



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: California Municipal Finance Authority
Sacramento-Yolo Mosquito and Vector Control District

A written comment period has been established commencing on **January 25, 2008** and closing on **March 10, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **March 10, 2008**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

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

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

TITLE 2. VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD

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

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

This amendment (1) strikes the entire code text and replaces it with new text, (2) changes all references to the name of the Board to reflect the change from "Board of Control" to "Victim Compensation and Government Claims Board," (3) modifies the conflict-of-interest disclosure categories to more closely tailor them to the position responsibilities, and (4) makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than March 10, 2008, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than February 17, 2008, by contacting the Contact Person set forth below.

The Victim Compensation and Government Claims Board has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies

of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Victim Compensation and Government Claims Board has determined that the proposed amendments:

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

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

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

Jennifer Chmura
Senior Staff Counsel
Victim Compensation and Government Claims Board
400 R. Street, Suite 500
Sacramento, California 95811
(916) 491-3742
Jennifer.Chmura@vcgcb.ca.gov

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on October 3, 2007. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than March 31, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regula-

tions pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on October 29, 2007. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than April 28, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on November 21, 2007. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than May 19, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on November 27, 2007. The Department proposes to continue the regulation as amended and to complete the adoption 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 adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on December 19, 2007. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than June 16, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on December 26, 2007. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than June 23, 2008.

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

Notice is also given that any person interested may present statements or arguments in writing relevant to

the actions proposed to the agency officer named below on or before March 17, 2008.

Following the public hearing and the written comment period, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

The amendments of Section 3433 established additional quarantine areas for the pest *Diaprepes abbreviatus*, Diaprepes root weevil: 1) expanded the Carlsbad, Del Mar, Encinitas, La Jolla, and Rancho Santa Fe areas; and, established a new regulated area in the Carlsbad area of San Diego County; and, 2) expanded the Long Beach regulated area of Los Angeles County. The effect of these amendments was to provide authority for the State to regulate the movement of the articles and commodities covered which may move life stages of the Diaprepes root weevil from, into, and within that area under quarantine. This action is necessary to prevent artificial spread of the weevil to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3433 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 3433. No reimbursement is required for Section 3433 under Section 17561 of the Government Code because the agricultural commissioners of Los Angeles and San Diego 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 some California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business located within the regulated area may be significant. An average infested ornamental production nursery producing plants in one-gallon containers may incur initial costs of \$334 to \$527 per acre per six month period and; thereafter, ongoing costs of \$214.75 to \$456.25 per acre per six month period 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 \$0.005 to 0.008 per one gallon container and an ongoing production cost of \$0.003 to 0.007 per one gallon container of nursery stock every six months. The actual costs may vary with the type, size and production practices of the affected businesses.

ASSESSMENT

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend Section 3433 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 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 regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

If the regulation amended by the Department differs 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on October 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 April 28, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on November 6, 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 5, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on November 27, 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 Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action that was effective on December 10, 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 9, 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 pro-

visions 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 March 17, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

These amendments established new quarantine areas for Mediterranean fruit fly of approximately 97 square miles surrounding the Rolling Hills area of Los Angeles County. The effect of the amendment was to implement the authority for the State to regulate movement of hosts and possible carriers of Mediterranean fruit fly within and from the additional 97 square mile area under quarantine in Los Angeles County to prevent artificial spread of the fly to noninfested areas in order to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

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

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

EFFECT ON HOUSING COSTS

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

REFERENCE

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

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.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. A representative person or business could incur costs of approximately \$87 per year in reasonable compliance with the proposed action.

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.

ASSESSMENT

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

INTERNET ACCESS

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

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.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

AUTHORITY

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

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**

**COST TO LOCAL AGENCIES
AND SCHOOL DISTRICTS**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3417, subsection (b), of the regulations in Title 3 of the California Code of Regulations pertaining to Mexican Fruit Fly Interior Quarantine as an emergency action that was effective on November 16, 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 14, 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 may certify that there was compliance with 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 March 17, 2008.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

This amendment of Section 3417(b) established a quarantine area of approximately 78 square miles surrounding the Escondido area of San Diego County. The effect of the change is to provide authority for the State to regulate movement of hosts of Mexican fruit fly from, into, and within that area under quarantine to prevent artificial spread of the fly to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

The Department of Food and Agriculture has determined that Section 3417(b) 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 3417. No reimbursement is required for Section 3417 under Section 17561 of the Government Code because the Agricultural Commissioner of San Diego County 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 some California businesses, including the ability of California businesses to compete with businesses in other states.

**COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS**

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. A representative person or business could incur costs of approximately \$673 per year in reasonable compliance with the proposed action.

ASSESSMENT

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

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

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend Section 3417(b) 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 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 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 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 regulation 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 amended 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 amendment. 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

“Checks / Credit” CGCC-GCA-2007-R-6

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 12381 concerning the extension of credit, check cashing and automatic teller machines, and 12410, concerning unclaimed or abandoned property, of Title 4 of the California Code of Regulations.

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 25 to March 12, 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., March 12, 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 19841, subsection (g) provides specific authority.

The proposed regulation implements, interprets, or makes specific Business and Professions Code sections 19801, 19841, subdivisions (g), (h), and (j), sections 19920 and 19954, 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 rules governing the extension of credit and check cashing and recordkeeping regarding cash and credit transactions.

The proposed regulations will require that cardrooms comply with all laws regarding issuance of credit or check cashing, and will address the placement and accessibility of ATMs. The regulations will specify the information licensees must obtain before extending credit to patrons. The regulations will describe the procedures that must be followed in cashing patrons' checks and will specify the types of checks that may and may not be

cashed by licensees. In addition, the regulations will require that ATMs in gambling establishments not be accessible to patrons directly from a gambling table and that they be configured to not accept Electronic Benefit Transfer cards.

The proposed regulations also describe the responsibilities of licensees in accounting for and disposing of unclaimed or abandoned property left in the care and custody of the licensee. Compliance with the Unclaimed Property Law will be required, if applicable, and if that does not apply to a particular situation, this regulation provides for deposits to be made into the Gambling Addiction Program Fund.

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: Some gambling establishments may have to modify their internal policies or control mechanisms to comply with these regulations, but this one-time cost would be minimal. Many gambling establishments already have compliant rules in place or are forbidden from offering credit by local ordinance, so no additional costs would be incurred as a result of these regulations.

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: These proposed regulations may affect small businesses. 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:

Jim Allen, Regulatory Actions Coordinator,
California Gambling Control Commission,
2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833-4231;
Telephone: 916-263-0700,
Fax: 916-263-0452,
E-mail: jallen@cgcc.ca.gov.

**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 the regulatory actions coordinator 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 the regulatory actions coordinator 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 5. BOARD OF EDUCATION

**NOTICE OF PROPOSED RULEMAKING
AMENDMENT TO CALIFORNIA CODE OF
REGULATIONS, TITLE 5
REGARDING SPECIAL EDUCATION
NONPUBLIC SCHOOLS**

[Notice published January 25, 2008]

NOTICE IS HEREBY GIVEN that the State Board of Education (SBE) 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 SBE, will hold a public hearing beginning at **9:00 a.m. on March 10, 2008**, at 1430 N Street, Room 1101, 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 SBE requests, but does not require, that persons who make oral comments at the 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, California 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 March 10, 2008**.

AVAILABILITY OF CHANGED
 OR MODIFIED TEXT

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

AUTHORITY AND REFERENCE

Authority: Section 33031, 47612.5(b), 47634.2, Education Code.

Reference: Sections 47604.3, 47605, 47612.5(b), 47632, 47634.2, 51745.6, 51747.3, 60640-60643, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

Requirements for certification of California nonpublic schools and agencies are referenced in Part 30 of Education Code sections 56365 through 56366.12. Implementing regulations to clarify requirements for certification of California nonpublic schools and agencies are referenced in title 5, California Code of Regulations, sections 3001 et seq. The intent of these proposed regulations is to make technical changes to existing regulation language and to add new regulations implementing sections in Part 30 of the Education Code added by Assembly Bill 1858 (AB 1858), Chapter 914, Statutes of 2004 and AB 216, Chapter 382, Statutes of 2007. New provisions added to the Education Code by AB 1858 increase monitoring of nonpublic schools and

agencies, and align nonpublic schools and agency requirements for certification to the public school standards of instructional materials and qualified personnel. AB 216, passed in October 2007, amends EC 56366.10 and gives the nonpublic schools more flexibility in selecting a curriculum that is appropriate for each student. These proposed regulations are necessary to clarify consistent procedures and criteria in the administration of California's nonpublic school and agency certification program to ensure that affected public and private agencies and interested persons are informed of their rights and responsibilities in the certification process.

DISCLOSURES REGARDING THE
 PROPOSED REGULATION

The SBE has made the following initial determinations:

Mandate on local agencies or school districts: None
 Cost or savings to state agencies: 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 cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

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

Cost impacts on a representative private person or businesses: The SBE 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 have minimal impact on non-public, non-sectarian schools which are considered local businesses.

CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SBE, 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 SBE 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 may be directed to:

Sharon Crowell, Special Education Consultant
Special Education Division
California Department of Education
1430 N Street, Room 2401
Sacramento, CA 95814
Telephone: 916-327-3546

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 SBE 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 and of the initial statement of reasons, and all of the information 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/re/lr/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 Sharon Crowell, Special Education Division, 1430 N Street, Sacramento, CA, 95814; telephone, 916-327-3546; fax, 916-327-3516. It is recommended that assistance be requested at least two weeks prior to the hearing.

**TITLE 5. CALIFORNIA STUDENT AID
COMMISSION**

**NOTICE OF PROPOSED RULEMAKING
TITLE 5, CA CODE OF REGULATIONS
AMEND SECTIONS 30910, 30911, 30912, 30913,
30914 and 30916
REGARDING STATE NURSING ASSUMPTION
PROGRAM OF LOANS FOR EDUCATION FOR
NURSING FACULTY (SNAPLE NF)**

NATURE OF PROCEEDING

Notice is given that the California Student Aid Commission (CSAC) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the California Student Aid Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the 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 before its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

California Student Aid Commission
Attention: Gloria Falcon, Manager
P.O. Box 419029
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 526-8002 or by e-mail to snapple@csac.ca.gov. Comments must be submitted before 5:00 p.m. on March 10, 2008.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 70106 of the Education Code, and to implement, interpret, or make specific sections 70100-70110 of the Education Code, the California Student Aid Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: amend sections 30910, 30911, 30912, 30913, 30914, and 30916 to implement, interpret, and make specific sections 70100-70110 of the Education Code establishing the State Nursing Assumption Program of Loans for Education for Nursing Faculty (SNAPLE NF).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In 2007 the Legislature passed and the Governor signed SB 139, a bill that amended sections 70101 and 70106 of the Education Code. The changes in law enacted by SB 139 will take effect on January 1, 2008. These amended statutes allow persons who have earned a baccalaureate or graduate level degree in nursing or a field related to nursing to enter into an agreement for loan assumption. Prior to these amendments the statute required that applicants be enrolled or admitted on at least a half-time basis.

The California Student Aid Commission (Commission) believes that SB 139 was intended to provide clean up language for applicants who may have been enrolled within the award year they applied but may have completed their educational requirements at the time of application. The Commission further believes that the requirement for a participant to obtain employment within twelve months of receiving a degree, pursuant to Education Code section (c)(6) supports the requirement that the applicant be enrolled the award year that they apply for the program. Persons who graduated from college several years ago would have had to find employment within twelve months of receiving their degree. The Commission does not believe this program is designed to be a retention tool since there is a growing need for new faculty members. In addition, the program requires participants to meet all of the eligibility criteria included in section 70101 of the Education Code prior to selection into the program. Subsection (a)(3) of 70101 requires that the participant be making satisfactory academic progress while subsection (c)(3) of 70101 requires that a participant be enrolled at least

half-time. Therefore, the Commission will require applicants to be enrolled at least half-time and maintain satisfactory academic progress during the academic year they apply to satisfy both requirements. The Commission proposes to amend Title 5, Division 4, Chapter 1, of the California Code of Regulations, sections 30910, 30911, 30912, 30913, and 30914 to implement provisions added January 1, 2008.

Pursuant to the authority provided in Education Code, section 70106 the Commission adopted California Code of Regulations Title VI, Division 4, Chapter 1 section 30910 et seq. to implement, interpret, and make specific the requirements established in Education Code sections 70100-70110. The content of the SNAPLE NF application, nomination, and loan assumption agreement is included in sections 30911, 30912, and 30914 of the California Code of Regulations. The Commission has identified several areas that require additional information and certifications from applicants and nominating institutions as well as a necessity to establish an application deadline for the program. The Commission proposes to amend sections 30911, 30912, 30913, 30914, and 30916.

The proposed amendments would implement, interpret, and make specific the elements of SNAPLE NF. Specifically, the proposal would:

1. Define terms used in the regulations;
2. Establish a deadline for application submission;
3. Amend the requirements for applications to participate in the program;
4. Amend the requirements for the nominations of students for the program by accredited colleges or universities that decide to participate in the program;
5. Amend the process by which CSAC will select program participants from among nominated students;
6. Amend the requirements for loan assumption agreements between the selected program participants and CSAC;
7. Amend the requirements under which CSAC may make loan payments on behalf of the program participants;
8. Amend the consequences of a program participant's failure to complete the obligation to teach nursing.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

None

EFFECT ON HOUSING COSTS

None

BUSINESS IMPACT/SMALL BUSINESSES

CSAC has made an initial determination that the proposed regulatory action would have no significant state-wide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by section 11342.610 because the regulations apply to individual students and nurses who would be seeking to receive loan assumption agreements. Individual students and nurses are not small businesses within the meaning of Government Code 11342.610. Further, this proposal would affect a private sector or small business only if a private sector college or university voluntarily chooses to nominate its students to participate in SNAPLE NF, and thus, chooses voluntarily to comply with the requirements for nominations.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

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

COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would neces-

sarily incur in reasonable compliance with the proposed action.

BUSINESS REPORT

This regulatory proposal does not require a report.

ALTERNATIVES

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

CONTACT PERSON

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Clarita Cortez, Financial Aid Analyst
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7953

or

Gloria Falcon, Manager
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7508

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which the proposal is based may be obtained upon request from CSAC, P.O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the CSAC Website at www.csac.ca.gov.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

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

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

WEBSITE ACCESS

Materials regarding this proposal can be found at www.csac.ca.gov.

**TITLE 5. CALIFORNIA STUDENT AID
COMMISSION**

**NOTICE OF PROPOSED RULEMAKING
TITLE 5, CA CODE OF REGULATIONS
AMEND SECTIONS 30920, 30921, 30922, 30923,
30924 and 30925
REGARDING STATE NURSING ASSUMPTION
PROGRAM OF LOANS FOR EDUCATION FOR
NURSES IN STATE FACILITIES (SNAPLE NSF)**

NATURE OF PROCEEDING

Notice is given that the California Student Aid Commission (CSAC) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period, that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the California Student Aid Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the 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 before its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral

testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

California Student Aid Commission
Attention: Gloria Falcon, Manager
P. O. Box 419029
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 526-8002 or by e-mail to snaple@csac.ca.gov. Comments must be submitted before 5:00 p.m. on March 10, 2008.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 70125 of the Education Code, and to implement, interpret, or make specific sections 70120-70129 of the Education Code, the California Student Aid Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: amend sections 30920, 30921, 30922, 30923, 30924, and 30925 to implement, interpret, and make specific sections 70120-70129 of the Education Code establishing the State Nursing Assumption Program of Loans for Education for Nurses in State Facilities (SNAPLE NSF).

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

In 2007 the Legislature passed and the Governor signed SB 139, a bill that amended sections 70120, 70124, 70125, and 70128.5 of the Education Code. The changes in law enacted by SB 139 will take effect on January 1, 2008. These amended statutes allow a person who has successfully completed an accredited program of professional preparation for licensing as a registered nurse in California to enter into an agreement for loan assumption under the State Nursing Assumption Program of Loans for Education for Nurses in State Facilities (SNAPLE NSF) provided that they are not currently employed as a registered nurse in a state operated 24-hour facility. Pursuant to the authority provided in Education Code section 70125 to adopt rules and regulations to administer the SNAPLE NSF program the Commission proposes to amend Title 5, Division 4, Chapter 1, of the California Code of Regulations, sections 30920 and 30921. The purpose of these amendments is to accommodate the statutory changes enacted by AB 139.

Pursuant to the authority provided in Education Code section 70125 the Commission adopted California

Code of Regulations Title VI, Division 4, Chapter 1 section 30920 et seq. to implement, interpret, and make specific the requirements established in Education Code sections 70120–70129. The content of the SNAPLE NSF forms for applicants, eligible institutions, and participants are included in sections 30921, 30922, 30924, and 30925. The Commission has identified several areas that require additional information and certifications from applicants and nominating institutions to administer the program. The Commission also recognized the necessity to establish an application deadline to assure that it can select the most qualified applicants in the event there are more applicants than can be selected for participation. It proposes to amend sections 30921, 30922, 30924, and 30925 to specify additional information it will request from applicants on the application, modify the content of the loan assumption agreements, amend the certifications required by eligible institutions, and establish a June 30th deadline for application submission.

The proposed amendments would implement, interpret, and make specific the elements of SNAPLE NSF. Specifically, the proposal would:

1. Define terms used in the regulations;
2. Establish a deadline for application submission;
3. Amend the requirements for applications to participate in the program;
4. Amend the requirements for the nominations of students for the program by accredited colleges or universities that decide to participate in the program;
5. Amend the process by which CSAC will select program participants from among nominated students;
6. Amend the requirements for loan assumption agreements between the selected program participants and CSAC;
7. Amend the requirements under which CSAC may make loan payments on behalf of the program participants;
8. Amend the consequences of a program participant's failure to complete the obligation to teach nursing;
9. Amend the development of projections for funding purposes.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

None

EFFECT ON HOUSING COSTS

None

BUSINESS IMPACT/SMALL BUSINESSES

CSAC 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 proposal would impose no costs upon business. The proposal does not affect small businesses as defined by Government Code section 11342.610 because the regulations apply to individual students and nurses who would be seeking to receive loan assumption agreements. Individual students and nurses are not small businesses within the meaning of Government Code 11342.610. Further, this proposal would affect a private sector or small business only if a private sector college or university voluntarily chooses to nominate its students to participate in SNAPLE NSF, and thus, chooses voluntarily to comply with the requirements for nominations.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

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

COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS

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

BUSINESS REPORT

This regulatory proposal does not require a report.

ALTERNATIVES

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

CONTACT PERSON

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Clarita Cortez, Financial Aid Analyst
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7953

or

Gloria Falcon, Manager
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7508

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which the proposal is based may be obtained upon request from CSAC, P.O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the CSAC website at www.csac.ca.gov.

INITIAL STATEMENT OF REASONS
AND INFORMATION

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

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

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

WEBSITE ACCESS

Materials regarding this proposal can be found at www.csac.ca.gov.

**TITLE 10. CALIFORNIA DEPARTMENT
OF REAL ESTATE**

**NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE REAL
ESTATE COMMISSIONER**

Jeff Davi, Real Estate Commissioner, proposes to adopt, amend and/or repeal the proposed regulations described below in Title 10, California Code of Regulations, after considering all comments, objections and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commissioner proposes to adopt, amend and/or repeal sections 2840, 2842 and 2844 in Title 10 of the California Code of Regulations (CCR).

PUBLIC COMMENTS

The Commissioner or his representative will hold a public hearing starting at 10:00 a.m., on March 11, 2008, at the Department of Real Estate Examination Room, located at 2200 X Street, Suite 120B, Sacramento, California. The Examination 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. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony to the Commissioner.

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commissioner. The written comment period closes on March 11, 2008. All written comments must be received by 5:00 p.m. on that date at the Department's Sacramento Office as follows:

David B. Seals, Real Estate Counsel
Department of Real Estate
2201 Broadway
P.O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

Comments may be sent via electronic mail to regulations@dre.ca.gov or via fax to David B. Seals at (916) 227-9458.

AUTHORITY AND REFERENCE

The changes to the regulations are authorized by Business and Professions Code sections 10080 and 10240.3 to implement, interpret or make specific Business and Professions Code sections 10131.1, 10236.4, 10240, 10240.2, 10240.3 and 10241.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

SUMMARY OF EXISTING LAWS AND REGULATIONS

Real estate brokers acting within the meaning of Section 10131(d) of the Business and Professions Code (hereinafter the "Code") have been required to provide a disclosure statement to borrowers within three days of receiving a completed written loan application that provides all of the information required by Section 10241 of the Code. Sections 2840 and 2840.1, Title 10, California Code of Regulations (hereinafter the "Regulations") contained the formats for the approved disclosure statements. Regulation 2840 was amended, and Regulation 2840.1 was repealed, effective September 28, 2007 in order to remove the text of the Mortgage Loan Disclosure Statement, RE882 and the Mortgage Loan Disclosure Statement/Good Faith Estimate, RE883 from the regulations.

On January 1, 2008, Senate Bill 385 (Chapter 301 Statutes of 2007) became effective. The bill requires the Department of Real Estate to apply the "Statement on Subprime Mortgage Lending" (the Statement) and the "Guidance on Nontraditional Mortgage Product Risks" (the Guidance) to real estate brokers acting within the meaning of Sections 10131(d) or 10131.1 of the Code. The bill further permits the Department to adopt emergency and final regulations to clarify application of its provisions. In order to provide all of the consumer information recommended by the Statement and the Guidance and mandated by Senate Bill 385, the RE882 and RE883 disclosure statements must be amended. The RE882 and RE883 disclosure statements relate to traditional and/or subprime mortgage products only and are incorporated by reference into Regulation 2840.

To further consumer protection and in anticipation of the SB 385 becoming law, the Department promulgated Regulation 2842 effective on September 28, 2007. A new disclosure form, "Mortgage Loan Disclosure Statement/Good Faith Estimate — Nontraditional

Mortgage Product (One to Four Residential Units)," RE885, was incorporated by reference into Regulation 2842 to provide a vehicle for real estate brokers to comply with the consumer protection mandate of Senate Bill 385. In order to provide all of the consumer information recommended in the Guidance and the Statement and mandated by the finally adopted version of Senate Bill 385, the RE885 disclosure statement must be amended.

As amended by Senate Bill 385, Section 10131.1 defines persons who make eight (8) or more loans secured by real property from their own funds, unless exempted, as real estate brokers. Section 2844 must be adopted to clarify the lending practices to be adopted pursuant to Section 10240.3 of the Code by those newly covered brokers resulting from the SB 385 amendment of Section 10131.1 of the Code.

SUMMARY OF THE EFFECT OF THE PROPOSED ACTION

AMENDMENT OF SECTION 2840

Would modify forms RE882 and RE883 to include (1) expanded information regarding loan terms; (2) information regarding possible increased costs of "no documentation" or "no asset" loans; (3) increased disclosures of prepayment penalty information; and (4), in the case of the RE882, additional, and, in the case of the RE883, expanded, information regarding real estate taxes and insurance that must be paid.

AMENDMENT OF SECTION 2842

Would modify form RE885 (1) to include information regarding possible increased costs of "no documentation" or "no asset" loans; (2) to increase the disclosure of prepayment penalty information; and (3) to provide information regarding real estate taxes and insurance that must be paid.

ADOPTION OF SECTION 2844

Would clarify the required lending practices related to nontraditional and subprime mortgage products, under Section 10240.3 of the Code, for real estate brokers newly covered by the amendment to Section 10131.1 of the Code which was contained in SB 385 (Chapter 301 Statutes of 2007).

EFFECT ON SMALL BUSINESS

The proposed regulatory changes may affect small business.

**DISCLOSURES REGARDING
THE PROPOSED ACTION**

1. Plain English drafting: The Commissioner has confirmed that these regulations have been drafted in plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).
2. Mandate on local agencies and school districts: None.
3. Cost or savings to any state agency: None.
4. Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None.
5. Other non-discretionary cost or savings imposed upon local agencies: None.
6. Cost or savings in federal funding to the state: None.
7. The Department is aware that there may be cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, such cost impact will not be significant.
8. The Commissioner has made an initial determination that the adoption, amendment or repeal of these regulations 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.
9. Impact on jobs and business expansion, elimination or creation: The Commissioner has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs within the State of California nor will it significantly affect the creation of new businesses, the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California.
10. Significant effect on housing costs: None.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commissioner 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 Commissioner invites interested persons to present statements or arguments with respect to alternatives

to the proposed regulatory action during the written comment period.

CONTACT PERSON

Inquiries concerning the proposed action may be directed to:

David B. Seals, Real Estate Counsel
Department of Real Estate
2201 Broadway
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

The backup contact person is:

John VanDriel, Real Estate Counsel
Department of Real Estate
2201 Broadway
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

The name of the person who can respond to questions concerning the substance of the proposed regulatory action is:

David B. Seals, Real Estate Counsel
Department of Real Estate
2201 Broadway
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

Please direct requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which the rulemaking is based to:

David B. Seals, Real Estate Counsel
Department of Real Estate
2201 Broadway
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

**AVAILABILITY OF STATEMENT OF
REASONS, TEXT OF PROPOSED
REGULATIONS AND INTERNET SITE**

The Commissioner will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at his 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 pro-

posed text of the regulation, and the initial statement of reasons. The final statement of reasons once it is prepared pursuant to Section 11346.9 of the Government Code will also be a part of the rulemaking file and available for inspection and copying as indicated above. Portions of the rulemaking file and information regarding the Department are available through our website (www.dre.ca.gov). The express terms of the proposed action written in plain English are available from the agency contact person named in this notice. Copies may be obtained by contacting David B. Seals at the address and phone number listed above.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

The Real Estate Commissioner may, on his own motion or at the recommendation of any interested person made by written or oral comment, modify the Proposed Regulation and adopt the Regulation Change as modified if the change is determined to be one that the public could have reasonably anticipated from this Notice, the Informative Digest, and the Initial Statement of Reasons.

If the Commissioner decides to modify the Proposed Regulation change, the Department will make copies of the full text of the regulation, as originally proposed with the proposed modifications clearly indicated, available for not less than 15 days prior to adopting the modified regulation. Copies of the modified regulation will be mailed to all persons who have made written or oral comments concerning the Proposed Regulation and all persons who have requested notification of availability of the modifications.

Requests for modified regulations or other communications concerning the Proposed Regulation change should be addressed to the Department's contact person, David B. Seals, at the address and/or telephone number above.

**COMPLIANCE WITH GOVERNMENT CODE
§11346.4(A)(1) THROUGH (4)**

The Department of Real Estate (the Department) has complied with Government Code §11346.4(a)(1) through (4) and Section 86, Title 10 of the California Code of Regulations, by mailing or delivering a copy of this Notice of Proposed Changes in the Regulations of the Real Estate Commissioner and of the Proposed Regulations with changes indicated in strikeout and underline to the Department's list of interested persons including:

1. Every person who has filed a Request for Notice of Regulatory Action with the Department.

2. The Director of the Department. (The Real Estate Commissioner and the Secretary of the Business, Transportation and Housing Agency).
3. A substantial number of real estate brokers. They are predominantly small businesses, some of which may be, or have been in the past, affected by our Proposed Regulation change. The Department has no way of knowing which are small businesses.
4. The California Association of Realtors, a real estate licensee trade organization and the California Building Industry Association, a homebuilders trade organization.

**TITLE 22. DEPARTMENT OF SOCIAL
SERVICES**

ORD #0507-02

**NOTICE OF PROPOSED CHANGES
IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES (CDSS)**

ITEM#1 Family Connections for Foster Youth, Foster Care Provider Training, and Foster Family Agency Reference Checks

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

March 12, 2008
Office Building #9
744 P St. Auditorium
Sacramento, California

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

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on March 12, 2008.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or

grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

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

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

CONTACT

Office of Regulations Development
California Department of Social Services
744 P Street, MS 7-192
Sacramento, California 95814

TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

Title 22, Division 6, Chapter 1 (General Licensing Requirements), Section 80017 (Nondiscrimination of Applicants); Chapter 4 (Small Family Homes) Section 83017 (Applicant Qualifications), Section 83064 (Licensee Duties and Responsibilities), Section 83075 (Health Related Services), Chapter 5 (Group Homes), Section 84065 (Personnel Requirements), Section 84068.2 (Needs and Services Plan), Section 84090 (Initial Certification Training Program Approval Requirements), Subchapter 1, (Community Treatment Facilities), Section 84165, (Personnel Requirements), Subchapter 2, (Care for Children Under The Age of Six Years), Section 84265 (Personnel Requirements), Chapter 7 (Transitional Housing Placement Program), Section 86065 (Personnel Requirements), Section 86068.2 (Needs And Services And Transitional Independent Living Plan (TILP)), Chapter 7.3 (Crisis Nurseries), Section 86517 (Nondiscrimination of Applicants), Chapter 8.8 (Foster Family Agencies), Section 88001 (Definitions), Section 88022 (Plan of Opera-

tion), Section 88031 (Application For Certification), Section 88054 (Civil Penalties), Section 88065.3 (Social Work Personnel), Section 88068.2 (Needs and Services Plan), Section 88069.7 (Content of Certified Family Home or Licensed Foster Family Home Care Record), Chapter 9.5 (Foster Family Homes), Chapter 89317 (Nondiscrimination of Applicants), Section 89318 (Applicant Qualifications), Section 89378 (Responsibility For Providing Care And Supervision), Section 89405 (Training Requirements).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current Children's Residential community care regulations address connections with family in sections on personal rights accorded to children in out-of-home placement by Welfare and Institutions Code section 16001.9. Assembly Bill (AB) 1412, Chapter 640, Statutes of 2005 reinforced existing personal rights that children in placement have to contact family members, unless prohibited by court order, and have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends, by requiring that actions be taken to maintain these connections consistent with the child's best interests.

Proposed regulatory amendments would incorporate provisions of AB 1412 into regulations for all Children's Residential facilities. Amendments have been made to the licensee duties and responsibilities section of small family home (SFH); needs and services plan sections of group home (GH), transitional housing placement program (THPP), and foster family agency (FFA); social work personnel section of FFA; and responsibility for providing care and supervision section of standalone foster family home (FFH) regulations.

Another personal right accorded to children in out-of-home placement is the right to nondiscrimination specified in Welfare and Institutions Code section 16001.9, which was recently added to sections on personal rights in Children's Residential regulations. AB 458, Chapter 331, Statutes of 2003 accorded this right and also required that all group home and foster care providers receive training in providing nondiscriminatory care. It also added Welfare and Institutions Code section 16013 and further stipulated that nondiscrimination extends to applicants wishing to become foster care providers.

Proposed regulatory amendments would incorporate AB 458 nondiscrimination training provisions into regulations for all Children's Residential facilities. Amendments have been made to the licensee duties and responsibilities section of SFH; initial certification training program approval requirements of GH; personnel requirements sections of all GH; plan of operation

section of FFA; and training requirements section of standalone FFH regulations. Proposed regulatory amendments would incorporate the provider nondiscrimination provisions of AB 458 by amending the applicant qualifications sections of general licensing requirements, SFH, and standalone FFH regulations.

Current Children's Residential regulations address incidental medical services provided for by Health and Safety Code section 1507 in sections that address health related services, personnel requirements, and training requirements. The Department proposes to clarify First Aid and CPR training requirements for certified parents by amending the health related services section of SFH regulations to state that caregivers shall complete first aid and CPR training in addition to other training that supports caring for children. The Department also proposes to clarify training provided for by Health and Safety Code 1529.2 that foster family agencies must provide as well as training that must be received by certified parents and foster parents.

Current FFA regulations address certification of family homes in Article 4, Certification and Use of Homes. AB 2661, Chapter 643, Statutes of 2004 added Health and Safety Code section 1506.7, which requires a FFA to ask the owner or operator of a family home applying for certification to provide an application that discloses whether the applicant has been certified, decertified, or put on placement hold status by a FFA. This bill added Health and Safety Code section 1506.8, which provides that a FFA shall contact any FFAs which have previously certified and states or counties which have previously licensed, an applicant for reference checks on certified family home applicants. It also added Health and Safety Code section 1506.9, which states that no civil liability shall be incurred as a result of the FFA providing the department with a log of certified and decertified family homes or notifying the department of its decision to decertify a certified family home.

Proposed regulatory amendments would incorporate AB 2661 provisions by adding a definition of "placement hold" to the definitions section of FFA regulations. An Application for Certification section would be added to regulations to outline information that applicants for family home certification must provide to FFAs, information that FFAs must provide to applicants for family home certification, and reference checks that FFAs must make before an applicant is certified as a family home.

Current FFA regulations make agencies responsible for paying civil penalties for violations cited against their certified family homes. AB 2661 allowed the department to issue a citation and assess a civil penalty of \$50.00 per day each time a FFA fails to provide the department with information about certified and decertified family homes.

A Civil Penalties section would be added to FFA regulations to provide immediate and repeat civil penalties when a FFA is cited for failing to provide the department with information about certified and decertified family homes.

COST ESTIMATE

1. Costs or Savings to State Agencies.
No fiscal impact exists because this regulation does not affect any State agency or program.
2. Costs to Local Agencies or School Districts.
None.
3. Nondiscretionary Costs or Savings to Local Agencies.
No fiscal impact exists because this regulation does not affect any local entity or program.
4. Federal Funding to State Agencies.
No fiscal impact exists because this regulation does not affect any federally funded State agency or program.

LOCAL MANDATE STATEMENT

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

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

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

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that the proposed regulations will affect small businesses. Children's residential programs regulations will be amended to implement statutes pursuant to the provisions of Assembly Bill (AB) 458, Chapter 331, Statutes of 2003, AB 1412, Chapter 640, Statutes of 2005, and AB 2661, Chapter 643, Stat-

utes of 2004. These statutes require that foster care providers help maintain a foster child's connections, receive nondiscrimination training, and provide further procedures for certifying and decertifying homes, respectively. Also, regulations will clarify family connections; foster family agency, certified parent, and foster parent training responsibilities; content of the certified family home or licensed foster family home record.

**ASSESSMENT OF JOB CREATION
OR ELIMINATION**

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

STATEMENT OF EFFECT ON HOUSING COSTS

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

STATEMENT OF ALTERNATIVES CONSIDERED

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

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Health and Safety Code Section 1530. Subject regulations implement and make specific Welfare and Institutions Code Section 366.1, 366.2, and 16013. Health and Safety Code Section 1506.7, 1506.8, 1506.9, 1522.41, 1529.2, 1536, and 1548.

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

Contact Person: Sue Tognet (916) 657-2586

Backup: Sandra Ortega (916) 657-2586

**TITLE 24. BUILDING STANDARDS
COMMISSION**

**NOTICE OF PROPOSED ACTION
TO
BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING
AND DEVELOPMENT**

**REGARDING THE CALIFORNIA BUILDING
STANDARDS ADMINISTRATIVE CODE
AND
CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PARTS 1 & 2**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1, Chapters 6 & 7 and Part 2, Chapters 16A, 17A, 18A, 22A, 34A, 34 & 35. The OSHPD is proposing building standards related to seismic rehabilitation for existing hospital buildings and skilled nursing facilities.

PUBLIC COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from January 25, 2008 until 5:00 p.m. on March 10, 2008. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Dave Walls, Executive Director

Written Comments may also be faxed to (916) 263-0959 or E-mailed to CBSC@dgs.ca.gov.

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

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made,

the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

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

AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18949.3 and 130021 and Government Code Section 11346.1. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Section 130005. The Office of Statewide Health Planning and Development is proposing this regulatory action based on Health and Safety Code Sections 129850, 130005(g) and 130021 and Government Code Section 11346.1.

INFORMATIVE DIGEST

Summary of Existing Laws

Health and Safety Code, Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code, Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code, Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Health and Safety Code, Sections 129675 through 130070 authorizes the Office to provide plan review and construction observation for hospitals, skilled nursing facilities and intermediate care facilities in order to assure that these health facilities are compliant with the California Building Standards Code. Specifically, Section 129850 authorizes the Office to develop regulations to effectively carry out the mandate of the Alfred E. Alquist Hospital Seismic Safety Act.

Health and Safety Code, Sections 130000 through 130070 establishes responsibilities for the Office and for hospital owners regarding the seismic safety and retrofit of general acute care hospitals.

Health and Safety Code Section 130005(g) authorizes the Office to develop regulations as they apply to the administration of seismic standards for retrofit designs, construction, and field reviews as it deems necessary to meet the intent of Health and Safety Code, Sections 130000 through 130025 regarding seismic safety in hospitals.

Health and Safety Code Section 130021 requires that all regulatory proposals submitted by the Office to the California Building Standards Commission pursuant to the provisions of Health and Safety Code Sections 130000 through 130070 shall be deemed emergency regulations. This provision will remain in effect until January 1, 2008.

Health and Safety Code, Section 18929 mandates that building standards or administrative regulations that directly apply to the implementation or enforcement of building standards must be submitted by the adopting agency to the California Building Standards Commission for the Commission's approval and must be adopted pursuant to Section 18930 and the Government Code (commencing with Section 11348).

Government Code, Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations that are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with 18901).

Government Code, Section 11346.1(b)(2) requires that any finding of emergency shall include a written statement that contains specific information describing the existence of the emergency and need for immediate action. Subsection (c) requires that building standards that are emergency regulations must be approved by the California Building Standards Commission.

Summary of Existing Regulations

Pursuant to SB 1953 (Chapter 740, Statutes of 1994), all general acute care hospitals in service prior to January 1, 2000, were required to evaluate each hospital building to determine the structural and nonstructural performance categories based on their expected seismic performance. Hospital buildings are required to progressively improve their expected nonstructural performance category (NPC) and by January 1, 2002, must have achieved an NPC-2. By January 1, 2008, or 2013, if an extension has been granted, hospital buildings must be at an NPC-3/NPC-3R rating and by January 1, 2030, all hospital buildings must be at NPC-5. Title 24, Part 1, Chapter 6, Article 11, Table 11.1 describes the

NPCs and sets forth requirements for achieving those categories.

In addition, hospital buildings were evaluated to specific structural performance categories (SPC) and these categories are also described in Title 24, Part 1, Chapter 6. Hospital buildings rated SPC-1 are at risk of collapse in an earthquake and must be retrofitted, replaced or removed from acute care service by January 1, 2008, or 2013, if an extension has been granted. The SPC-2 buildings were those constructed pre-1973, prior to the Alfred E. Alquist Hospital Facilities Seismic Safety Act (HFSSA), and may not be operational or repairable following an earthquake. These buildings must be retrofitted or replaced by January 1, 2030. The SPC-3 and SPC-4 buildings were built to the HFSSA requirements, but because of certain features, may not be operational or repairable after an earthquake. The highest rated SPC-5 hospital buildings can be used through January 1, 2030, and beyond.

Title 24, Part 2, 2007 California Building Code, Volume 2 provides seismic rehabilitation procedures based on Federal Emergency Management Agency's (FEMA) FEMA 356, *Prestandard and Commentary for the Seismic Rehabilitation of Buildings*, which was published in 2000. The American Society of Civil Engineers' (ASCE) ASCE 41-06 standard is an American National Standard Institute (ANSI) approved consensus national standard for seismic rehabilitation of existing buildings based on FEMA 356 and incorporates research data from the last several years. FEMA 356 is currently out of print and is not readily available as hard copy.

Summary of Effect

The proposed regulations will adopt a new ANSI approved national consensus standard for seismic rehabilitation of existing buildings. This will provide uniformity in design for seismic rehabilitation of existing hospital buildings and skilled nursing facilities. This will also simplify construction and the remodel project design/ approval process.

ASCE Standard 41-06, *Seismic Rehabilitation of Existing Buildings*, is the latest generation of performance-based seismic rehabilitation methodology. This new national consensus standard was developed from the FEMA 356, *Prestandard and Commentary for the Seismic Rehabilitation of Buildings*, which served as a starting point for the formal standard development process. ASCE Standard 41-06 represents state-of-the-art knowledge in earthquake engineering and is a valuable tool for the structural engineering profession to improve building performance in future earthquakes. It includes significant improvements in current understanding of building behavior in earthquakes, such as:

- Improved C-coefficients (these coefficients convert ground seismic spectral accelerations to base shear coefficient) for calculation of the pseudo-lateral force and target displacement based on recommendations in FEMA 440, *Improvement of Nonlinear Static Seismic Analysis Procedures*.
- Comprehensive soil-structure interaction provisions including kinematic effects and foundation damping effects.
- Revised acceptance criteria for steel moment frames to reflect final conclusions of the SAC Joint Venture research, which is a partnership of Structural Engineers Association of California (SEAOC), Applied Technology Council (ATC) and California Universities for Research in Earthquake Engineering (CUREe).
- Expanded acceptance criteria for concentrically braced frames defined as a function of brace slenderness, compactness and level of connection detailing.
- Updated nonstructural provisions in the ASCE 41 to be consistent with current National Earthquake Hazards Reduction Program (NEHRP) provisions for new buildings in 2007 CBC.

Comparable Federal Statute or Regulations

There are no federal statutes or regulations that are comparable to these proposed regulations.

Policy Statement Overview

Title 24, Part 1, Chapter 6 contains OSHPD's administrative regulations for the implementation of SB 1953 (Chapter 740, Statutes of 1994) seismic safety and retrofit requirements for general acute hospitals. These requirements contain seismic evaluation procedures including the definitions for structural and nonstructural seismic performance categories and the deadlines by which hospital buildings must achieve specific levels of seismic performance.

Title 24, Part 1, Chapter 7 provides administrative regulations regarding the submittal of hospital and skilled nursing facility construction projects to OSHPD for plan review and field observation.

Title 24, Part 2, Volume 2, contains structural requirements and nonstructural (anchorage and bracing of equipment, piping etc.) requirements for hospital building construction.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS

There are no matters to be identified.

**MANDATE ON LOCAL AGENCIES
OR SCHOOL DISTRICTS**

OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

FISCAL IMPACT STATEMENT

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

OSHPD has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE

OSHPD has not relied on any other facts, evidence, documents, testimony or other evidence to make its initial determination of no statewide adverse economic impact.

**FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE**

A report applicable to businesses is not required by these regulations.

**COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS**

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

**ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**

OSHPD has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
These regulations will have no effect.
- The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will have no effect.
- The expansion of businesses currently doing business with the State of California.
These regulations will have no effect.

**INITIAL DETERMINATION OF SIGNIFICANT
EFFECT ON HOUSING COSTS**

OSHPD has made a determination that this proposal will not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

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

EFFECTIVE DATE OF REGULATIONS

These regulations will amend the 2007 California Building Code which will become effective January 1, 2008. In order to coordinate with the new code these proposed regulations shall also be effective on January 1, 2008.

**AVAILABILITY OF RULEMAKING
DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties 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 at

the California Building Standards Commission website.

CBCS CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

General questions regarding procedural and administrative issues should be addressed to:

Michael L. Nearman
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Telephone No.: (916) 263-0916
Facsimile No.: (916) 263-0959

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Duane Borba, Supervisor, Health Facilities Review
Office of Statewide Health Planning and
Development
Facilities Development Division
1600 Ninth Street, Room 420
Sacramento, CA 95814

Telephone: (916) 654-3139
FAX: (916) 653-2973
E-mail: regsunit@oshpd.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY DEPARTMENT OF TOXIC SUBSTANCES CONTROL

NOTICE TO INTERESTED PARTIES

DTSC SEEKS JUDICIAL APPROVAL OF CONSENT DECREE REGARDING THE WASTE DISPOSAL INC. SITE LOCATED AT LOS NIETOS ROAD AND GREENLEAF AVENUE IN SANTA FE SPRINGS, LOS ANGELES COUNTY, CALIFORNIA

The Department of Toxic Substances Control ("DTSC") has agreed to enter into a Consent Decree with Archer Daniels Midland Company, Atlantic Richfield Company, Atlantic Oil Company, McDonnell Douglas Corporation, Chevron U.S.A. Inc., Texaco Inc., Conoco Phillips Company, Conoco Inc., DiLo, Inc., Air Liquide America L.P., ALA LPLLC, and ALA GP LLC, Exxon Mobil Corporation, Exxon Mobil Oil Corporation, Mobil Business Resources Development Corporation, Mobil Oil Exploration & Producing Southeast Inc., Mobil Exploration and Producing North America Inc., Mobil Exploration and Producing Services Inc., Mobil Exploration & Producing US Inc., Mobil Mining & Minerals Company, The Superior Oil Company, Mobil Pipe Line Company, Exxon Mobil Production Company, Ferro Corporation, FMC Technologies Inc., Halliburton Energy Services, Inc., Global Santa Fe Corporation, Shell Oil Company, Union Pacific Railroad Company, Union Oil Company of California (collectively referred to as the "WDIG") regarding the Waste Disposal Inc Site ("Site") located at Los Nietos Road and Greenleaf Avenue in the City of Santa Fe Springs.

Site History. In the mid-1920's, an in-ground concrete-lined reservoir was constructed at the Site with a capacity of 42 million gallons. This reservoir and other areas of the Site were used for the storage of crude oil, liquid and solid hazardous wastes, and drilling muds. Investigations have shown that materials disposed of at the Site also included the following wastes: organic wastes, oil refinery wastes, solvents, petroleum-related chemicals, and other chemical wastes. The reservoir was covered with soil and graded in 1966.

Enforcement Activities and Cleanup Work Completed by EPA and DTSC. In December of 1984, the United States Environmental Protection Agency (EPA) performed a preliminary assessment. The site was later placed on the National Priorities List (NPL) in 1987. In 1988, EPA began the Remedial Investigation (RI) phase. In 1993, the Record of Decision was prepared describing the proposed remedy as excavation, re-consolidation, and containment of waste using a RCRA-equivalent capping system over the reservoir, with associated soil gas control and monitoring. Based on new information from the investigations, an Amended ROD was issued in 2002 to address the waste outside of the reservoir, soil gas and groundwater contamination.

Chemicals detected in waste include volatile organic compounds (VOCs), primarily benzene, toluene, ethylbenzene, and xylene (BTEX), semi-volatile organic compounds (SVOCs), and heavy metals such as arsenic, chromium, copper, and lead.

In 1994 and 1997, EPA issued Administrative Unilateral Orders to the Potentially Responsible Parties to commence Remedial Design (RD) activities. In response to the Order, WDIG performed several site investigation and design activities at the Site. DTSC, as a support agency, provided EPA with review and recommendations during the investigation and remediation process.

Complaint. Pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), DTSC filed a complaint (U.S.D.C. Central District of California Case No. CV 07-07966 MRP (JCx)) for recovery of DTSC's past response costs incurred at the Site. DTSC also requested declaratory relief that WDIG is liable for DTSC's future response costs incurred at the Site.

The Consent Decree. The Consent Decree entered into by WDIG requires them to pay DTSC \$238,000, which represents a portion of the past costs that DTSC has incurred at the Site. WDIG has also agreed to pay all of DTSC's future response costs. In return, WDIG receives contribution protection as provided by federal law from certain claims by other liable parties and a covenant not to sue from DTSC. WDIG does not admit liability. DTSC reserves a number of rights, including, *inter alia*, its right to seek recovery of its unpaid past and future costs from third parties.

Entry of the Decree. DTSC has lodged the Consent Decree with the United States District Court for the Central District of California. After a 30-day public comment period ends and DTSC prepares responses to any comments received, the Attorney General's Office will make a motion for judicial approval of the Consent Decree, pursuant to 42 U.S.C. § 9613(f)(2).

Obtaining Copies of the Decree. Interested parties may obtain a copy of the Consent Decree by contacting Ms. Jessy Fierro at (818) 551-2174 or email jfierro@dtsc.ca.gov.

Comments on the Decree. DTSC invites any interested persons to submit comments on the Consent Decree. Comments must be **received by DTSC on or before February 26, 2008**. The comments should reference the Site name and be directed to:

Ms. Jessy Fierro
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, California 91201

DTSC's responses to any timely comments will be available for inspection at DTSC's Glendale Office. Further information regarding this matter may be obtained by contacting any of the following persons: Deputy Attorney General Sarah Morrison at (213) 897-2640, or DTSC Staff Counsel Colleen Heck at (916) 324-5780.

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)**

**CHEMICALS UNDER CONSIDERATION FOR
POSSIBLE LISTING VIA THE
AUTHORITATIVE BODIES MECHANISM:
REQUEST FOR RELEVANT INFORMATION
January 25, 2008**

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65 or the Act) which is codified at Health and Safety Code section 25249.5 et seq., requires the Governor to publish, and update at least annually, a list of chemicals known to the State to cause cancer or reproductive toxicity. The Act describes the mechanisms for administratively listing chemicals as known to the State to cause cancer or reproductive toxicity (Health and Safety Code section 25249.8.)

One mechanism by which a chemical is listed is if a body considered to be authoritative by the state's qualified experts has formally identified it as causing cancer or reproductive toxicity. For carcinogenicity, the U.S. Environmental Protection Agency (U.S. EPA), the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), the U.S. Food and Drug Administration (FDA), and the National Institute for Occupational Safety and Health (NIOSH) have been identified as authoritative bodies for purposes of the Act. The criteria for listing chemicals through the "authoritative bodies" mechanism are set forth in Title 22, California Code of Regulations, section 12306¹.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is investigating the possible listing of the chemicals identified below, based upon information in the references cited. Documentation summarizing the rationale for considering the evaluation of these chemicals for possible administrative listing is available from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the Internet at the following address: <http://www.oehha.ca.gov/prop65.html>.

OEHHA is committed to public participation and external scientific peer review in its implementation of Proposition 65, and welcomes public input on this listing process. As part of its efforts to ensure that regulatory decisions are based upon a thorough consideration of all relevant information, OEHHA is soliciting information concerning whether the criteria set out in Section 12306 have been met for these chemicals.

A public forum to present oral comments and to discuss the scientific data and other information concerning whether these chemicals meet the criteria for listing set forth in Section 12306 will be scheduled only upon request. Such request must be submitted in writing no later than 30 days before the close of the comment period on **Tuesday, March 25, 2008**. The written request must be sent to OEHHA at the address listed below no later than *Friday, February 22, 2008*. A notice for the public forum, if one is requested, will be posted on the OEHHA web site at least ten days in advance of the forum date. The notice will provide the date, time, location and subject matter to be heard. Notices will also be

¹ All further citations are to Title 22 of the California Code of Regulations unless otherwise indicated.

sent to those individuals requesting such notification. Written comments provided in **triplicate**, along with supporting information, should be submitted to:

Ms. Cynthia Oshita
 Office of Environmental Health Hazard Assessment
 Street Address: 1001 I Street
 Sacramento, California 95814
 Mailing Address: P.O. Box 4010, MS-19B
 Sacramento, California 95812-4010
 Fax No.: (916) 323-8803
 Telephone: (916) 445-6900
 Or via email addressed to coshita@oehha.ca.gov

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be received at OEHHA by 5:00 p.m. on Tuesday, March 25, 2008.

Following the review of all comments received, OEHHA will announce its intention to proceed with the listing of the candidate chemicals if they meet the regulatory criteria for administrative listing in a *Notice of Intent to List Chemicals*.

Chemicals which may meet the criteria set forth in Section 12306 for listing as known to cause **cancer** via the "authoritative bodies" mechanism:

Chemical	CAS No.	Toxicological Endpoints	Reference
Dibromoacetic acid	631-64-1	cancer	NTP (2007a)
4-Methylimidazole	822-36-6	cancer	NTP (2007b)

REFERENCES

National Toxicology Program (NTP, 2007a). Toxicology and Carcinogenesis Studies of Dibromoacetic Acid (CAS No. 631-64-1) in F344/N Rats and B6C3F₁ Mice (Drinking Water Studies). NTP Technical Report Series No. 537. NIH Publication No. 07-4475. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

National Toxicology Program (NTP, 2007b). Toxicology and Carcinogenesis Studies of 4-Methylimidazole (CAS No. 822-36-6) in F344/N Rats and B6C3F₁ Mice (Feed Studies). NTP Technical Report Series No. 535. NIH Publication No. 07-4471. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

**RULEMAKING PETITION
DECISIONS**

BOARD OF EQUALIZATION

**NOTICE OF DECISION AS REQUIRED BY
GOVERNMENT CODE SECTION 11340.7**

On July 13, 2007, the California State Board of Equalization received a petition from the California Assessors' Association (CAA) requesting that the Board amend Property Tax Rule 21, *Taxable Possessory Interests — Valuation*, California Code of Regulations, Title 18, section 21. The CAA petitioned the Board to amend the Rule to clarify the criteria used in determining a reasonably anticipated term of possession and to modify the burden of proof required to overcome a stated term of possession.

The Board's authority to adopt regulations governing local boards of equalization when equalizing and county assessors when assessing is found in subdivision (c) of Government Code section 15606.

The Board scheduled this matter for hearing on the Chief Counsel Matters agenda at its September 12, 2007 Board meeting. On August 31, 2007, the Board posted on the Internet a memorandum containing staff's recommendation with regard to the petition.

At its September 12, 2007 meeting, the Board voted to deny the petition. That decision was based on the Board's conclusion that (1) the requested amendment, if adopted, might potentially cause uncertainty in the property taxation of particular industries and (2) the current version of the regulation is consistent with statutory requirements and judicial authority.

A hard copy of the petition may be requested by contacting Ms. Diane Olson, P.O. Box 942879, 450 N Street, MIC:80, Sacramento, CA 94279-0080; Telephone (916) 322-9569; Fax (916) 324-3984; E-mail Diane.Olson@boe.ca.gov.

Questions regarding this matter should be directed to Acting Assistant Chief Counsel Robert Lambert, Telephone (916) 324-6593, Fax (916) 323-3387, or E-mail Robert.Lambert@boe.ca.gov.

Attachment — Copy of September 12, 2007 Board Meeting Minutes

BOARD OF EQUALIZATION

**NOTICE OF DECISION AS REQUIRED BY
GOVERNMENT CODE SECTION 11340.7**

On July 24, 2007, the California State Board of Equalization received a petition from Mr. Stephen H. Bennett requesting that the Board amend Property Tax Rule 325, *Notice and Clarification of Decision*, California Code of Regulations, Title 18, section 325. Mr. Bennett petitioned the Board to amend the Rule so that the failure of a local assessment appeals board to render a notice of written decision within 120 days of the conclusion of a hearing would result both in the loss of the board's jurisdiction to render a decision on the matter and an automatic grant of the taxpayer's refund claim or application for a reduction in assessment.

The Board's authority to adopt regulations governing local boards of equalization when equalizing, and county assessors when assessing is found in subdivision (c) of Government Code section 15606.

The Board scheduled this matter for hearing on the Chief Counsel Matters agenda at its September 12, 2007 Board meeting. On August 31, 2007, the Board posted on the Internet a memorandum containing staff's recommendation with regard to the petition.

At its September 12, 2007 meeting, the Board voted to deny the petition in whole. That decision was based on the Board's conclusion that the current version of the regulation is consistent with the Revenue and Taxation Code and recent appellate court decisions.

A hard copy of the petition may be requested by contacting Ms. Diane Olson, P.O. Box 942879, 450 N Street, MIC:80, Sacramento, CA 94279-0080; Telephone (916) 322-9569; Fax (916) 324-3984; E-mail Diane.Olson@boe.ca.gov.

Questions regarding this matter should be directed to Acting Assistant Chief Counsel Robert Lambert, Telephone (916) 324-6593, Fax (916) 323-3387, or E-mail Robert.Lambert@boe.ca.gov.

Attachment — Copy of September 12, 2007 Board Meeting Minutes

**AVAILABILITY OF INDEX OF
PRECEDENTIAL DECISIONS**

**CALIFORNIA GAMBLING CONTROL
COMMISSION**

NOTICE OF AVAILABILITY OF PRECEDENTIAL DECISIONS
AND DECISION INDEX

Re: Government Code section 11425.60, subdivision (c).

NOTICE IS HEREBY GIVEN that the California Gambling Control Commission (Commission), pursuant to the requirements of section 11425.60 of the Government Code, maintains an index of precedential decisions. The index is available to the public by annual e-mail subscription from the Commission. The index and the text of the precedential decisions can be viewed, by appointment, at the Commission's office below. For subscription or additional information, or to schedule an appointment to view precedent decisions, contact:

Heather Hoganson, Staff Counsel
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100
Sacramento, California 95833-4231
Telephone: (916) 274-6328
Facsimile: (916) 263-0452
Email: hhoganson@cgcc.ca.gov

The index and text of the precedent decisions also can be viewed on the Internet at <http://www.cgcc.ca.gov/enabling.asp>, under the section entitled "Precedential Decisions."

**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# 2007-1227-09
Air Resources Board
Area Designations

This change without regulatory effect re-designates Siskiyou County as a Nonattainment-Transitional area for ozone. By statute, an area shall be designated Nonattainment-Transitional by operation of law if, during a single calendar year, the state standard is not exceeded more than three times at any monitoring location in the area. Health & Safety Code Sec. 40925.5. Siskiyou County did not exceed the state standard for ozone more than three times at any monitoring location for three years (2004-2006). If an air district meets the necessary criteria in the previous calendar year, the district will remain a nonattainment area if, during the current calendar year, there are more than three exceedances. As of November 16, 2007 (the then current calendar year for measurement) Siskiyou had shown no ozone exceedances.

Title 17
California Code of Regulations
AMEND: 60201
Filed 01/11/2008
Agency Contact: Trini Balcazar (916) 445-9564

File# 2007-1129-02
BUREAU OF AUTOMOTIVE REPAIR
Visible Smoke Test; Repair Cost Limit for Failures

This regulatory action implements Health and Safety Code section 44012.1 which was enacted by Chapter 761, Statutes of 2006 (AB 1870, Lieber). It incorporates a visible smoke test into the current Smog Check inspection procedures. It also establishes the conditions that must be met to be eligible for a repair cost waiver if an owner's vehicle fails the visible smoke test.

Title 16
California Code of Regulations
ADOPT: 3340.43 AMEND: 3340.42
Filed 01/11/2008
Effective 01/11/2008
Agency Contact: Debbie Stefan (916) 255-4585

File# 2007-1207-01
CALIFORNIA HORSE RACING BOARD
Jockey's Riding Fee

This nonsubstantive change increases the fee paid to non-winning jockeys. The change is mandated by the recent enactment of Business and Professions Code section 19501 (AB 649, Chapter 605, Statutes of 2007). Section 19501 requires a \$10.00 increase throughout the scale of minimum jockey riding fees for all jockeys not finishing first in a race. Additional organizational changes include setting forth the scales of payment to winning jockeys separately from those finishing in any

other position. Jockeys retain the ability to contract for additional fees, but cannot be paid less than the minimum fee required by AB 649.

Title 4
California Code of Regulations
AMEND: 1632
Filed 01/10/2008
Effective 01/10/2008
Agency Contact: Harold Coburn (916) 263-6397

File# 2007-1213-06
DEPARTMENT OF CONSERVATION
Conflict of Interest Code

The Department of Conservation is amending its conflict of interest code found at title 14, section 1670, California Code of Regulations. The amendment was approved for filing by the Fair Political Practices Commission on December 7, 2007.

Title 14
California Code of Regulations
AMEND: 1670
Filed 01/10/2008
Effective 02/09/2008
Agency Contact: Sandra St. Louis (916) 322-7685

File# 2008-0108-01
DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

This emergency regulatory action amends the existing Mediterranean fruit fly quarantine area covering the Rolling Hills area of Los Angeles County by adding approximately six square miles to the northern boundary of the quarantine area.

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 01/11/2008
Effective 01/11/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1206-01
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This is a certificate of compliance filed in relation to emergency file 07-0706-01E, Diaprepes Root Weevil Interior Quarantine, which expanded one existing quarantine area in Orange County and one existing quarantine area in San Diego County. The original emergency also created two new quarantine areas: one in Los Angeles County and one in San Diego County.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 01/10/2008
Effective 01/10/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1212-01
DEPARTMENT OF JUSTICE
Unsuitable Affiliates; Conditions and Restrictions on Registrations

This nonsubstantive change repeals Title 11 section 1305 because authority for Gambling Control has been transferred to the California Gambling Control Commission pursuant to the Gambling Control Act.

Title 11
California Code of Regulations
REPEAL: 1305
Filed 01/16/2008
Agency Contact: Lee C. Adamson (916) 263-3392

File# 2007-1203-02
DEPARTMENT OF MANAGED HEALTH CARE
Standing Referral to HIV/AIDS Specialist

This action amends the regulation that describes the various means by which a physician may qualify as an HIV specialist for purposes of fulfilling the requirement that a managed health care plan must make a standing referral to an HIV specialist under specified circumstances, changing the section number and deleting the original effective date and the provision that calls for annual review of the policy.

Title 28
California Code of Regulations
AMEND: 1300.67.60
Filed 01/10/2008
Effective 02/09/2008
Agency Contact: Emilie Alvarez (916) 445-9960

File# 2008-0102-01
DEPARTMENT OF REAL ESTATE
Regulations to Implement Chapter 301 Statutes of 2007

To further consumer protection, this emergency regulatory action adds provisions to the forms used for purposes of satisfying required disclosure statements, such as, expanded information regarding loan terms, information regarding possible increased costs of "no documentation" or "no asset" loans, increased disclosures of prepayment penalty information, and information regarding real estate taxes and insurance that must be paid. New section 2844 establishes lending practices related to nontraditional and subprime mortgage products for real estate brokers newly covered by SB 385 (Stats. 2007, c. 301).

Title 10
 California Code of Regulations
 ADOPT: 2844 AMEND: 2840, 2842
 Filed 01/14/2008
 Effective 01/14/2008
 Agency Contact: David B. Seals (916) 227-0789

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 (Renumbered to 649.51), 656.1 (Renumbered to 649.52), 656.2 (Renumbered to 649.54), 656.3 (Renumbered to 649.55), 656.4 (Renumbered to 649.53), 656.5

File# 2007-1130-02

**DEPARTMENT OF TRANSPORTATION
 Transportation Development Act (TDA) Regulations**

The amendments to the regulations implement changes to Public Utilities Code section 99246, clarifies that the process for allocating State Transit Assistance funds is the same as the process to allocate funds from the Local Transportation Fund and removes criteria from the regulations that have been removed from Public Utilities Code section 99314.5 to qualify for funding under the Transportation Development Act.

Title 21
 California Code of Regulations
 AMEND: 6662.5, 6663(b), 6753, 6754(b)(2)
 Filed 01/10/2008
 Effective 02/09/2008
 Agency Contact: Gordon Arruda (916) 654-9396

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN AUGUST 15, 2007 TO
 JANUARY 16, 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

01/07/08 AMEND: 1859.2, 1859.43, 1859.50, 1859.51, 1859.81, 1859.106
 01/07/08 AMEND: 18531.61
 01/03/08 ADOPT: 547.69, 547.70, 547.71
 AMEND: 547.69 renumbered as 547.72, 547.70 renumbered as 547.74, 547.71 renumbered as 547.73
 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

CALIFORNIA REGULATORY NOTICE REGISTER 2008, VOLUME NO. 4-Z

(Renumbered to 649.56), 656.6
 (Renumbered to 649.50), 656.7
 (Renumbered to 649.58), 656.8
 (Renumbered to 649.57), 657.1
 (Renumbered to 649.59), 657.2
 (Renumbered to 649.60), 657.3
 (Renumbered to 649.62)
 10/31/07 ADOPT: 18200
 10/30/07 AMEND: 1138.10, 1138.30, 1138.72,
 1138.90
 10/17/07 ADOPT: 2970
 10/15/07 ADOPT: 2291, 2292, 2293, 2294, 2295,
 2296
 10/09/07 AMEND: 1896.98, 1896.99.100,
 1896.99.120
 10/03/07 ADOPT: 1859.167.2, 1859.167.3
 AMEND: 1859.2, 1859.163.3, 1859.167
 REPEAL: 1859.167.1
 10/01/07 ADOPT: 1859.71.6, 1859.77.4 AMEND:
 1859.2
 09/24/07 ADOPT: 18420.5
 09/24/07 ADOPT: 18361 AMEND: 18360,
 18361.7
 09/20/07 ADOPT: 18466
 09/20/07 REPEAL: 18530.9
 09/11/07 ADOPT: 18440
 09/10/07 AMEND: 1183.13
 09/04/07 ADOPT: 54700
 08/31/07 ADOPT: 1859.180, 1859.181, 1859.182,
 1859.183, 1859.184, Form SAB 50–11
 AMEND: 1859.2, 1859.51, 1859.61,
 1859.75.1, 1859.81, 1859.81.1,
 1859.81.2, 1859.103, 1859.104,
 1859.202, 1866, Form SAB 50–04, Form
 SAB 50–06
 08/31/07 AMEND: 18109, 18204.5, 18208.5,
 18215.2, 18228, 18236, 18241, 18306,
 18315, 18323, 18325, 18350, 18404.2,
 18410, 18416, 18429, 18432, 18438,
 18457, 18500, 18502, 18502.1, 18502.2,
 18519.4, 18522, 18526.1, 18530.1,
 18531.1, 18531.3, 18531.4, 18532,
 18536.1, 18536.2, 18538, 18538.2,
 18541, 18564, 18573, 18580, 18585,
 18586, 18587, 18588, 18590, 18616.5,
 18618, 18619, 18620, 18621, 18622,
 18626, 18650, 18700.1, 18702.6,
 18704.3, 18707.3, 18720, 18725, 18726,
 18726.1, 18726.2, 18726.3, 18726.4,
 18726.5, 18726.6, 18726.7, 18726.8,

18727, 18760, 18902, 18930.1, 18931,
 18935, 18940.1, 18950.2, 18954

Title 3

01/11/08 AMEND: 3406(b)
 01/10/08 AMEND: 3433(b)
 01/07/08 AMEND: 1180.3.1
 12/26/07 AMEND: 3433(b)
 12/26/07 AMEND: 3963
 12/21/07 AMEND: 3434(b)
 12/20/07 ADOPT: 606
 12/19/07 AMEND: 3700(c)
 12/19/07 AMEND: 3433(b)
 12/10/07 AMEND: 3406(b)
 12/06/07 AMEND: 3589
 12/03/07 AMEND: 3434(b)
 11/29/07 AMEND: 3434(b)
 11/29/07 AMEND: 3591.2
 11/27/07 AMEND: 3406(b)
 11/27/07 AMEND: 3433(b)
 11/21/07 AMEND: 3433(b)
 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
 08/21/07 AMEND: 3434

Title 4

01/10/08 AMEND: 1632
 12/26/07 AMEND: 12002, 12122, 12202,
 12203.2, 12222
 11/21/07 ADOPT: 12347
 11/09/07 AMEND: 1371

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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 to 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

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

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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, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415

Title 10

01/14/08 ADOPT: 2844 AMEND: 2840, 2842
 01/08/08 ADOPT: 2240.5 AMEND: 2240, 2240.1, 2240.2, 2240.3, 2240.4
 12/27/07 ADOPT: 1436, 1950.314.8

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12/19/07 AMEND: 2698.82(b), 2698.84, 2698.87, 2698.89.1
 11/30/07 AMEND: 2699.6611
 11/30/07 ADOPT: 2699.6603, 2699.6604
 AMEND: 2699.6603 (renumbered to 2699.6602), 2699.6605, 2699.6607, 2699.6608, 2699.6611, 2699.6625
 11/15/07 AMEND: 2498.6
 11/07/07 AMEND: 1409, 1422, 1423
 11/02/07 AMEND: 2498.6
 10/31/07 AMEND: 2318.6, 2353.1
 10/10/07 AMEND: 2498.6
 10/10/07 AMEND: 2218.63(b)
 10/09/07 AMEND: 5.2001
 09/19/07 ADOPT: 2538.1, 2538.2, 2538.3, 2538.4, 2538.5, 2538.6, 2538.7, 2538.8
 09/17/07 AMEND: 2498.6
 08/29/07 ADOPT: 2842 AMEND: 2848
 08/29/07 ADOPT: 3007.05, 3007.2 AMEND: 2805, 2809.3, 2840, 2849.01, 3005, 3006, 3007.3, 3011.4 REPEAL: 2840.1
 08/20/07 ADOPT: 2105.1, 2105.2, 2105.3, 2105.4, 2105.5, 2105.6, 2105.7, 2105.8, 2105.9, 2105.10, 2105.11, 2105.12, 2105.13, 2105.14, 2105.15, 2105.16, 2105.17, 2105.18, 2105.19

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01/16/08 REPEAL: 1305
 12/19/07 ADOPT: 2021
 12/11/07 AMEND: 300
 12/10/07 AMEND: 1005, 1007, 1008
 10/15/07 AMEND: 1053, 1054, 1055, 1058, 1070
 09/28/07 AMEND: 51.19

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12/10/07 AMEND: 553.70
 12/05/07 ADOPT: 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174 AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, 2141, Incorporated Test Procedures
 11/09/07 AMEND: 1968.2, 1968.5, 2035, 2037, 2038
 11/08/07 AMEND: 423.00
 10/23/07 AMEND: 156.00
 10/22/07 AMEND: 1090
 10/17/07 AMEND: 811, 813
 10/16/07 AMEND: 425.01
 10/15/07 AMEND: 2023.1, 2023.3, 2023.4
 10/12/07 AMEND: 1201, 1212, 1212.5, 1213, 1234

09/18/07 AMEND: 125.02, 125.04, 125.08, 125.12, 125.16, 125.20
 09/11/07 AMEND: 1956.1, 1956.8
 08/22/07 ADOPT: 1300, 1400, 1401, 1402, 1403, 1404, 1405 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425, and Article 15 text
 08/21/07 AMEND: 932, 934.1

Title 13, 17

09/12/07 ADOPT: 93116.3.1 of title 17 AMEND: 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, and 2462 of title 13, 93116.1, 93116.2, and 93116.3 of title 17

Title 14

01/10/08 AMEND: 1670
 01/08/08 AMEND: 251.3
 01/04/08 ADOPT: 11970 AMEND: 11900
 12/28/07 AMEND: 1280
 12/27/07 AMEND: 2.25, 2.30, 5.75, 5.86, 5.93, 5.95, 6.37, 7.50, 8.00, 670.5
 12/26/07 ADOPT: 2990, 2995, 2997 AMEND: 2125, 2518
 12/26/07 AMEND: 2.00
 12/17/07 AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867
 12/17/07 AMEND: 632
 12/14/07 ADOPT: 700.4, 700.5 AMEND: 1.74, 29.15, 116, 300, 551, 705
 11/29/07 ADOPT: 916.9.1, 936.9.1, 916.9.2, 936.9.2, 916.11.1, 936.11.1, 923.9.1, 943.9.1, 923.9.2, 943.9.2 AMEND: 859.1, 916.9, 936.9, 956.9, 923.9, 943.9, 963.9
 11/29/07 AMEND: 895.1, 1052, 1052.1, 1052.4
 11/29/07 ADOPT: 1093, 1093.1, 1093.2, 1093.3, 1093.4, 1093.6 AMEND: 895, 895.1, 1037
 11/28/07 AMEND: 163, 164
 11/13/07 AMEND: 1038(i)

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11/07/07	AMEND: 550, 551, 552	11/30/07	AMEND: 1805, 1806, 1816, 1816.1, 1816.2, 1816.4, 1816.6, 1854, 1856, 1858 REPEAL: 1833.3, 1855, 1857
11/05/07	AMEND: 825.05		
10/25/07	AMEND: 502		
10/24/07	AMEND: 895.1, 898, 914.8, 916, 916.2, 916.9, 916.11, 916.12, 923.3, 923.9, 934.8, 936, 936.2, 936.9, 936.11, 936.12, 943.3, 943.9, 954.8, 956, 956.2, 956.9, 956.11, 956.12, 963.3, 963.9	11/26/07	ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542
10/16/07	ADOPT: 1.46, 28.38, 28.41, 28.42 AMEND: 1.17, 1.59, 27.60, 27.90, 28.59, 159, 195	11/26/07	ADOPT: 4580
10/12/07	AMEND: 815.05	11/21/07	AMEND: 998
10/09/07	AMEND: 29.85	11/19/07	AMEND: 1749
09/19/07	AMEND: 502, 509	11/07/07	AMEND: 1523
08/29/07	AMEND: 251.7, 257, 300, 600	11/02/07	ADOPT: 4440, 4442, 4444, 4446, 4448, 4450, 4452, 4470, 4472, 4474, 4476, 4478, 4480, 4482, 4484
08/22/07	AMEND: 165, 245—App. A, 632	10/31/07	AMEND: 1707.2
Title 14, 27		10/05/07	AMEND: 306, 306.1, 310, 390, 390.2, 390.3, 390.4, 390.5
10/17/07	Title 14: 18050, 18051, 18060, 18070, 18072, 18075, 18077, 18078, 18081, 18104.4, 18105.4, 18105.6, 18209, 18304, 18304.2, 18306, 18307, 18831 Title 27: 21563, 21615, 21620, 21650, 21680	10/04/07	AMEND: 1399.678
		10/01/07	AMEND: 3394.6
		09/20/07	AMEND: 2649
		09/17/07	ADOPT: 973, 973.1, 973.2, 973.3, 973.4, 973.5, 973.6
		09/11/07	AMEND: 950.10
Title 15		09/11/07	ADOPT: 2520.4, 2520.5, 2577.5, 2577.6 AMEND: 2518.6, 2523, 2523.2, 2523.5, 2523.6, 2576.6, 2579.2, 2579.4, 2579.7, 2579.8 REPEAL: 2523.1, 2579.3
01/08/08	AMEND: 3282	08/28/07	ADOPT: 1351.1
12/28/07	ADOPT: 3269.1 AMEND: 3005, 3315, 3341.5	08/28/07	ADOPT: 1315.03, 1326 AMEND: 1325.4
12/18/07	AMEND: 3052, 3054.1		
12/11/07	AMEND: 176		
11/29/07	AMEND: 2600.1		
11/29/07	AMEND: 2616		
10/22/07	REPEAL: 3999.1.8, 3999.1.9, 3999.1.10, 3999.1.11	Title 17	
10/18/07	ADOPT: 3486 AMEND: 3482, 3484, 3485	01/11/08	AMEND: 60201
10/16/07	AMEND: 3000, 3045.2, 3170.1, 3176, 3177, 3815	12/27/07	ADOPT: 93109.1, 93109.2 AMEND: 93109
10/09/07	ADOPT: 2536.1	11/16/07	AMEND: 57310, 57332
10/01/07	ADOPT: 3075.4 AMEND: 3000	11/08/07	AMEND: 94508, 94509, 94510, 94511, 94512, 94513, 94514, 94515, 94523
09/05/07	AMEND: 3000, 3315, 3323, 3341.5	10/29/07	AMEND: 93119
		09/24/07	ADOPT: 93102.1, 93102.2, 93102.3, 93102.4, 93102.5, 93102.6, 93102.7, 93102.8, 93102.9, 93102.10, 93102.11, 93102.12, 93102.13, 93102.14, 93102.15, and 93102.16 AMEND: 93102
Title 16		09/18/07	ADOPT: 93115.1, 93115.2, 93115.3, 93115.4, 93115.5, 93115.6, 93115.7, 93115.8, 93115.9, 93115.10, 93115.11, 93115.12, 93115.13, 93115.14, 93115.15 AMEND: 93115
01/11/08	ADOPT: 3340.43 AMEND: 3340.42	08/28/07	ADOPT: 2641.56, 2641.57 AMEND: 2641.30, 2641.45, 2641.55, 2643.5,
12/27/07	AMEND: 1833.1, 1870		
12/27/07	ADOPT: 1887.13, 1887.14 AMEND: 1816.7, 1887.7		
12/18/07	AMEND: 1707, 1709.1, 1715, 1717, 1746, 1780.1, 1781, 1787, 1790, 1793.8, Form 17M–13, Form 17M–14 REPEAL: 1786		
12/13/07	ADOPT: 1044.4 AMEND: 1044, 1044.1, 1044.3, 1044.5		

	2643.10, 2643.15 REPEAL: 2641.75, 2641.77		5074, 5074.5, 5075, 5075.1, 5076, 5076.1, 5077, 5078, 5079, 5080, 5081, 5081.2, 5082, 5082.1, 5082.2, 5083, 5085, 5086
08/27/07	AMEND: 93300.5		
Title 18			
01/07/08	ADOPT: (new Division 2.1) 5000, 5200, 5201, 5202, 5210, 5210.5, 5211, 5212, 5212.5, 5213, 5214, 5215, 5215.4, 5215.6, 5216, 5217, 5218, 5219, 5220, 5220.4, 5220.6, 5221, 5222, 5222.4, 5222.6, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5231.5, 5232, 5232.4, 5232.6, 5232.8, 5233, 5234, 5234.5, 5235, 5236, 5237, 5238, 5239, 5240, 5241, 5242, 5243, 5244, 5245, 5246, 5247, 5248, 5249, 5249.4, 5249.6, 5250, 5260, 5261, 5262, 5263, 5264, 5265, 5266, 5267, 5268, 5270, 5271, 5310, 5311, 5312, 5321, 5322, 5322.5, 5323, 5323.2, 5323.4, 5323.6, 5323.8, 5324, 5324.2, 5324.4, 5324.6, 5324.8, 5325, 5325.4, 5325.6, 5326, 5326.2, 5326.4, 5326.6, 5327, 5327.4, 5327.6, 5328, 5328.5, 5331, 5332, 5332.4, 5332.6, 5333, 5333.4, 5333.6, 5334, 5334.4, 5334.6, 5335, 5335.4, 5334.6, 5336, 5336.5, 5337, 5337.4, 5337.6, 5338, 5338.4, 5338.6, 5340, 5341, 5342, 5343, 5344, 5345, 5410, 5411, 5412, 5420, 5421, 5422, 5423, 5424, 5430, 5431, 5432, 5435, 5440, 5441, 5442, 5443, 5444, 5450, 5451, 5452, 5454, 5460, 5461, 5462, 5463, 5464, 5465, 5510, 5511, 5512, 5521, 5521.5, 5522, 5522.2, 5522.4, 5522.6, 5522.8, 5523, 5523.1, 5523.2, 5523.3, 5523.4, 5523.5, 5523.6, 5523.7, 5523.8, 5530, 5540, 5541, 5550, 5551, 5560, 5561, 5562, 5563, 5570, 5571, 5572, 5573, 5574, 5575, 5576 AMEND: Renumber Division 2.1 to 2.2, renumber Division 2.2 to 2.3, renumber Division 2.3 to 2.4, 5090 (amend and renumber to 5600), 5091 (amend and renumber to 5601), 5092 (amend and renumber to 5602), 5093 (amend and renumber to 5603), 5094 (amend and renumber to 5604), 5095 (amend and renumber to 5605), 5200 (amend and renumber to 5700) REPEAL: 5010, 5011, 5012, 5020, 5021, 5022, 5023, 5024, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5040, 5041, 5042, 5043, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5060, 5061, 5062, 5063, 5064, 5070, 5071, 5072, 5073,	01/04/08 AMEND: 1521 01/02/08 AMEND: 1802 11/21/07 AMEND: 4703 11/08/07 ADOPT: 474	
		Title 19	12/18/07 AMEND: 2510, 2520, 2530, 2540, 2550 10/31/07 AMEND: 2040 10/01/07 AMEND: 2600
		Title 20	11/29/07 AMEND: 1601, 1602, 1605.3, 1606 10/16/07 ADOPT: 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913 08/22/07 AMEND: 1602, 1604, 1606, 1607
		Title 21	01/10/08 AMEND: 6662.5, 6663(b), 6753, 6754(b)(2)
		Title 22	01/08/08 ADOPT: 7107, 7118 AMEND: 7314 12/13/07 ADOPT: 64651.21, 64651.34, 64651.38, 64651.88, 64653.5, 64657, 64657.10, 64657.20, 64657.30, 64657.40, 64657.50 AMEND: 64650, 64651.10, 64651.50, 64651.53, 64651.60, 64652, 64652.5, 64653, 64654, 64655, 64658, 64660, 64661, 64662, 64663, 64664, 64666 12/06/07 ADOPT: 97930, 97930.1, 97930.2, 97930.3, 97930.4, 97930.5, 97930.6, 97930.7, 97930.8, 97930.9, 97930.10 11/29/07 AMEND: 51531 11/20/07 AMEND: 311-1 11/08/07 ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329 11/07/07 ADOPT: 66269.1 11/06/07 AMEND: 51003(e) REPEAL: 51307, 51506.2 10/23/07 AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1 10/18/07 AMEND: 67391.1 10/16/07 AMEND: 10100 REPEAL: 10101 10/03/07 AMEND: 67386.5, 67386.6, 67386.11 09/18/07 ADOPT: 64432.3, 64432.8 AMEND: 64413.1, 64431, 64432, 64447.2, 64463.1, 64465, 64481 REPEAL: 64450 09/06/07 ADOPT: 66270.69.2 AMEND: 66270.67 (renumber to 66270.69.5), 66270.69 (renumber to 66270.69.1), 67800.1

	(renumber to 66270.69.3), 67800.5	11/30/07	ADOPT: 3959.1
	(renumber to 66270.69.4)	11/07/07	ADOPT: 3915
09/05/07	AMEND: 4427	09/04/07	AMEND: 2053
08/31/07	AMEND: 12805	08/27/07	AMEND: 2200, 2200.2, 2200.3, 2200.4, 2200.6 REPEAL: 2201
Title 22, MPP		08/21/07	ADOPT: 3979.2
12/31/07	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	08/20/07	ADOPT: 3979.3
	AMEND: 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1	08/16/07	ADOPT: 3939.26
		08/15/07	AMEND: 3939.10
		Title 25	
		12/10/07	ADOPT: 8207.1, 8212.3 AMEND: 8204, 8207, 8208, 8209, 8210, 8211, 8212, 8212.1, 8213, 8216, 8217
		Title 27	
		12/18/07	AMEND: 15290 (reports 3, 4 & 6), 15400.1, Division 3 — Subdivision 1 — Chapters 1, 2, 3, 4, 5, 6
		08/21/07	ADOPT: 20939 AMEND: 20918, 20919, 20920, 29021, 20923, 20925, 20931, 20932, 20933, 20934, 20937 REPEAL: 20919.5
		Title 28	
		01/10/08	AMEND: 1300.67.60
		Title MPP	
		11/28/07	AMEND: 47-110, 47-260, 47-301, 47-430, 47-601, 47-602, 47-620, 47-630 REPEAL: 47-610
Title 23			
12/18/07	AMEND: 2621, 2632, 2634, 2635, 2636, 2637, 2638, 2661, 2666, 2711, 2713		
12/07/07	ADOPT: 3919		
12/06/07	ADOPT: 3918		