



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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

TITLE 2. CITIZEN'S FINANCIAL ACCOUNTABILITY OVERSIGHT COMMITTEE

NOTICE OF INTENTION TO ADOPT A CONFLICT-OF-INTEREST CODE OF THE CITIZEN'S FINANCIAL ACCOUNTABILITY OVERSIGHT COMMITTEE

NOTICE IS HEREBY GIVEN that the Citizen's Financial Accountability Oversight Committee (CFAOC), pursuant to the authority vested in it by section 87300 of the Government Code, proposes its Conflict-of-Interest Code.

The CFAOC proposes to adopt its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. A written explanation of why each position was selected and the reasons for the disclosure categories is available.

The CFAOC is a six-member board, chaired by the State Controller. The committee meets annually to review the financial practices and performance of the California Institute for Regenerative Medicine (CIRM). As a part of its evaluation, CFAOC members review the CIRM's annual financial audit, the State Controller's evaluation of that audit, and the financial practices of the Institute. Copies of the proposed code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed code by submitting them in writing no later than February 04, 2008, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than 15 days be-

fore close of the written comment period, by contacting the Contact Person set forth below.

The CFAOC has determined that the proposed code:

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

All inquiries should be directed to:

John Dickerson
 State Controller's Office
 300 Capitol Mall, Ste 1850
 (916) 445-3028
 jdickerson@sco.ca.gov

TITLE 2. COMMISSION ON STATE MANDATES

**TITLE 2. ADMINISTRATION
 DIVISION 2. FINANCIAL OPERATIONS
 CHAPTER 2.5. COMMISSION ON
 STATE MANDATES**

NOTICE OF PROPOSED RULEMAKING

The Commission on State Mandates (Commission) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Commission will conduct a public hearing on this proposed action on January 31, 2008, if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

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

written comment period closes at **5:00 p.m. on February 4, 2008**. The Commission will consider only comments received at the Commission offices by that time. Submit comments to:

Cathy Cruz Jefferson, Senior Program Analyst
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

AUTHORITY AND REFERENCE

Government Code section 17527, subdivision (g), authorizes the Commission to adopt the proposed regulations. The purpose of this rulemaking is to implement statutory changes made by AB 1222 (Stats. 2007, ch. 329). The proposed regulations will conform the definition of “reasonable reimbursement methodology”; establish a new process for the Department of Finance and test claimant to jointly develop reasonable reimbursement methodologies and statewide estimates of costs for approval and adoption by the Commission; and make technical amendments to add statutory references to a new procedure for legislatively determined mandates.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Commission is a seven-member quasi-judicial body authorized to resolve disputes regarding the existence of state-mandated local programs (Gov. Code, § 17500 et seq.) and to hear matters involving applications for a finding of significant financial distress (Welf. & Inst. Code, § 17000.6). The purpose of this rulemaking is to implement AB 1222 (Stats. 2007, ch. 329). The statutory changes that require the Commission to initiate this rulemaking are, as follows:

- The definition of reasonable reimbursement methodology (RRM) was modified. (Gov. Code, § 17518.5)
- Local governments and Department of Finance are authorized to negotiate an RRM and develop a statewide estimate of costs for submittal to the Commission instead of proposed parameters and guidelines and statewide cost estimates. (Gov. Code, §§ 17557.1 and 17557.2)
- A procedure is codified for the Department of Finance and local governments or statewide associations of local governments to request a legislatively determined mandate, a reimbursement methodology, and appropriation. (Gov. Code, §§ 17572–17574.5)

Therefore, the Commission proposes to amend sections 1181.1, 1181.2, 1181.3, 1183, 1183.01, 1183.04, 1183.08, 1183.11, 1183.13, 1183.14, and 1188.3; to renumber 1183.30 to 1183.25; and to add sections 1183.081, 1183.131, a new 1183.30, 1183.31, and 1183.32 of the California Code of Regulations, title 2, division 2, chapter 2.5.

Under Article 1. General, the Commission proposes to make substantive amendments to sections 1181.1, 1181.2, and 1181.3. Section 1181.1 defines “statewide estimate of costs” and includes reasonable reimbursement methodologies and statewide estimates of costs to the examples of “written material.” Section 1181.2 enumerates the types of filings for which the Executive Director will issue sequential case numbers. Section 1181.3 includes reasonable reimbursement methodologies and statewide estimates of costs to the materials that can be submitted in other media.

Under Article 3. Test Claims, the Commission proposes to make substantive amendments to sections 1183.01, 1183.04, 1183.08, 1183.11, 1183.13, 1183.14; to renumber 1183.30 to 1183.25; and to add sections 1183.081, 1183.131, a new 1183.30, 1183.31, and 1183.32. Section 1183.01 will allow Commission staff to toll days for development of a reasonable reimbursement methodology from the timeline for the Commission to adopt a statewide cost estimate and includes statutory timelines for a test claimant and the Department of Finance to develop a reasonable reimbursement methodology and statewide estimate of costs pursuant to Government Code section 17557.1. Section 1183.04 will add the consideration of draft reasonable reimbursement methodologies and proposed statewide estimates of costs jointly prepared by test claimants and the Department of Finance to the purpose of an informal conference. Section 1183.08 will clarify that a test claim may also be withdrawn by the test claimant upon written application to the executive director any time after enactment of a legislatively determined mandate on the same statute or executive order pursuant to Government Code section 17574. Section 1183.11 will clarify that a successful test claimant shall submit proposed parameters and guidelines to the Commission within 30 days of the early termination or expiration of a reasonable reimbursement methodology. Section 1183.13 will modify the definition of a reasonable reimbursement methodology, as defined in Government Code section 17518.5, and will delete the process for receiving and reviewing a proposed reasonable reimbursement methodology from this section. Section 1183.14 will clarify that Commission staff’s recommendation may include a reasonable reimbursement methodology developed by a party pursuant to Government Code section 17518.5.

The new section 1183.081 will add a process for the Executive Director to deem a test claim “abandoned” and for a new local agency or school district to substitute for the original test claimant. The new section 1183.131 will add the process for receiving and reviewing a proposed reasonable reimbursement methodology, as formerly included in section 1183.13. The new section 1183.30 will add a process for receiving and reviewing a reasonable reimbursement methodology and statewide estimate of costs developed by the test claimant and the Department of Finance. The new section 1183.31 will add a process for the test claimant and the Department of Finance to file a joint request for early termination of a reasonable reimbursement methodology. The new section 1183.32 will add a process for notifying the test claimant and the Department of Finance of expiring reasonable reimbursement methodologies and receiving and reviewing jointly proposed amendments or requests to continue an expiring reasonable reimbursement methodology.

Sections 1183 and 1188.3 will make only minor, non-substantive, and technical amendments.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Commission has made the following initial determinations:

Mandate on local agencies and school district:	None
Cost or savings to any state agency:	Minor
Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:	None
Other non-discretionary cost or savings imposed on local agencies:	None
Cost or savings in federal funding to the state:	None
Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:	None
Significant effect on housing costs:	None
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.

Adoption of these regulations will not:

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

Small Business Determination: Because the Commission has no jurisdiction over small businesses, the proposed regulatory action will have no impact on small businesses.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Cathy Cruz Jefferson, Senior Program Analyst
 Commission on State Mandates
 980 Ninth Street, Suite 300
 Sacramento, CA 95814
 Telephone: (916) 323-3562

The backup contact person for these inquiries is:

Nancy Patton, Assistant Executive Director
 Commission on State Mandates
 980 Ninth Street, Suite 300
 Sacramento, CA 95814
 Telephone: (916) 323-3562

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Ms. Cathy Cruz Jefferson at the above address.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and the Commission order to initiate rulemaking proceedings. Copies may be obtained by contacting Ms. Cathy Cruz Jefferson at the address or phone number

listed above. All persons on the Commission's interested persons mailing list will automatically be sent a copy of the rulemaking file.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

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

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Cathy Cruz Jefferson at the above address.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

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

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

CONFLICT-OF-INTEREST CODES

ADOPTION

MULTI-COUNTY: Riverside County Employer/
Employee Partnership

AMENDMENT

MULTI-COUNTY: Redwood Empire Schools' In-
surance Group

A written comment period has been established commencing on **December 21, 2007** and closing on **February 4, 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 **February 4, 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 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on August 21, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than February 19, 2008.

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

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before February 4, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

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

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

The amendments of subsection 3434(b) established additional quarantine areas in the counties of Alameda/Contra Costa (approximately 18 square miles); Marin/San Francisco/San Mateo (approximately two square miles); Monterey/Santa Cruz (approximately 15 square miles); San Mateo (approximately four square miles); Santa Clara (approximately 12 square miles); and Solano (approximately seven square miles).

A total of approximately 58.5 square miles were added to the regulated area as a result of these proposed amendments of subsection 3434(b). The total square miles to be regulated in the affected designated areas within the counties will be: Alameda/Contra Costa (approximately 202.5 square miles); Marin/San Francisco/San Mateo (approximately 97 square miles); Monterey/Santa Cruz (approximately 482 square miles); San Mateo (approximately 47 square miles); Santa Clara (approximately 49 square miles); and Solano (approximately 16 square miles). The existing total

regulated area in all affected counties is approximately 998 squares miles. The proposed amendments would increase the total regulated area to approximately 1,056.5 square miles. There is no existing, comparable federal regulation or statute regulating the intrastate movement.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the adoption of Section 3591.20 does not impose a mandate on local agencies or school districts and no reimbursement is required for Section 3591.20 under Section 17561 of the Government Code. The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

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

COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

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

material used, size and production practices of the affected businesses.

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

ASSESSMENT

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend subsections 3591.20(a) and (b) pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes to amend subsections 3591.20(a) and (b), to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The proposed adoption of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen

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

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on September 17, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 17, 2006.

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

15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before February 4, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

This amendment established a new quarantine area for Mediterranean fruit fly of approximately 114 square miles surrounding the Dixon area of Solano County. The effect of the amendment was to implement the authority for the State to regulate movement of hosts and possible carriers of Mediterranean fruit fly within and from the additional 114 square mile area under quarantine in Solano County to prevent artificial spread of the fly to noninfested areas in order to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3406 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce it. No reimbursement is required under Section 17561 of the Government Code because the Solano County Agricultural Commissioner requested that this area become the area under quarantine; therefore, there are no mandated costs associated with the addition of this area to the regulation.

The Department also has determined that the regulation will involve no costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Part 7 (commencing with Section 17500) of Division 4 of the Gov-

ernment Code, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. A representative person or business could incur costs of approximately \$152 per year in reasonable compliance with the proposed action.

ASSESSMENT

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department amended Section 3406(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3406(b) to implement, interpret and make specific Sections 5301, 5302 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

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

**TITLE 4. CALIFORNIA SCHOOL
FINANCE AUTHORITY**

**NOTICE OF PROPOSED
RULEMAKING ACTION**

**Article 2, Sections 10177 to 10189
Title 4, Division 15
California Code of Regulations**

NOTICE IS HEREBY GIVEN that the California School Finance Authority (the “Authority” or “CSFA”), organized and operating pursuant to Sections 17170 through 17199.5 of the Education Code (the “Act”), proposes to amend the regulations described below after considering all comments, objections and recommendations regarding the proposed action. Any person interested may present statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice no later than 12:00 p.m. on Tuesday, February 5, 2008. The CSFA Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this notice as Contact Person and will be mailed to those persons who submit statements related to this proposal or who have required notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

CSFA proposes to amend Sections 10177, 10178, 10181, 10182, 10187, 10188, and 10189 of Title 4 of the California Code of Regulations (the “Regulations”). The Regulations implement CSFA’s responsibilities related to the State Charter School Facilities Incentive Grants Program (“Grant” or “Program”).

AUTHORITY AND REFERENCE

Authority: Sections 17179 and 17180, Education Code. Section 17179 provides the CSFA with the authority to do all things reasonably necessary to carry out its responsibilities. Section 17180 of the Education Code provides CSFA the authority to adopt bylaws for the regulation of its affairs and the conduct of its business, including the authority to receive and accept grants from the federal government.

Reference: Sections 17078.52, 17078.56, 17180, Education Code, and Section 47600, et seq., of the Education Code. These Regulations implement the Grant and include a number of the requirements of that program contained in the reference code provisions and their implementing Regulations. They also rely on a number of provisions in the Charter Schools Act of 1992, commencing with Section 47600 of the Education Code. Section 17180 provides CSFA with the authority to receive grants from the federal government.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

CSFA was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code Section 17170, et seq.). CSFA is authorized to adopt bylaws for the regulation and conduct of its business, is vested with all powers reasonably necessary to carry out its powers and responsibilities and may receive and accept grants from a federal agency (Education Code Sections 17179 and 17180).

In 2004, the United States Department of Education approved a grant award to CSFA pursuant to the State Charter School Facilities Incentive Grants Program, authorized under Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Grant provides for \$49,250,000 to be awarded over a five year period for the purposes of funding charter school facilities.

Pursuant to the federal rules governing the Grant, \$9,850,000 must be allocated during each of five consecutive federal fiscal years. The first funding round began on June 28, 2005, when an emergency rulemaking file was approved by the Office of Administrative Law. Permanent Regulations implementing the Grant were approved March 24, 2006.

The allocation of these grant funds to eligible charter schools are based on preference points assigned for certain factors, including the low income population served by the school as reported by the percentage of students eligible to receive free or reduced price meals, the school’s nonprofit status, whether a school is located in an overcrowded attendance area, and whether a charter school has met its academic performance target set by the California Department of Education.

The proposed amendments to the Regulations are briefly summarized below and are intended to clarify the requirements as well as to allow charter schools to receive funding through the state’s Charter School Facilities Program and the federal Program.

Sections 10177, 10178 Amendments clarify the process of application and awarding funds.

Section 10181 Amendments clarify the application process with definition of standards for renovation or purchase projects.

Section 10182 Amendments clarify the allocation process for preference points.

Section 10187 Amendment clarifies that charter school must meet all eligibility requirements throughout the term of the grant.

Section 10188 Amendment clarifies the standards for release of funds to renovation projects.

Section 10189 Amendment clarifies the process for completion of renovation projects.

**OTHER MATTERS PRESCRIBED BY
STATUTES APPLICABLE TO THE SPECIFIC
STATE AGENCY OR TO ANY SPECIFIC
REGULATION OR CLASS OF REGULATIONS**

No other matters prescribed by statute are applicable to the Authority or to any specific regulation or class of regulations pursuant to 11346.5(a)(4) of the California Government Code pertaining to the proposed Regulations or CSFA.

**MANDATE ON LOCAL AGENCIES
OR SCHOOL DISTRICTS**

The Authority has determined that the Regulations do not impose a mandate on local agencies or school districts.

FISCAL IMPACT

CSFA has determined that the Regulations do not impose any additional cost or savings to any state agency, any costs to any local agency or school district requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other non-discretionary cost or savings to any local agency, or any cost or savings in federal funding to the State.

While the CSFA will incur additional expenses in implementing and administering the Grant, the U.S. Department of Education provides that CSFA may charge such additional expenses for CSFA's administrative costs against the Grant, up to five percent. Therefore, there is no fiscal impact on the State's General Fund or requirement of additional appropriations by the Legislature. There will be neither costs nor savings to any State Agency pursuant to Government Code Section 11346.5(a)(6).

**INITIAL DETERMINATION REGARDING
ANY SIGNIFICANT, STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESS**

CSFA has determined that the Regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

CSFA has determined that the adoption of the Regulations will not affect small businesses. The Grant is a voluntary financing program available to charter schools to develop charter school facilities.

COST IMPACTS

The CSFA 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 EFFECT ON JOBS
AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**

The Authority has determined, pursuant to Government Code Section 11346.3(b), that the Regulations will not have an effect on jobs and business expansion, elimination or creation.

COST IMPACT ON HOUSING

The Regulations will not have any effect on housing costs.

REASONABLE ALTERNATIVES

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

CSFA invites interested persons to present statements with respect to alternatives to the Regulations during the written comment period.

AGENCY CONTACT PERSON

Written comments, inquiries and any questions regarding the substance of the Regulations shall be submitted or directed to the Executive Director at either address below or by email at kjohantgen@treasurer.ca.gov:

Katrina Johantgen, Executive Director
California School Finance Authority
304 S. Broadway, Suite 550
Los Angeles, CA 90013-1224
(213) 620-4467

915 Capitol Mall, Suite 336
Sacramento, CA 95814
(916) 651-7710

The following person is designated as a backup contact person for inquiries only regarding the Regulations:

Kristin Smith, Staff Counsel
State Treasurer's Office
915 Capitol Mall
Sacramento, CA 95814
(916) 653-0252

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the Regulations to CSFA. The written comment period on the Regulations will end at 12:00 p.m. on Tuesday, February 5, 2008. All comments to be considered by CSFA must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the Regulations during the written comment period, CSFA will also accept additional written comments limited to any changed or modified Regulations for 15 calendar days after the date on which such Regulations, as changed or modified are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS

Pursuant to the California Government Code, CSFA has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office

at 915 Capitol Mall, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on the Authority's website at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

No public hearing regarding the Regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to CSFA at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the Regulations for which the Hearing is being requested.

15-DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, CSFA may adopt the Regulations substantially as described in this Notice, without further notice. If CSFA makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through CSFA's website described above) for at least fifteen (15) calendar days before CSFA adopts the proposed Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

CSFA is required to prepare a Final Statement of Reasons pursuant to Government Code Section 11346.9. Once CSFA has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on the Authority's website described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

TITLE 8. DIVISION OF APPRENTICESHIP STANDARDS

NOTICE OF PROPOSED ACTION

NOTICE IS HEREBY GIVEN that the Division of Apprenticeship Standards (“Division”), pursuant to rulemaking authority derived from Labor Code sections 55, 59, and 3099 – 3099.5, in order to implement, interpret and make specific sections 3099–3099.5 of the Labor Code, proposes to amend Part IV, Sections 290.0, 290.1, 291.0, 291.1, 291.2, 291.5, 292.0, 294.0, 295.0, 296.0, 296.1, 296.2, 296.3, and 296.4, in Chapter 2 of Title 8 of the California Code of Regulations (“CCR”) concerning electrician certification.

PUBLIC HEARING

The Division will hold public hearings on Tuesday, February 19, 2008 from 10:00 a.m. to 2:00 p.m. at the Hiram Johnson State Building, Benicia Room A/B, 455 Golden Gate Avenue, San Francisco, California, and on Tuesday, February 26, 2008 from 10:00 a.m. to 2:00 p.m. at the Junipero–Serra State Building, 7th Floor Meeting Room, 320 W. Fourth Street, Los Angeles, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The Division requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action by mail or personal delivery to Glen Forman, Division of Apprenticeship Standards, 455 Golden Gate Avenue, 10th Floor, San Francisco, California 94102. Written comments may also be sent to Glen Forman (1) via electronic mail to DASComments@dir.ca.gov or (2) via fax to (415) 703–5227. To be considered, written comments must be received by DAS no later than 5:00 p.m., Tuesday, February 26, 2008.

CONTACT PERSON

Nonsubstantive inquiries concerning this action, such as requests for copies of the text of the proposed

regulations, and the location of public records, may be directed to Brian Crawford at (415) 703–1467. The backup contact person is Glen Forman at (415) 703–4939. Inquiries regarding the substance of the proposed regulations may be directed to Glen Forman at (415) 703–4939.

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

The Legislature enacted a program for certifying electricians in 1999 beginning with Labor Code section 3099. In two prior rulemakings, the Division adopted regulations to implement and enforce this section. Issues have arisen in the operation of this program, and the Legislature has enacted additional changes since the last rulemaking. The Division is charged with promulgating regulations to implement the program and the most recent set of legislative changes. No comparable federal regulation or statute exists. Please see the Division’s Initial Statement of Reasons for further information.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Division has made the following initial determinations:

- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.
- Impact on the creation or elimination of jobs or the creation, elimination, or expansion of businesses within the State of California, or effect on small businesses: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.

- Significant effect on housing costs: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.
- Cost impacts on representative private person or business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.

FISCAL IMPACTS

- Costs or savings to state agencies or costs / savings in federal funding to the State: None.
- Local Mandate: None.
- Cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None.
- Other nondiscretionary costs / savings imposed upon local agencies: None.

CONSIDERATION OF ALTERNATIVES

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

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

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS/INTERNET ACCESS

An initial statement of reasons and the text (“express terms”) of the proposed regulations have been prepared and are available from the contact person named in this notice. The Division will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office located at the above address. Rulemaking records may be accessed through the agency’s Internet website at www.dir.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Division may adopt the proposed regulations substantially as described in this notice. If the Division makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Division adopts the regulations as revised. Any such modifications will also be posted on the Division’s website.

Please send requests for copies of any modified regulations to the attention of the contact person(s) listed above. The Division will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website listed above.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 355 of the Fish and Game Code and 16 USC 703 et seq., and to implement, interpret or make specific Section 355 of the Fish and Game Code and 16 USC 703 et seq., proposes to amend Section 503, Title 14, California Code of Regulations, relating to Crop Damage and Nuisance Canada Geese.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

This proposed regulation change would add the control of nuisance Canada geese to the provisions addressing crop damage in Section 503 of Title 14, California Code of Regulations. Existing state regulations do not provide for the take of Canada goose nests or eggs, nor provide for their direct control except as authorized by the Commission under hunting regulations established in Section 502 of Title 14. The Federal government has preeminent authority to manage migratory birds pursuant to the Migratory Bird Treaty Act, and has adopted regulations permitting certain activities in certain parts of the country at specified times to alleviate the effects on humans by Canada geese. Changes in California regulations are necessary to implement these changes in federal rules.

In a Final Rule and Record of Decision issued August 10, 2006 the United States Fish and Wildlife Service issued a Depredation Order for resident Canada geese. This decision contained several parts, but only 3 portions affect the management of nuisance Canada geese in California. These are:

- 1) the Airport Control Order that provides airport managers the authority to control resident geese through: 1) trapping and relocation; 2) nest and egg destruction; 3) trapping and culling; or 4) other methods. Nests and eggs may be destroyed between March 1 and June 30 and other control methods may be used between April 1 and September 15;
- 2) the Nest and Egg Control Order that provides private landowners and managers of public lands the authority to take nests and destroy eggs when necessary to resolve injury to people, property, and/or agricultural crops. Nests and eggs may be destroyed between March 1 and June 30; and,
- 3) the Public Health Control Order that authorizes state wildlife agencies or their agents to conduct direct control activities whenever a direct threat to human health is acknowledged by any Federal, State or local public health agency. Nests and eggs may be destroyed between March 1 and June 30 and other control activities could occur between April 1 and August 31.

The proposed regulation would limit the Airport Control Order by requiring authorization by the Department before any trapping and relocation from airports could occur. The proposed regulation would also modify the Nest and Egg Control Order by requiring Department authorization for nest and egg control in all counties except Sonoma, Napa, Solano, Marin, Contra Costa, Alameda, San Francisco, San Mateo, Santa

Clara, Santa Cruz, San Benito, Monterey, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange and San Diego. All other control actions identified under the Pacific Flyway in the Depredation Order of Canada geese would be permitted in California.

Existing language in Section 503 is reformatted for clarity purposes.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Hubbs–Sea World Research Institute, Shedd Auditorium, 2595 Ingraham Street, San Diego, California, on February 8, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before February 1, 2008 at the address given below, or by fax at (916) 653–5040, or by e–mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e–mailed to the Commission office, must be received before 5:00 p.m. on February 5, 2008. All comments must be received no later than February 8, 2008, at the hearing in San Diego, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout–underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244–2090, phone (916) 653–4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Koell at the preceding address or phone number. **Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445–3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full com-

pliance with the 15-day comment period, and the Commission will exercise its powers under Section 355 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations will contribute to the reduction of economic damage caused by nuisance Canada geese.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) 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.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

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

TITLE 16. CALIFORNIA PROFESSIONAL FIDUCIARIES BUREAU

DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the California Professional Fiduciaries Bureau, Department of Consumer Affairs (hereinafter "Department"), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the **Code of Ethics and Education Criteria** at a hearing to be held at the:

Department of Consumer Affairs
1st Floor Hearing Room
1625 North Market Boulevard
Sacramento, California on

February 8, 2008

11:00 a.m. to 12:30 p.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under **Contact Person** in this Notice, must be received by the California Professional Fiduciaries Bureau (hereinafter "Bureau") at its office not later than 5:00 p.m. on February 8, 2008 or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 6517 and 6520 of the Business and Professions Code, and to implement, interpret or make

specific Sections 134, 152.6, 6520 and 6538 of said Code, the California Professional Fiduciaries Bureau, Department of Consumer Affairs, adopts Division 41 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Senate Bill 1550 (Figueroa, Chapter 491, Stats. 2006) created the Professional Fiduciaries Bureau under the Department to license and regulate private fiduciaries under the Professional Fiduciaries Act (Act). The legislation required any person in California representing himself or herself as a professional fiduciary under the Act to be licensed by July 1, 2008. In 2007, the Act was amended by Senate Bill 1047 (Committee on Business, Professionals, and Economic Development, Chapter 354, Stats. 2007) to extend the licensing deadline to January 1, 2009, but, it still prohibits a court from appointing a person on or after July 1, 2008 to carry out the duties of a professional fiduciary unless the person holds a valid license.

The Act requires the Bureau adopt a Code of Ethics (Business and Professions Code sections 6520, 6533(h)) and promulgate the necessary educational requirements (Business and Professions Code sections 6518(b), 6533(e), 6538, 6540) for licensure.

This regulatory action adopts Division 41 (commencing with section 4400) of Title 16 of the California Code of Regulations. Specifically, the proposed regulations would:

Article 3. Prelicensing and Continued Education

Adopt Section 4440. This section would establish the prelicensing education requirement for license candidates.

Adopt Section 4442. This section would establish the continuing education requirements for licensees.

Adopt Section 4443. This section specifies the continued education requirements following initial licensure.

Adopt Section 4444. This section would set the criteria for approved education courses for licensing.

Adopt Section 4446. This section would recognize education providers approved by the Bureau.

Adopt Section 4448. This section would specify the requirements for education providers.

Adopt Section 4450. This section would define proof of compliance for prelicensing credits.

Adopt Section 4452. This section would define proof of compliance for continuing education requirements.

Article 4. Code of Ethics

Adopt Section 4470. This section would establish general principles for the Code of Ethics.

Adopt Section 4472. This section would specify decision-making standards in the Code of Ethics for professional fiduciaries acting on behalf of the consumer.

Adopt Section 4474. This section would create confidentiality standards in the Code of Ethics to protect the personal matters of fiduciary consumers.

Adopt Section 4476. This section would establish conflict of interest standards in the Code of Ethics for the management of consumer affairs.

Adopt Section 4478. This section would govern the decision-making process in the Code of Ethics for determining the most appropriate residential placement of the consumer.

Adopt Section 4480. This section would establish decision-making standards in the Code of Ethics for determining the appropriate courses of care, treatment, and services of the consumer.

Adopt Section 4482. This section would establish professional standards in the Code of Ethics for the management of the consumer's estate.

Adopt Section 4484. This section would govern the duties required in the Code of Ethics for limitation or elimination of fiduciary powers, including restoration of capacity, and specifies the duties to terminate the fiduciary relationship.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

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

Impact on Jobs/New Businesses:

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

Cost Impact on Representative Private Person or Business:

The costs associated with this regulation only include those costs required to meet the education mandates for preclicensing and continued education. Out of the 600 to 1,000 estimated licensing population, a portion of license applicants will have already met some or all of the preclicensing education requirements.

Assuming that the applicant has not met any of the education credits for preclicensing, it would cost \$1,005 to take three California State Fullerton courses to qualify.

To meet the ongoing 15 hours of education requirement each year, depending upon the courses taken, it could cost between \$485-\$625 per licensee, as determined at this time. It is possible that by the time that continuing education credits must be earned for license renewal there will be more courses available and prices may adjust downward.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would affect small fiduciary businesses that are subject to licensing under the Act.

CONSIDERATION OF ALTERNATIVES

It is necessary for the Bureau to adopt a Code of Ethics and education criteria regulations to implement the licensing program as mandated by SB 1550.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Professional Fiduciaries Bureau at 1625 N. Market Blvd., Suite S-202, Sacramento, California 95834.

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

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

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

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Susan Lancara
 Address: 1625 N. Market Blvd.,
 Suite S-202
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Susan_Lancara@dca.ca.gov

The backup contact person is:

Name: Mellonie Yang
 Address: 1625 N. Market Blvd.,
 Suite S-202
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Mellonie_Yang@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.fiduciary.ca.gov.

TITLE 16. CALIFORNIA PROFESSIONAL FIDUCIARIES BUREAU

DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the California Professional Fiduciaries Bureau, Department of Consumer Affairs (hereinafter "Department"), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the **Fee Schedule** at a hearing to be held at the:

Department of Consumer Affairs
 1st Floor Hearing Room
 1625 North Market Boulevard
 Sacramento, California on

February 8, 2008

9:00 a.m. to 11:00 a.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the California Professional Fiduciaries Bureau (hereinafter “Bureau”) at its office not later than 5:00 p.m. on February 8, 2008 or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 6517 and 6592 of the Business and Professions Code, and to implement, interpret or make specific Sections 122, 134, 152.6, 163.5, 6533, 6541, and 6592 of said Code, the California Professional Fiduciaries Bureau, Department of Consumer Affairs, adopts Division 41 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW**

Senate Bill 1550 (Figueroa, Chapter 491, Stats. 2006) created the Professional Fiduciaries Bureau (Bureau) under the Department to license and regulate private fiduciaries under the Professional Fiduciaries Act (Act). The legislation required any person in California representing himself or herself as a professional fiduciary under the Act to be licensed by July 1, 2008. In 2007, the Act was amended by Senate Bill 1047 (Committee on Business, Professionals, and Economic Development, Chapter 354, Stats. 2007) to extend the licensing deadline to January 1, 2009, but, it still prohibits a court from appointing a person on or after July 1, 2008 to carry out the duties of a professional fiduciary unless the person holds a valid license.

As mandated by the Act, the fees shall be set by regulation at an amount necessary to recover the costs to the

Bureau in carrying out the provisions of the Act. The proposed fee schedule is needed to fund the operations of the Bureau licensing program. Furthermore, the proposed fee schedule is needed in conjunction with two other packages of regulations, covering the code of ethics, education and examination criteria, and licensing requirements, to implement the program.

This regulatory action adopts Section 4580 of Article 9 of Division 41 of Title 16 of the California Code of Regulations. Specifically, this regulatory action:

Article 9. Fees

Adopts Section 4580. This section adopts a fee schedule for the Bureau’s licensing and regulatory program. It is anticipated that it will cost \$550,000 in 07/08 to implement the program and process applications and \$415,000 annually for license compliance. This includes staff resources and initial costs to meet the information technology needs of the Bureau to build an electronic system to track applicants and to maintain a database of licensee files. Ongoing costs annually will be \$415,000. This includes staff resources and costs of disciplinary actions for licensee noncompliance matters. With a projected population of 600 licensees it is necessary to impose a \$400 application processing fee, a \$600 licensing fee, and a \$700 annual renewal fee to cover Bureau operating expenses.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

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

Impact on Jobs/New Businesses:

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

Cost Impact on Representative Private Person or Business:

The cost impact of this regulation includes only the costs that must be borne by individual fiduciaries for licensing or by sponsoring employers.

Effect on Housing Costs: None

CONTACT PERSON

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would affect small fiduciary businesses that are subject to licensing under the Act.

CONSIDERATION OF ALTERNATIVES

The Professional Fiduciaries Bureau must determine that no alternative it considers would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Professional Fiduciaries Bureau at 1625 N. Market Blvd., Suite S 202, Sacramento, California 95834.

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

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

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

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Susan Lancara
 Address: 1625 N. Market Blvd.,
 Suite S 202
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Susan_Lancara@dca.ca.gov

The backup contact person is:

Name: Mellonie Yang
 Address: 1625 N. Market Blvd.,
 Suite S 202
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Mellonie_Yang@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.fiduciary.ca.gov.

TITLE 16. CALIFORNIA PROFESSIONAL FIDUCIARIES BUREAU

DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the California Professional Fiduciaries Bureau, Department of Consumer Affairs (hereinafter "Department"), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the **General Provisions (Licensing)** at a hearing to be held at the:

Department of Consumer Affairs
 1st Floor Hearing Room
 1625 North Market Boulevard
 Sacramento, California on

February 8, 2008

1:30 p.m. to 3:30 p.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the California Professional Fiduciaries Bureau (hereinafter "Bureau") at its office not later than 5:00 p.m. on February 8, 2008 or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify

such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 136, 152.6, 481, 482, 6517, 6539 of the Business and Professions Code, and to implement, interpret or make specific Sections 134, 136, 141, 142, 152.6, 480, 481, 482, 490, 6500, 6501, 6502, 6510, 6518, 6530, 6533, 6534, 6535, 6536, 6537, 6538, 6539, 6541, 6560, and 6561 of said Code, the California Professional Fiduciaries Bureau, Department of Consumer Affairs, adopts Division 41 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill 1550 (Figueroa, Chapter 491, Stats. 2006) created the Professional Fiduciaries Bureau (Bureau) under the Department to license and regulate private fiduciaries under the Professional Fiduciaries Act (Act). The legislation required any person in California representing himself or herself as a professional fiduciary under the Act to be licensed by July 1, 2008. In 2007, the Act was amended by Senate Bill 1047 to extend the licensing deadline to January 1, 2009, but, it still prohibits a court from appointing a person on or after July 1, 2008 to carry out the duties of a professional fiduciary unless the person holds a valid license.

The Act specifies the requirements for licensing qualification.

This regulatory action adopts Articles 1, 2, 5, 6, 7, and 8 of Division 41 of Title 16 (Commencing with 4400) of the California Code of Regulations. Specifically, this regulatory action adopts:

Article 1. General Provisions

Adopts Section 4400.

This section specifies the authority of the Act for regulations.

Adopts Section 4402.

This section designates the Bureau's mailing address.

Adopts Section 4404.

This section establishes the criteria for filing of business and residential addresses by licensees.

Adopts Section 4406.

This section provides definitions of common terms used throughout the regulations.

Article 2. Application

Adopts Section 4420.

This section specifies the location for filing a licensing application with the Bureau.

Adopts Section 4422.

This section defines the process for filing and processing the licensing application.

Adopts Section 4424.

This section specifies the process for application review and license issuance.

Adopts Section 4426.

This section defines the abandonment of application standard.

Adopts Section 4428.

This section deals with the duration of an initial license, specifies the renewal date, establishes the related proration of fees, and defines the continued education requirements for the initial license and first renewal.

Article 5. Examination

Adopts Section 4500.

This section establishes the examination criteria.

Article 6. License Denial

Adopts Section 4520.

This section establishes standards for license denial.

Adopts Section 4522.

This section specifies the rehabilitation criteria for licensure.

Article 7. Annual Reporting Duties of Licensees

Adopts Section 4540.

This section adopts specific the annual reporting requirements.

Adopts Section 4542.

This section specifies the annual statement reporting requirements.

Article 8. Renewal of License

Adopts Section 4560.

This section specifies the requirements for license renewal.

Adopts Section 4562.

This section defines delinquency for renewal.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

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

Impact on Jobs/New Businesses:

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

Cost Impact on Representative Private Person or Business:

The cost impact of this regulation include only those costs associated with the time it takes to fill out the application, take the examination, and meet the reporting requirements of the annual statement.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would affect small fiduciary businesses that are subject to licensing under the Act.

CONSIDERATION OF ALTERNATIVES

The Professional Fiduciaries Bureau must determine that no alternative it considers would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Professional Fiduciaries Bureau at 1625 N. Market Blvd., Suite S 309, Sacramento, California 95834.

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

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

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

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Susan Lancara
 Address: 1625 N. Market Blvd.,
 Suite S 309
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Susan_Lancara@dca.ca.gov

The backup contact person is:

Name: Mellonie Yang
 Address: 1625 N. Market Blvd.,
 Suite S 309
 Sacramento, CA 95834
 Telephone No.: (916) 574-7340
 Fax No.: (916) 574-8645
 E-Mail Address: Mellonie_Yang@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.fiduciary.ca.gov.

**TITLE 17. INSTITUTE FOR
REGENERATIVE MEDICINE**

**NOTICE OF PROPOSED REGULATION
ADOPTION**

**California Code of Regulations
Title 17. — Public Health
Division 4 — California Institute For
Regenerative Medicine
Chapter 7**

Date: December 21, 2007

Deadline for Submission of Written Comment:
February 4, 2008 — 5:00 p.m.

Hearing Date: None scheduled.

**Subject Matter of Proposed Regulations: Grant
Administration Policy for Major Facilities Grants
— CIRM RFA 07–03.**

Sections Affected:

The proposed regulation adopts section 100701 of Title 17 of the California Code of Regulations.

Authority: Article XXXV of the California Constitution and Health and Safety Code section 125290.40, subdivision (j).

Reference: Sections 125290.30, 125290.40, 125290.65, 125290.70, 125292.10, Health and Safety Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The California Institute for Regenerative Medicine (“Institute” or “CIRM”) was established in early 2005 with the passage of Proposition 71 (the “Act”), the California Stem Cell Research and Cures Initiative. The statewide ballot measure, which provides \$3 billion in funding for stem cell research and dedicated facilities at California universities and research institutions, was approved by California voters on November 2, 2004, called for the establishment of a new state agency to make grants and provide loans for stem cell research, research facilities and other vital research opportunities.

The Independent Citizens’ Oversight Committee (“ICOC”) is the 29–member governing board for the Institute. The ICOC members are public officials, appointed on the basis of their experience earned in California’s leading public universities, non–profit aca-

demical and research institutions, patient advocacy groups and the biotechnology industry.

The Act charges the ICOC with developing standards and criteria to make grant awards and to develop standards and criteria for proper oversight of awards. (§ 125290.50.) To that end, the Scientific and Medical Facilities Working Group has developed a document titled “CIRM Grant Administration Policy for Major Facilities Grants — RFA 07–03.”

This policy serves to guide Major Facilities grant recipients on their responsibilities as CIRM grantees. Principal investigators, program directors, and organizational officials with grants management responsibilities may refer to pertinent sections for answers to questions that arise concerning the administration of the grants. By accepting a CIRM Major Facilities grant award, the grantee is agreeing to comply with the provisions set forth in the policy for the entire project period of the grant, in addition to provisions of the CIRM grants administration policy already adopted by the ICOC and codified in Title 2, California Code of Regulations section 100500.

The policy incorporated by the regulation sets forth the rules governing the eligibility for Major Facilities grants, describes the priorities for applications for those grants, and sets forth a preference for California suppliers mandated by Proposition 71. The policy also describes issues pertinent to the construction and procurement process, such as the prevailing rate of wages that must be paid and the cost standards that will be allowed.

The policy also describes the formula for matching funds that Major Facilities grantees must satisfy to qualify for a grant and indicates how the equity match will be calculated and documented.

Oversight and payment procedures and the benchmarks for payment of grant funds during project development are described. In addition, rules governing the reimbursement of applicants for the cost of equipment, rules for transfer of equipment, the requirement and inclusion of progress reports, and post–audit procedures are described.

**Technical, Theoretical or Empirical Studies,
Reports or Documents:**

A. Documents or Laws:

- Title 2, California Code of Regulations, section 100500 — Grants Administration Policy for Non–Profit and Academic Institutions
(http://www.cirm.ca.gov/reg/pdf/reg100500_policy.pdf)
- CIRM Grant Administration Policy for Major Facilities Grants — RFA 07–03.
(http://www.cirm.ca.gov/meetings/pdf/2007/100307_item_7a.pdf)

B. Public Input:

Discussion and public input received at six public meetings conducted by the ICOC and Scientific and Medical Facilities Working Group, on June 4, June 19, July 12, July 30, October 2, and October 3, 2007.

Copies of the documents referenced above are available at the internet link indicated or at the offices of CIRM located at 210 King Street, San Francisco, California, 94107. Transcripts and meeting minutes of the meetings referenced in Section “B” are available on CIRM’s website, www.cirm.ca.gov under the “Meetings Transcripts” and “Meetings Minutes” links.

Submittal of Comments:

Any interested party may present comments in writing about the proposed action to the agency contact person named in this notice. Written comments must be received no later than 5:00 p.m. on February 4, 2008. Comments regarding this proposed action may also be transmitted via e-mail to fgapcomments@cirm.ca.gov or by facsimile transmission to (415) 396-9141.

At this time, no public hearing has been scheduled concerning the proposed regulations. If any interested person or the person’s representative requests a public hearing, he or she must do so in writing no later than January 21, 2008.

Effect on Small Business:

CIRM has determined that the proposed regulatory action has no impact on small businesses. The regulation implements conditions on awarding grants for stem cell research. This research is conducted almost exclusively by large public and private non-profit institutions, as well as large for-profit institutions. As such, the regulation is not expected to adversely impact small business as defined in Government Code section 11342.610.

Impact on Local Agencies or School Districts:

CIRM has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts, nor does it require reimbursement by the state pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code because the regulatory action does not constitute a “new program or higher level of service of an existing program” within the meaning of section 6 of Article XIII of the California Constitution. CIRM has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

Costs or Savings to State Agencies:

CIRM has determined that no savings or increased costs to any agency will result from the proposed regulatory action.

Effect on Federal Funding to the State:

CIRM has determined that no costs or savings in federal funding to the state will result from the proposed regulatory action.

Effect on Housing Costs:

CIRM has made an initial determination that the proposed action will have no effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Businesses:

CIRM has made an initial determination that adoption of this regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California Businesses to compete with businesses in other states.

Cost Impacts on Representative Private Persons or Businesses:

CIRM has made an initial determination that the adoption of this regulation will not have a significant cost impact on representative private persons or businesses. The CIRM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Impact on the Creation, Elimination, or Expansion of Jobs:

CIRM has determined it is unlikely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

Consideration of Alternatives:

CIRM must determine that no reasonable alternatives considered by the agency, or that have otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or businesses than the regulatory action.

Availability of Statement of Reasons and Text of Proposed Regulations:

CIRM has prepared an Initial Statement of Reasons, and has available the express terms of the proposed action, all of the information upon which the proposal is based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulation may be obtained from the agency contact person named in this notice. The information upon which CIRM relied in preparing this proposal and the rulemaking file are available for review at the address specified below.

Availability of Changed or Modified Text:

After the close of the comment period, CIRM may make the regulation permanent if it remains substantially the same as described in the Policy Statement Over-

view. If CIRM does make changes to the regulation, the modified text will be made available for at least 15 days prior to adoption. Requests for the modified text should be addressed to the agency contact person named in this notice. CIRM will accept written comments on any changes for 15 days after the modified text is made available.

Agency Contact:

Written comments about the proposed regulatory action; requests for a copy of the Initial Statements of Reasons, the proposed text of the regulation, and a public hearing; and inquiries regarding the rulemaking file may be directed to:

Tamar Pachter, General Counsel
California Institute for Regenerative Medicine
210 King Street
San Francisco, CA 94107
(415) 396-9100

Questions on the substance of the proposed regulatory action may be directed to:

Rick Keller, Senior Officer for Scientific and Medical Research Facilities
California Institute for Regenerative Medicine
(415) 396-9130

The Notice of Proposed Regulatory Adoption, the Initial Statement of Reasons and any attachments, and the proposed text of the regulations are also available on CIRM's website, www.cirm.ca.gov.

Availability of Final Statement of Reasons:

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code section 11346.9, subdivision (a), may be obtained from the contact person named above. In addition, the Final Statement of Reasons will be posted on CIRM's webpage and accessed at www.cirm.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice

For Publication December 21, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Fish Ranch Road Soil Nail Wall Project
Contra Costa County

The Department of Fish and Game (Department) received a notice on November 19, 2007 that the Califor-

nia Department of Transportation (Caltrans) 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 repair of slope failure through the installation of a soil nail wall and the re-establishment of drainage on a .33-acre area along the Fish Ranch Road off-ramp (Post Mile 0.3) of State Route 24 in Contra Costa County, CA (Project). Project activities associated with staging and construction will result in permanent impacts to approximately 0.33 acres of habitat suitable for the Alameda whipsnake (*Masticophis lateralis euryxanthus*) and temporary impacts that were not quantified to the Alameda whipsnake.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (81420-2008-F-0291)(BO) and incidental take statement (ITS) to the Federal Highway Administration (FHWA) on November 08, 2007 which considered the effects of the project on the Federally and State threatened Alameda whipsnake. Pursuant to California Fish and Game Code Section 2080.1, Caltrans 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, Caltrans 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

Department of Fish and Game —
Public Interest Notice

For Publication December 21, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Interstate 680 Sunol Grade Southbound Project
Santa Clara and Alameda Counties

The Department of Fish and Game (Department) received a notice on December 07, 2007 that the California Department of Transportation (Caltrans) 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 southbound High Occupancy Vehicle (HOV) lane, auxiliary lane, ramp metering, and related improvements along a 21.7-mile stretch of I-680 beginning at the interchange of I-680 with Calaveras Road/SR 237 in the City of Milpitas, in Santa Clara County, continuing through the City of Fremont in Alameda County, and ending at the Stoneridge Drive

interchange in the City of Pleasanton, also in Alameda County (Project). Project activities associated with staging and construction will result in temporary and permanent impacts to habitat suitable for the Alameda whipsnake (*Masticophis lateralis euryxanthus*).

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (1-1-07-F-0358)(BO) and incidental take statement (ITS) to the Federal Highway Administration (FHWA) on October 2, 2007 which considered the effects of the project on the Federally and State threatened Alameda whipsnake. Pursuant to California Fish and Game Code Section 2080.1, Caltrans 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, Caltrans 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

Department of Fish and Game —
Public Interest Notice

For Publication December 21, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Jacobs Slough Mitigation—Willey Preserve Project
Sutter County

The Department of Fish and Game (Department) received a notice on December 10, 2007 that Sacramento County Airport System (SCAS) 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 mitigating for prior unauthorized fill activities occurring at Jacobs Slough through the restoration of 86.5 acres of freshwater marsh habitat, 99.0 acres of upland habitat, and 30.0 acres of upland habitat buffer between the restored marsh and Sankey Road (Project). The approximately 217-acre proposed project site is located in the Natomas Basin approximately 0.3 mile east of the intersection of Sankey Road and Power Line Road, on the south of Sankey Road and directly adjacent to the west of the North Drainage Canal in Sutter County, CA. Project activities associated with staging and restoration (such as water channel excavation and grading, riprap placement, road construction, fence installation, and well pad expansion) will result in temporary impacts to approximately 217 acres of habitat suitable for the giant garter snake (*Thamnophis gigas*) and permanent impacts to 25.31 acres of seasonal

wetland habitat (through filling) and 2.97 acres of irrigation ditch habitat (through installation of drains) suitable for the giant garter snake. The Project will result in minimal effects on giant garter snakes overall, as the completed Project will enhance the site for the benefit of the species.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (81420-2008-F-0052)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps) on December 03, 2007 which considered the effects of the project on the Federally endangered and State threatened giant garter snake. Pursuant to California Fish and Game Code Section 2080.1, SCAS 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, SCAS 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

Department of Fish and Game —
Public Interest Notice

For Publication December 21, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Shin Kee Tract Wetlands Restoration Project
San Joaquin County

The Department of Fish and Game (Department) received a notice on December 05, 2007 that the A.G. Spanos Company 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 creation of wetlands and associated upland habitats through mass grading and installation of two inlets/outlets along existing human-made levee on a 142-acre portion of the Shin Kee Tract, in San Joaquin County, CA (Project). Project activities associated with staging and construction will result in permanent impacts to approximately 1.35 acres of habitat suitable for the giant garter snake (*Thamnophis gigas*) and provide a net increase of approximately 142 acres of habitat for the species.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (1-1-07-F-0308)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps) on October 03, 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, A.G. Spanos Company 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, A.G. Spanos Company 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

Department of Fish and Game —
Public Interest Notice

For Publication December 21, 2007
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Uvas Creek Scour Mitigation Project
Santa Clara County

The Department of Fish and Game (Department) received a notice on December 07, 2007 that the California Department of Transportation (Caltrans) 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 of a replacement for Uvas Creek Bridge and demolition of the existing bridge on State Route (SR) 152, between Post Mile (PM) 6.1 and PM 6.68 in Santa Clara County, CA (Project). Project activities associated with staging, construction, and demolition will result in temporary impacts to approximately 548.9 acres of habitat suitable for the least Bell's vireo (*Vireo bellii pusillus*) and permanent impacts to approximately 1.31 acres of valley foothill riparian habitat, 2.66 acres of oak woodland, and 0.24 acres of riverine suitable for the least Bell's vireo.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (1-1-06-F-0159)(BO) and incidental take statement (ITS) to the U.S. Federal Highway Administration (FHWA) on June 27, 2006 which considered the effects of the project on the Federally and State endangered least Bell's vireo. Pursuant to California Fish and Game Code Section 2080.1, Caltrans 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, Caltrans will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

**DEPARTMENT OF HEALTH CARE
SERVICES**

NOTICE OF GENERAL PUBLIC INTEREST

**THE DEPARTMENT OF HEALTH CARE
SERVICES WILL IMPLEMENT THE
REQUIRED PAYMENT INCREASE FOR
COMPREHENSIVE FAMILY PLANNING
SERVICES**

This notice is to provide information of public interest with respect to reimbursement changes in family planning services provided by the Family Planning, Access, Care and Treatment (Family PACT) program and the Medi-Cal program. It is the intent of the Department of Health Care Services (DHCS) to implement a payment increase of 90.9 percent for eight (8) selected Evaluation and Management (E&M) office visit codes, effective January 1, 2008.

Pursuant to Section 447.205 of Title 42 of the Code of Federal Regulations, DHCS is required to issue a notice before the effective date of payment adjustments to Medi-Cal and other state health programs. The payment increase will affect eight (8) E&M office visit codes. They are as follows:

- 99201 through 99204, New Patient, females/males
- 99211 through 99214, Established Patients, females/males.

Welfare and Institutions Code section 14105.181, as required by Senate Bill 94 (Statutes of 2007, chapter 636), Family PACT and Medi-Cal providers rendering comprehensive family planning services using any of the codes listed above will receive an increase equal to the weighted average of at least 80 percent of the amount that the Federal Medicare program reimburses for these same or similar office visit codes. This weighted average has been determined to be 90.9 percent. The payment increase for the eight codes will be as follows:

<u>Code</u>	<u>From</u>	<u>To</u>
99201	\$22.90	\$43.72
99202	\$34.30	\$65.48
99203	\$57.20	\$109.19
99204	\$68.90	\$133.25
99211	\$12.00	\$22.91
99212	\$18.10	\$34.55
99213	\$24.00	\$45.82
99214	\$37.50	\$71.59

PUBLIC REVIEW AND COMMENTS

The changes discussed above are available for public review at local county welfare offices throughout the State. A copy of the California statute (Welfare and Institutions Codes section 14105.181) that prescribes the change may be requested in writing to Kathleen Y. Menda, Chief, Professional Provider Unit; Department of Health Care Services; Medi-Cal Benefits, Waivers Analysis, and Rates Division; MS 4612; P.O. Box 997413; Sacramento, CA 95899-7413.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

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

**NOTICE TO INTERESTED PARTIES
December 21, 2007**

**Announcement of Chemicals Selected by OEHHA
for Consideration for Listing by the Carcinogen
Identification Committee and
Request for Relevant Information on the
Carcinogenic Hazards of These Chemicals**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986¹ (Proposition 65). The Carcinogen Identification Committee (CIC) of OEHHA's Science Advisory Board Committee serves as the State's qualified experts for rendering an opinion whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause cancer. The chemicals identified by the CIC are added to the Proposition 65 list, which must be updated annually.

¹ Health and Safety Code section 25249.5 et seq.

OEHHA has selected three chemicals for the Committee's review for possible listing under Proposition 65 and is initiating the development of hazard identification materials on these chemicals. The chemicals are listed in Table I below.

Table 1. Chemicals Selected for Preparation of Cancer Hazard Identification Materials and Review for Possible Listing by the Carcinogen Identification Committee

CHEMICALS	CAS No.
N,N-Dimethylformamide	68-12-2
Marijuana smoke	---
2,4,6-Trinitrotoluene (TNT)	118-96-7

These chemicals were selected using the procedure described in the document entitled: "Process for Prioritizing Chemicals for Consideration under Proposition 65 by the State's Qualified Experts," adopted in 2004, and available on the Internet at www.oehha.ca.gov.

Following this prioritization process, OEHHA identified these three chemicals through application of an epidemiology data screen and a preliminary compilation and review of the toxicological evidence related to their carcinogenicity. On this basis OEHHA proposed these chemicals for Committee review and consultation. On September 7, 2007, OEHHA released for public comment the three chemicals proposed for Committee review, along with a summary of the available scientific information on each chemical's potential to cause cancer. These materials were also provided to the Committee and made available on OEHHA's Web site at www.oehha.ca.gov. The Committee met to consider these materials at a public meeting on November 19, 2007. At this meeting, the Committee advised OEHHA, by majority vote, to proceed with the process of preparing hazard identification materials for each of the three chemicals. These hazard identification materials will be presented at a subsequent meeting for Committee review for possible listing of the chemical under Proposition 65. After considering this input from the Committee and public comments, OEHHA has selected all three chemicals for preparation of cancer hazard identification materials and Committee review.

By this notice, OEHHA is providing the public an opportunity to provide information relevant to the assessment of the evidence of carcinogenicity for any of the chemicals listed in Table 1. Relevant information includes but is not limited to: cancer bioassays, cancer epidemiological studies, genotoxicity testing, and other pertinent data on pharmacokinetics, biomarkers, and effects on biochemical and physiological processes in humans for any of the three chemicals. Interested parties or members of the public wishing to provide such information should send it to the address given below.

The publication of this notice marks the start of a 60-day data call-in period. This period will end on **Tuesday, February 20, 2008**. The information received during this data call-in period will be reviewed and considered by OEHHA as it prepares the cancer hazard identification materials on these chemicals. This request for information is the next step in the process described in the 2004 prioritization procedure.

Notification of the availability of the hazard identification materials and of the time, date, location, and agenda of the meetings of the Carcinogen Identification Committee where these chemicals will be considered will be provided in subsequent notices published in the *California Regulatory Notice Register* and will also be posted on OEHHA's website. It is anticipated that the hazard identification materials will be made available for a 60-day comment period prior to the Committee meetings at which these chemicals will be considered.

Relevant information on these chemicals should be submitted to:

Cynthia Oshita
Office of Environmental Health Hazard Assessment
Proposition 65 Implementation
P.O. Box 4010
1001 I Street, 19th Floor
Sacramento, California 95812-4010
FAX: (916) 323-8803
Or via e-mail to coshita@oehha.ca.gov

It is requested that all hard-copy materials be submitted in triplicate.

Submissions may also be delivered in person or by courier to the above address. In order to be considered, the relevant information must be received at OEHHA (if delivered in person or sent by FAX) by 5:00 p.m. on Tuesday, February 19, 2008.

DECISION NOT TO PROCEED

DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE OF DECISION NOT TO PROCEED (Pursuant to Government Code section 11347)

On November 16, 2007, the California Department of Food and Agriculture (CDFA) published a Notice of Proposed Rulemaking concerning "Citrus Assessments." The proposed action would adjust assessment rates on citrus producers and was unanimously approved by the California Citrus Advisory Committee.

This Committee is advisory to the Secretary of CDFA on all matters concerning citrus including budgetary items and regulations.

Upon review, the Department has determined that the regulation does not require the approval of the Office of Administrative Law because it is a regulation that establishes or fixes rates, prices or tariffs. (Gov. Code, sec. 11340.9, subd. (g).)

Pursuant to Government Code Section 11347, CDFA hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register (CRNR), November 16, 2007 (CRNR 2007, No. 46-Z, p. 1907, OAL File No. Z-07-1105-02).

Any interested person with questions concerning this rulemaking should contact Amadou Ba at either (916) 445-2427 or by e-mail at: aba@cdfa.ca.gov

The Department will also publish this Notice of a Decision Not to Proceed on its website.

OAL REGULATORY DETERMINATIONS

BOARD OF PAROLE HEARINGS

OFFICE OF ADMINISTRATIVE LAW

DETERMINATION OF ALLEGED UNDERGROUND REGULATIONS (Summary Disposition)

(Pursuant to Government Code Section 11340.5
and
Title 1, section 270, of the
California Code of Regulations)

Date: December 5, 2007
To: Frederick L. Baker
From: Chapter Two Compliance Unit
Subject: **2007 OAL DETERMINATION NO. 24(S)**
(CTU 2007-1203-01)
(Issued pursuant to Gov. Code, sec. 11340.5;
Cal. Code Regs., tit. 1, sec. 270(f)(2)(C))

Petition challenging as an underground regulation California Code of Regulations, title 15, section 2042

On December 3, 2007, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether California Code of Regulations,

title 15, section 2042, adopted by the Board of Parole Hearings, is an underground regulation.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a “regulation” as defined in Government Code section 11342.600¹, which should have been, but was not, adopted pursuant to the Administrative Procedure Act (APA). Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

If a rule meets the definition of a regulation in Government Code section 11342.600, but was not adopted pursuant to the APA, it may be an “underground regulation” as defined in California Code of Regulations, title 1, section 250:

The following definitions shall apply to the regulations contained in this chapter:

(a) “Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, *but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA* and is not subject to an express statutory exemption from adoption pursuant to the APA. (Emphasis added)

Pursuant to Government Code section 11343.6, the filing of a rule with the Secretary of State raises the rebuttable presumption that it was duly adopted and that all the requirements of the APA have been met. You have challenged as an underground regulation California Code of Regulations, title 15, section 2042. Section 2042 was originally filed with the Secretary of State on June 11, 1979. It has been amended twice since the original adoption; the most recent amendment was filed with the Secretary of State on October 14, 2003.

Section 2042, then, has been adopted as a regulation and filed with the Secretary of State pursuant to the APA.² There is no evidence to rebut the statutory presumption established pursuant to Government Code

¹ “Regulation” means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

(Footnote 2 continued on next column)

section 11343.6. The challenged rule is not, therefore, an underground regulation.³

Date: December 5, 2007

/s/

Kathleen Eddy
Senior Counsel

/s/

Susan Lapsley
Director

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323–6225

DISAPPROVAL DECISIONS

DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS

Printed below are the summaries of Office of Administrative Law disapproval decisions. Disapproval decisions are available at www.oal.ca.gov. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814–4339, (916) 323–6225 — FAX (916) 323–6826. Please request by OAL file number.

² The correct avenue for requesting an adoption, amendment or repeal of a properly adopted regulation is to submit a petition pursuant to Government Code section 11340.6, to the agency that adopted the regulation requesting such a change.

³ A rule which is contained in a properly adopted regulation is the proper subject of a summary disposition letter. California Code of Regulations, Title 1, section 270, subdivision (f) provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review . . . demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be used to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.

(B) The challenged rule is contained in a California statute.

(C) *The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.*

(D) The challenged rule has expired by its own terms.

STATE BOARD OF EDUCATION

AGENCY: STATE BOARD OF EDUCATION

Title 5, California Code of Regulations

ACTION: Amend sections 3051.16, 3065

DECISION OF DISAPPROVAL
OF REGULATORY ACTION

(Gov. Code, sec. 11349.3)

OAL File No. 2007-1015-04 SR

DECISION SUMMARY

On March 21, 2007, the State Board of Education (Board) submitted to the Office of Administrative Law (OAL) proposed amendments to Title 5, sections 3051.16 and 3065 of the California Code of Regulations. The proposed amendments seek to change the requirements for qualification of interpreters for pupils who are deaf or hard of hearing. The rulemaking was withdrawn from OAL review and resubmitted on October 15, 2007.

DATE: December 5, 2007

/s/
Elizabeth Heidig
Staff Counsel

For: SUSAN LAPSLEY
Director

Original: Roger Magyar, General Counsel
cc: Connie Diaz

CALIFORNIA HORSE RACING BOARD

In re:
CALIFORNIA HORSE RACING BOARD
REGULATORY ACTION:

Title 4, California Code of Regulations

Adopt section: 1843.3
Amend section: 1843.2

DECISION OF DISAPPROVAL
OF REGULATORY ACTION

(Gov. Code, sec. 11349.3)

OAL File No. 2007-1019-01 SR

DECISION SUMMARY

On October 19, 2007, the California Horse Racing Board ("Board") submitted to the Office of Administrative Law (OAL) proposed changes to Title 4 of the California Code of Regulations (CCR). The proposed rulemaking seeks to establish the classification of drug substances administered to horses and penalty guidelines for violation(s) of Business and Professions Code section 19581, which provides that no substance of any kind may be administered to a horse after the horse has been entered into a race, unless the Board has specifically made provision for it. The OAL notified the Board on December 04, 2007, that the proposed rulemaking was disapproved. OAL disapproved the proposed regulations for the following reasons:

- (1) Failure to comply with the Consistency standard of Government Code section 11349.1;
- (2) Failure to comply with the Clarity standard of Government Code section 11349.1;
- (3) Failure to follow the correct APA procedures; and,
- (4) Failure to summarize and/or adequately respond to each comment made regarding the proposed action.

Date: December 11, 2007

/s/
ELIZABETH A. HEIDIG
Staff Counsel

For: SUSAN LAPSLEY
Director

Original: Ingrid Fermin, Executive Director
Cc: Harold Coburn

**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# 2007-1024-01
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
 Training Specifications for Peace Officer Basic Courses

This action amends the incorporated Training and Testing Specifications for Peace Officer Basic Courses by updating training requirements set forth in nine learning domains.

Title 11
 California Code of Regulations
 AMEND: 1005, 1007, 1008
 Filed 12/10/2007
 Effective 01/01/2008
 Agency Contact: Patricia Cassidy (916) 227-4847

File# 2007-1025-02
CORRECTIONS STANDARDS AUTHORITY
 Standards and Training for Local Corrections and Probation Officers

Correctional Standards Authority proposes amendment to Title 15, Section 176 to increase from 134 hours to 160 hours the core course instruction hours for entry-level juvenile counselors.

Title 15
 California Code of Regulations
 AMEND: 176
 Filed 12/11/2007
 Effective 01/10/2008
 Agency Contact: Sukie Dhillon (916) 445-9154

File# 2007-1026-03
DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS
 Counselor Certification — Certifying Organizations

In order to work as a counselor in an alcohol and other drug (AOD) treatment program, individuals were required to be registered or certified by any of the certifying organizations listed in Section 13035, Title 9, California Code of Regulations (CCR). Section 13035 previously required all certifying organizations to become accredited by the National Commission for Certifying Agencies (NCCA) by April 1, 2007 in order to continue certifying AOD counselors. This filing is a certificate of compliance for an emergency regulatory action which extended that accreditation deadline to September 30, 2007.

Title 9
 California Code of Regulations
 AMEND: 13035
 Filed 12/10/2007
 Effective 12/10/2007
 Agency Contact: Mary Conway (916) 445-0834

File# 2007-1026-02
DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS
 Conflict of Interest Code

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

Title 9
 California Code of Regulations
 AMEND: 9100
 Filed 12/06/2007
 Effective 12/06/2007
 Agency Contact: Mary Conway (916) 445-0834

File# 2007-1023-04
DEPARTMENT OF FOOD AND AGRICULTURE
 Japanese Beetle Eradication Area

This regulatory action is the certificate of compliance for establishing Los Angeles County as an area of eradication for the Japanese beetle (*Popillia japonica*).

Title 3
California Code of Regulations
AMEND: 3589
Filed 12/06/2007
Effective 12/06/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1206-06
DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

This emergency regulatory action expands the Mediterranean Fruit Fly Interior Quarantine currently in effect in 3 Cal. Code Regs. section 3406(b) for a portion of Los Angeles County to address a recent trap of this pest.

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 12/10/2007
Effective 12/10/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1024-03
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
HOME Investment Partnership Program

The Department of Housing and Community Development is responsible for coordinating federal-state relationships in housing development. Health & Safety Code section 50406 authorizes the Department to allocate the Federal Home Investment Partnership Program funds to entities that qualify as Community Housing Development Organizations (CHDOs). These regulatory amendments revise the procedures for awarding and disbursing those funds. These regulatory amendments will be effective on filing pursuant to Government Code section 11343.4.

Title 25
California Code of Regulations
ADOPT: 8207.1, 8212.3 AMEND: 8204, 8207, 8208, 8209, 8210, 8211, 8212, 8212.1, 8213, 8216, 8217
Filed 12/10/2007
Effective 12/10/2007
Agency Contact: Lenora Frazier (916) 323-4475

File# 2007-1030-01
DEPARTMENT OF INDUSTRIAL RELATIONS
Collection Cost Fees

Section 19290 of the Revenue and Taxation Code provides that the Department of Industrial Relations (DIR) is to enter into an interagency agreement with the

Franchise Tax Board (FTB) to collect unsatisfied judgments and delinquent debts based upon final determinations by DIR following exhaustion of appeal remedies. Section 19290 of the Revenue and Taxation Code also provides that DIR is to adopt rules and regulations to provide for a reasonable fee to cover actual collection costs, and that, whenever possible, the collection costs shall be borne by the judgment debtor. This regulatory action would establish a collection cost fee which will be imposed on the judgment debtor to cover actual collection costs.

Title 8
California Code of Regulations
ADOPT: 13800
Filed 12/10/2007
Effective 01/09/2008
Agency Contact: Alison Breen (916) 322-3157

File# 2007-1026-06
DEPARTMENT OF JUSTICE
Initial Charitable Registration Form

In this regulatory action, the Department of Justice (Attorney General) amends its regulation pertaining to the initial registration of charitable corporations, unincorporated associations, trustees and other persons subject to the registration requirements of the Supervision of Trustees and Fundraisers for Charitable Purposes Act. The amended regulation sets forth the requirements for the Initial Registration Form applicable to these charitable organizations pursuant to Government Code section 12585.

Title 11
California Code of Regulations
AMEND: 300
Filed 12/11/2007
Effective 01/10/2008
Agency Contact: Karen Denvir (916) 323-6665

File# 2007-1025-01
DIVISION OF WORKERS COMPENSATION
Workers' Compensation: Benefit Notices

This action defines terms and prescribes a procedure and notification requirements for an employer to follow when terminating the use of a medical provider network for the provision of workers compensation benefits. It also changes some standard notification requirements and includes provisions intended to assure that injured workers will receive additional information about their rights when they are notified of decisions and other actions. OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. The changes will take effect on April 9, 2008.

Title 8
 California Code of Regulations
 ADOPT: 9767.16, 9813.1, 9813.2 AMEND:
 9767.1, 9810, 9811, 9812, 9813
 Filed 12/11/2007
 Effective 04/09/2008
 Agency Contact:
 James M. Robbins (415) 703-4669

File# 2007-1109-05
 NEW MOTOR VEHICLE BOARD
 ACP Fee 2007/2008

This nonsubstantive change implements an existing regulatory formula to calculate the fee collected from manufacturers and distributors of motor vehicles in support of the Arbitration Certification Program. The Current fee is \$.42 and will be revised, pursuant to the formula, to \$.497.

Title 13
 California Code of Regulations
 AMEND: 553.70
 Filed 12/10/2007
 Agency Contact: Dawn K. Kindel (916) 445-1888

File# 2007-1022-01
 OFFICE OF STATEWIDE HEALTH PLANNING
 AND DEVELOPMENT
 Mental Health Service Provider Loan Repayment

This action establishes definitions, a loan application process, and standards for the licensed mental health service provider education program.

Title 22
 California Code of Regulations
 ADOPT: 97930, 97930.1, 97930.2, 97930.3,
 97930.4, 97930.5, 97930.6, 97930.7, 97930.8,
 97930.9, 97930.10
 Filed 12/06/2007
 Effective 12/06/2007
 Agency Contact: Glen Padayachee (916) 324-6676

File# 2007-1023-05
 STATE WATER RESOURCES CONTROL BOARD
 Basin Plan Amendment to establish a TMDL for patho-
 gens in Napa River

This regulatory action amends the Water Quality Control Plan for the San Francisco Bay Region Basin Plan. The Basin Plan amendment establishes a Total Maximum Daily Load and Implementation Plan for pathogens in the Napa River Watershed.

Title 23
 California Code of Regulations
 ADOPT: 3918
 Filed 12/06/2007
 Effective 12/06/2007
 Agency Contact: Mitchell Goode (916) 341-5726

File# 2007-1023-06
 STATE WATER RESOURCES CONTROL BOARD
 Basin Plan Amendment to establish a TMDL for patho-
 gens in Sonoma Creek

This regulatory action amends the Water Quality Control Plan for the San Francisco Bay Region to establish a total maximum daily load (TMDL) for pathogens in Sonoma Creek

Title 23
 California Code of Regulations
 ADOPT: 3919
 Filed 12/07/2007
 Agency Contact: Mitchell Goode (916) 341-5726

File# 2007-1022-02
 VICTIM COMPENSATION AND GOVERNMENT
 CLAIMS BOARD
 Victims of Crime Program Regulations

This change without regulatory effect reorganizes and renumbers the Board's regulations regarding the Victims of Crime Program and corrects or removes statutory citations that have changed. In addition, part of one section is removed due to the repeal of the underlying statute.

Title 2
 California Code of Regulations
 AMEND: 649, 649.1 (Renumbered to 649.15),
 649.1.1 (Renumbered to 649.16), 649.2 (Renum-
 bered to 649.12), 649.3 (Renumbered to 649.24),
 649.7 (Renumbered to 649.35), 649.8 (Renumbered
 to 649.36), 649.9 (Renumbered to 649.7), 649.10
 (Renumbered to 649.22), 649.11 (Renumbered to
 649.8), 649.12 (Renumbered to 649.9), 649.13 (Re-
 numbered to 649.23), 649.14 (Renumbered to
 649.27), 649.15 (Renumbered to 649.11), 649.16
 (Renumbered to 649.30), 649.17 (Renumbered to
 649.31), 649.18 (Renumbered to 649.26), 649.20,
 649.21, 649.22 (Renumbered to 649.10), 649.71
 (Renumbered to 649.25), 649.72 (Renumbered to
 649.4), 650.1 (Renumbered to 649.6), 651.1 (Re-
 numbered to 649.1), 651.2 (Renumbered to 649.14),
 651.3 (Renumbered to 649.13), 651.4 (Renumbered
 to 649.34), 651.5 (Renumbered to 649.5), 652.1
 (Renumbered to 649.39), 652.2 (Renumbered to
 649.40), 653.1 (Renumbered to 649.42), 653.2 (Re-
 numbered to 649.2), 653.3 (Renumbered to 649.41),
 653.4 (Renumbered to 649.37), 653.5 (Renumbered

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Filed 12/06/2007

Agency Contact: Janice F. Hill (916)491-3754

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN JULY 11, 2007 TO
DECEMBER 12, 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.

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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	10/15/07	AMEND: 3406(b)
08/03/07	AMEND: 58800	10/03/07	AMEND: 3433(b)
08/02/07	ADOPT: 1700	09/28/07	AMEND: 3434(b)
07/18/07	AMEND: 1859.2, 1859.51, 1859.61, 1859.81, 1859.202, 1866	09/25/07	AMEND: 3591.2(a)
07/18/07	AMEND: 18361.2, 18361.4	09/24/07	ADOPT: 3591.20
07/18/07	ADOPT: 7288.0, AMEND: 7288.0, 7288.1, 7288.2, 7288.3	09/19/07	AMEND: 3700(c)
07/17/07	AMEND: 1859.2	09/17/07	AMEND: 3406(b)
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12/06/07	AMEND: 3589	09/11/07	AMEND: 3433(b)
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11/21/07	AMEND: 3433(b)	07/23/07	AMEND: 3589(a)
11/16/07	AMEND: 3417(b)	07/20/07	AMEND: 3591.6(a)(1)
11/15/07	AMEND: 3434	07/20/07	AMEND: 3423(b)
11/14/07	AMEND: 3589	07/18/07	AMEND: 3434(b)
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11/09/07	AMEND: 3434(b)	Title 4	
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10/29/07	AMEND: 3433(b)	10/25/07	ADOPT: 1747, 1748
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		09/04/07	AMEND: 12205.1, 12225.1
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		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
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		10/02/07	AMEND: 80001
		10/01/07	AMEND: 43726
		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,

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 07/17/07 AMEND: 2305, 2310, 2320

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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

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12/11/07 AMEND: 176
 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

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10/18/07	ADOPT: 3486 AMEND: 3482, 3484, 3485		93102.8, 93102.9, 93102.10, 93102.11, 93102.12, 93102.13, 93102.14, 93102.15, and 93102.16 AMEND: 93102
10/16/07	AMEND: 3000, 3045.2, 3170.1, 3176, 3177, 3815	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
10/09/07	ADOPT: 2536.1		
10/01/07	ADOPT: 3075.4 AMEND: 3000	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
09/05/07	AMEND: 3000, 3315, 3323, 3341.5	08/27/07	AMEND: 93300.5
08/13/07	AMEND: 3190, 3191	08/08/07	ADOPT: 94201.1 AMEND: 94201, 94202, 94203, 94204, 94207, 94208, 94209, 94210, 94211, 94212
Title 16		07/30/07	AMEND: 2500, 2502, 2505
11/30/07	AMEND: 1805, 1806, 1816, 1816.1, 1816.2, 1816.4, 1816.6, 1854, 1856, 1858 REPEAL: 1833.3, 1855, 1857	07/24/07	ADOPT: 100085
11/26/07	ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542	07/11/07	AMEND: 30315.33, 30316.60, 30317, 30319.20
11/26/07	ADOPT: 4580	Title 18	
11/21/07	AMEND: 998	11/21/07	AMEND: 4703
11/19/07	AMEND: 1749	11/08/07	ADOPT: 474
11/07/07	AMEND: 1523	07/30/07	AMEND: 1591.2
11/02/07	ADOPT: 4440, 4442, 4444, 4446, 4448, 4450, 4452, 4470, 4472, 4474, 4476, 4478, 4480, 4482, 4484	07/30/07	AMEND: 1591
10/31/07	AMEND: 1707.2	07/30/07	AMEND: 1591.4
10/05/07	AMEND: 306, 306.1, 310, 390, 390.2, 390.3, 390.4, 390.5	07/26/07	AMEND: 1586
10/04/07	AMEND: 1399.678	07/16/07	AMEND: 1603
10/01/07	AMEND: 3394.6	Title 19	
09/20/07	AMEND: 2649	10/31/07	AMEND: 2040
09/17/07	ADOPT: 973, 973.1, 973.2, 973.3, 973.4, 973.5, 973.6	10/01/07	AMEND: 2600
09/11/07	AMEND: 950.10	Title 20	
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	11/29/07	AMEND: 1601, 1602, 1605.3, 1606
08/28/07	ADOPT: 1351.1	10/16/07	ADOPT: 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913
08/28/07	ADOPT: 1315.03, 1326 AMEND: 1325.4	08/22/07	AMEND: 1602, 1604, 1606, 1607
08/03/07	AMEND: 1399.541	Title 22	
08/03/07	AMEND: 2036, 2036.5	12/06/07	ADOPT: 97930, 97930.1, 97930.2, 97930.3, 97930.4, 97930.5, 97930.6, 97930.7, 97930.8, 97930.9, 97930.10
08/01/07	AMEND: 3340.16, 3340.42, 3392.2	11/29/07	AMEND: 51531
07/16/07	AMEND: 2670	11/20/07	AMEND: 311-1
07/12/07	AMEND: 160	11/08/07	ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329
07/11/07	AMEND: 68.3, 68.4, 88, 88.1, 88.2, 89, 99	11/07/07	ADOPT: 66269.1
Title 17		11/06/07	AMEND: 51003(e) REPEAL: 51307, 51506.2
11/16/07	AMEND: 57310, 57332	10/23/07	AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1
11/08/07	AMEND: 94508, 94509, 94510, 94511, 94512, 94513, 94514, 94515, 94523	10/18/07	AMEND: 67391.1
10/29/07	AMEND: 93119	10/16/07	AMEND: 10100 REPEAL: 10101
09/24/07	ADOPT: 93102.1, 93102.2, 93102.3, 93102.4, 93102.5, 93102.6, 93102.7,		

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10/03/07 AMEND: 67386.5, 67386.6, 67386.11
09/18/07 ADOPT: 64432.3, 64432.8 AMEND:
64413.1, 64431, 64432, 64447.2,
64463.1, 64465, 64481 REPEAL: 64450
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
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

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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

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12/07/07 ADOPT: 3919
12/06/07 ADOPT: 3918
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

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12/10/07 ADOPT: 8207.1, 8212.3 AMEND: 8204,
8207, 8208, 8209, 8210, 8211, 8212,
8212.1, 8213, 8216, 8217

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

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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