency requirements of Penal Code Section 3003.5, "Jessica's Law." Section 3003.5 prohibits any person required to register as a sex offender from living within 2000 feet of any public or private school or any park where children "regularly gather."

Title 15
California Code of Regulations
AMEND: 2616
Filed 11/29/2007
Agency Contact: Devaney Sullivan (916) 322-6815

File# 2007-1015-01
CALIFORNIA ENERGY COMMISSION
Adoption of Amendments to Appliance Regulations

This regulation deletes the appliance energy efficiency regulations for Digital Television Adapters (DTAs). This is based on the fact that federal standards have been adopted which will result in slightly more energy savings.

Title 20
California Code of Regulations
AMEND: 1601, 1602, 1605.3, 1606
Filed 11/29/2007
Effective 12/29/2007
Agency Contact: Bill Staack (916) 323-7288

File# 2007-1023-03
DEPARTMENT OF FOOD AND AGRICULTURE
Oriental Fruit Fly Eradication Area

This certification of prior emergency action adds San Mateo County to the list of counties already proclaimed to be eradication areas of the Oriental fruit fly within California.

Title 3
California Code of Regulations
AMEND: 3591.2
Filed 11/29/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1119-01
DEPARTMENT OF FOOD AND AGRICULTURE
Light Brown Apple Moth Interior Quarantine

On May 2, 2007, the USDA issued a Federal Domestic Quarantine Order for the light brown apple moth (LBAM; *Epiphyas postvittana*) which restricts the interstate movement of host commodities produced in the California. The emergency adoption and subsequent emergency amendments were necessary to conform the State's regulation to the federal order. The current amendments do two things:

1. Remove some areas from quarantine pursuant to a newly adopted protocol (based on the recommendation of the LBAM Technical Working Group). The new protocol has revised "triggers" for initiating a regulated area. (A single detection of a male LBAM more than 3 mi. from another male LBAM no longer warrants a quarantine response.) [Areas in Sherman Oaks, Novato, Greenfield, Napa and South San Jose are being removed.]

2. The current amendments also add some areas under quarantine pursuant to the new protocol. [South San Francisco and Menlo Park are being added.]

Title 3
California Code of Regulations
AMEND: 3434(b)
Filed 11/29/2007
Effective 11/29/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1121-06
DEPARTMENT OF FOOD AND AGRICULTURE
Light Brown Apple Moth Interior Quarantine

On May 2, 2007, the USDA issued a Federal Domestic Quarantine Order for LBAM which restricts the interstate movement of host commodities produced in California with respect to the light brown apple moth (LBAM; *Epiphyas postvittana*). The currently proposed amendment removes the entire Oakley area (in Contra Costa County) from quarantine pursuant to a newly adopted protocol from the USDA (based on the recommendation of the LBAM Technical Working Group). The new protocol has revised "triggers" for initiating a regulated area. (A single detection of a male LBAM more than 3 mi. from another male LBAM no longer warrants a quarantine response.)

Title 3
California Code of Regulations
AMEND: 3434(b)
Filed 12/03/2007
Effective 12/03/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1102-03
 DEPARTMENT OF HEALTH CARE SERVICES
 Portable X-Ray Transportation Services

This nonsubstantive change brings the rates of reimbursement for portable x-ray services into compliance with Welfare and Institutions Code section 14105.23 and adds section 20 of the Health and Safety Code as a Reference citation. Welfare and Institutions Code section 14105.23 provides: "Reimbursement for portable X-ray transportation services . . . shall not exceed 100 percent of the lowest maximum allowance for California established by the federal Medicare Program for the same or similar services." The current regulation established these rates. Since the rates are now established elsewhere, the regulation must be amended to reflect compliance with the new statute. Also, language has been removed to comply with the Health Insurance Portability and Accountability Act that allows providers to bill for six patients per trip of the portable X-ray services. The current regulation only allows for three patients per trip.

Title 22
 California Code of Regulations
 AMEND: 51531
 Filed 11/29/2007
 Effective 11/29/2007
 Agency Contact: Shelly Blanks (916) 650-6825

File# 2007-1012-02
 DEPARTMENT OF SOCIAL SERVICES
 Changes to Trustline

This regulatory action will require child care providers to provide a completed Trustline application by the seventh day or as soon as possible after CalWORKS child care services begin. It also requires clearance on the background check before subsidy payments can be made and allows reimbursement payment for up to 120 calendar days for such services rendered by a Trustline registered provider.

Title MPP
 California Code of Regulations
 AMEND: 47-110, 47-260, 47-301, 47-430, 47-601, 47-602, 47-620, 47-630 REPEAL: 47-610
 Filed 11/28/2007
 Effective 02/01/2008
 Agency Contact: Sandra Ortega (916) 657-3174

File# 2007-1107-03
 FISH AND GAME COMMISSION
 Harvest of Herring and Harvest of Herring Eggs

This regulatory action establishes fishing quotas by area for the 2007-2008 herring fishing season, esta-

blishes season dates and times that fishing operations are allowed, raises the herring gill net and stamp fees, allows herring permittees in San Francisco Bay to be up to three nautical miles from their nets, requires a written request for transfer or substitution be submitted with the \$50 transfer or substitution fee, and modifies a section to correspond with section 163.5 regarding penalties for late applications.

Title 14
 California Code of Regulations
 AMEND: 163, 164
 Filed 11/28/2007
 Effective 12/28/2007
 Agency Contact: Sheri Tiemann (916) 654-9872

File# 2007-1120-04
 MANAGED RISK MEDICAL INSURANCE BOARD

Emergency Regular-HFP Disenrollment/Waiting List

This regulatory action establishes two measures to limit enrollment in the Healthy Families Program should that become necessary. It provides authority for the Board to first establish a waiting list for new applications. If that does not sufficiently limit expenditures, this action then allows the Board to disenroll subscriber children at their Annual Eligibility Review, putting them on the waiting list. This action also describes how children on the waiting list may become eligible.

Title 10
 California Code of Regulations
 ADOPT: 2699.6603, 2699.6604 AMEND: 2699.6603 (renumbered to 2699.6602), 2699.6605, 2699.6607, 2699.6608, 2699.6611, 2699.6625
 Filed 11/30/2007
 Effective 11/30/2007
 Agency Contact: Randi Turner (916) 327-8243

File# 2007-1120-03
 MANAGED RISK MEDICAL INSURANCE BOARD

AB203-Deemed Emergency Regulation — Deletion of HFP to Medi-Cal Bridge

This proposed regulatory action seeks to amend Title 10, section 2699.6611(e) & (f) based upon AB 203 (Chapter 188, Statutes of 2007). AB 203 directs that the Healthy Families to Medi-Cal Bridge benefits that have been provided to children enrolled in the Healthy Families Program (HFP) be discontinued once the presumptive Medi-Cal eligibility program has begun when it is determined at the annual HFP eligibility review that the child's household income is below HFP eligibility requirements and the child appears eligible for full-scope Medi-Cal.

Title 10
 California Code of Regulations
 AMEND: 2699.6611
 Filed 11/30/2007
 Effective 11/30/2007
 Agency Contact: Randi Turner (916) 327-8243

File# 2007-1019-03
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Stair Railing Design

This regulatory action clarifies that the top of stair railings are to be 34-38 inches in height above the nosing of treads and landings for new installations on or after April 3, 1997, based on the change of law that went into effect on April 3, 1997. The top of stair railings installed before April 3, 1997, are not subject to this new height requirement. The Board also made changes to related figures and diagrams to illustrate the new height positioning of the stair railings. Additional amendments were made to reflect other statutory changes and nonsubstantive revisions.

Title 8
 California Code of Regulations
 AMEND: 3214, Figure E-1 of 3231, Plate B-17
 Filed 12/04/2007
 Effective 01/03/2008
 Agency Contact: Marley Hart (916) 274-5721

File# 2007-1015-03
 PUBLIC EMPLOYMENT RELATIONS BOARD
 Proof of Support and Technical Changes

This action updates the Board's rules that oblige a petitioner in a representation proceeding to submit proof that a specified portion of employees in a unit or proposed unit support an action relating to the status of representation.

Title 8
 California Code of Regulations
 ADOPT: 33485 AMEND: 32135, 32166, 32500,
 32630, 32700, 32781, 32784, 32786, 33480, 61020,
 61450, 61470, 61480, 81020, 81450, 81470, 81480,
 91020, 91450, 91470, 91480
 Filed 11/29/2007
 Effective 12/29/2007
 Agency Contact: Les Chisholm (916) 327-8383

File# 2007-1017-01
 STATE WATER RESOURCES CONTROL BOARD
 Basin Plan Amendment for Revised Sodium-Related
 Water Quality Standard

This is an amendment to the Water Quality Control Plan for the Lahontan Region. The amendments are for

the Carson and Walker River Watersheds and replace existing water quality objectives for percent sodium with new objections for sodium adsorption ratios.

Title 23
 California Code of Regulations
 ADOPT: 3959.1
 Filed 11/30/2007
 Effective 12/30/2007
 Agency Contact: Nick Martorano (916) 341-5980

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN JULY 4, 2007 TO
 DECEMBER 5, 2007**

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

- Title 1**
 07/09/07 AMEND: 270
- Title 2**
 10/31/07 ADOPT: 18200
 10/30/07 AMEND: 1138.10, 1138.30, 1138.72,
 1138.90
 10/17/07 ADOPT: 2970
 10/15/07 ADOPT: 2291, 2292, 2293, 2294, 2295,
 2296
 10/09/07 AMEND: 1896.98, 1896.99.100,
 1896.99.120
 10/03/07 ADOPT: 1859.167.2, 1859.167.3
 AMEND: 1859.2, 1859.163.3, 1859.167
 REPEAL: 1859.167.1
 10/01/07 ADOPT: 1859.71.6, 1859.77.4 AMEND:
 1859.2
 09/24/07 ADOPT: 18420.5
 09/24/07 ADOPT: 18361 AMEND: 18360,
 18361.7
 09/20/07 ADOPT: 18466
 09/20/07 REPEAL: 18530.9
 09/11/07 ADOPT: 18440
 09/10/07 AMEND: 1183.13
 09/04/07 ADOPT: 54700
 08/31/07 ADOPT: 1859.180, 1859.181, 1859.182,
 1859.183, 1859.184, Form SAB 50-11
 AMEND: 1859.2, 1859.51, 1859.61,
 1859.75.1, 1859.81, 1859.81.1,
 1859.81.2, 1859.103, 1859.104,

	1859.202, 1866, Form SAB 50-04, Form SAB 50-06	09/12/07	AMEND: 3700(c)
08/31/07	AMEND: 18109, 18204.5, 18208.5, 18215.2, 18228, 18236, 18241, 18306, 18315, 18323, 18325, 18350, 18404.2, 18410, 18416, 18429, 18432, 18438, 18457, 18500, 18502, 18502.1, 18502.2, 18519.4, 18522, 18526.1, 18530.1, 18531.1, 18531.3, 18531.4, 18532, 18536.1, 18536.2, 18538, 18538.2, 18541, 18564, 18573, 18580, 18585, 18586, 18587, 18588, 18590, 18616.5, 18618, 18619, 18620, 18621, 18622, 18626, 18650, 18700.1, 18702.6, 18704.3, 18707.3, 18720, 18725, 18726, 18726.1, 18726.2, 18726.3, 18726.4, 18726.5, 18726.6, 18726.7, 18726.8, 18727, 18760, 18902, 18930.1, 18931, 18935, 18940.1, 18950.2, 18954	09/11/07	AMEND: 3591.5(a)
08/03/07	AMEND: 58800	09/11/07	AMEND: 3433(b)
08/02/07	ADOPT: 1700	09/10/07	ADOPT: 1391, 1391.1
07/18/07	AMEND: 1859.2, 1859.51, 1859.61, 1859.81, 1859.202, 1866	09/05/07	ADOPT: 820.2, 820.7 AMEND: 820, 820.3, 820.4, 820.5, 820.6, 820.7 REPEAL: 820.6
07/18/07	AMEND: 18361.2, 18361.4	08/21/07	AMEND: 3434
07/18/07	ADOPT: 7288.0, AMEND: 7288.0, 7288.1, 7288.2, 7288.3	08/10/07	ADOPT: 3152
07/17/07	AMEND: 1859.2	07/24/07	AMEND: 3591.6(a)(1)
Title 3		07/23/07	AMEND: 3589(a)
12/03/07	AMEND: 3434(b)	07/20/07	AMEND: 3591.6(a)(1)
11/29/07	AMEND: 3434(b)	07/20/07	AMEND: 3423(b)
11/29/07	AMEND: 3591.2	07/18/07	AMEND: 3434(b)
11/27/07	AMEND: 3406(b)	07/13/07	AMEND: 3591.20(a)
11/27/07	AMEND: 3433(b)	07/09/07	AMEND: 3433(b)
11/21/07	AMEND: 3433(b)	07/06/07	AMEND: 3591.2(a)
11/16/07	AMEND: 3417(b)	07/06/07	AMEND: 3589(a)
11/15/07	AMEND: 3434	Title 4	
11/14/07	AMEND: 3589	11/21/07	ADOPT: 12347
11/14/07	AMEND: 3591.20	11/09/07	AMEND: 1371
11/09/07	AMEND: 3434(b)	10/25/07	ADOPT: 1747, 1748
11/06/07	AMEND: 3406(b)	10/24/07	AMEND: 1486
11/01/07	AMEND: 1380.19, 1437.12	09/20/07	AMEND: 1844
10/29/07	AMEND: 3433(b)	09/04/07	AMEND: 12205.1, 12225.1
10/29/07	AMEND: 3406(b)	Title 5	
10/25/07	AMEND: 3591.20(a & b)	11/19/07	ADOPT: 11981.3, 11984.5, 11984.6, 11985, 11985.5, 11985.6 AMEND: 11981 (renumber to 11980), 11982 (renumber to 11981), 11985 (renumber to 11981.5), 11980 (renumber to 11982), 11986 (renumber to 11982.5), 11983, 11983.5, 11984
10/15/07	AMEND: 3406(b)	11/05/07	ADOPT: 18134
10/03/07	AMEND: 3433(b)	10/29/07	ADOPT: 24010, 24011, 24012, 24013
09/28/07	AMEND: 3434(b)	10/24/07	ADOPT: 11996, 11996.1, 11996.2, 11996.3, 11996.4, 11996.5, 11996.6, 11996.7, 11996.8, 11996.9, 11996.10, 11996.11
09/25/07	AMEND: 3591.2(a)	10/02/07	AMEND: 80001
09/24/07	ADOPT: 3591.20	10/01/07	AMEND: 43726
09/19/07	AMEND: 3700(c)	09/24/07	ADOPT: 17604.1, 17605.1, 17624, 17630.1, 17638, 17639, 17643, 17644, 17650 AMEND : 17600, 17601, 17602, 17603, 17604, 17605, 17606, 17607, 17608, 17609, 17625, 17626, 17627, 17628, 17629, 17630.2, 17631, 17632, 17640, 17641, 17642, 17646, 17648 REPEAL: 17633, 17634, 17645, 17647, 17649
09/17/07	AMEND: 3406(b)	09/10/07	ADOPT: 19828.2, 19829.5, 19830.1, 19837.1, 19838, 19846 AMEND: 19816, 19816.1, 19828.1, 19830, 19837, 19854

CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 50-Z

08/27/07	ADOPT: 9517.2	55241, 55242, 55243, 55245, 55300,
08/23/07	AMEND: 42000, 42002, 42003, 42005, 42006, 42007, 42008, 42009, 42010, 42011, 42012, 42013, 42018, 42019	55316, 55316.5, 55320, 55321, 55322, 55340, 55350, 55400, 55401, 55402, 55403, 55404, 55405, 55450, 55451, 55603, 55607, 55750, 55751, 55752, 55753, 55753.5, 55753.7, 55754, 55755, 55756, 55756.5, 55757, 55758, 55758.5, 55759, 55760, 55761, 55762, 55763, 55764, 55765, 55800, 55800.5, 55801, 55805, 55805.5, 55806, 55807, 55808, 55809, 55825, 55827, 55828, 55829, 55830, 55831, 55840, 55841, 58161
08/16/07	ADOPT: 18096 AMEND: 18078, 18081, 18084, 18085, 18089, 18090, 18100, 18107	
08/13/07	ADOPT: 17660, 17661, 17662, 17663, 17664, 17665, 17666, 17667	
08/09/07	AMEND: 80124, 80125	
07/31/07	ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7	
07/27/07	AMEND: 50500	
07/20/07	ADOPT: 58520	
07/17/07	ADOPT: 52000, 52010, 55003, 55007, 55020, 55021, 55022, 55023, 55024, 55025, 55030, 55031, 55032, 55033, 55034, 55035, 55040, 55041, 55042, 55043, 55044, 55050, 55051, 55052, 55060, 55061, 55062, 55063, 55064, 55070, 55072, 55080, 55100, 55130, 55150, 55151, 55151.5, 55151.7, 55160, 55170, 55182, 55183, 55200, 55201, 55202, 55205, 55207, 55209, 55211, 55213, 55215, 55217, 55219, 55230, 55231, 55232, 55233, 55234, 55235, 55236, 55240, 55241, 55242, 55243, 55245, 55300, 55316, 55316.5, 55320, 55321, 55322, 55340, 55350, 55400, 55401, 55402, 55403, 55404, 55405, 55450, 55451, 55603, 55607, 55750, 55751, 55752, 55753, 55753.5, 55753.7, 55754, 55755, 55756, 55756.5, 55757, 55758, 55758.5, 55759, 55760, 55761, 55762, 55763, 55764, 55765, 55800, 55800.5, 55801, 55805, 55805.5, 55806, 55807, 55808, 55809, 55825, 55827, 55828, 55829, 55830, 55831, 55840, 55841, 58161, 58161.5 AMEND: 55000, 55000.5, 55002, 55002.5, 55005, 55006, 55250, 55250.2, 55250.3, 55250.4, 55250.6, 55250.7, 55252, 55253, 55256, 55257, 55500, 55502, 55510, 55514, 55518, 55521, 55523, 55530, 55600, 55601, 55602.5, 55605, 55630, 55700, 55701, 55702, 55720, 55732, 56029, 58003.1, 58007, 58009, 58051 REPEAL: 55004, 55100, 55130, 55150, 55151, 55151.5, 55151.7, 55160, 55170, 55182, 55183, 55200, 55201, 55202, 55205, 55207, 55209, 55211, 55213, 55215, 55217, 55219, 55230, 55231, 55232, 55233, 55234, 55235, 55236, 55240,	07/17/07 AMEND: 58704, 58770, 587714, 58774, 58776, 58777 REPEAL: 58785
Title 8		
12/04/07	AMEND: 3214, Figure E-1 of 3231, Plate B-17	
11/29/07	ADOPT: 33485 AMEND: 32135, 32166, 32500, 32630, 32700, 32781, 32784, 32786, 33480, 61020, 61450, 61470, 61480, 81020, 81450, 81470, 81480, 91020, 91450, 91470, 91480	
11/26/07	ADOPT: 392.4 AMEND: 347, 350.1, 355, 359, 359.1, 371.2, 374, 385, 392.5	
11/05/07	AMEND: 4324	
10/31/07	AMEND: 1704	
10/30/07	AMEND: 1532.2, 5203, 5206, 8359	
10/23/07	ADOPT: 3324	
10/10/07	ADOPT: 5349, 5350, 5351, 5352, 5353, 5354, 5355.1 AMEND: 5355, 5356, 5357, 5358	
10/10/07	AMEND: 4884	
10/09/07	AMEND: 2320.2	
10/03/07	ADOPT: 3458.1	
08/22/07	AMEND: 14300.10, 14300.12, 14300.29, 14300.46	
08/21/07	AMEND: 1740	
07/23/07	ADOPT: 32993 AMEND: 32990, 32992, 32994, 32995, 32996, 32997 REPEAL: 32991, 32993	
Title 9		
08/27/07	AMEND: 7128	
08/23/07	ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270,	

3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415

Title 10

11/30/07 AMEND: 2699.6611
 11/30/07 ADOPT: 2699.6603, 2699.6604
 AMEND: 2699.6603 (renumbered to 2699.6602), 2699.6605, 2699.6607, 2699.6608, 2699.6611, 2699.6625
 11/15/07 AMEND: 2498.6
 11/07/07 AMEND: 1409, 1422, 1423
 11/02/07 AMEND: 2498.6
 10/31/07 AMEND: 2318.6, 2353.1
 10/10/07 AMEND: 2498.6
 10/10/07 AMEND: 2218.63(b)
 10/09/07 AMEND: 5.2001
 09/19/07 ADOPT: 2538.1, 2538.2, 2538.3, 2538.4, 2538.5, 2538.6, 2538.7, 2538.8
 09/17/07 AMEND: 2498.6
 08/29/07 ADOPT: 2842 AMEND: 2848
 08/29/07 ADOPT: 3007.05, 3007.2 AMEND: 2805, 2809.3, 2840, 2849.01, 3005, 3006, 3007.3, 3011.4 REPEAL: 2840.1
 08/20/07 ADOPT: 2105.1, 2105.2, 2105.3, 2105.4, 2105.5, 2105.6, 2105.7, 2105.8, 2105.9, 2105.10, 2105.11, 2105.12, 2105.13, 2105.14, 2105.15, 2105.16, 2105.17, 2105.18, 2105.19
 08/13/07 ADOPT: 5357, 5357.1, 5357.2, 5358, 5358.1 AMEND: 5350, 5352
 07/31/07 AMEND: 2699.205, 2699.6600, 2699.6607, 2699.6608, 2699.6613, 2699.6629, 2699.6813
 07/26/07 ADOPT: 2355.1, 2355.2, 2355.3, 2355.4, 2355.5, 2355.6, 2355.7, 2355.8, 2356.1, 2356.2, 2356.3, 2356.4, 2356.5, 2356.6, 2356.7, 2356.8, 2356.9, 2357.1, 2357.2, 2357.3, 2357.4, 2357.5, 2357.6, 2357.7, 2357.8, 2357.9, 2357.10, 2357.11, 2357.12, 2357.13, 2357.14, 2357.15, 2357.16, 2357.17, 2357.18, 2357.19, 2358.1, 2358.2, 2358.3, 2358.4, 2358.5,

2358.6, 2358.7, 2358.8, 2358.9, 2359.1, 2359.2, 2359.3, 2359.4, 2359.5, 2359.6, 2359.7 REPEAL: 2555, 2555.1, 2556, 2556.1, 2556.2

07/09/07 AMEND: 260.140.8, 260.140.41, 260.140.42, 260.140.45, 260.140.46

Title 11

10/15/07 AMEND: 1053, 1054, 1055, 1058, 1070
 09/28/07 AMEND: 51.19
 08/08/07 AMEND: 1005, 1007, 1008
 08/01/07 AMEND: 1070, 1081, 1082
 08/01/07 AMEND: 1070, 1081, 1082
 07/31/07 ADOPT: 999.100, 999.101, 999.102, 999.108, 999.114, 999.115, 999.121, 999.122, 999.128, 999.129, 999.130, 999.131, 999.132, 999.133, 999.134, 999.135, 999.136, 999.137, 999.138, 999.139, 999.140, 999.141, 999.142, 999.143, 999.144, 999.145, 999.146, 999.147, 999.148, 999.149, 999.150, 999.151, 999.152, 999.153, 999.154, 999.165, 999.166, 999.167, 999.168, 999.169, 999.170, 999.171, 999.172, 999.173, 999.174, 999.175, 999.176, 999.177, 999.178, 999.179, 999.190, 999.191, 999.192, 999.193, 999.194, 999.195, 999.196, 999.197, 999.203, 999.204, 999.205, 999.206, 999.207, 999.208, 999.209, 999.210, 999.211, 999.217, 999.218, 999.219, 999.220, 999.221, 999.222, 999.223

Title 13

12/05/07 ADOPT: 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174 AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, 2141, Incorporated Test Procedures
 11/09/07 AMEND: 1968.2, 1968.5, 2035, 2037, 2038
 11/08/07 AMEND: 423.00
 10/23/07 AMEND: 156.00
 10/22/07 AMEND: 1090
 10/17/07 AMEND: 811, 813
 10/16/07 AMEND: 425.01
 10/15/07 AMEND: 2023.1, 2023.3, 2023.4
 10/12/07 AMEND: 1201, 1212, 1212.5, 1213, 1234

CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 50-Z

- 09/18/07 AMEND: 125.02, 125.04, 125.08, 125.12, 125.16, 125.20
- 09/11/07 AMEND: 1956.1, 1956.8
- 08/22/07 ADOPT: 1300, 1400, 1401, 1402, 1403, 1404, 1405 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425, and Article 15 text
- 08/21/07 AMEND: 932, 934.1
- 08/07/07 AMEND: 794
- 07/25/07 AMEND: 156.00
- 07/16/07 AMEND: 2111, 2112, 2411, 2412, 2413, 2415
- 07/13/07 AMEND: 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610 REPEAL: 2611
- 07/13/07 AMEND: 330.08
- 07/11/07 ADOPT: 150.08
- 07/09/07 AMEND: 225.18, 225.39, 225.45, 225.54 and 225.63
- Title 13, 17**
- 09/12/07 ADOPT: 93116.3.1 of title 17 AMEND: 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, and 2462 of title 13, 93116.1, 93116.2, and 93116.3 of title 17
- Title 14**
- 11/29/07 ADOPT: 916.9.1, 936.9.1, 916.9.2, 936.9.2, 916.11.1, 936.11.1, 923.9.1, 943.9.1, 923.9.2, 943.9.2 AMEND: 859.1, 916.9, 936.9, 956.9, 923.9, 943.9, 963.9
- 11/29/07 AMEND: 895.1, 1052, 1052.1, 1052.4
- 11/29/07 ADOPT: 1093, 1093.1, 1093.2, 1093.3, 1093.4, 1093.6 AMEND: 895, 895.1, 1037
- 11/28/07 AMEND: 163, 164
- 11/13/07 AMEND: 1038(i)
- 11/07/07 AMEND: 550, 551, 552
- 11/05/07 AMEND: 825.05
- 10/25/07 AMEND: 502
- 10/24/07 AMEND: 895.1, 898, 914.8, 916, 916.2, 916.9, 916.11, 916.12, 923.3, 923.9, 934.8, 936, 936.2, 936.9, 936.11, 936.12, 943.3, 943.9, 954.8, 956, 956.2, 956.9, 956.11, 956.12, 963.3, 963.9
- 10/16/07 ADOPT: 1.46, 28.38, 28.41, 28.42 AMEND: 1.17, 1.59, 27.60, 27.90, 28.59, 159, 195
- 10/12/07 AMEND: 815.05
- 10/09/07 AMEND: 29.85
- 09/19/07 AMEND: 502, 509
- 08/29/07 AMEND: 251.7, 257, 300, 600
- 08/22/07 AMEND: 165, 245—App. A, 632
- 07/30/07 ADOPT: 17987, 17987.1, 17987.2, 17987.3, 17987.4, 17987.5
- 07/27/07 ADOPT: 15155, 15190.5, 15191, 15192, 15193, 15194, 15195, 15196, AMEND: 15053, 15061, 15062, 15072, 15073, 15074, 15082, 15087, 15105, 15179, 15180, 15186 REPEAL: 15083.5
- 07/19/07 AMEND: 4970.50
- 07/17/07 AMEND: 2305, 2310, 2320
- 07/10/07 AMEND: 4970.50, 4970.53, 4970.55, 4970.62, 4970.63, 4970.64
- Title 14, 27**
- 10/17/07 Title 14: 18050, 18051, 18060, 18070, 18072, 18075, 18077, 18078, 18081, 18104.4, 18105.4, 18105.6, 18209, 18304, 18304.2, 18306, 18307, 18831 Title 27: 21563, 21615, 21620, 21650, 21680
- Title 15**
- 11/29/07 AMEND: 2600.1
- 11/29/07 AMEND: 2616
- 10/22/07 REPEAL: 3999.1.8, 3999.1.9, 3999.1.10, 3999.1.11
- 10/18/07 ADOPT: 3486 AMEND: 3482, 3484, 3485
- 10/16/07 AMEND: 3000, 3045.2, 3170.1, 3176, 3177, 3815
- 10/09/07 ADOPT: 2536.1
- 10/01/07 ADOPT: 3075.4 AMEND: 3000
- 09/05/07 AMEND: 3000, 3315, 3323, 3341.5
- 08/13/07 AMEND: 3190, 3191
- Title 16**
- 11/30/07 AMEND: 1805, 1806, 1816, 1816.1, 1816.2, 1816.4, 1816.6, 1854, 1856, 1858 REPEAL: 1833.3, 1855, 1857
- 11/26/07 ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542
- 11/26/07 ADOPT: 4580

CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 50-Z

11/21/07	AMEND: 998	08/08/07	ADOPT: 94201.1 AMEND: 94201, 94202, 94203, 94204, 94207, 94208, 94209, 94210, 94211, 94212
11/19/07	AMEND: 1749		
11/07/07	AMEND: 1523	07/30/07	AMEND: 2500, 2502, 2505
11/02/07	ADOPT: 4440, 4442, 4444, 4446, 4448, 4450, 4452, 4470, 4472, 4474, 4476, 4478, 4480, 4482, 4484	07/24/07	ADOPT: 100085
		07/11/07	AMEND: 30315.33, 30316.60, 30317, 30319.20
10/31/07	AMEND: 1707.2		
10/05/07	AMEND: 306, 306.1, 310, 390, 390.2, 390.3, 390.4, 390.5	Title 18	
10/04/07	AMEND: 1399.678	11/21/07	AMEND: 4703
10/01/07	AMEND: 3394.6	11/08/07	ADOPT: 474
09/20/07	AMEND: 2649	07/30/07	AMEND: 1591.2
09/17/07	ADOPT: 973, 973.1, 973.2, 973.3, 973.4, 973.5, 973.6	07/30/07	AMEND: 1591
		07/30/07	AMEND: 1591.4
09/11/07	AMEND: 950.10	07/26/07	AMEND: 1586
09/11/07	ADOPT: 2520.4, 2520.5, 2577.5, 2577.6 AMEND: 2518.6, 2523, 2523.2, 2523.5, 2523.6, 2576.6, 2579.2, 2579.4, 2579.7, 2579.8 REPEAL: 2523.1, 2579.3	07/16/07	AMEND: 1603
		07/10/07	AMEND: 1660
08/28/07	ADOPT: 1351.1	Title 19	
08/28/07	ADOPT: 1315.03, 1326 AMEND: 1325.4	10/31/07	AMEND: 2040
		10/01/07	AMEND: 2600
08/03/07	AMEND: 1399.541	Title 20	
08/03/07	AMEND: 2036, 2036.5	11/29/07	AMEND: 1601, 1602, 1605.3, 1606
08/01/07	AMEND: 3340.16, 3340.42, 3392.2	10/16/07	ADOPT: 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913
07/16/07	AMEND: 2670		
07/12/07	AMEND: 160	08/22/07	AMEND: 1602, 1604, 1606, 1607
07/11/07	AMEND: 68.3, 68.4, 88, 88.1, 88.2, 89, 99	Title 22	
07/10/07	AMEND: 4114	11/29/07	AMEND: 51531
Title 17		11/20/07	AMEND: 311-1
11/16/07	AMEND: 57310, 57332	11/08/07	ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329
11/08/07	AMEND: 94508, 94509, 94510, 94511, 94512, 94513, 94514, 94515, 94523	11/07/07	ADOPT: 66269.1
		11/06/07	AMEND: 51003(e) REPEAL: 51307, 51506.2
10/29/07	AMEND: 93119	10/23/07	AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1
09/24/07	ADOPT: 93102.1, 93102.2, 93102.3, 93102.4, 93102.5, 93102.6, 93102.7, 93102.8, 93102.9, 93102.10, 93102.11, 93102.12, 93102.13, 93102.14, 93102.15, and 93102.16 AMEND: 93102	10/18/07	AMEND: 67391.1
09/18/07	ADOPT: 93115.1, 93115.2, 93115.3, 93115.4, 93115.5, 93115.6, 93115.7, 93115.8, 93115.9, 93115.10, 93115.11, 93115.12, 93115.13, 93115.14, 93115.15 AMEND: 93115	10/16/07	AMEND: 10100 REPEAL: 10101
		10/03/07	AMEND: 67386.5, 67386.6, 67386.11
08/28/07	ADOPT: 2641.56, 2641.57 AMEND: 2641.30, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77	09/18/07	ADOPT: 64432.3, 64432.8 AMEND: 64413.1, 64431, 64432, 64447.2, 64463.1, 64465, 64481 REPEAL: 64450
08/27/07	AMEND: 93300.5	09/06/07	ADOPT: 66270.69.2 AMEND: 66270.67 (renumber to 66270.69.5), 66270.69 (renumber to 66270.69.1), 67800.1 (renumber to 66270.69.3), 67800.5 (renumber to 66270.69.4)
		09/05/07	AMEND: 4427
		08/31/07	AMEND: 12805

CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 50-Z

08/08/07 ADOPT: 96040, 96041, 96042, 96043,
96044, 96045, 96046, 96050 AMEND:
96000

07/18/07 AMEND: 4401.5 REPEAL: 4401, 4402,
4432, 4441

07/18/07 ADOPT: 69109 AMEND: 69100, 69101,
69102, 69103, 69104, 69105, 69106,
69107, 69108

07/16/07 ADOPT: 50966 AMEND: 50961, 50962

Title 22, MPP

08/07/07 ADOPT: 86500, 86501, 86505, 86505.1,
86506, 86507, 86508, 86509, 86510,
86511, 86512, 86517, 86518, 86519,
86519.1, 86519.2, 86520, 86521, 86522,
86523, 86524, 86526, 86527, 86528,
86529, 86531, 86531.1, 86531.2, 86534,
86535, 86536, 86540, 86542, 86544,
86545, 86546, 86552, 86553, 86554,
86555, 86555.1, 86558, 86559, 86561,
86562, 86563, 86564, 86565, 86565.2,
86565.5, 86566, 86568.1, 86568.2,
86568.4, 86570, 86572, 86572.1,
86572.2, 86574, 86575, 86576, 86577,
86578, 86578.1, 86579, 86580, 86586,
86587, 86587.1, 86587.2, 86588

AMEND: 11-400c, 11-402, 45-101(c),
45-202.5, 45-203.4, 45-301.1

Title 23

11/30/07 ADOPT: 3959.1

11/07/07 ADOPT: 3915

09/04/07 AMEND: 2053

08/27/07 AMEND: 2200, 2200.2, 2200.3, 2200.4,
2200.6 REPEAL: 2201

08/21/07 ADOPT: 3979.2

08/20/07 ADOPT: 3979.3

08/16/07 ADOPT: 3939.26

08/15/07 AMEND: 3939.10

08/14/07 ADOPT: 3939.25

08/09/07 ADOPT: 3949.4

08/02/07 ADOPT: 3967

Title 25

07/06/07 AMEND: 5060, 5061, 5062, 5064, 5520,
5521, 5530, 5540.1, 5575

Title 27

08/21/07 ADOPT: 20939 AMEND: 20918, 20919,
20920, 20921, 20923, 20925, 20931,
20932, 20933, 20934, 20937 REPEAL:
20919.5

Title MPP

11/28/07 AMEND: 47-110, 47-260, 47-301,
47-430, 47-601, 47-602, 47-620,
47-630 REPEAL: 47-610

07/30/07 AMEND: 47-201, 47-401