



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after **February 14, 2008**, at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **February 12, 2008**.

BACKGROUND/OVERVIEW

Sections 89510–89518 of the Act restrict the personal use of campaign funds. An expenditure of campaign funds conferring a substantial personal benefit on a candidate; paying for a personal gift; or paying for the travel or accommodations of a candidate, elected officer, or anyone with the authority to approve the expenditure of campaign funds must be directly related to a political, legislative, or governmental purpose (a “PLG”). (Sections 89512(b) and 89513.) While Section 84211(k)(4) of the Act requires a “brief description” of the consideration for which certain expenditures are made, the Commission has never imposed specific rules for the “brief description” required other than categorizing some of the most common expenditures. While the current categorization system is adequate for most expenditures, the most questionable expenditures, such as expenditures on gifts, meals, and out-of-state travel, are routinely disclosed without a meaningful description.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18421.7 and Amend Cal. Code Regs. Section 18401:

Proposed Regulation 18421.7 further defines the description required under Section 84211(k)(4) for expenditures for gifts, meals, and out-of-state travel by committees controlled by a candidate. More specifically, proposed Regulation 18421.7 requires candidate con-

trolled committees reporting expenditures for gifts, meals, or out-of-state travel to describe the PLG. In addition, the proposed regulation requires candidate controlled committees, reporting expenditures for gifts, meals, or out-of-state travel, to disclose basic and brief information such as the dates of the expenditures, the location of travel or a meal, the number of individuals for whom the expenditure paid, and the recipient of a gift.

Related to Regulation 18421.7, a proposed amendment to Regulation 18401 requires committees to maintain records to support the information reported under Regulation 18421.7. More specifically, this amendment requires committees to document expenditures for gifts, meals, and out-of-state travel in a dated memorandum and to retain the names of those individuals for whom an expenditure for a meal or out-of-state travel was paid.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues. The Commission may also approve revisions of Commission Form 460, the Recipient Committee Campaign Statement, to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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

REFERENCE

The purpose of these regulations is to implement, interpret, and make specific Government Code Sections 84211, 84303, and 84104.

CONTACT

Any inquiries should be made to Brian G. Lau, Fair Political Practices Commission, 428 J Street, Suite 800,

Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed revisions to Commission Form 460 will be available on or before January 15, 2008. Proposed regulatory language and the proposed revisions to Commission Form 460 (when available) can be accessed at <http://www.fppc.ca.gov/index.html?id=351>.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Department of Motor Vehicles

A written comment period has been established commencing on **January 11, 2008** and closing on **February 25, 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 Direc-

tor of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **February 25, 2008**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

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

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3434, subsections (b) and (c) 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 September 28, 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 26, 2008.

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 November 8, 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 May 7, 2008.

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 November 29, 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 May 27, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsections 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 December 3, 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 June 2, 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 per-

son, 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 25, 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 3434(b) established additional portions of Alameda, Contra Costa, Los Angeles, Marin, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz and Solano counties as regulated areas. Subsequent amendments of 3434(b) also removed some portions of Contra Costa, Marin, Monterey and Santa Clara counties from the regulation and all of the counties of Los Angeles and Napa from the regulation. There is no existing, comparable federal regulation or statute regulating the intrastate movement.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

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

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

or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

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

EFFECT ON BUSINESSES

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

COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

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

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

ASSESSMENT

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

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

REFERENCE

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

EFFECT ON SMALL BUSINESS

The proposed amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact 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 subsection 3700(c) of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action on January 1, 2008. The Department proposes to continue the regulation as amended and submit a Certificate of Compliance for this action to the Office of Administrative Law no later than June 30, 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 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 25, 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 estab-

lish, 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).

The emergency amendment of subsection 3700(c) established two new plant species, *Corylopsis spicata* (spike winter hazel) and *Physocarpus opulifolius* (nine-bark), as associated articles under the articles and commodities covered by the regulation. The effect of the changes to the regulation is to provide authority for the State to regulate movement of these "associated hosts" and potential carriers of disease from the regulated area.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the amendment of Section 3700(c) does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under regulation has a duty to enforce Section 3700. No reimbursement is required for Section 3700 under Section 17561 of the Government Code because the agricultural commissioners of the affected counties requested the change in the regulation.

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

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed 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 amending the regulation on a representative private person or business is not expected to be significantly adverse. The agency is not aware of any

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

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would 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.

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 subsection 3700(c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended subsection 3700(c) to implement, interpret and make specific Sections 24.5, 5321 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESSES

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 on its Internet website (www.cdfa.ca.gov/phpps/Regulations.html) the information regarding this proposed regulatory action. Select "Proposed Changes in Regulations for Plant Health and Pest Prevention Services" and then section number(s).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

If the regulations 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 GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED RULEMAKING

Statewide Involuntary Exclusion List

The California Gambling Control Commission ("Commission") proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commission proposes to adopt section 12362 of Title 4 of the California Code of Regulations, concerning involuntary exclusions.

NO PUBLIC HEARING SCHEDULED
AT THIS TIME

At this time, the Commission has not scheduled a public hearing. Any interested person or his or her duly authorized representative may request a hearing pursuant to Government Code section 11346.8 no later than 15 days prior to the close of the comment period.

WRITTEN COMMENT PERIOD
January 11 to February 26, 2008

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period. To be considered for summary and response, **all written comments must be received no later than 5:00 p.m., February 26, 2008.**

Requests for a public hearing or written comments for the Commission's consideration should be directed to:

Heather Hoganson, Counsel,
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833-4231;
Fax: 916-263-0452,
E-mail: hhoganson@cgcc.ca.gov

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions Code sections 19800-19980. In particular, Business and Professions Code sections 19840 and 19844 provide specific authority.

The proposed regulation implements, interprets, or makes specific Business and Professions Code sections 19844, 19845, and 19940, which are included as reference citations in the proposed regulations.

INFORMATIVE DIGEST AND POLICY
STATEMENT OVERVIEW

The Gambling Control Act (Business and Professions Code, section 19800 et seq.) provides the Commission jurisdiction over controlled gambling and all activity that is related to the conduct of controlled gambling. The Commission is also tasked with creating a list of persons to be excluded or ejected from a gambling establishment. This regulation provides for the formulation of the list as well as a due process mecha-

nism for excluded persons to contest their placement on the list.

DISCLOSURES REGARDING
THE PROPOSED ACTION

Mandate on local agencies and school districts: These regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: None.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

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

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: For someone being excluded who chooses to request a hearing, the exercise of due process rights might involve costs, but no additional costs are contemplated in this regulation — the regulatory text clarifies existing rights to pursue a hearing. The statute also provides for disciplinary fines on those owner licensees that violate the requirements to exclude an individual.

Impact on Business: The Commission has made an initial determination that the proposed regulatory changes 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.

Significant effect on housing costs: The Commission has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: Some cardrooms may be small businesses; the cost effect on these cardrooms is the same as that addressed under "private person or business."

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), 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.

ASSESSMENT REGARDING CREATION OR
ELIMINATION OF JOBS IN CALIFORNIA

The Commission has made an assessment and determined that the adoption of the proposed regulation will

neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSONS

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

Heather Hoganson, Counsel,
California Gambling Control Commission,
2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833-4231;
Telephone: 916-263-0490, Fax: 916-263-0452,
E-mail: hhoganson@cgcc.ca.gov.

Requests for a copy of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other technical information upon which the rulemaking is based should be directed to:

Gina Luna,
California Gambling Control Commission,
2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833-4231;
Telephone: 916-263-4600,
Fax: 916-263-0499.

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 the 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 regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting Gina Luna at the address or telephone number listed above or accessing the Commission's website at <http://www.cgcc.ca.gov>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Regulations Coordinator or viewed on the website.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, the Commission may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior

to the date on which the Commission adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Gina Luna at the address indicated above.

The Commission will accept written comments on the modified regulation for 15 days after the date on which it is made available.

TITLE 4. CALIFORNIA HORSE RACING BOARD

TITLE 4, CALIFORNIA CODE OF REGULATIONS NOTICE OF PROPOSAL TO AMEND RULE 1420. DEFINITIONS AND TO ADD RULE 1634. ALTERNATIVE CLAIMING RACE

The California Horse Racing Board (Board) proposes to amend the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1420, Definitions, to provide a definition of an "alternative claiming race." An alternative claiming race is a race in which any horse entered may be claimed, except if the horse has been declared ineligible for claiming in accordance with Rule 1634 of this division. The Board proposes to add Rule 1634, Alternative Claiming Race, to provide the conditions under which a horse may be entered in an alternative claiming race.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, February 28, 2008**, or as soon after that as business before the Board will permit, at the **Arcadia City Hall, 240 West Huntington Drive, Arcadia, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representatives, may submit written comments about the proposed regulatory action to the Board. The written com-

ment period closes at **5:00 p.m., on February 25, 2008**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
 California Horse Racing Board
 1010 Hurley Way, Suite 300
 Sacramento, CA 95825
 Telephone (916) 263-6397
 Fax: (916) 263-6022
 E-Mail: harolda@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited for Rule 1420: Sections 19440 and 19562, Business and Professions Code.

Reference cited for Rule 1420: Section 19401(e) and 19420, Business and Professions Code.

Business and Professions Code Sections 19440 and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19401(e) and 19420, Business and Professions Code.

Authority cited for Rule 1634: Sections 19420 and 19440, Business and Professions Code.

Reference cited for Rule 1634: Sections 19408.2 and 19562, Business and Professions Code.

Business and Professions Code Sections 19420 and 19440 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19408.2 and 19562, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code Section 19420 states jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board. Business and Professions Code Section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code Section 19408.2 states a claiming race means a race in which any horse entered therein may be claimed in conformity with the rules established by the Board. Business and Professions Code Section 19562 provides that the

Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California.

The health of the equine athlete is important to the success of California's horseracing industry. A racehorse is a costly investment, and laying off a horse is a difficult decision for many owners. This is because the horse loses its potential to earn income (purses) while still incurring upkeep, veterinary and training fees. Owners who do care enough to lay off a horse face the possibility of losing that horse when it returns to racing. Claiming races are often used to determine the level at which a horse that is coming back may run. However, the owner who enters a horse in a claiming race faces the possibility that he may lose his investment at the expense of improving the health and potential of his horse. To provide owners with an incentive to layoff and rest their horses — without the possibility that they will lose the horse immediately upon its return — the industry has proposed the creation of alternative claiming races.

The Board proposes to amend Rule 1420 to provide a definition of "alternative claiming race." The definition of alternative claiming race is provided so that interested parties will be able to differentiate between it and a claiming race, which is a race in which any horse entered may be claimed. A new subsection 1420(s)(4) states an alternative claiming race is a race in which any horse entered in such race may either be claimed, or declared ineligible for claiming under Rule 1634 of this division. Alternative claiming races are different from a claiming race because the presumption that every horse in the race is eligible for claiming is not true. As a condition of the alternative claiming race an owner may declare a horse that meets the requirements of Rule 1634 ineligible for claiming.

The Board proposes to add Rule 1634 to provide for alternative claiming races. An alternative claiming race is a race in which a horse entered in such race may be claimed, or it may be declared ineligible for claiming. Subsection 1634(a) states at the time of entry into an alternative claiming race an owner may declare a horse ineligible to be claimed. Entry is the most logical time to make such a declaration, as that is when the racing office determines eligibility for any race. The owner/trainer must complete an entry form and provide information regarding the horse's qualifications.

For a declaration of ineligibility subsections 1634(a)(1) and (2) state the horse must not have started for a minimum of 180 days since its last race, and the horse must be entered for a claiming price equal to or greater than the price at which it last started. The purpose of Rule 1634 is to provide a venue in which horses that have been laid off may return to racing without the owner having to face "losing" the horse in a claiming

race. The minimum layoff of 180 days equals six months, which is an optimum amount of time to layoff a racehorse. This allows the horse to fully recuperate from the physical stress of racing and to engage in a period of training prior to returning to the racetrack. The requirement that a horse return at a price equal to or greater than the price at which it last started is designed to ensure that owners return their horses at the same level at which they left.

Subsection 1634(b) provides that failure to declare the horse ineligible for claiming at time of entry may not be remedied. The Board wishes to ensure a horse will be declared ineligible in a timely manner, and it does not want owners and trainers changing their minds regarding the status of the horse after entry. The time of entry is when a horse's qualifications to race are determined.

Subsection 1634(c) states ineligibility shall apply only to the first start following each layoff. While the purpose of the alternative claiming race is to provide a venue in which horses that have been laid off may return to racing, and to encourage owners to invest in the health and welfare of their horses, it is not intended to provide more than one free shot at running without being claimed. Alternative claiming races are meant to help owners and trainer determine the level at which a horse may return to racing.

DISCLOSURE REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

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

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

The Board has made an initial determination that the proposed amendment of Rule 1420 and the proposed addition of Rule 1634 will not have a significant, state-wide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

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

Significant effect on housing costs: none.

The adoption of the proposed amendment of Rule 1420 and the proposed addition of Rule 1634 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.

Effect on small businesses: none. The proposal to amend Rule 1420 and add Rule 1634 does not affect small businesses because horse racing is not a small business under Government Code Section 11342.610.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed texts of the regulations, the initial statement of reasons, the modified texts of the regulations, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
E-mail: harolda@chrb.ca.gov

If the person named above is not available, interested parties may contact:

Andrea Ogden, Regulation Analyst
Telephone: (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices 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, and the initial statement of reasons. Copies may be obtained by contacting Harold Coburn, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed texts, the modified texts, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulations in their current or modified form, should be sent to the attention of Harold Coburn at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed texts of the regulations and the initial statement of reasons. The Board's web site address is: www.chrb.ca.gov.

TITLE 5. STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

NOTICE OF PROPOSED RULEMAKING AMENDMENT TO TITLE 5, CALIFORNIA CODE OF REGULATIONS REGARDING STATE PRESCHOOL PROGRAMS — EXCEPTIONS TO CALCULATION OF ADJUSTED MONTHLY INCOME FOR MILITARY PERSONNEL

[Notice published January 11, 2008]

NOTICE IS HEREBY GIVEN that the State Superintendent of Public Instruction (SSPI) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SSPI, will hold a public hearing beginning at **10:00 a.m. on February 27, 2008**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. 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 SSPI requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

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

Debra Strain, Regulations Coordinator
LEGAL DIVISION
 California Department of Education
 1430 N Street, Room 5319
 Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to regcomments@cde.ca.gov. Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on February 27, 2008**.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AUTHORITY AND REFERENCE

Authority: Sections 8261 and 8263, Education Code.
 References: Sections 8235, 8236, 8263, and 8263.1, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Addition of regulations for State Preschool Programs related to exceptions to calculation of adjusted monthly income for military personnel. With the promulgation of new regulations that became effective September 17, 2007, (5 CCR, Section 18078(q)) and a change in policy implemented by the military regarding inclusion of base housing allowance in pay checks received by some individuals residing on a military base or in military housing, an unintended consequence occurred. Some families with preschool age children who were previously income eligible for the State Preschool program are no longer eligible. As a result, three- and four-year-old children of individuals in the military and residing on a military base or in military housing are unable to obtain the benefits of a CDE/CDD funded, high quality preschool program. In addition, some State Preschool programs located on or near a military base serving almost exclusively children from military families are experiencing low enrollment. These programs are at risk of closure because the low enrollment impacts the programs ability to remain fiscally viable.

The new regulations will allow State Preschool programs located on or in close proximity to a military base, after obtaining prior written approval from the SSPI or his or her designee, to exclude the basic allowance for housing in the calculation of total countable income for individuals residing on a military base or in military housing when determining eligibility, as necessary to fill program vacancies. This will allow State Preschool programs to reach full enrollment, serve previously eligible children, and enhance fiscal viability.

DISCLOSURES REGARDING
THE PROPOSED ACTION

The SSPI has made the following initial determinations:

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None

Other non-discretionary costs or savings imposed on local educational agencies: None

Costs 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

Cost impacts on a representative private person or businesses: The SSPI 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.

Effect on housing costs: None

Effect on small businesses: The proposed amendments to the regulations may affect small businesses because it will allow them to operate in a more fiscally effective manner.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the content of this regulation should be directed to:

Marie Murata, Consultant
Child Development Division
California Department of Education
1430 N Street, 3rd Floor
Sacramento, CA 95814
Telephone: 916-322-4269

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The SSPI has prepared an Initial Statement of Reasons for the proposed regulation and has available all the information upon which the proposal is based.

TEXT OF PROPOSED REGULATION AND
CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulation, the Initial Statement of Reasons, and all of the in-

formation upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/rl/rr/>.

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 Regulations Coordinator.

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the Regulations Coordinator.

REASONABLE ACCOMMODATION FOR ANY
INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Marie Murata, Child Development Division, 1430 N Street, 3rd Floor, Sacramento, CA, 95814; telephone, 916-322-4269. It is recommended that assistance be requested at least two weeks prior to the hearing.

**TITLE 16. BUREAU OF AUTOMOTIVE
REPAIR**

**NOTICE OF PROPOSED REGULATORY
ACTION AND PUBLIC HEARING
CONCERNING THE CONSUMER
ASSISTANCE PROGRAM VEHICLE
RETIREMENT OPTION ELIGIBILITY**

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs (DCA), Bureau of Automotive Repair (Bureau) is proposing to take the action described in the Informative Digest. No public hearing has been scheduled. Any interested person, or his or her duly authorized representative, may request, in writing, a public hearing pursuant to subdivision (a) of Section 11346.8 of the Government Code. A request for hearing must be received by the Bureau contact person designated below not less than 15 days prior to the close of the written comment period.

Any interested person, or his or her duly authorized representative, may submit written statements or arguments relevant to the proposed action. Written comments, including those sent by mail, facsimile, or e-mail must be sent to the addresses listed under Contact Person in this Notice. **All written comments must be received by the Bureau at its office not later than 5:00 p.m. on February 25, 2008. Comments sent to persons or addresses other than those specified under Contact Person, or received after the date and time specified above, regardless of the manner of transmission, will be included in the record of this proposed regulatory action, but will not be summarized or responded to.**

The Bureau, upon its own motion or at the instance of any interested party, may thereafter formally 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 oral or written 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 44001.3, 44001.5 and 44002 of the Health and Safety Code and Section 9882 of the Business and Professions Code, and to implement, interpret or make specific Sections 44005, 44010.5, 44011, 44012, 44014.7, 44015, 44017, 44017.1, 44037.1, 44062.1, 44091, 44092, 44093, 44094 and 44095 of the Health and Safety Code; the Bureau is proposing to adopt the following changes to Article 11 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations:

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The Bureau, located within DCA, is the state agency charged with the administration and implementation of the Smog Check Program (Program). The Program is designed to reduce emissions from mobile sources such as passenger vehicles and trucks by requiring that these vehicles meet specific in-use emissions standards as verified by periodic inspections. To ensure uniform and consistent vehicle testing, the BAR licenses Smog Check stations and technicians and certifies inspection equipment.

Air pollution contributes to respiratory health problems. Asthma is the most prevalent chronic disease

among California children. According to a UCLA Center for Health Policy Research study published in 2003¹, one in six California children suffer asthmatic symptoms annually. Data from a 2006 report by the American Lung Association®² suggest that 2.3 million Californians suffer from this debilitating disease.

The Bureau is also charged with the implementation and administration of the Consumer Assistance Program (CAP), which includes both a Repair Assistance (RA) option and a Vehicle Retirement (VR) option. Health and Safety Code section 44100 authorizes DCA to offer, as a part of CAP, a VR option made available entirely on a voluntary basis for consumers whose vehicles have outlived their cost-effectiveness for continued repairs.

The purpose of the VR option is to:

- Provide eligible consumers with the voluntary option of retiring their vehicles that have failed a biennial Smog Check inspection, or a Smog Check inspection subsequent to being issued a notice to correct for an alleged smog-related violation.
- Encourage greater low-income consumer participation in the VR option because owners of high emitting vehicles are predominantly of a lower-income bracket and cannot afford to purchase newer lower-emissions vehicles.
- Achieve the emissions reduction objectives established in the SIP and help the Program meet equivalency with federal regulatory standards.

Other conditional requirements for participation in the VR option include that the individual is one or both of the following:

1. The owner of a motor vehicle that has failed a Smog Check inspection.
2. The owner of a motor vehicle who was issued a notice to correct for an alleged violation of Section 27153 or 27153.5 of the Vehicle Code involving that vehicle, if the vehicle subject to that notice has failed a Smog Check inspection subsequent to receiving the notice.

DCA is required to offer a VR option, funded by the High Polluter Repair or Removal Account created pursuant to subdivision (a) of Section 44091. Funds available pursuant to paragraph (1) of subdivision (d) of Section 44091 shall be used to purchase and retire mobile source emission reduction credits resulting from the retirement of light-duty vehicles for the purpose of

achieving the emission reductions required by the State Implementation Plan (SIP).

Current Regulation:

Existing regulations in the California Code of Regulations, Title 16, Division 33, Chapter 1, Article 11, are summarized as follows:

1. Section 3394.4 specifies the various requirements that must be met by applicants and their vehicles in order to be eligible for CAP participation. In particular, subsection (c) specifies the conditions that a vehicle must meet in order to qualify for the VR option. Those conditions include having failed a biennial Smog Check inspection within 120 days after the vehicle's most current renewal of registration with DMV, provided the registration renewal date is not more than 120 days prior to the postmarked date on the application. [Paragraphs (4) and (6) of subsection (c)].

Effect of Regulatory Action:

This proposed regulatory action seeks to increase participation in the VR option of CAP. This will be accomplished by increasing the number of days a consumer may apply for the option after the expiration of their vehicle's most current renewal of registration with the Department of Motor Vehicles (DMV) from one hundred twenty (120) days to one hundred eighty (180) days and increasing the number of days a consumer may apply for the option, based on the registration renewal date from 120 days to 180 days prior to the postmarked date on the application.

The proposal seeks to reduce air pollution caused by high emitting vehicles. Reducing emissions from high emitting vehicles helps to improve California's air quality and assists the state in meeting its federal clean air goals.

The proposed action will make the following changes to existing regulation:

1. Amend paragraphs (4) and (6) of subsection (c) of Section 3394.4 to increase from 120 days to 180 days, the time frame applicable to the vehicle's most current renewal of registration with DMV and the postmarked date of the CAP application.

Expanding the number of days after the most current registration with the DMV provides a greater window of opportunity for the consumer to participate, accomplishing three objectives: 1) to offer the VR option to a greater portion of California motorists; 2) to reduce the number of high emitting vehicles on the California roads; and 3) to improve air quality in California. Expanding the number of days prior to the postmarked date on the application for the VR option makes the regulation clear and consistent.

¹ YY Meng, SH Babey, E Malcolm, ER Brown, and N Chawla. *Asthma in California: Findings from the 2001 California Health Interview Survey*. Los Angeles: UCLA Center for Health Policy Research, 2003.

² *American Lung Association State of the Air: 2006*, American Lung Association®, April 27, 2006.

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.

Costs to Any Local Agency or School district for Which Government code Section 17561 Requires Reimbursement:

None.

Businesses 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.

The following studies/relevant data were relied upon in making the above determination:

Increasing the allowable amount of time between a vehicle's most current renewal of registration with DMV and the postmarked date on the application will help more consumers become eligible to participate in the VR option. Dismantlers will actually receive additional vehicles through this proposed change. This will result in an additional amount of administrative cost reimbursement from CAP, as well as additional revenue from the sale of salvage materials resulting from the additional vehicles being retired.

Impact on Jobs/New Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, 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 Bureau is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs:

None.

Effect on Small Business:

The Bureau has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

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

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 reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau at 10240 Systems Parkway, Sacramento, California 95827.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the Bureau at the address mentioned above.

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

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Debbie Stefan
 Bureau of Automotive Repair
 10240 Systems Parkway
 Sacramento, CA 95827
 Telephone: (916) 255-4585
 Fax No.: (916) 255-1369
 E-mail: debbie_stefan@dca.ca.gov

The backup contact person is:

Kathy Runkle
Bureau of Automotive Repair
10240 Systems Parkway
Sacramento, CA 95827
Telephone: (916) 255-4300
Fax No.: (916) 255-1369

WEB SITE ACCESS

Materials regarding this proposal can also be found on the Bureau's Web site at www.smogcheck.ca.gov.

GENERAL PUBLIC INTEREST

TITLE 16. CALIFORNIA STATE BOARD OF PHARMACY

NOTICE OF REGULATORY HEARING

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy has scheduled a regulatory hearing regarding Requirements for Pharmacies that Compound Medications (Title 16, California Code of Regulations, Section(s) 1716.1, 1716.2, 1735-1735.8 & 1751-1751.8), pursuant to the Notice of Proposed Changes filed with the Office of Administrative Law and published on November 16, 2007 (Register 2007, No. 46-Z). The hearing is scheduled at 9:30 a.m. on Thursday, January 24, 2008, at Town and County Resort and Conference Center, 500 Hotel Circle North, San Diego, CA 92108. Attached is the proposed language for your reference.

Any person who wishes to comment on the proposed regulation may do so by testifying at the hearing or by submitting written comments on or before January 24, 2008, to the following:

Name: Anne Sodergren
Title: Legislative Coordinator
Board: California State Board of Pharmacy
Address: 1625 N Market Blvd., N 219
Sacramento, Ca 95834
Telephone: (916) 574-7914
Fax: (916) 574-8618
E-mail Address: anne_sodergren@dca.ca.gov

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice
For Publication January 11, 2008
PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES
Monitoring California Least Tern Nesting Colonies

The Department of Fish and Game ("Department") received a proposal on December 3, 2007, from Mr. Richard Zembal, Fountain Valley, requesting authorization to take California Least Terns (*Sterna antillarum browni*), Fully Protected Birds, for research purposes, consistent with the protection and recovery of these species.

The applicant is in the process of obtaining the required Scientific Collecting Permits (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from DFG for research on Fully Protected species. The proposed activities include approaching Least Tern nesting areas to gather necessary data used in monitoring nesting status and identifying threats from humans and predators. Data would be collected by observation; handling live Least Tern adults, chicks, eggs, or nest sites will also be authorized. DFG intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. As these birds are also federally-listed endangered species, applicants are required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected Birds, it would issue the authorization on or after February 1, 2008, for a term of three years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice
For Publication January 11, 2008
PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES
Monitoring Light-footed Clapper Rails in California

The Department of Fish and Game ("Department") received a proposal on November 8, 2007, from Mr. Ar-

thur E. Davenport, Barstow, requesting authorization to take Light-footed Clapper Rails (*Rallus longirostris levipes*), a Fully Protected Bird, for research purposes, consistent with the protection and recovery of these species.

The applicant has the required Scientific Collecting Permit (SCP; SC-8469) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from DFG for research on Fully Protected species. Light-footed Clapper Rails will be approached in their nesting habitats but will not be handled. Tape-playback of Light-footed Clapper Rails will be used. DFG intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant to carry out the proposed activities. As these birds are also federally-listed endangered species, the applicant possesses a valid Federal Threatened and Endangered Species permit (TE 802450-5).

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected Birds, it would issue the authorization on or after February 1, 2008, for a term of three years. Contact: Wildlife Branch, 1812 9th Street, Sacramento, CA 95811, Attn.: Dale Steele.

OFFICE OF ADMINISTRATIVE LAW

Invitation to Participate in the Model State Administrative Procedure Act Revision Process

The Office of Administrative Law has been informed that the National Conference of Commissioners on Uniform State Laws (NCCUSL) is revising its Model State Administrative Procedure Act (MSAPA). NCCUSL has invited organizations and individuals interested in state administrative agency processes to participate in this effort.

NCCUSL is a 117 year old national organization of lawyers, judges and law professors who are appointed to represent their states in drafting and seeking enactment of uniform laws to facilitate commerce and certainty in the law among the states. For more information about NCCUSL, visit <http://www.nccusl.org/>.

The goal of the MSAPA drafting committee is to make the administrative process more efficient, accessible and fair. The most recent draft of MSAPA is available at <http://www.nccusl.org/Update/Committee>

[SearchResults.aspx?committee=234](#). The drafting process will not be completed until the spring of 2009.

The MSAPA drafting committee has invited interested parties to attend committee meetings as an observer and make comments and suggestions at the meetings or by submitting them in writing. To become an observer, please contact Ms. Leang Sou at NCCUSL at (312) 450-6606 or at leang.sou@nccusl.org. Written comments about the MSAPA should be sent to Commissioner Francis J. Pavetti, 18 The Strand, Goshen Point, Waterford, CT 06385.

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
January 11, 2008**

**NOTICE OF A PUBLIC HEARING FOR COMMENT ON
A REQUEST FOR A SAFE USE DETERMINATION FOR FUMONISIN B₁ IN CORN SNACK FOOD PRODUCTS**

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 1986 (commonly known as Proposition 65, codified at Health and Safety Code section 25249.5 et seq.). OEHHA has received a request from Frito-Lay Inc. for OEHHA to consider a safe use determination for the consumption of corn snack food products. The request is made pursuant to section 12204 of Title 22 of the California Code of Regulations. Frito-Lay asks OEHHA to determine that consumption of Frito-Lay

snack food products processed from corn or made with ingredients processed from corn does not present an "exposure" to fumonisin B₁ under Proposition 65 that would require a warning. The basis for the request is that exposure to a chemical via food consumption is not an "exposure" subject to the warning requirements of the Act where it can be shown that the chemical in the food is "naturally occurring" as defined in Title 22, Cal. Code of Regs., section 12501. This SUD request is limited to exposures to fumonisin B₁ only. Exposure to other listed substances, if any, that may be present in corn snack food products will not be reviewed by OEHHA in the context of this request.

In accordance with the process set forth in Title 22, Cal. Code of Regs. section 12204(f), a public hearing will be convened on **Tuesday, March 11, 2008**, in Room 12 of the Elihu M. Harris State Building, 1515 Clay Street, 2nd Floor, Oakland, California, as an opportunity for public comment on this request for a safe use determination. The hearing will begin at 10:00 a.m. and will end when all business is conducted or 5:00 p.m.

In order to be considered, comments must be received by OEHHA by 5:00 p.m., **Tuesday, March 11, 2008**. OEHHA requests that hard-copy comments be provided in **triplicate**, along with supporting information. Comments and supporting documentation may be submitted to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street address: 1001 I Street, 19th floor
Sacramento, California 95814
Mailing address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900
E-mail: coshita@oehha.ca.gov

**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# 2007-1109-04
AIR RESOURCES BOARD
Perchloroethylene Dry Cleaning Operations

This action repeals the current regulation restricting perchloroethylene dry cleaning and replaces it with a new regulation that will require the phasing out of all dry cleaning using perchloroethylene ("perc") in California over a period of fifteen years.

Title 17
California Code of Regulations
ADOPT: 93109.1, 93109.2 AMEND: 93109
Filed 12/27/2007
Effective 12/27/2007
Agency Contact: Amy Whiting (916) 322-2990

File# 2007-1109-02
BOARD OF BEHAVIORAL SCIENCES
Requirements for Supervisors

These regulatory changes make clarifying revisions to the requirements of supervising Clinical Social Workers, interns and trainees.

Title 16
California Code of Regulations
AMEND: 1833.1, 1870
Filed 12/27/2007
Effective 01/26/2008
Agency Contact:
Cassandra Kearney (916) 574-7836

File# 2007-1109-01
BOARD OF BEHAVIORAL SCIENCES
Delinquency Fees for CE Providers

This regulatory action establishes a \$100 delinquency fee if a continuing education provider allows his or her approval status to expire, and applies to renew his or her approval status within one year of the expiration date. The regulatory action also establishes the procedures and requirements for applying for renewal within one year of the expiration date and applying for renewal beyond the one year expiration date, and prohibits a provider whose approval has expired from presenting a course for continuing education credits for licensees of the Board.

Title 16
California Code of Regulations
ADOPT: 1887.13, 1887.14 AMEND: 1816.7, 1887.7
Filed 12/27/2007
Effective 01/26/2008
Agency Contact:
Cassandra Kearney (916) 574-7836

File# 2007-1119-04
BOARD OF EQUALIZATION
 Place of Sale & Use of Purposes of Bradley Burns Uniforms Local Sales

The State Board of Equalization (BOE) seeks to amend Title 18, section 1802(d) regarding use tax transactions of \$500,000 or more. Section 1802 explains how sales and use tax revenues derived from local sales under the Bradley-Burns Uniform Local Sales and Use Tax (Local Tax) Law are allocated. Specifically, BOE seeks to remove the requirement contained in section 1802(d) for transactions that meet the \$500,000 threshold that allows allocation directly to the jurisdiction of first functional use only when the order is made directly with and shipped directly from retailers outside of California.

Title 18
 California Code of Regulations
 AMEND: 1802
 Filed 01/02/2008
 Effective 02/01/2008
 Agency Contact: Mira Tonis (916) 445-6464

File# 2007-1206-07
BUREAU OF STATE AUDITS
 Conflict of Interest Code

The Bureau of State Audits is amending its conflict of interest code found at title 2, div. 8, ch. 54, sec. 54300, California Code of Regulations. This amendment was approved for filing by the Fair Political Practices Commission on November 6, 2007.

Title 2
 California Code of Regulations
 AMEND: div. 8, ch. 54, sec. 54300
 Filed 12/26/2007
 Effective 01/25/2008
 Agency Contact: Kathleen Spencer (916) 445-0255

File# 2007-1220-04
CALIFORNIA GAMBLING CONTROL COMMISSION
 Bureau of Criminal Identification and Information (BCII) References

This nonsubstantive rulemaking action replaces the term "Bureau" with "BCII" (the acronym for the Bureau of Criminal Identification and Information) anywhere the term Bureau is intended to refer to the Bureau of Criminal Identification and Information. The Commission believes that because there are numerous bureaus within the Department of Justice, confusion may otherwise be caused by simply referring to Bureau in instances in which this specific Bureau, the BCII, is meant.

Title 4
 California Code of Regulations
 AMEND: 12002, 12122, 12202, 12203.2, 12222
 Filed 12/26/2007
 Agency Contact: James Allen (916) 255-4300

File# 2007-1121-02
DEPARTMENT OF CONSERVATION
 Handling Fees

This Certificate of Compliance filing makes permanent the emergency regulations which conformed Title 14 of the California Code of Regulations to amended section 14585 of the California Public Resources Code regarding the formula for determining handling fees paid to beverage container recycling centers.

Title 14
 California Code of Regulations
 ADOPT: 2990, 2995, 2997 AMEND: 2125, 2518
 Filed 12/26/2007
 Effective 12/26/2007
 Agency Contact: Karen Denz (916) 322-1899

File# 2007-1115-01
DEPARTMENT OF CORPORATIONS
 Nontraditional Mortgage Products

Department of Corporations submitted this regulatory action to adopt two Title 10 sections applicable to licensees operating under the California Finance Lenders Law or the California Residential Mortgage Lending Act who offer nontraditional or adjustable rate mortgage products.

The regulations are filed to be effective January 1, 2008 pursuant to Government Code section 11343.4(c).

Title 10
 California Code of Regulations
 ADOPT: 1436, 1950.314.8
 Filed 12/27/2007
 Effective 01/01/2008
 Agency Contact: Karen Fong (916) 322-3553

File# 2007-1220-03
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Integrated Housing

This action adopts the California Department of Corrections and Rehabilitation's Integrated Housing Policy (IHP). This action is the resubmittal of previously withdrawn OAL file number 2007-1001-02S.

Title 15
 California Code of Regulations
 ADOPT: 3269.1 AMEND: 3005, 3315, 3341.5
 Filed 12/28/2007
 Effective 12/28/2007
 Agency Contact: John McClure (916) 341-6894

CALIFORNIA REGULATORY NOTICE REGISTER 2008, VOLUME NO. 2-Z

File# 2007-1220-02
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This rulemaking action expands the interior quarantine area for the Diaprepes Root Weevil in the La Jolla area of San Diego County.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 12/26/2007
Effective 12/26/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1217-01
DEPARTMENT OF FOOD AND AGRICULTURE
South American Spongeplant Eradication Area

This filing is an emergency regulatory action adding Fresno and Madera counties to Shasta County as eradication areas for South American spongeplant.

Title 3
California Code of Regulations
AMEND: 3963
Filed 12/26/2007
Effective 12/26/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1114-01
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
Fire Hazard Severity Zones, 2007

This action amends Fire Hazard Severity Zones (FHSZ) in the State Responsibility Area (SRA) by adopting county maps entitled "Fire Hazard Severity Zones in SRA, dated November 7, 2007".

Title 14
California Code of Regulations
AMEND: 1280
Filed 12/28/2007
Effective 01/01/2008
Agency Contact:
Christopher Zimny (916) 653-9418

File# 2007-1121-08
DEPARTMENT OF SOCIAL SERVICES
Community Care Licensing (CCL) Crisis Nurseries

This regulatory action is the Certificate of Compliance for emergency regulations for Community Care Licensing Crisis Nurseries. (Prior OAL files 06-1019-01 EP, 07-0213-05EE, 07-0625-02C, 07-0803-01EFP; DSS File Number ORD#0905-15.)

Title 22 AND MPP
California Code of Regulations
ADOPT: 86500, 86501, 86501.5, 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
Filed 12/31/2007
Effective 12/31/2007
Agency Contact: Sandra Ortega (916) 657-3174

File# 2007-1109-03
FISH AND GAME COMMISSION
Sport Fishing Regulation Clean-up
This action is the Commission's 2007 sport fishing regulation clean-up package.

Title 14
California Code of Regulations
AMEND: 2.25, 2.30, 5.75, 5.86, 5.93, 5.95, 6.37, 7.50, 8.00, 670.5
Filed 12/27/2007
Effective 01/26/2008
Agency Contact: Jon Snellstrom (916) 653-4899

File# 2007-1214-02
FISH AND GAME COMMISSION
Applicable Area of Two-Rod Sport Fishing Stamp
This nonsubstantive rulemaking action reconciles title 14 C.C.R. Sec. 2.00 with amended Fish and Game Code Sec. 7149.4. Whereas, under the prior statute, a person could only be licensed to use two rods in inland lakes and reservoirs and the Colorado River District, amended section 7149.4 allows such fishing in inland waters, except those in which only artificial lures and barbless hooks may be used.

Title 14
California Code of Regulations
AMEND: 2.00
Filed 12/26/2007
Agency Contact: Jon Snellstrom (916) 653-4899

File# 2007-1116-06
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Industrial Trucks, General (Blue Signal Protection)

In order to help assure the safe unloading of railcars through the use of industrial trucks, this action updates the reference that describes the manner in which blue flags or lights must be displayed in proximity to a railcar during loading or unloading operations.

Title 8
 California Code of Regulations
 AMEND: 3650
 Filed 12/31/2007
 Effective 01/30/2008
 Agency Contact: Marley Hart (916) 274-5721

File# 2007-1210-04
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Operating Devices and Control Equipment

This change without regulatory effect amends subsections of Title 8 C.C.R. Sec. 1604.24 to correct typographical errors. Prior to this action, subsections (b)(12) and (h)(3) referred to a magnetic "contractor" and a magnetically operated "contractor." The word "contractor" should have read "contactor" so as to refer to the appropriate electronic control device. The action also adds applicable Authority and Reference citations which were previously absent from section 1604.24.

Title 8
 California Code of Regulations
 AMEND: 1604.24
 Filed 12/28/2007
 Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN AUGUST 1, 2007 TO
 JANUARY 2, 2008**

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

Title 2

12/26/07 AMEND: div. 8, ch. 54, sec. 54300
 12/19/07 ADOPT: 18413

12/18/07 ADOPT: 1859.324.1, 1859.330
 AMEND: 1859.302, 1859.318,
 1859.320, 1859.321, 1859.322,
 1859.323, 1859.323.1, 1859.323.2,
 1859.324, 1859.326, 1859.328, 1859.329
 12/17/07 AMEND: 58700
 12/17/07 AMEND: 18351
 12/13/07 ADOPT: 18531.2
 12/13/07 AMEND: 18530.4
 12/13/07 AMEND: 18421.2
 12/06/07 AMEND: 649, 649.1 (Renumbered to
 649.15), 649.1.1 (Renumbered to
 649.16), 649.2 (Renumbered 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
 (Renumbered 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
 (Renumbered 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
 (Renumbered to 649.2), 653.3
 (Renumbered to 649.41), 653.4
 (Renumbered to 649.37), 653.5
 (Renumbered to 649.38), 653.6
 (Renumbered to 649.61), 654.1
 (Renumbered to 649.3), 654.2
 (Renumbered to 649.43), 654.3
 (Renumbered to 649.46), 654.4
 (Renumbered to 649.44), 654.5
 (Renumbered to 649.45), 654.6
 (Renumbered to 649.47), 655.1

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(Renumbered to 649.51),	656.1	18586, 18587, 18588, 18590, 18616.5,
(Renumbered to 649.52),	656.2	18618, 18619, 18620, 18621, 18622,
(Renumbered to 649.54),	656.3	18626, 18650, 18700.1, 18702.6,
(Renumbered to 649.55),	656.4	18704.3, 18707.3, 18720, 18725, 18726,
(Renumbered to 649.53),	656.5	18726.1, 18726.2, 18726.3, 18726.4,
(Renumbered to 649.56),	656.6	18726.5, 18726.6, 18726.7, 18726.8,
(Renumbered to 649.50),	656.7	18727, 18760, 18902, 18930.1, 18931,
(Renumbered to 649.58),	656.8	18935, 18940.1, 18950.2, 18954
(Renumbered to 649.57),	657.1	08/03/07 AMEND: 58800
(Renumbered to 649.59),	657.2	08/02/07 ADOPT: 1700
(Renumbered to 649.60),	657.3	
(Renumbered to 649.62)		
10/31/07	ADOPT: 18200	Title 3
10/30/07	AMEND: 1138.10, 1138.30, 1138.72, 1138.90	12/26/07 AMEND: 3433(b)
10/17/07	ADOPT: 2970	12/26/07 AMEND: 3963
10/15/07	ADOPT: 2291, 2292, 2293, 2294, 2295, 2296	12/21/07 AMEND: 3434(b)
10/09/07	AMEND: 1896.98, 1896.99.100, 1896.99.120	12/20/07 ADOPT: 606
10/03/07	ADOPT: 1859.167.2, 1859.167.3 AMEND: 1859.2, 1859.163.3, 1859.167 REPEAL: 1859.167.1	12/19/07 AMEND: 3700(c)
10/01/07	ADOPT: 1859.71.6, 1859.77.4 AMEND: 1859.2	12/19/07 AMEND: 3433(b)
09/24/07	ADOPT: 18420.5	12/10/07 AMEND: 3406(b)
09/24/07	ADOPT: 18361 AMEND: 18360, 18361.7	12/06/07 AMEND: 3589
09/20/07	ADOPT: 18466	12/03/07 AMEND: 3434(b)
09/20/07	REPEAL: 18530.9	11/29/07 AMEND: 3434(b)
09/11/07	ADOPT: 18440	11/29/07 AMEND: 3591.2
09/10/07	AMEND: 1183.13	11/27/07 AMEND: 3406(b)
09/04/07	ADOPT: 54700	11/27/07 AMEND: 3433(b)
08/31/07	ADOPT: 1859.180, 1859.181, 1859.182, 1859.183, 1859.184, Form SAB 50–11 AMEND: 1859.2, 1859.51, 1859.61, 1859.75.1, 1859.81, 1859.81.1, 1859.81.2, 1859.103, 1859.104, 1859.202, 1866, Form SAB 50–04, Form SAB 50–06	11/21/07 AMEND: 3433(b)
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,	11/16/07 AMEND: 3417(b)
		11/15/07 AMEND: 3434
		11/14/07 AMEND: 3589
		11/14/07 AMEND: 3591.20
		11/09/07 AMEND: 3434(b)
		11/06/07 AMEND: 3406(b)
		11/01/07 AMEND: 1380.19, 1437.12
		10/29/07 AMEND: 3433(b)
		10/29/07 AMEND: 3406(b)
		10/25/07 AMEND: 3591.20 (a & b)
		10/15/07 AMEND: 3406(b)
		10/03/07 AMEND: 3433(b)
		09/28/07 AMEND: 3434(b)
		09/25/07 AMEND: 3591.2(a)
		09/24/07 ADOPT: 3591.20
		09/19/07 AMEND: 3700(c)
		09/17/07 AMEND: 3406(b)
		09/12/07 AMEND: 3700(c)
		09/11/07 AMEND: 3591.5(a)
		09/11/07 AMEND: 3433(b)
		09/10/07 ADOPT: 1391, 1391.1
		09/05/07 ADOPT: 820.2, 820.7 AMEND: 820, 820.3, 820.4, 820.5, 820.6, 820.7 REPEAL: 820.6

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08/21/07 AMEND: 3434
 08/10/07 ADOPT: 3152

Title 4

12/26/07 AMEND: 12002, 12122, 12202,
 12203.2, 12222

11/21/07 ADOPT: 12347
 11/09/07 AMEND: 1371
 10/25/07 ADOPT: 1747, 1748
 10/24/07 AMEND: 1486
 09/20/07 AMEND: 1844
 09/04/07 AMEND: 12205.1, 12225.1

Title 5

12/20/07 ADOPT: 1202 AMEND: 1200, 1204,
 1204.5, 1205, 1207, 1207.1, 1207.2,
 1207.5, 1209, 1210, 1211, 1211.5, 1215,
 1215.5, 1216, 1217, 1218, 1219, 1225

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
 11981.5), 11980 (renumber to 11982),
 11986 (renumber to 11982.5), 11983,
 11983.5, 11984

11/05/07 ADOPT: 18134
 10/29/07 ADOPT: 24010, 24011, 24012, 24013
 10/24/07 ADOPT: 11996, 11996.1, 11996.2,
 11996.3, 11996.4, 11996.5, 11996.6,
 11996.7, 11996.8, 11996.9, 11996.10,
 11996.11

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,
 17628, 17629, 17630.2, 17631, 17632,
 17640, 17641, 17642, 17646, 17648
 REPEAL: 17633, 17634, 17645, 17647,
 17649

09/10/07 ADOPT: 19828.2, 19829.5, 19830.1,
 19837.1, 19838, 19846 AMEND: 19816,
 19816.1, 19828.1, 19830, 19837, 19854

08/27/07 ADOPT: 9517.2
 08/23/07 AMEND: 42000, 42002, 42003, 42005,
 42006, 42007, 42008, 42009, 42010,
 42011, 42012, 42013, 42018, 42019

08/16/07 ADOPT: 18096 AMEND: 18078, 18081,
 18084, 18085, 18089, 18090, 18100,
 18107

08/13/07 ADOPT: 17660, 17661, 17662, 17663,
 17664, 17665, 17666, 17667

08/09/07 AMEND: 80124, 80125

Title 8

12/31/07 AMEND: 3650
 12/28/07 AMEND: 1604.24
 12/11/07 ADOPT: 9767.16, 9813.1, 9813.2
 AMEND: 9767.1, 9810, 9811, 9812,
 9813

12/10/07 ADOPT: 13800
 12/04/07 AMEND: 3214, Figure E-1 of 3231,
 Plate B-17

11/29/07 ADOPT: 33485 AMEND: 32135, 32166,
 32500, 32630, 32700, 32781, 32784,
 32786, 33480, 61020, 61450, 61470,
 61480, 81020, 81450, 81470, 81480,
 91020, 91450, 91470, 91480

11/26/07 ADOPT: 392.4 AMEND: 347, 350.1,
 355, 359, 359.1, 371.2, 374, 385, 392.5

11/05/07 AMEND: 4324
 10/31/07 AMEND: 1704
 10/30/07 AMEND: 1532.2, 5203, 5206, 8359
 10/23/07 ADOPT: 3324
 10/10/07 ADOPT: 5349, 5350, 5351, 5352, 5353,
 5354, 5355.1 AMEND: 5355, 5356,
 5357, 5358

10/10/07 AMEND: 4884
 10/09/07 AMEND: 2320.2
 10/03/07 ADOPT: 3458.1
 08/22/07 AMEND: 14300.10, 14300.12,
 14300.29, 14300.46

08/21/07 AMEND: 1740

Title 9

12/10/07 AMEND: 13035
 12/06/07 AMEND: 9100
 08/27/07 AMEND: 7128
 08/23/07 ADOPT: 3100, 3200.010, 3200.020,
 3200.030, 3200.040, 3200.050,
 3200.060, 3200.070, 3200.080,
 3200.090, 3200.100, 3200.110,
 3200.120, 3200.130, 3200.140,
 3200.150, 3200.160, 3200.170,
 3200.180, 3200.190, 3200.210,
 3200.220, 3200.230, 3200.240,
 3200.250, 3200.260, 3200.270,
 3200.280, 3200.300, 3200.310, 3300,
 3310, 3315, 3320, 3350, 3360, 3400,
 3410, 3500, 3505, 3510, 3520, 3530,
 3530.10, 3530.20, 3530.30, 3530.40,
 3540, 3610, 3615, 3620, 3620.05,
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