



# California Regulatory Notice Register

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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 amended conflict of interest codes of the following agencies:

**CONFLICT OF INTEREST CODE**

**AMENDMENTS**

**STATE AGENCIES: Commission on Teacher  
Credentialing**

A written comment period has been established commencing on **February 15, 2008**, and closing on **March 31, 2008**. Written comments should be directed to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed amendment to the conflict of interest code will be submitted to the Commission's Executive Director for 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 amendment will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced amendment to the conflict of interest code, proposed pursuant to Government Code section 87300, which designates, 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 her own motion or at the interest of any interested person, will approve, or revise and approve, or return

the amendment 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 amendment to the conflict of interest code. Any written comments must be received no later than **March 31, 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 code 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 Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

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

**TURLOCK IRRIGATION DISTRICT**

A written comment period has been established commencing on **February 15, 2008** and closing on **March 31, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention Tara Stock, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized 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 will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code, proposed pursuant to Government Code Section 87300, which designates, 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 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. Any written comments must be received no later than **March 31, 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 should be made to Tara Stock, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES**

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

**TITLE 2. SECRETARY OF STATE  
NOTICE OF INTENTION TO AMEND THE  
CONFLICT OF INTEREST CODE OF THE  
SECRETARY OF STATE**

**NOTICE IS HEREBY GIVEN** that the Secretary of State, 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 Secretary of State 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 adds new designated positions to the Secretary of State's Conflict-of-Interest Code, deletes designated positions that are no longer part of the organization and makes other technical changes to reflect the current organizational structure of the Agency. 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 31, 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 March 17, 2008, by contacting the contact person set forth below.

The Secretary of State 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.

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

Michael Green  
 1500 11<sup>th</sup> Street, Suite 475  
 Sacramento, CA 95814  
[michael.green@sos.ca.gov](mailto:michael.green@sos.ca.gov)

**TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE**

**CALIFORNIA CODE OF REGULATIONS  
 TITLE 3. FOOD AND AGRICULTURE  
 DIVISION 4. PLANT INDUSTRY  
 CHAPTER 2. FIELD CROPS  
 SUBCHAPTER 2. COMMERCIAL FEED  
 ARTICLE 11. INSPECTION TAX AND PLANT LICENSES**

**NOTICE OF PROPOSED RULE MAKING**

**NOTICE IS HEREBY GIVEN** that the Department of Food and Agriculture (Department) proposes to

amend Section 2751 of the regulations in Title 3 of the California Code of Regulations pertaining to Licensing.

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comment relevant to the proposed regulatory action to the Department. The written comment period closes at 5:00 p.m. on March 31, 2008. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Kent Kitade, Program Supervisor  
 Feed, Fertilizer, Livestock Drug and Egg Regulatory Services Branch  
 California Department of Food and Agriculture  
 1220 N Street  
 Sacramento, CA 95814

**AUTHORITY AND REFERENCE**

Notice is hereby given that the Department of Food and Agriculture, pursuant to the authority vested by Sections 407 and 15051 of the Food and Agricultural Code, and to implement, interpret, or make specific Section 15053 of the Food and Agricultural Code, proposes to amend regulations in Title 3 of the California Code of Regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Section 15053 of the California Food and Agricultural Code authorizes the Secretary with recommendation from the Feed Inspection Advisory Board, to set the licensing fee between \$100 and \$600. Section 15053(b) allows the Secretary, with recommendation from the Feed Inspection Advisory Board, to reduce the inspection tonnage tax when the operating reserve exceeds 25% of the program's operating costs.

Within the authority of California Food and Agricultural Code, Section 15053, the Department is proposing to amend Section 2751 of the California Code of Regulations by adding Section 2751(b) to set the commercial feed license fee at \$300 per year, effective July 1, 2008. Existing regulation: Section 2751(a) exempts retail stores who sell packaged commercial feed labeled by li-

censed feed manufacturers from the licensing requirement.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None.

Other non-discretionary cost or saving imposed on local agencies: None.

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

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

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

Adoption of these regulations will not:

1. Create or eliminate jobs within California;
2. Create new businesses or eliminate existing businesses within California; or
3. Affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

#### EFFECT ON SMALL BUSINESS

The Department has initially determined that the proposed change in the regulation would result in no added costs to small businesses affected by the proposed change because the proposed license fee does not exceed statutory limits and the slight increase will be offset by a reduction in the inspection tonnage tax.

#### CONSIDERATION OF ALTERNATIVES

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

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Kent Kitade, Program Supervisor  
Feed, Fertilizer, Livestock Drug and Egg Regulatory  
Services Branch  
California Department of Food and Agriculture  
1220 N Street  
Sacramento, CA 95814  
916-445-2140

The backup contact person for these inquiries is:

Dale Rice, Program Supervisor  
Feed, Fertilizer, Livestock Drug and Egg Regulatory  
Services Branch  
California Department of Food and Agriculture  
1220 N Street  
Sacramento, CA 95814  
916-445-0444

Please direct requests for copies of the proposed text of the regulation, the initial statement of reason, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Mr. Kitade at the above address.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department will have the rulemaking file available for inspection and copying throughout the rulemaking process at its office at 560 J Street, Suite 220, Sacramento, CA 95814. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice; the proposed text of the regulations; the initial statement of reasons; the Feed Inspection Advisory Board meeting minutes; the letter of support from California Grain and Feed Association; and Sections 15051, 15053 and 15054 of the Food and Agricultural Code and Section 2751 of the California Code of Regulations. Copies may be obtained by contacting Mr. Kitade at the contact address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Depart-

ment adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mr. Kitade at the contact address listed previously. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mr. Kitade at the previously listed address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikethrough can be accessed through our website at: [www.cdfa.ca.gov/is/regulation.htm](http://www.cdfa.ca.gov/is/regulation.htm).

### TITLE 5. BOARD OF EDUCATION

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

[Notice published February 15, 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 April 1, 2008**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The 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](mailto:regcomments@cde.ca.gov). Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on April 1, 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 Regula-

tions, 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 15. BOARD OF PAROLE HEARINGS**

**NOTICE OF PROPOSED RULEMAKING**

**TITLE 15. Crime Prevention and Corrections  
DIVISION 2. Board of Parole Hearings  
(Formerly known as Board of Prison Terms)  
CHAPTER 3. Parole Release**

**ARTICLE 4. Parole Consideration Procedures for Life Prisoner and Nonlife 1168 Prisoners**

**Re-adoption of Section 2275  
Implementation of Penal Code Section 3000.1**

**NOTICE IS HEREBY GIVEN** that the Board of Parole Hearings (board) proposes to readopt California Code of Regulations (CCR), title 15, section 2275 concerning the scheduling of post-revocation hearings for prisoners who were sentenced under Penal Code section 1168 for first or second degree murder that received a maximum term of life imprisonment and are on lifetime parole.

**AUTHORITY AND REFERENCE**

Government Code section 12838.4 and Penal Code sections 3052 and 5076.2 authorize the board to adopt the proposed regulation. The proposed regulation implements, interprets and makes specific Penal Code section 3000.1.

**PUBLIC HEARING**

The board has not scheduled a public hearing on this proposed regulatory action. However, the board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

The purpose of a public hearing is to receive oral comments about the proposed regulation. It is not a forum to debate the proposed regulation. No decision regarding the permanent adoption of these regulations will be rendered at this hearing. Written or facsimile comments submitted during the prescribed comment period have the same significance and influence as oral comments presented at a public hearing. The board members will not be present at the public hearing.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulation to the board. **THE WRITTEN COMMENT PERIOD ON THIS PROPOSED REGULATORY ACTION WILL COMMENCE ON FEBRUARY 15, 2008 AND WILL CLOSE AT 5:00 P.M. ON MARCH 31, 2008.** In order for the comments to be considered by the board, they must be submitted in writing (by mail, fax or e-mail) to the board's Contact Person identified in this Notice no later than the close of the comment period.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Penal Code section 3000.1(d) provides for the scheduling of post-revocation hearings within twelve (12) months of the date of any revocation of parole for prisoners who were sentenced under Penal Code section 1168 for first or second degree murder on or after January 1, 1983, that received a maximum term of life imprisonment and are on lifetime parole. The hearing panel shall release the person within one year of the date of revocation unless it determines that the circumstances and gravity of the parole violation is such that consideration of the public safety requires a lengthier period of incarceration or unless there is a new prison commitment following a conviction.

This regulation, section 2275 is adopted to implement, interpret, and make specific Penal Code section 3000.1. Neither the Penal Code nor the board's existing regulations are sufficient to establish uniform rules for conducting these special hearings required under Penal Code section 3000.1(d). Timely and uniform rules regarding these hearings will afford these persons due

process of law. In addition, it will help to preserve public safety by reducing the likelihood of court-ordered releases of dangerous persons into the community as remedies for late or disparate hearings. The proposed regulation explains the nature and reasons for these special hearings, defines the panel necessary to conduct these hearings, and clarifies the release criteria and options available to the hearing panel in making its decision.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

**Local Mandates:** The board has determined that the proposed action imposes no mandate upon local agencies or school districts.

**Fiscal Impact Statement:** The board has made the following initial determinations:

- Cost to any local agency or school district which must be reimbursed in accordance with Government Code §§ 17500 through 17630: **None**
- Cost or savings to any state agency: **Minimal**
- Other non-discretionary cost or savings imposed on local agencies: **None**
- Cost or savings in federal funding to the state: **None**

**Significant Statewide Adverse Economic Impact on Business:** The board has determined that there is no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**Cost Impacts on Representative Private Persons or Businesses:** The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Assessment of Effects on Job and/or Business Creation, Elimination or Expansion:** The board has determined that adoption of this regulation will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing business within California; or (3) affect the expansion of businesses currently doing business within California.

**Effect on Housing Costs:** The board has made an initial determination that the proposed action will have no significant effect on housing costs.

**Small Business Determination:** The board has determined that the proposed regulation does not have a significant adverse economic impact on small business because small businesses are not affected by the internal management of State prisons.

#### CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its 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 regulatory action. Interested parties are accordingly invited to present statements or arguments with respect to any alternatives to the proposed changes during the public comment period.

#### CONTACT PERSON

Please direct requests for copies of the Initial Statement of Reasons, the proposed amended text of the regulation, or other information upon which the rulemaking is based to:

Devaney Sullivan, Regulations Coordinator  
Board of Parole Hearings  
P.O. Box 4036  
Sacramento, CA 95812-4036  
Telephone: (916) 322-6815  
Facsimile: (916) 322-3475  
E-mail: [Devaney.Sullivan@cdcr.ca.gov](mailto:Devaney.Sullivan@cdcr.ca.gov)

In any such inquiries, please identify the action by using the board's regulation control number RN 06-02.

**Note:** In the event the contact person is unavailable, inquiries should be directed to the following backup contact person at the same address as noted above: Elizabeth Geiger at (916) 324-6434 or [Elizabeth.Geiger@cdcr.ca.gov](mailto:Elizabeth.Geiger@cdcr.ca.gov).

#### AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The board will make the rulemaking file available to the public throughout the rulemaking process at its offices located at 1515 K Street, Suite 600, Sacramento, California. As of the date this Notice is published in the Office of Administrative Law's Notice Register, the rulemaking file consists of this Notice, Form 400 (Notice of Submission of Regulations), the proposed text of the regulation, Initial Statement of Reasons, Statement of Emergency and Form 399 (Fiscal Impact Statement). Copies of these documents may be obtained by contacting the board's Contact Person at the address or phone number listed above or by visiting the board's Web site at:

[http://www.cdcr.ca.gov/Divisions\\_Boards/BOPH/  
reg\\_revisions.html](http://www.cdcr.ca.gov/Divisions_Boards/BOPH/reg_revisions.html)

**AVAILABILITY OF CHANGES  
TO PROPOSED TEXT**

After considering all timely and relevant comments received, the board may adopt the proposed regulations substantially as described in this Notice. If the board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the board adopts the regulations as revised. Please send requests for copies of any modified regulation text to the attention of the Contact Person identified in this Notice or by visiting the board's Web site at [http://www.cdcr.ca.gov/Divisions\\_Boards/BOPH/reg\\_revisions.html](http://www.cdcr.ca.gov/Divisions_Boards/BOPH/reg_revisions.html). The board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained from the board's Regulation Coordinator or by visiting the board's Web site at:

[http://www.cdcr.ca.gov/Divisions\\_Boards/BOPH/reg\\_revisions.html](http://www.cdcr.ca.gov/Divisions_Boards/BOPH/reg_revisions.html)

**TITLE 15. CORRECTIONS STANDARDS  
AUTHORITY**

**NOTICE OF PROPOSED ACTION  
ADOPTION OF EMERGENCY REGULATIONS**

**California Code of Regulations  
Title 15, Crime Prevention and Corrections  
Department of Corrections and Rehabilitation  
Corrections Standards Authority**

**NOTICE IS HEREBY GIVEN** that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Sections 15820.906 and 15820.916 and the rulemaking authority granted by Penal Code Section 5058.3, in order to implement, interpret and make specific Government Code Sections 15820.90 through 15820.917, proposes to adopt Sections 1700 through 1792 of Title 15, California Code of Regulations, Division 1, Chapter 1 Subchapter 6 concerning local jail construction funding.

**PUBLIC HEARINGS**

**Date and Time:** March 12, 2008  
10:00 a.m.

**Place:** Corrections Standards Authority  
660 Conference Room  
660 Bercut Drive  
Sacramento CA 95811

**Purpose:** To receive comments about this action.

**Date and Time:** April 10, 2008  
1:00 p.m.

**Place:** San Bernardino County Sheriff's  
Headquarters  
Main Conference Room  
655 East 3<sup>rd</sup> Street  
San Bernardino, CA 92408

**Purpose:** To receive comments about this action.

**PUBLIC COMMENT PERIOD:**

The public comment period will close **April 14, 2008 at 5:00 p.m.** Any person may submit public comments in writing (by mail, fax or by e-mail) regarding the proposed changes. To be considered by the Corrections Standards Authority (CSA), comments must be submitted to the CSA, County Facilities Construction Division, 600 Bercut Drive, Sacramento, CA 95811; by fax at (916) 327-3317; or by e-mail at [adultfacility-construction@cdcr.ca.gov](mailto:adultfacility-construction@cdcr.ca.gov) before the close of the comment period,

**CONTACT PERSON**

Please direct any inquires regarding this action to:

**Charlene Aboytes, Field Representative  
Corrections Standards Authority  
Department of Corrections and Rehabilitation  
600 Bercut Drive, Sacramento, CA 95811  
Voice: (916) 324-1914  
E-Mail: [Charlene.aboytes@cdcr.ca.gov](mailto:Charlene.aboytes@cdcr.ca.gov)**

In the event that the contact person is unavailable, inquiries should be directed to the following back-up person:

**Melinda Ciarabellini, Field Representative  
Corrections Standards Authority  
Department of Corrections and Rehabilitation  
600 Bercut Drive, Sacramento, CA 95811  
Voice: (916) 445-9435  
E-Mail: [Melinda.ciarabellini@cdcr.ca.gov](mailto:Melinda.ciarabellini@cdcr.ca.gov)**

**LOCAL MANDATES**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Section 17561.

**FISCAL IMPACT STATEMENT**

- Cost or savings to any state agency  
There will be a cost to the Corrections Standards Authority for additional staff to implement these regulations.
- Other nondiscretionary cost or savings imposed on local agencies:  
None. To be eligible for this voluntary funding program, counties must provide matching funds of 25% of total project costs. This will vary depending on the total funds that a county requests.
- Cost or savings in federal funding to the state:  
None

**EFFECT ON HOUSING COSTS**

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

**COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES**

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

**SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS**

The CSA has initially determined that the proposed regulations 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.

**EFFECT ON SMALL BUSINESSES**

The CSA has determined that the proposed regulations will indirectly positively affect small businesses. Among other provisions, the Public Safety and Offend-

er Rehabilitation Services Act of 2007 provides \$1.2 billion (in two phases) to counties for the construction or expansion of local jails. This will mean more construction and custody related jobs in the communities where this construction takes place.

**ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION**

The CSA has determined that the proposed regulations will indirectly positively affect jobs in California. Among other provisions, the Public Safety and Offender Rehabilitation Services Act of 2007 provides \$1.2 billion (in two phases) to counties for the construction or expansion of local jails. This will mean more construction related jobs in the communities where this construction takes place.

**CONSIDERATION OF ALTERNATIVES**

The CSA must determine that no reasonable alternative considered by the CSA, or that has otherwise been identified and brought to the attention of the CSA, 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 regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

**AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS**

The CSA has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Authority's contact person. The proposed text, ISOR and the Notice of Proposed Action will also be made available on the CSA's website at [http://www.cdcr.ca.gov/Divisions\\_Boards/CSA/index.html](http://www.cdcr.ca.gov/Divisions_Boards/CSA/index.html).

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the CSA's contact person.

AVAILABILITY OF CHANGES TO  
PROPOSED TEXT

After considering all timely and relevant comments received, the CSA may adopt the proposed regulations substantially as described in this Notice. If the CSA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the CSA adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The CSA will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

**Summary of Existing Laws:**

In May 2007, Governor Arnold Schwarzenegger signed into law Assembly Bill 900, the Public Safety and Offender Rehabilitation Services Act of 2007. Those requirements are now reflected in Chapter 7, Statutes of 2007 and in new sections of the Government Code. These sections (15820.906 and 15820.916) outline the CSA's responsibilities to administer local jail construction funding. Specifically, Sections 15820.906 and 15820.916 require the CSA to adopt regulations for the approval or disapproval of local jail facilities.

Penal Code Section 5058.3 authorizes the Director to adopt, amend or repeal emergency regulations conducted pursuant to Government Code Section 11340.

**Summary of Existing Regulations:**

There are no standards that address the CSA's responsibilities in Chapter 7, Statutes of 2007. Previously, the Board of Corrections<sup>1</sup> administered the County Jail Capital Expenditure Bond Acts of 1981 and 1984, the County Correctional Facility Capital Expenditure Bond Act of 1986 and the County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988. Regulations in effect at that time were located in Title 15, California Code of Regulations, Division 1, Chapter 1, Subchapter 2. There are no comparable federal regulations or statutes.

**ARTICLE 1. GENERAL PROVISIONS**

**Section 1700, Purpose.** The intent of this new regulation is to describe the scope of the new regulations in

<sup>1</sup> As a result of the reorganization of California's correctional system in 2005, the Board of Corrections was renamed the Corrections Standards Authority.

Title 15, California Code of Regulations, Division 1, Chapter 1, Subchapter 2.

**Section 1706, Definitions.** This new regulation defines terms used throughout the following regulations.

The following definitions are provided and are used in an abbreviated form in these regulations.

- "Authority" for Corrections Standards Authority (an entity within the California Department of Corrections and Rehabilitation); the state agency responsible for administering the 2007 Local Jail Construction Funding Program in conjunction with the California Department of Corrections and Rehabilitation and the State Public Works Board.
- "Board" for State Public Works Board; an entity within the California Department of Finance responsible for financing the construction through the 2007 Local Jail Construction Funding Program with lease-revenue bonds.
- "CCR" for the California Code of Regulations wherein these Title 15 regulations will reside.
- "CDCR" for the California Department of Corrections and Rehabilitation; the state agency responsible for California's corrections system.
- "EIR" for environmental impact report; a required report as defined in the California Environmental Quality Act.

In 2007, language was added to the California Government Code (Chapters 3.11 and 3.12) that set forth the requirements to finance the construction of local jails. The definition of "2007 Local Jail Construction Funding Program" was provided to describe these regulations that implement and specify those statutes.

The definition of "Administrative work plan" was developed as a criterion by which the proposal will be evaluated. This term is referenced in Sections 1730, Proposal and 1740, Proposal Evaluation Criteria.

The definition of "Applicant" as used throughout these new regulations was developed to describe those counties that are eligible for applying for funds under this funding program.

The definition of "Assist the State in siting mental health day treatment and crisis care, and/or a continuum of care for parolees" was developed to define a phrase used in California Government Code Sections 15820.907 and 15820.917.

The definition of "Assist the State in siting reentry facilities" was developed to define a phrase used in California Government Code Sections 15820.907 and 15820.917.

The definition of "Board of Supervisors' resolution" was provided to describe the document required from a County Board of Supervisors to demonstrate a county's commitment as referenced in these new regulations

(Sections 1712, Eligibility Requirements and 1730, Proposal).

The definition of “Cash match” (also known as “hard match”) was provided to describe the money that is required to be applied as the county’s share of an award of funding and is referenced in Sections 1714, Matching Fund Requirements and 1747, Pre-funding Requirements.

The definition of “Conditionally award state bond funds” was added to describe the conditions by which counties must conform to in order to receive funding through this program. This phrase is referenced in Section 1747.5, Requirements for the Siting Agreement.

The definition of “Construction documents” was provided to define what constitutes a construction document submittal. This term is referenced in Section 1749, Submittal of Architectural Drawings and Specifications.

The definition of “Construction management” was added to describe a term in Sections 1712, Eligibility Requirements and 1714, Matching Fund Requirements.

The definition of “Cost-effectiveness” was developed as a criterion by which the proposal will be evaluated as required by Government Code Sections 15820.906 and 15820.916. This term is referenced in Section 1740, Proposal Evaluation Criteria.

The definition of “County” was added to assure consistency and clarity throughout these regulations.

The definition of “Design capacity” is referenced in Section 1750, Staffing Plan/Operating Cost Analysis, and was added to provide a consistent means of calculating costs per bed and costs per square foot.

The definition of “Design development” was provided to define what constitutes a design development submittal. This term is referenced in Sections 1749, Submittal of Architectural Drawings and Specifications and 1750, Staffing Plan/Operating Cost Analysis.

The definition of “Detention alternatives” was developed as a criterion by which the proposal will be evaluated. This term is referenced in Section 1740, Proposal Evaluation Criteria.

The definition of “Evaluation and rating process” was developed to describe the process of how each county’s proposal will be evaluated. This phrase is referenced in Sections 1776, Purpose and 1788, Request for Corrections Standards Authority Appeal Hearing.

The definition of “Facility administrator” is referenced in Section 1750, Staffing Plan/Operating Cost Analysis and was provided to describe that individual who will be submitting the preliminary staffing plan and operating cost analysis to the Board of Supervisors for review and approval.

The definition of “Facility lease” was provided to describe a document referenced in Section 1754, Facility Sublease.

“Hard match” and “cash match” are used interchangeably. See cash match.

The definition of “In-kind match” (also known as “soft match”) was provided to describe the cost of county paid personnel, land, or services that is required to be applied as the county’s share of an award of funding and is referenced in these new regulations (Sections 1714, Matching Fund Requirements and 1747, Pre-funding Requirements).

The definition of “Large county” was provided to describe counties with a general population of greater than 700,000 and is based on estimates by the Department of Finance for January 1, 2007. There is a set-aside amount within the total available funds for large and medium counties only, to assure that small, medium and large counties have the opportunity to compete for the funds equally.

The term “Lease-revenue bonds” (also known as state bond funds) is used throughout these new regulations and was provided to describe the funding source for local jail construction or renovation as authorized by Chapters 3.11 and 3.12 of the California Government Code.

The term “Local jail” is used throughout these new regulations and was provided to describe the types of county jails that are eligible to receive funding as authorized by Chapters 3.11 and 3.12 of the California Government Code.

Referenced in the new Sections 1712, Eligibility Requirements, 1714, Matching Fund Requirements, 1730, Proposal, 1747, Pre-funding Requirements and 1770, Audits, the term “Match” was provided to describe the local funds in the form of cash, property value, or management/administrative services contributed by a county for a state bond funded project pursuant to California Government Code Sections 15820.907 and 15820.917.

The definition of “Medium county” was provided to describe counties with a general population from 200,001 to 700,000 and is based on estimates by the Department of Finance for January 1, 2007. There is a set-aside amount within the total available funds for medium and large counties only, to assure that small, medium and large counties have the opportunity to compete for the funds equally.

Referenced in the new Sections 1712, Eligibility Requirements, 1714, Matching Fund Requirements, 1730, Proposal and 1731 Needs Assessment Study, the term “Needs assessment study” was provided to describe the document that contains data that validates and justifies the scope of the construction/renovation project as required by California Government Code Sections 15820.906(b)(2) and 15820.916(b)(2).

The definition of “Net gain in beds” was added to describe the number of new beds being added to a county’s

detention system as a result of this funding program. This term is referenced in Section 1740, Proposal Evaluation Criteria.

Referenced in the new Section 1749, Submittal of Architectural Drawings and Specifications, the term “Operational program statement” was included to describe the document, submitted early in the design process, which explains how a County intends to operate a local jail.

The term “Participating county” is used throughout these new regulations and was defined in California Government Code Sections 15820.90 and 15820.91. It was included in this section to provide clarity and consistency.

The term “Project” is used throughout these new regulations and was defined in this section to add clarity and consistency.

“Project delivery and construction agreement” is referenced in the new Sections 1747, Pre-funding Requirements, 1748, Requirements for the Project Delivery and Construction Agreement, 1756, Disbursement of the Proceeds from the Lease-revenue Bond Funds, 1767, Completion of Project, and 1768, Project Modifications. This term is the title of a specific agreement between the participating county, State Public Works Board, CDCR and the Authority.

The term “Proposal” is used throughout these new regulations and was defined in this section to add clarity and consistency.

The “Proposal evaluation criteria” is used in new Section 1740, Proposal Evaluation Criteria. This term was included in these regulations to describe how proposals will be rated and ranked.

The definition of “Rated capacity” was added to describe the number of inmate occupants as determined by the Authority that comply with specific regulations and to distinguish these beds from special use beds.

The definition of “Regional consortium of counties” was added to describe two or more counties bound together by legal agreements to construct and operate a jail facility shared by the counties. This term is referenced in Section 1731, Needs Assessment Study.

The definition of “Schematic design” was provided to define what constitutes a schematic design submittal. This term is referenced in Sections 1749, Submittal of Architectural Drawings and Specifications.

The definition of “Scope of work and project impact” was added to describe the conditions by which counties must conform to in order to receive funding through this program. This phrase is referenced in Section 1740, Proposal Evaluation Criteria.

The term “Site” is used throughout these new regulations and was defined in this section to add clarity and consistency.

The definition of “Small county” was provided to describe counties with a general population of fewer than 200,000 to 700,000 and is based on estimates by the Department of Finance for January 1, 2007. There is a set-aside amount within the total available funds for small counties only, to assure that small, medium and large counties have the opportunity to compete for the funds equally.

“Soft match” and “in-kind match” are used interchangeably. See in-kind match.

The definition of “Special use beds” as used in these new regulations as well as in the proposal form referenced in Section 1730, Proposal, was added to describe those beds that are not part of the rated capacity, but are included in the total number of beds. These are beds in medical, mental health or disciplinary rooms, cells or units.

The term “Staffing plan” is used in the new Section 1750, Staffing Plan/Operating Cost Analysis and was added to describe the document that outlines the assessment and identification of staffing levels needed to operate the proposed project.

“State bond funds” and “lease-revenue bonds” are used interchangeably. See lease-revenue bonds.

## ARTICLE 2. ELIGIBILITY REQUIREMENTS

**Section 1712, Eligibility Requirements.** This new regulation was developed to explain how a county can be eligible to participate in the 2007 Local Jail Construction Funding Program.

**Section 1714, Matching Fund Requirements.** This new regulation was developed to reflect new statutory language that requires counties to contribute matching funds totaling a minimum of 25 percent of the total project cost.

## ARTICLE 3. APPLICATION TO PARTICIPATE IN 2007 LOCAL JAIL CONSTRUCTION FUNDING PROGRAM

**Section 1730, Proposal.** Government Code Sections 15820.90 through 15820.918 describes the financing of county jail facilities through the 2007 Local Jail Construction Program. The Authority is responsible for distributing these state funds and is using a competitive request for proposals process. This new regulation was developed to describe the requirements and elements that comprise the proposal for the 2007 Local Jail Construction Funding Program.

The proposal form, titled 2007 Local Jail Construction Funding Program Proposal and dated December 20, 2007, is attached to the Request for Proposals, Construction or Expansion of County Jails. This thir-

teen page form is incorporated by reference into these regulations because it would be impractical, cumbersome and unduly expensive to publish in the California Code of Regulations. Also, the proposal form is an interactive form to be completed by counties electronically, printed and submitted as the project proposal along with other required documents as attachments. The Request for Proposals is available through the Authority's website at <http://www.cdcr.ca.gov/Divisions/Boards/CSA>. It is also available to the public upon request directly from the Authority's business office located in Sacramento, CA.

**Section 1731, Needs Assessment Study.** California Government Code Sections 15820.906 and 15820.916 requires that counties must have a justified and documented need for the proposed project to be funded by the 2007 Local Jail Construction Funding Program. This new regulation was added to describe how the counties would document their need for the funding. This new regulation requires counties that are adding twenty-five beds or more to complete and submit as part of the county's proposal, a needs assessment study pursuant to Title 24, CCR, Part 1, Section 1302(c)2.

**Section 1740, Proposal Evaluation Criteria.** Proposals submitted by counties will be evaluated to determine how they will be ranked for available funding. This new regulation was added to describe the criteria by which proposals will be evaluated.

**Section 1747, Pre-funding Requirements.** This new regulation describes the requirements to be fulfilled before a Project Delivery and Construction Agreement can be entered into between the participating county, State Public Works Board, CDCR and the Authority.

**Section 1747.5, Requirements for the Siting Agreement.** This new regulation describes the roles, responsibilities and performance expectations of the participating county and the CDCR to establish a reentry facility on a site within the county that is agreeable to CDCR.

**Section 1748, Requirements for the Project Delivery and Construction Agreement.** This new regulation describes each of the required elements of the project delivery and construction agreement between the participating county, State Public Works Board, CDCR and the Authority.

**Section 1749, Submittal of Architectural Drawings and Specifications.** New statutory language requires the Authority to review and approve the plans and specifications of local jails considered for funding through the 2007 Local Jail Construction Funding Program. This new regulation describes the requirements for that process.

**Section 1750, Staffing Plan/Operating Cost Analysis.** New statutory language requires that counties must, within ninety days of construction completion, staff and operate local jails built through the 2007 Local Jail Construction Funding Program. This new regulation requires that counties develop a plan that describes how the new facility will be staffed and how its operation will be funded throughout the life of the facility.

**Section 1751, General County Requirements.** This new regulation describes a participating county's responsibilities as delineated in California Government Code Sections 15820.901, 15820.905, 15820.911 and 15820.915.

**Section 1752, Ground Lease.** This new regulation describes the transfer of the possession and control of the property upon which the local jail facility will be constructed from the participating county to CDCR.

**Section 1753, Right of Entry for Construction.** This new regulation was added to authorize the participating county and their contractors to use the site that has been leased to CDCR via the above referenced ground lease.

**Section 1754, Facility Sublease.** As indicated in the new Section 1752, the property upon which the local jail facility will be constructed will be leased to CDCR. This new regulation was added to describe the requirements to sublease the local jail facility back to the participating county.

#### ARTICLE 4. ADMINISTRATION OF THE PROCEEDS OF THE STATE BOND FUNDS AND PROJECT MONITORING

**Section 1756, Disbursement of the Proceeds from the Lease-Revenue Bond Funds.** This new regulation describes how lease-revenue bonds will be disbursed to participating counties.

**Section 1757, Pooled Money Investment Board.** This new regulation describes the interim financing provided by the Pooled Money Investment Board (pursuant to Government Code Sections 61312 and 61313) through the CDCR, to the participating county, for the local jail project until lease-revenue bonds are sold.

**Section 1760, Accounting.** This new regulation describes the accounting requirements that participating counties must adhere to if awarded state funds through the 2007 Local Jail Construction Funding Program.

**Section 1766, Monitoring of Process.** This new regulation describes the project monitoring requirements of the Authority and the Board.

**Section 1767, Completion of Project.** This new regulation requires the county to construct the project in accordance with the agreements as approved by CDCR



and the Board and plans and specifications as approved by the Board and the Authority.

**Section 1768, Project Modifications.** This new regulation describes the process that participating counties must follow if modifications are needed to their project.

**Section 1770, Audits.** This new regulation describes the audit requirements that participating counties must adhere to if awarded state funds through the 2007 Local Jail Construction Funding Program.

**Section 1772, Unused Proceeds of Lease–Revenue Bonds.** This new regulation stipulates the process that occurs in the event a participating county does not use all the state funding that was awarded to them through the 2007 Local Jail Construction Funding Program.

## ARTICLE 5. APPEAL PROCEDURES

**Section 1776, Purpose.** The intent of this new regulation is to describe the scope of the regulations in Article 5. These are the regulations that counties would follow in the event they object to the proposal evaluation and rating process.

**Section 1778, Definitions.** This new regulation defines terms used throughout the following regulations.

The definition of “Appeal hearing” was provided to describe the administrative process that provides a participating county the formal means by which to object to the proposal evaluation and rating process.

The definition of “Appellant” was included to describe the participating county that has an objection to the proposal evaluation and rating process.

The term “Authority” was included for Corrections Standards Authority (an entity within the California Department of Corrections and Rehabilitation); the state agency responsible for administering the 2007 Local Jail Construction Funding Program in conjunction with the California Department of Corrections and Rehabilitation and the State Public Works Board.

The definition of “Authorized representative” was included to describe that person authorized by the appellant to act as his/her representative in any or all aspects of the appeal hearing.

The definition of “Executive Director” was provided as a reference to the Executive Director of the Corrections Standards Authority.

The definition of “Filing date” was included to describe the date a request for an appeal hearing is received by the Executive Director’s office at the Corrections Standards Authority.

The definition of “Hearing panel” was included to describe the panel of three members of the Authority, selected by the chairperson at the time the appeal is filed. (A fourth member may be designated as an alternate.)

This regulation also specifies that panel members must adhere to explicit conflict of interest requirements.

The definition of “Notice of decision” was included to describe the Executive Director’s written document that contains the formal decision of and the reason for that decision.

The definition of “Proposed decision” was included to describe the written recommendation from the hearing panel/hearing officer to the Authority that contains a summary of facts and a recommended decision on the appeal.

The definition of “Request for appeal hearing” was included to describe the written expression of dissatisfaction about the proposal evaluation and rating process; the request for a hearing on the matter; and its filing with the Executive Director of the Authority.

**Section 1788, Request for Corrections Standards Authority Appeal Hearing.** This new regulation describes the process of how a participating county can request an appeal hearing regarding their dissatisfaction about the proposal evaluation and rating process.

**Section 1790, Corrections Standards Authority’s Hearing Procedures.** This new regulation describes the Authority’s formal hearing procedures in an appeal.

**Section 1792, Corrections Standards Authority’s Decision.** This new regulation describes the Authority’s process of receiving the hearing panel’s appeal decision, adopting or amending the decision, the notification to the participating county regarding the decision and retaining the records of the decision.

## 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 February 15, 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 12306.<sup>1</sup>

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 informa-

tion 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, April 15, 2008**. The written request must be sent to OEHHA at the address listed below no later than *Friday, March 14, 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 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](mailto: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](mailto:coshita@oehha.ca.gov). In order to be considered, comments must be received at OEHHA by 5:00 p.m. on **Tuesday, April 15, 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:

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

<b>Chemical</b>	<b>CASNo.</b>	<b>Chemical Use</b>	<b>U.S. EPA Classification</b>	<b>Reference</b>
Benthiavdicarb–isopropyl <sup>1</sup>	177406–68–7 and grapes.	Fungicide used on tomatoes to humans	Likely to be carcinogenic (2005a)	U.S. EPA
Mepanipyrim <sup>1</sup>	110235–47–7	Fungicide used on selected fruits and vegetables (e.g., grapes, strawberries, tomatoes).	Likely to be carcinogenic to humans	U.S. EPA (2004)
Pirimicarb	23103–98–02	Dimethylcarbamate insecticide used on cereals, sugar beets, potatoes, fruits, vegetables.	Likely to be carcinogenic to humans	U.S. EPA (2005b)
Resmethrin	10453–86–8	Pyrethroid pesticide used for insect control for household, greenhouse, industrial, food handling establishments; mosquito control for USDA meat and poultry inspection programs and West–Nile virus.	Likely to be carcinogenic to humans	U.S. EPA (2005c)

<sup>1</sup>Not currently registered in the United States.

**REFERENCES**

U.S. Environmental Protection Agency (U.S. EPA, 2004). *Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Mepanipyrim*. Cancer Assessment Review Committee. Health Effects Division. Office of Pesticide Programs. April 20, 2004.

U.S. Environmental Protection Agency (U.S. EPA, 2005a). *Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Benthiavdicarb–isopropyl*. Cancer Assessment Review Committee, Health Effects Division, Office of Pesticide Programs. October 18, 2005.

U.S. Environmental Protection Agency (U.S. EPA, 2005b). *Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Pirimicarb*. Cancer Assessment Review Committee. Health Effects Division. Office of Pesticide Programs. July 13, 2005.

U.S. Environmental Protection Agency (U.S. EPA, 2005c). *Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Resmethrin*. Cancer Assessment Review Committee, Health Effects Division, Office of Pesticide Programs. May 25, 2005.

**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

California Environmental Protection Agency  
Office of Environmental Health Hazard Assessment

**NOTICE TO INTERESTED PARTIES**

February 15, 2008

**REQUEST FOR PUBLIC PARTICIPATION  
NOTICE OF PUBLIC WORKSHOP**

**PROPOSITION 65  
REGULATORY UPDATE PROJECT  
WARNINGS FOR EXPOSURES TO LISTED  
CHEMICALS IN FOODS**

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5, et. seq., hereafter referred to as Proposi-

tion 65 or the Act). The Act requires that businesses provide “clear and reasonable” warnings for exposures to listed chemicals prior to exposure (Health and Safety Code section 25249.6). This requirement applies to exposures to listed chemicals in foods. OEHHA is investigating the possibility of amending the existing warning regulations currently located in Title 22, Cal Code of Regulations, section 12601 to add specific options for both the method and content for warnings for exposures to listed chemicals in foods. Many interested parties have requested that OEHHA provide more guidance concerning acceptable methods for providing warnings to consumers for exposures to listed chemicals in foods purchased at retail stores. The specific guidance currently provided by regulations concerning the range of possible options for providing Proposition 65 warnings for exposures from foods in the retail context are very limited. In addition, guidance may be needed concerning the content of any required warning (i.e. what additional information may be provided and in what format that would still be considered “clear and reasonable” under the Act).

As an initial step toward the development of a regulatory proposal on this subject, OEHHA is requesting input from stakeholders in the enforcement and business communities, as well as other members of the public concerning the range of options that could be included in any amendment to the safe harbor warning regulations that would specifically apply to exposures to listed chemicals in food products. Examples of such input would be ideas about on-product labels, off-product signage, centralized warnings for all affected food products in the store, in-store warning information kiosks, print media warnings or web-based information. OEHHA is also requesting stakeholder input concerning the content of warnings for exposures to listed chemicals in foods, specifically language that conveys the required warning message, without undue confusion for consumers.

On March 14, 2008 from 10 to Noon in the Sierra Hearing Room at the Cal/EPA Headquarters Building located at 1001 I Street, Sacramento, California, OEHHA will hold an informal public workshop for the purpose of discussing the issues and gathering input from interested parties concerning this potential regulatory action.

Interested parties are encouraged to attend the workshop and participate in the discussion. They may also

submit their ideas on this potential regulation by 5:00 p.m. on March 28, 2008 in order for the comment to be considered at this point in the process. All submissions should be directed to:

Fran Kammerer  
Staff Counsel  
Office of Environmental Health Hazard Assessment  
1001 I Street  
Sacramento, CA 95812  
Or via e-mail to [fkammerer@oehha.ca.gov](mailto:fkammerer@oehha.ca.gov)

Following this workshop, OEHHA will develop a regulatory proposal using input received from this workshop. An additional public workshop will then be scheduled to discuss the draft proposal prior to the initiation of any formal regulatory process on warnings for exposures to listed chemicals in foods.

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or [mvela@oehha.ca.gov](mailto:mvela@oehha.ca.gov) by March 7, 2008.

## **DECISION NOT TO PROCEED**

### **BOARD OF EDUCATION**

#### **Title 5. EDUCATION**

#### **State Board of Education**

#### **NOTICE OF DECISION NOT TO PROCEED**

Pursuant to Government Code section 11347, the State Board of Education (SBE) has decided, due to a mailing error, not to proceed with title 5, division 1, chapter 3, subchapter 1, sections 3001-3070 (Notice File No. Z08-0115-06, published January 25, 2008, in the California Regulatory Notice Register 2008, No. 4-Z), and therefore, withdraws this proposed action for further consideration.

The SBE will initiate at a later date, with notice as required by law, a new proposal to adopt regulations pertaining to the same or similar subject matter. The SBE will also publish this Notice of Decision Not to Proceed on the California Department of Education’s website at [www.cde.ca.gov/re/lr/rr](http://www.cde.ca.gov/re/lr/rr).

**RULEMAKING PETITION  
DECISIONS**

**DEPARTMENT OF CORRECTIONS AND  
REHABILITATION**

**NOTICE OF DECISION ON PETITION TO  
AMEND REGULATIONS**

**California Code of Regulations  
Title 15, Crime Prevention and Corrections  
Division 3, Adult Institutions, Programs  
and Parole**

**PETITIONER**

Rodney S. Koch T-35419

**AUTHORITY**

The authority granted by Government Code (GC) Section 12838.5 vests to the California Department of Corrections and Rehabilitation (CDCR) all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the abolished Youth and Adult Correctional Agency, California Department of Corrections, Department of the Youth Authority, Commission on Correctional Peace Officer Standards and Training, Board of Corrections, and the State Commission on Juvenile Justice, Crime and Delinquency Prevention. Penal Code (PC) Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections refers to the Secretary of the CDCR. PC Section 5054 vests with the Secretary of the CDCR the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein. PC Section 5055 provides that commencing July 1, 2005, all powers/duties previously granted to and imposed upon the CDC shall be exercised by the Secretary of the CDCR. PC Section 5058 provides that the Director may prescribe and amend regulations for the administration of prisons.

**CONTACT PERSON**

Please direct any inquiries regarding this action to Timothy M. Lockwood, Chief, Regulation and Policy Management Branch, Department of Corrections and

Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001.

**AVAILABILITY OF PETITION**

The petition to amend regulations is available upon request directed to the Department's contact person.

**SUMMARY OF PETITION**

Petitioner asks that the California Department of Corrections and Rehabilitation (CDCR) amend regulations pertaining to the California Code of Regulations, Title 15, Section 3044 Inmate Work and Training Incentive Groups. Petitioner contends that the CDCR has and continues to implement a policy that arbitrarily denies inmates housed in the Security Housing Unit (SHU) indeterminate, equal protection of the law by denying them the same privileges as other inmates who are the same custody level/classification. Petitioner contends the CDCR has labeled indeterminate SHU confinement as an administrative action and not disciplinary in nature regarding inmates labeled gang members or associates, but makes no distinction from inmates housed in the SHU for administrative or disciplinary reasons. Inmates housed in the SHU go years without any type of disciplinary infractions and exhibit good behavior but are denied privileges that are given to other inmates who are housed in different areas of the same prison like the Psychiatric Services Unit (PSU) and Protective Housing Unit (PHU). Petitioner contends CCR, Title 15, Section 3044(c)(5) states, "No inmate or group of inmates shall be granted privileges not equally available to other inmates of the same custody classification and assignment who would otherwise be eligible for the same privileges" and Section 3044(c) states in part, "Inmate privileges shall be governed by an inmate's behavior". Based on these facts, the petitioner formally moves to have the CDCR amend CCR, Title 15, Section 3044(b)(6) to place inmates housed in the SHU on indeterminate administrative status on Work Group A-2: Involuntary unassigned status as outlined in Section 3044(b)(3). This amendment would also require amendments to Sections 3044(a)(6), 3044(c)(6)(A), 3044(e) and 3044(g)(1).

**DEPARTMENT DECISION**

The Secretary of the CDCR declines the petition in its entirety.

Inmate's housed in a SHU pose a serious threat to staff, other inmates and the security of the institution. Inmate's assessed an Indeterminate SHU placement do not meet the guidelines set forth for Work Group A-2. CCR, Title 15, Section 3044(b)(3) Work Group A-2:

Involuntarily unassigned. An inmate willing but unable to perform in a full-time assignment shall receive three months credit for each six months served, or one day for each two days served, in the following status:

- (A) The inmate is placed on a waiting list pending availability of a full-time work/training assignment.
- (B) An unassigned inmate awaiting adverse transfer to another institution.

Inmates housed in a SHU are not placed on a waiting list for a full-time work/training assignment and are not awaiting an adverse transfer to another institution unless it is to another SHU at a different institution.

Section 3044(b)(6) Work Group D-1: Indeterminate lockup status. Except as provided in section 3044(b)(7)(C), an inmate assigned to a segregated housing program, shall be awarded three months credit for each six months served or one day credit for two days served. Segregated housing shall include, but not be limited to, the following:

- (A) Administrative Segregation Unit (ASU)
- (B) Security Housing Unit (SHU)
- (C) Psychiatric Services Unit (PSU)

Section 3044(b)(7) Work Group D-2: Serving SHU term, deemed a program failure while on indeterminate or determinate lockup status, or voluntarily unassigned at the time of or subsequent to placement in ASU, SHU, or PSU. Zero credit.

Section 3044(c)(6)(A) states an inmate housed in an ASU, SHU, or PSU shall be designated Privilege Group D. However, if assigned to a qualifying work/training program within the special housing unit, the inmate shall be assigned privileges of a higher group, if such privileges are available within the assigned housing unit.

Section 3044(g)(1) Privilege Group D: Criteria states an inmate housed in a special segregation unit, voluntarily or under the provisions of sections 3335-3345 of these regulations who is not assigned to either a full-time or half-time work/training assignment.

Section 3044(g)(3) states any inmate removed from the general population due to disciplinary or administrative reasons, shall forfeit their privilege card and privileges within their general population privilege group pending review by a classification committee. This section clearly states that an inmate removed from the general population due to disciplinary or *administrative* reasons shall forfeit their privileges within the general population privilege group.

Section 3341.5 Segregated Program Housing Units states special housing units are designated for extended term programming of inmates not suited for general population. Placement into and release from these units

requires approval by a classification staff representative (CSR). A CSR is designated as a Correctional Counselor III and are assigned to the Classification Services Unit (CSU) located at the CDCR headquarters. CSR's travel to the institutions and reviews Classification Committee recommendations for endorsement. The CSR's perform an audit of the classification process as outlined in CCR, Title 15, Section 3375 Classification Process to uphold the inmate's due process rights and in conformance with the regulations.

Section 3341.5(c) Security Housing Unit (SHU) states an inmate whose *conduct* endangers the safety of others or the security of the institution shall be housed in a SHU. Section 3341.5(c)(2)(A)(2) states except as provided at section 3335(a), section 3378(d) and subsection (c)(5), a validated prison gang member or associate *is deemed to be a severe threat to the safety of others or the security of the institution* and will be placed in a SHU for an indeterminate term. Section 3341.5(c)(4) states in part, a validated prison gang member or associate *shall be considered for release* from the SHU after the inmate is verified as a gang dropout through a debriefing process. Section 3341.5(c)(5) states in part, the Departmental Review Board (DRB) may authorize SHU release for prison gang members or associates categorized as inactive. The term inactive means that the inmate has not been involved in gang activity for a minimum of six (6) years. Inmates categorized as inactive who are suitable for SHU release shall be transferred to the general population of a Level IV facility for a period of observation that shall be no greater than 12 months. Upon completion of the period of observation, the inmate shall be housed in a facility commensurate with his or her safety needs. In the absence of safety needs, the inmate shall be housed in a facility consistent with his or her classification score. The DRB is authorized to retain an inactive gang member or associate in a SHU based on the inmate's past or present level of influence in the gang, history of misconduct, history of criminal activity, or other factors indicating that the inmate poses a threat to other inmates or institutional security.

Section 3341.5(a) Protective Housing Unit (PHU) states an inmate *whose safety would be endangered* by general population placement may be placed in the PHU providing the following criteria are met:

- (1) The inmate does not require specialized housing for reasons other than safety.
- (2) The inmate does not have a serious psychiatric or medical condition requiring prompt access to hospital care.
- (3) The inmate is not documented as a member or an affiliate of a prison gang.

- (4) The inmate does not pose a threat to the safety or security of other inmates in the PHU.
- (5) The inmate has specific, verified enemies identified on CDC Form 812 likely to and capable of causing the inmate great bodily harm if placed in the general population.
- (6) The inmate has notoriety likely to result in great bodily harm to the inmate if placed in the general population.
- (7) There is no alternative placement which can ensure the inmate's safety and provide the degree of control required for the inmate.
- (8) It has been verified that the inmate is in present danger of great bodily harm. The inmate's uncorroborated personal report, the nature of the commitment offense or a record of prior protective custody housing shall not be the sole basis for protective housing unit placement.

Section 3341.5(b) Psychiatric Services Unit (PSU) states an inmate *with a diagnosed psychiatric disorder not requiring inpatient hospital care*, whose conduct threatens the safety of the inmate or others, may be housed in a PSU if the inmate is capable of participating in the unit's activities without undue risk to the safety of the inmate or others in the unit.

The basis for housing inmates in the PHU is *the threat to the inmate*. The basis for housing inmates in PSU is *a need for treatment* (psychiatric services) coupled with conduct that threatens the safety of the inmate or others. Inmates that are prison gang members or associates are deemed to be a *severe threat to the safety of others or the security of the institution*. Placements in the PHU and PSU are fundamentally different housing placements from an indeterminate SHU placement for validated prison gang members or associates. Whether discipline free or not, such indeterminate SHU inmates, by virtue of their documented prison gang ties, are not in the same housing or security situation as PHU and PSU inmates.

Department Operations Manuel (DOM) Chapter 6, Article 9 — Special Placements, Section 62050.13.2 SHU Criteria states an inmate shall be placed in a SHU if:

- The inmate has requested segregation for their own protection and the need can be substantiated by appropriate staff.
- The inmate is newly arrived at the institution and more information is needed to determine whether the inmate may be incompatible with any element of the general population. No inmate shall be involuntarily segregated for this reason for more than (10) days.

- The inmate has been found guilty of a disciplinary offense sufficiently serious to warrant confinement for a fixed term in segregation, and the term is fixed in conformance with the SHU Term Assessment Chart.
- The inmate's continued presence in the general population would severely endanger lives of inmates or staff, the security of the institution or the integrity of an investigation into suspected criminal activity.

Section 62050.13.19 CSR Annual Review of SHU Indeterminate Cases states when alternate placement is possible, the Unit Classification Committee (UCC) shall refer the case to a CSR with a recommendation. The Institutional Classification Committee (ICC) shall review all indeterminate cases and refer them to the CSR at least annually for alternate placement consideration.

As mentioned above, current regulations provide an avenue for validated prison gang members or associates to end their indeterminate SHU term by verifying him or her as a gang dropout through a debriefing process, or the Departmental Review Board (DRB) may authorize SHU release for prison gang members or associates categorized as inactive. The term inactive means that the inmate has not been involved in gang activity for a minimum of six (6) years.

**DISAPPROVAL DECISIONS**

**DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS**

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

**DEPARTMENT OF PESTICIDE REGULATION**

**STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW**

AGENCY: DEPARTMENT OF PESTICIDE REGULATION

ACTION: Adopt in CCR, Title 3 section 6452.3, subdivision (f).

DECISION OF DISAPPROVAL  
OF REGULATORY ACTION

(Government Code section 11349.3)

OAL File No. 2007-1219-01 S

BACKGROUND

The Department of Pesticide Regulation proposed the adoption and amendment of the California Code of Regulations, title 3, to provide restrictions on the practice of fumigating agricultural fields, specifically limiting materials, methods, seasons, and time of application in order to reduce the emission of volatile organic compounds used in fumigation and the resultant formation of ozone in the atmosphere. On December 19, 2007, the regulations were submitted to the Office of Administrative Law ("OAL") for review in accordance with the Administrative Procedure Act. On January 25, 2008, the majority of the regulations were approved by OAL and filed with the Secretary of State, however OAL disapproved the adoption of portions of sections 6452.3 and 6452.4. This Decision of Disapproval explains the reasons for OAL's action.

Date: February 1, 2008

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David D. Potter  
Senior Staff Counsel

For: Susan Lapsley  
Director

Original: Mary-Ann Warmerdam, Director  
Cc: Linda Irokawa-Otani

**OAL REGULATORY  
DETERMINATIONS**

**OFFICE OF ADMINISTRATIVE LAW**

**ACCEPTANCE OF PETITION TO REVIEW  
ALLEGED UNDERGROUND REGULATIONS**

**(Pursuant to title 1, section 270, of the  
California Code of Regulations)**

**OFFICE OF THE STATE FIRE  
MARSHAL**

**Agency being challenged:**

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Kathleen Eddy, Senior Counsel  
Office of Administrative Law  
300 Capitol Mall, Ste. 1250  
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

**Petitioner:**

Randy D. Roxson, Attorney at Law  
The Law Office of Randy D. Roxson  
2439 Meridian Drive  
Lodi, CA 95242

**Agency contact:**

Diane Arend, Deputy State Fire Marshal  
Office of the State Fire Marshal  
P.O. BOX 944246  
Sacramento, CA 94244-2460



CTU 07-1203-02

PETITION TO THE OFFICE OF ADMINISTRATIVE LAW  
Optional Petition Submission Form

RE: Alleged Underground Regulation

FROM: Randy D. Foxson, Attorney at Law (Petitioner)

DATE: December 3, 2007

Use of this form is optional. It requests the information required by California Code of Regulations, title 1, section 260, for a petition challenging an alleged underground regulation. Although the use of this form is not required, the mandatory information required by California Code of Regulations, title 1, section 260, including the supporting documentation, *must* be included in your petition. If you create a separate petition, or if you use this form and need to add extra pages, be sure that each page is labeled clearly.

1. Petitioner's Identifying Information:

Your name: Randy D. Foxson, Attorney at Law

Your address: The Law Office of Randy D. Foxson

2439 Meridian Dr., Lodi, Ca. 95242

Your telephone number (if you have one):  
(209) 368-2948

Your e-mail (if you have one):  
rfoxson@fine.law.lawyer.com

2. State agency or department being challenged:  
DEPT. OF FORESTRY / FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL (OSFM)

3. Provide a complete description of the purported underground regulation. Attach a written copy of it. If the purported underground regulation is found in an agency manual, identify the specific provision of the manual alleged to comprise the underground regulation. Please be as precise as possible.

OSFM HAS IN PAST YEARS COLLECTED FEES FOR CERTIFICATION IN VARIOUS COURSEWORK & DISCIPLINES. OSFM CURRENTLY INTENDS TO INCREASE ITS FEES FOR CERTIFICATION. THESE FEES HAVE NEVER BEEN ADOPTED AS REGULATIONS PURSUANT TO THE APA, AS ARE ALL OTHER FEES OF THE OSFM ARE.

4. Provide a description of the agency actions you believe demonstrate that it has issued, used, enforced, or attempted to enforce the purported underground regulation.

THE ATTACHED DOCUMENT ENTITLED "APPLICATIONS FOR CERTIFICATION FEE SCHEDULE" DEMONSTRATES OSFM'S DESIRE TO INCREASE FEES OUTSIDE THE PROCESS AS ESTABLISHED BY THE APA. IN FACT, THE CURRENT FEE STRUCTURE IS, & HAS BEEN ENFORCE FOR MANY YEARS, YET NEVER ADOPTED AS REGULATIONS.

5. State the legal basis for believing that the guideline, criterion, bulletin, provision in a manual, instruction, order, standard of general application, or other rule or procedure is a regulation as defined in Section 11342.600 of the Government Code AND that no express statutory exemption to the requirements of the APA is applicable.

OSFM AUTHORITY TO COLLECT A FEE IS ESTABLISHED IN HEALTH & SAFETY CODE § 13157 (d), HOWEVER NO EXEMPTION IS EXPRESSED THAT OSFM MAY ESTABLISH OUTSIDE THE REQUIREMENTS OF THE APA.

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution.

MOST ALL THOSE THAT PARTICIPATE IN THE OSFM CERTIFICATION PROGRAM ARE EMPLOYEES OF SOME TYPE OF GOVERNMENTAL ENTITY. THEREFORE, MOST REVENUES DERIVED FROM THESE SPECIFIC FEES COME FROM TAXPAYERS. THUS, FEES SHOULD BE PROPERLY NETTED

7. (Optional) Please attach any additional relevant information that will assist OAL in evaluating your petition.

ATTACHED COPY OF HEALTH & SAFETY CODE § 13157 IS COMMENT & PLACED IN REGULATORY FORMAT.

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to the state agency which has issued, used, enforced, or attempted to enforce the purported underground regulation:

Name of person in agency to whom petition was sent: KATE DARGACI, SFM

Agency: OFFICE OF THE STATE FIRE MARSHAL

Address: 1131 'S' STREET, SACRAMENTO, CA. 95814

Telephone number: (916) 445-8200

I certify that all of the above information is true and correct to the best of my knowledge.

Signature of Petitioner

Date

12/2/07



# California State Fire Training

PO Box 944246, Sacramento, CA 94244-2460  
Bus (916) 445-8444

1131 S Street, Sacramento, CA 95814  
Fax (916) 445-8128



## NOTICE OF POSTPONEMENT OF FEE INCREASE

(Correction to original notice released May 2007)

Due to unforeseen procedural/system changes, we are postponing the previously advertised fee increase to California Fire Service Training and Education System (CFSTES) and Fire Service Training and Education Program (FSTEP) until January 1, 2008. This change will also provide additional time for students and stakeholders to adjust to, and plan for, this change.

Beginning January 1, 2008, CFSTES and FSTEP fees will change as follows:

- Certification fees will increase by \$10.
- FSTEP course registration fee will increase \$15 per student.
- CFSTES course registration fee will increase \$30 per student and will include the student manual/supplement provided by the SFT bookstore. Additional materials may be required from other sources, and are listed in the Course Information and Required Materials Manual available on our website at <http://osfm.fire.ca.gov/sftdownloads.html>.

If you have any questions regarding the fee increase, you may contact Christy Owen, Manager, State Fire Training - Certification and Registration at (916) 327-2129 or via e-mail at [christy.owen@fire.ca.gov](mailto:christy.owen@fire.ca.gov).



## Application for Certification FEE SCHEDULE



State Fire Training  
ATTN: Cashier  
PO Box 997446  
Sacramento, CA 95899-7446  
Website: www.fire.ca.gov

#	CERTIFICATION	Each	Total
	Chief Officer	\$ 90.00	
	EMT-I Initial Certification <span style="float: right;">5921-59210-142500-22</span>	\$ 25.00	
	EMT-I Recertification <span style="float: right;">5921-59210-142500-22</span>	\$ 25.00	
	Fire Apparatus Driver/Operator I	\$ 65.00	
	Fire Chief <span style="float: right;">[ ] #1 Receive Application \$50 [ ] #2 Submit Application \$200 [ ] #3 Pace IV Review \$250</span>		
	Fire Fighter I <span style="float: right;">(Scantron Application Form Required)</span>	\$ 40.00	
	Fire Fighter II <span style="float: right;">(Scantron Application Form Required)</span>	\$ 40.00	
	Fire Instructor I	\$ 65.00	
	Fire Instructor II	\$ 65.00	
	Fire Instructor III	\$ 65.00	
	Fire Investigator I	\$ 65.00	
	Fire Investigator II	\$ 65.00	
	Fire Marshal	\$ 65.00	
	Fire Mechanic I	\$ 65.00	
	Fire Mechanic II	\$ 65.00	
	Fire Mechanic III (Master Mechanic)	\$ 65.00	
	Fire Mechanic Recertification	\$ 60.00	
	Fire Officer	\$ 65.00	
	Fire Prevention Officer	\$ 65.00	
	Fire Protection Specialist	\$ 65.00	
	Hazardous Materials Technician	\$ 65.00	
	Hazardous Materials Specialist	\$ 65.00	
	Plans Examiner	\$ 65.00	
	Public Education Officer I	\$ 65.00	
	Volunteer Fire Fighter <span style="float: right;">(Scantron Application Form Required)</span>	\$ 25.00	
	Duplicate Certificate <span style="float: right;">(List Additional Certificates On Separate Paper)</span>	\$ 35.00	
	* Certificate Title:		
	* Date Issued:		
	Accounting Code: 5921-59210-142500-23 (except EMT)	Total Submitted:	

I, the undersigned, as the person applying for certification, I hereby certify under penalty of perjury under the laws of the State of California, that all statements made therein are true in every respect. I understand that misstatements, omissions of material facts, or falsification of information or documents may be cause of denial.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICATION MUST BE SIGNED AND ATTACHED WITH PAYMENT \* FEES ARE NONREFUNDABLE \*

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department: \_\_\_\_\_ SS #: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Department Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

PRICES SUBJECT TO CHANGE WITHOUT NOTICE

EFFECTIVE JANUARY 1, 2008

T:\Budget Change Proposals\Notice of Fee Increase Postponement until 1-1-08.doc

Application for certification may be made after training is completed and all requirements have been met. Please include with your application the appropriate documentation for each category below.

**APPLICATION**

- An application form for certification identifying the position.

**EDUCATION (If Applicable)**

- Copy of the score letter(s) or certificate(s) for each of the required accredited OSEM course.
- Copy of the completion certificate(s) for any additional training that is required.

**PREREQUISITE (If Applicable)**

- Copy of position certificate or verification of rank signed by the Fire Chief and written on department letterhead.  
Or
- Copy of college transcripts.

**EXPERIENCE and RANK (If Applicable)**

- Verification of the experience and/or rank requirements in the form of a current letter signed by the Fire Chief and written on department letterhead.

**FEE**

- Payment of the certificate fee. See reverse side for price list. (FEES ARE NONREFUNDABLE.)
- Make checks payable to CDF/State Fire Training.

**MAIL**

- Send application and payment to: **CDF/STATE FIRE TRAINING  
ATTN: Cashier  
PO Box 997446  
Sacramento CA 95899-7446**

Effective January 1, 2008



## Application for Course Certificates FEE SCHEDULE



State Fire Training  
ATTN: Cashier  
PO Box 997446  
Sacramento, CA 95899-7446  
Website: www.fire.ca.gov

#	RETAKES EXAMS	Each	Total
	CFSTES Course <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-20</span>	\$ 35.00	
	EMT-I Course <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-22</span>	\$ 25.00	
#	<b>DUPLICATE COURSE CERTIFICATES</b> <i>(List Additional Certificates on Separate Paper)</i>		
	CFSTES <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-20</span>	\$ 35.00	
	▪ Course Title:		
	▪ Date Completed:		
	▪ Course Title:		
	▪ Date Completed:		
	EMT-I <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-22</span>	\$ 25.00	
	▪ Date Completed:		
	FSTEP <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-21</span>	\$ 10.00	
	▪ Course Title:		
	▪ Date Completed:		
	▪ Include a copy of the course roster from the instructor with your name listed.		
#	<b>COURSE EQUIVALENCIES</b> <i>(List Additional Certificates on Separate Paper)</i>		
	Course Equivalency Certificate <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-20</span>	\$ 60.00	
	▪ Course Title:		
	▪ Date Completed:		
	▪ Course Title:		
	▪ Date Completed:		
#	<b>PACE III REVIEW</b> <i>(List Additional Certificates on Separate Paper)</i>		
	PACE III REVIEW <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-23</span>	\$ 60.00	
	▪ Course Title:		
	▪ Course Title:		
	▪ Course Title:		
	<b>REGIONAL/LOCAL ACADEMY ACCREDITATION/REACCREDITATION</b>		
	Application Processing <span style="float: right; font-size: small;">Accounting Code: 5921-59210-142500-11</span>	\$500.00	
	Accreditation Site Review Team Costs <i>(not to exceed \$2,000.00)</i>		
	<b>TOTAL SUBMITTED:</b>		

*I, the undersigned, am the person making application for the above. I hereby certify under penalty of perjury under the laws of the State of California, that all statements made herein are true in every respect. I understand that misstatements, omissions of material facts, or falsification of information or documents may be cause of denial.*

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICATION MUST BE SIGNED AND ATTACHED WITH PAYMENT \* FEES ARE NONREFUNDABLE \*

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department: \_\_\_\_\_ SS #: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Department Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

PRICES SUBJECT TO CHANGE WITHOUT NOTICE

EFFECTIVE JANUARY 2008

**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# 2008-0116-03  
BUREAU OF ELECTRONIC AND APPLIANCE  
REPAIR  
Correction to CCR 2751

This nonsubstantive filing corrects a reference in the text of 16 CCR 2751. The current reference is to Business and Professions Code section 9744, which relates to cremated remains disposers. The correct reference is to Business & Professions Code section 9844, related to written estimates for the costs of repair.

Title 16  
California Code of Regulations  
AMEND: 2751  
Filed 02/04/2008  
Agency Contact: April Alameda (916) 574-2442

File# 2007-1218-02  
CALIFORNIA HIGHWAY PATROL  
Cargo Securement Standards

This certificate of compliance makes permanent the prior emergency regulatory actions (OAL file nos. 06-1220-01E, 07-0423-01EE, and 07-0817-01EE) that adopted the federal requirements for cargo securement standards in compliance with section 34500.3 of the Vehicle Code.

Title 13  
California Code of Regulations  
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.

Filed 02/01/2008  
Agency Contact: Jason Golenor (916) 445-1865

File# 2008-0118-03  
CORRECTIONS STANDARDS AUTHORITY  
2007 Local Jail Construction Funding

This emergency action adopts regulations implementing the 2007 Local Jail Construction Program authorized by AB 900 (Stats. 2007, Chap. 7). The action is the resubmittal of previously withdrawn OAL file number 2007-1121-03EON. This action is an operational necessity emergency under Penal Code section 5058.3.

Title 15  
California Code of Regulations  
ADOPT: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.5, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1756, 1757, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792  
Filed 02/04/2008  
Effective 02/04/2008  
Agency Contact: Charlene Aboytes (916) 324-1914

File# 2008-0125-01  
DENTAL BOARD OF CALIFORNIA  
Application for Dental Licensure by Residency Program

Prior to SB 683, effective 1/1/07, to become a licensed dentist, a person had to, among other things, pass a clinical and written exam developed and administered by either the Dental Board of California or the Western Regional Examining Board. SB 683 allows persons to be licensed without having passed either of those exams if they complete a clinically-based advanced education program in general dentistry or an advanced education program in general practice residency that is accredited by the American Dental Association or a national accrediting body approved by the Board. This emergency rulemaking implements SB 683 by amending the application fees regulation so as to collect fees from people applying for licenses under this new scheme. Primarily, this rulemaking action adds four new regulations which require people applying for dental licenses under these new provisions to submit four new forms. The forms are incorporated by reference in each of the four new regulations.

Title 16  
California Code of Regulations  
ADOPT: 1028.2, 1028.3, 1028.4, 1028.5 AMEND:  
1021  
Filed 02/01/2008  
Effective 02/01/2008  
Agency Contact: Donna Kantner (916) 263-2300

File# 2008-0125-03  
DEPARTMENT OF FOOD AND AGRICULTURE  
Light Brown Apple Moth Interior Quarantine

The proposed emergency amendment will expand “the contiguous three existing regulated areas in Alameda, Contra Costa, Marin, San Francisco and San Mateo counties as additional quarantine areas with respect to the light brown apple moth (*Epiphyas postvittana*) pursuant to the finding of new pests and the new quarantine protocol.”

Title 3  
California Code of Regulations  
AMEND: 3434(b)  
Filed 02/04/2008  
Effective 02/04/2008  
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1221-01  
DEPARTMENT OF PUBLIC HEALTH  
Reporting HIV Infection by Name

This is the timely certification of compliance for an emergency action that updated the Department’s regulations that specify the HIV test information that must be reported by a health care provider to the local health officer, the reporting forms, and the manner of transmitting a report to conform to the new requirement to include reporting of the patient’s name in accordance with Health and Safety Code section 121022. Also included is a regulation that adds the requirement that people with access to such records must annually sign a specified “Confidentiality Agreement.”

Title 17  
California Code of Regulations  
ADOPT: 2641.56, 2641.57 AMEND: 2641.5,  
2641.30, 2641.35, 2641.45, 2641.55, 2643.5,  
2643.10, 2643.15 REPEAL: 2641.75, 2641.77  
Filed 02/06/2008  
Agency Contact:  
Barbara S. Gallaway (916) 657-3197

File# 2007-1227-07  
EMPLOYMENT DEVELOPMENT DEPARTMENT  
Paid Family Leave Acceptable Documentation

The Employment Development Department seeks to amend California Code of Regulations, title 22, section 2708(c)-1 to clarify the documentation required for determining eligibility for the Family Temporary Disability Insurance (FTDI) program, known as the Paid Family Leave (PFL) program, within the existing State Disability Insurance (SDI) program, administered by the Employment Development Department in accordance with the provisions of Part 2 (commencing with section 2601) of the California Unemployment Insurance Code.

Title 22  
California Code of Regulations  
AMEND: 2708(c)-1  
Filed 02/06/2008  
Effective 03/07/2008  
Agency Contact: Laura Colozzi (916) 654-7712

File# 2007-1220-06  
OFFICE OF THE STATE FIRE MARSHAL  
Fire Alarm Test Reports

The purpose of this regulatory action is to clarify the requirements for fire alarm systems and fire alarm devices and to expedite approval of these systems/devices and the listing of them by the State Fire Marshal pursuant to Health & Safety Code section 13144.1.

Title 19  
California Code of Regulations  
AMEND: 208, 209  
Filed 02/04/2008  
Effective 03/05/2008  
Agency Contact: Diane Arend (916) 324-9592

File# 2007-1220-05  
OFFICE OF THE STATE FIRE MARSHAL  
Licensing Time Frames

The State Fire Marshal is repealing section 3.33 due to the repeal of the Permit Reform Act of 1981 (Government Code sections 15374-15378).

Title 19  
California Code of Regulations  
REPEAL: 3.33  
Filed 02/05/2008  
Agency Contact: Diane Arend (916) 324-9592

File# 2007-1227-03  
STATE WATER RESOURCES CONTROL BOARD  
TMDL for Trash in Legg Lake

This regulatory action amends the basin plan to incorporate a TMDL (total maximum daily load) for trash in Legg Lake. It establishes the numeric target for calcula-



tion of waste load allocations for point source discharges and load allocations for nonpoint source discharges in Legg Lake.

Title 23  
 California Code of Regulations  
 ADOPT: 3939.29  
 Filed 02/05/2008  
 Agency Contact: Nick Martorano (916) 341-5980

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN SEPTEMBER 5, 2007 TO  
 FEBRUARY 6, 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 1**

01/29/08 AMEND: 1, 6, 90, and Appendix A (Std. Form 400)

**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  
 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  
 (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

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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

**Title 3**

02/04/08 AMEND: 3434(b)  
01/29/08 AMEND: 3700(c)  
01/28/08 AMEND: 3433(b)  
01/28/08 AMEND: 4500  
01/25/08 ADOPT: 6445, 6445.5, 6448, 6448.1, 6449, 6449.1, 6450, 6450.1, 6450.2, 6451, 6451.1, 6452, 6452.1, 6452.2, 6452.3(a), 6452.3(b), 6452.3(c), 6452.3(d), 6452.3(e), 6452.3(f), 6452.4, 6536(a), 6536(b)(1-3), 6536(b)(4)  
AMEND: 6000, 6400, 6450, 6450.1, 6450.2, 6450.3, 6452, 6453, 6502, 6624, 6626, 6784  
01/24/08 AMEND: 1391, 1391.1  
01/22/08 AMEND: 3591.6  
01/22/08 AMEND: 3591.6  
01/22/08 AMEND: 3591.2(a)  
01/22/08 AMEND: 3591.5(a)  
01/18/08 AMEND: 3423(b)  
01/18/08 ADOPT: 3152  
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

**Title 4**

01/22/08 AMEND: 8070, 8072, 8073  
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  
10/25/07 ADOPT: 1747, 1748  
10/24/07 AMEND: 1486  
09/20/07 AMEND: 1844

**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

**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

**Title 9**

12/10/07 AMEND: 13035  
12/06/07 AMEND: 9100

**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  
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

**Title 11**

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

**Title 13**

02/01/08 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.  
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

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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

**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**

01/29/08 ADOPT: 25202, 25203, 25204, 25205,  
 25206, 25207, 25208, 25209, 25210,  
 25211  
 01/28/08 ADOPT: 17987, 17987.1, 17987.2,  
 17987.3, 17987.4, 17987.5  
 01/17/08 AMEND: 890  
 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)  
 11/07/07 AMEND: 550, 551, 552  
 11/05/07 AMEND: 825.05  
 10/25/07 AMEND: 502  
 10/24/07 AMEND: 895.1, 898, 914.8, 916, 916.2,  
 916.9, 916.11, 916.12, 923.3, 923.9,  
 934.8, 936, 936.2, 936.9, 936.11, 936.12,  
 943.3, 943.9, 954.8, 956, 956.2, 956.9,  
 956.11, 956.12, 963.3, 963.9

10/16/07 ADOPT: 1.46, 28.38, 28.41, 28.42  
 AMEND: 1.17, 1.59, 27.60, 27.90, 28.59,  
 159, 195  
 10/12/07 AMEND: 815.05  
 10/09/07 AMEND: 29.85  
 09/19/07 AMEND: 502, 509

**Title 14, 27**

10/17/07 Title 14: 18050, 18051, 18060, 18070,  
 18072, 18075, 18077, 18078, 18081,  
 18104.4, 18105.4, 18105.6, 18209,  
 18304, 18304.2, 18306, 18307, 18831  
 Title 27: 21563, 21615, 21620, 21650,  
 21680

**Title 15**

02/04/08 ADOPT: 1700, 1706, 1712, 1714, 1730,  
 1731, 1740, 1747, 1747.5, 1748, 1749,  
 1750, 1751, 1752, 1753, 1754, 1756,  
 1757, 1760, 1766, 1767, 1768, 1770,  
 1772, 1776, 1778, 1788, 1790, 1792  
 01/23/08 AMEND: 3190, 3191  
 01/17/08 AMEND: 2275  
 01/08/08 AMEND: 3282  
 12/28/07 ADOPT: 3269.1 AMEND: 3005, 3315,  
 3341.5  
 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  
 10/18/07 ADOPT: 3486 AMEND: 3482, 3484,  
 3485  
 10/16/07 AMEND: 3000, 3045.2, 3170.1, 3176,  
 3177, 3815  
 10/09/07 ADOPT: 2536.1  
 10/01/07 ADOPT: 3075.4 AMEND: 3000  
 09/05/07 AMEND: 3000, 3315, 3323, 3341.5

**Title 16**

02/04/08 AMEND: 2751  
 02/01/08 ADOPT: 1028.2, 1028.3, 1028.4, 1028.5  
 AMEND: 1021  
 01/11/08 ADOPT: 3340.43 AMEND: 3340.42  
 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

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11/30/07	AMEND: 1805, 1806, 1816, 1816.1, 1816.2, 1816.4, 1816.6, 1854, 1856, 1858 REPEAL: 1833.3, 1855, 1857	01/23/08	AMEND: 101, 171
11/26/07	ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542	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, 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, 5074, 5074.5, 5075, 5075.1, 5076, 5076.1, 5077, 5078, 5079, 5080, 5081,
11/26/07	ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542		
11/26/07	ADOPT: 4580		
11/21/07	AMEND: 998		
11/19/07	AMEND: 1749		
11/07/07	AMEND: 1523		
11/02/07	ADOPT: 4440, 4442, 4444, 4446, 4448, 4450, 4452, 4470, 4472, 4474, 4476, 4478, 4480, 4482, 4484		
10/31/07	AMEND: 1707.2		
10/05/07	AMEND: 306, 306.1, 310, 390, 390.2, 390.3, 390.4, 390.5		
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		
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		
<b>Title 17</b>			
02/06/08	ADOPT: 2641.56, 2641.57 AMEND: 2641.5, 2641.30, 2641.35, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77		
01/11/08	AMEND: 60201		
12/27/07	ADOPT: 93109.1, 93109.2 AMEND: 93109		
11/16/07	AMEND: 57310, 57332		
11/08/07	AMEND: 94508, 94509, 94510, 94511, 94512, 94513, 94514, 94515, 94523		
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		
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		
<b>Title 18</b>			
01/24/08	AMEND: 1699		
01/23/08	AMEND: 101, 171		

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5081.2, 5082, 5082.1, 5082.2, 5083, 5085, 5086	09/06/07	ADOPT: 66270.69.2 AMEND: 66270.67 (renumber to 66270.69.5), 66270.69 (renumber to 66270.69.1), 67800.1 (renumber to 66270.69.3), 67800.5 (renumber to 66270.69.4)
01/04/08 AMEND: 1521		
01/02/08 AMEND: 1802		
11/21/07 AMEND: 4703		
11/08/07 ADOPT: 474	09/05/07	AMEND: 4427
<b>Title 19</b>	<b>Title 22, MPP</b>	
02/05/08 REPEAL: 3.33	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 AMEND: 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1
02/04/08 AMEND: 208, 209		
12/18/07 AMEND: 2510, 2520, 2530, 2540, 2550		
10/31/07 AMEND: 2040		
10/01/07 AMEND: 2600		
<b>Title 20</b>		
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		
<b>Title 21</b>		
01/10/08 AMEND: 6662.5, 6663(b), 6753, 6754(b)(2)		
<b>Title 22</b>	<b>Title 23</b>	
02/06/08 AMEND: 2708(c)-1	02/05/08	ADOPT: 3939.29
01/08/08 ADOPT: 7107, 7118 AMEND: 7314	01/24/08	ADOPT: 3939.31
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	12/18/07	AMEND: 2621, 2632, 2634, 2635, 2636, 2637, 2638, 2661, 2666, 2711, 2713
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	12/07/07	ADOPT: 3919
11/29/07 AMEND: 51531	12/06/07	ADOPT: 3918
11/20/07 AMEND: 311-1	11/30/07	ADOPT: 3959.1
11/08/07 ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329	11/07/07	ADOPT: 3915
11/07/07 ADOPT: 66269.1	<b>Title 25</b>	
11/06/07 AMEND: 51003(e) REPEAL: 51307, 51506.2	12/10/07	ADOPT: 8207.1, 8212.3 AMEND: 8204, 8207, 8208, 8209, 8210, 8211, 8212, 8212.1, 8213, 8216, 8217
10/23/07 AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1	<b>Title 27</b>	
10/18/07 AMEND: 67391.1	12/18/07	AMEND: 15290 (reports 3, 4 & 6), 15400.1, Division 3 — Subdivision 1 — Chapters 1, 2, 3, 4, 5, 6
10/16/07 AMEND: 10100 REPEAL: 10101	<b>Title 28</b>	
10/03/07 AMEND: 67386.5, 67386.6, 67386.11	01/10/08	AMEND: 1300.67.60
09/18/07 ADOPT: 64432.3, 64432.8 AMEND: 64413.1, 64431, 64432, 64447.2, 64463.1, 64465, 64481 REPEAL: 64450	<b>Title MPP</b>	
	11/28/07	AMEND: 47-110, 47-260, 47-301, 47-430, 47-601, 47-602, 47-620, 47-630 REPEAL: 47-610