



California Regulatory Notice Register

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

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**PROPOSED ACTION ON
REGULATIONS**

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

**TITLE 2. CALIFORNIA PUBLIC
EMPLOYEES' RETIREMENT SYSTEM**

**NOTICE OF PROPOSED
REGULATORY ACTION**

NOTICE IS HEREBY GIVEN that the Board of Administration (Board) of the California Public Employees' Retirement System (CalPERS) proposes to amend the regulations described in the Informative Digest after considering public comments, objections, or recommendations regarding the proposed actions.

I. PROPOSED REGULATORY ACTION

In this filing, the Board proposes to amend CalPERS Board of Administration Election regulations to clarify and provide public notice regarding certain Board Election procedures adopted pursuant to Government Code section 20096, which requires the Board to develop election procedures, including amendments to California Code of Regulations, title 2, sections 554.2 and 554.3.

II. WRITTEN COMMENT PERIOD

Any person interested may submit written comments relevant to the proposed regulatory action. The written comment period closes at 5 p.m. on August 27, 2007. The Regulations Coordinator must receive all written comments by close of the comment period. Comments may be submitted via fax at (916) 795-4607; email at the following address: joe_parilo@calpers.ca.gov; or mail to the following address:

Joe Parilo, Acting Regulations Coordinator
California Public Employees' Retirement System
P.O. Box 942707
Sacramento, California 94229-2707
Telephone: (916) 795-3484

III. PUBLIC HEARING

Comments on the proposed actions will also be taken at a public hearing to be placed on the agenda of the regularly scheduled meeting of the Benefits and Program Administration Committee of the CalPERS Board:

September 11, 2007
9:00 a.m.
California Public Employees' Retirement System
Lincoln Plaza North, Auditorium
400 P Street, Sacramento, California, 95814.

IV. ACCESS TO HEARING ROOM

The hearing room will be accessible to persons with mobility impairments, and can be made accessible to persons with hearing or vision impairments upon advance request to the Regulations Coordinator.

V. AUTHORITY AND REFERENCE

The CalPERS Board of Administration is obligated under Public Employees' Retirement Law (PERL) (California Government Code Title 2, Division 5, Part 3) section 20090, subdivision (g), to supervise the election of six members of the thirteen member board. Under Government Code section 20096, The Board has authority to develop election procedures for this purpose. Furthermore, pursuant to Government Code section 20095, the Board is required to hold special elections to fill vacancies which occur during the term of elected members of the Board.

**VI. INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

California Government Code section 20090 governs the make up of the Board of Administration of the Public Employees' Retirement System. Section 20090, subdivision (g), provides that, in addition to statutory members and appointees, the Board of Administration shall consist of six members elected under the supervision of the Board as follows:

- (1) Two members elected by the members of this system from the membership thereof.
- (2) A member elected by the active state members of this system from the state membership thereof.
- (3) A member elected by and from the active local members of this system who are employees of a school district or a county superintendent of schools.
- (4) A member elected by and from the active local members of this system other than those who are employees of a school district or a county superintendent of schools.

(5) A member elected by and from the retired members of this system.

Government Code section 20095 states the term of office of members of the Board is four years expiring on January 15 in the order fixed in section 20090, subdivision (g). Government Code section 20096 states the Board shall cause ballots to be distributed to each active and retired member of the system in advance of each election, shall provide for the return of voted ballots to the Board without cost to the member, and shall develop election procedures. The CalPERS Board is solely responsible for conducting the Board elections; prior to 1996, section 20096 (formerly section 20102) stated, in part, "The board shall adopt election procedures which shall be subject to review, approval and certification by the Secretary of State." In 1996, the Legislature, in Assembly Bill No. 1700 (1995–1996 Reg. Session), amended section 20096 to read, in part: "The results shall be certified by the Secretary of State. . . ." thus eliminating any review of Board election procedures by the Secretary of State. (Stats. 1996, ch. 724, § 21, p. 3500.)

The Board of Administration has developed various election procedures codified in the California Code of Regulations, title 2, beginning at section 554. Section 554.2 provides guidelines for the Notice of Election, and section 554.3 provides guidelines for the nomination of candidates. Pursuant to its authority under Government Code section 20096, CalPERS has developed various forms and internal procedures to assist with conducting Board of Administration elections.

In February 2007, the Office of Administrative Law concluded certain forms and procedures utilized in Board of Administration elections constituted underground regulations under the Administrative Procedures Act. The proposed amendments to Board Election regulations are designed to address these issues by codifying pertinent Board Election procedures, to clarify various requirements for notification and candidate nomination and to provide further guidance to potential candidates and CalPERS voters regarding the Board Election process.

Proposed Amendment of section 554.2

554.2 was adopted in 1982 and has not since been amended. This proposal would codify CalPERS' long standing policy of requiring the Board to adopt the Notice of Election as an agenda item at a regularly noticed public meeting of the Board prior to the nomination of candidates. The amendment specifies information to be contained in the Notice of Election, and provides guidelines for setting the election schedule. The amendment also clarifies the Election Coordinator's role in publishing the Notice of Election, as well as the Agency Election Officers' role in providing the Notice to active CalPERS members.

Proposed Amendment of section 554.3

Section 554.3 was adopted in 1982 and last amended effective September 2001. The proposal would codify CalPERS Nomination Petition procedures and requirements for both nominees and members and retired members signing the Nomination Petition. The proposal provides for various identifying information that may be required of both the nominee and members and retired members who sign the Nomination Petition, for the purpose of verifying eligibility. The proposal establishes a minimum number of signatures required for candidate nomination and guidelines for determining the appropriate number of required signatures. The proposal incorporates by reference both the Nomination Petition and Nomination Acceptance/Ballot Designation forms. Finally, the proposal reorganizes the section for clarity and ease of use.

VII. EFFECT ON SMALL BUSINESS

The proposed regulatory action does not affect small business because it applies only to CalPERS Board of Administration elections, open only to members and retired members of CalPERS.

VIII. DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

- A. MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS: The proposed regulatory action does not impose a mandate on local agencies or school districts.
- B. COST OR SAVINGS TO ANY STATE AGENCY: The proposed regulatory action does not impact costs or savings for any state agency.
- C. COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT: The proposed regulatory action does not impose costs or savings for any local agency or school district, such that costs would qualify for reimbursement under Government Code section 17500 et seq.
- D. NONDISCRETIONARY COSTS OR SAVING IMPOSED ON LOCAL AGENCIES: The proposed regulatory action does not impose non-discretionary costs or savings on local agencies.
- E. COSTS OR SAVINGS IN FEDERAL FUNDING TO THE STATE: The proposed regulatory action does not impact any federal funding to the state.
- F. ADVERSE ECONOMIC IMPACT: The proposed regulatory action has no significant statewide adverse economic impact directly affecting businesses, including the ability of business in California to compete with business in other states.

- G. COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES: CalPERS is not aware of any cost impacts that representative private persons or businesses would necessarily incur due to the proposed regulatory action.
- H. IMPACT ON JOBS AND BUSINESSES WITHIN CALIFORNIA: The proposed regulatory action 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.
- I. EFFECT ON HOUSING COSTS: The proposed regulatory action has no effect.

IX. CONSIDERATION OF ALTERNATIVES

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

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

X. CONTACT PERSONS

Please direct inquiries concerning the substance of the proposed regulatory action to:

Joe Parilo, Manager, Board Elections Office
 California Public Employees' Retirement System
 P.O. Box 942707
 Sacramento, California 94229-2707
 Telephone: (916) 795-3484

Please direct requests concerning processing of this regulatory action to Joe Parilo, Acting Regulations Coordinator, at (916) 795-3484 or joe_parilo@calpers.ca.gov; or Andrea Lugo-Thielen, at (916) 795-1471 or andrea_lugo-thielen@calpers.ca.gov.

XI. AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The entire rulemaking file is available for public inspection through the Acting Regulations Coordinator at the address shown above. To date the file consists of this

notice, the proposed text of the regulation, and the Initial Statement of Reasons (ISR). A copy of the proposed text and the ISR is available at no charge upon telephone or written request to the Acting Regulations Coordinator.

The Final Statement of Reasons (FSR) can be obtained, once it has been prepared, by written request to Joe Parilo, Acting Regulations Coordinator, at the address shown in Section II.

XII. AVAILABILITY OF MODIFICATIONS TO PROPOSED AMENDMENT

The Board may, on its own motion or at the recommendation of any interested person, modify the proposed amendment to the regulation after the public comment period has closed. It may amend CCR sections 554.2 and 554.3 as modified, if the changes are sufficiently related to the original text so the public could have anticipated them.

If the Board modifies its regulatory action in this manner, it will prepare a comparison of the original proposed text and the modifications for an additional public comment period of not less than 15 days prior to the date on which the board adopts, amends, or repeals the resulting regulation. A copy of the comparison text will be mailed to all persons who submitted written comments, who testified or submitted written comments at the public hearing, or asked to be kept informed as to the outcome of this regulatory action.

XIII.

One can access the regulatory material regarding this action at www.calpers.ca.gov; *About CalPERS*; *Legislation, Regulations, and Statutes*; *Regulatory Actions*; *Current Regulatory Actions*.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after August 16, 2007, at 10:00 a.m. Written comments must be received at the Commission offices no later than 5:00 p.m. on August 14, 2007.

BACKGROUND/OVERVIEW

The Commission proposes to adopt 2 Cal. Code of Regulations Section 18420.5. California's presidential

primary election in 2008 has been moved forward to February 5, 2008. There will be numerous state ballot measures on that ballot. It is possible that a state candidate may appear on the ballot if a special primary or a special runoff election to fill a vacant elective state office is consolidated with the February early primary election.

Committees generally file semiannual campaign statements with a closing date of December 31 and June 30. Committees involved in an election are required to file the first preelection statement 40 days prior to the election and the second preelection statement 12 days before the election. If no changes to the filing schedule were made for the February 5, 2008 election, the required preelection report would fall too close to the

semiannual report; and the first preelection report would be due December 27, an inconvenient date.

REGULATORY ACTION

The Commission will consider for adoption 2 Cal. Code Regs. Section 18420.5. Commission staff and members of the regulated community agree that the early February 5 election date requires modification of the campaign filing schedule for that election. The Commission has the authority to combine the campaign reports committees must file under Government Code Section 84205. Under this authority, the Commission will consider adopting a modified filing schedule for the February 5, 2008 election:

Regulation 18420.5 Proposed Filing Schedule

Statement	Period Covered	Filing Deadline
First Preelection/Semiannual	Last Report Filed — December 31, 2007	January 5, 2008
Second Preelection	January 1 — January 19, 2008	January 24, 2008

The Commission will consider the proposed regulation which may combine the first preelection statement with the semiannual statement for state candidates and ballot measures in the February 5, 2008 election. In addition, the Commission will consider language in the proposed regulation concerning the supplemental preelection report filing requirement and the filing date for that report for the February 5, 2008 election. The Commission will also consider in the regulation the application of the adjusted filing dates to political party committees and slate mailer organizations active in the February 5, 2008 election.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code Sections 82046 and 84200–84205.

CONTACT

Any inquiries should be made to Hyla P. Wagner, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814; telephone (916) 322–5660 or 1–866–ASK–FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov>.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after August 16, 2007, at 10:00 a.m. Written comments must be received at the Commission offices no later than 5:00 PM on August 14, 2007.

BACKGROUND/OVERVIEW

On February 8, 2005, Citizens to Save California and Assembly Member Keith Richman filed a complaint for injunctive and declaratory relief in Sacramento Superior Court challenging the Commission’s adoption of Regulation 18530.9 in June 2004, which imposed on candidate-controlled ballot measure committees the contribution limit applied to the controlling candidate. Plaintiffs claimed that the regulation violated the First Amendment, and that the Commission lacked statutory authority to adopt the regulation. Another group of plaintiffs led by Governor Schwarzenegger intervened in the action, and the court granted plaintiffs’ motion for preliminary injunction, barring FPPC enforcement of Regulation 18530.9 pending final disposition of the lawsuit.

The Commission appealed the trial court’s issuance of the preliminary injunction to the Third District Court of Appeal, which heard oral argument on November 17, 2006. On December 8, 2006, the Court of Appeal issued its opinion affirming the trial court’s grant of the preliminary injunction. (*Citizens to Save California vs. California Fair Political Practices Commission* (2006) 145 Cal.App.4th 736.) The Commission did not file a petition for review by the California Supreme Court. The matter was then settled by the parties and a stipulated judgment was entered by the trial court on May 18, 2007 which, among other things, permanently enjoined enforcement of Regulation 18530.9.

REGULATORY ACTION

Repeal 2 Cal. Code Regs. Section 18530.9:

The proposed regulatory action would repeal Regulation 18530.9.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code Sections 82016, 82043, 85301 and 85302.

CONTACT

Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.html?id=351>.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt, amend or repeal the regulation if it remains substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the regulation before its adoption, amendment, or repeal.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT OF INTEREST CODES

ADOPTION

MULTI-COUNTY: Tulare Area Schools Employee Benefit Authority

AMENDMENT

STATE AGENCY: Employment Training Panel
California Health and Human Services Agency

MULTI-COUNTY: Fairfield-Suisun Unified School District
Mountains Recreation and Conservation Authority

A written comment period has been established commencing on **July 13, 2007**, and closing on **August 27, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **August 27, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

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

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

(Editorial Note: This concerns Conflict of Interest Code amendments of the Fair Political Practices Commission (FPPC); however, the Attorney General's Office is giving notice that it is the code reviewing body for FPPC's code amendments.)

NOTICE IS HEREBY GIVEN that the Office of the Attorney General, pursuant to the authority vested in it by sections 82011, 87303, and 87304 of the Government Code will review proposed amendments to the conflict of interest code of the Fair Political Practices Commission (hereinafter "Commission").

The Office of the Attorney General has established a written comment period commencing on July 13, 2007, and closing on August 27, 2007 during which interested persons may comment on the proposed amendment of the Commission's Code. Interested persons should direct their written statements, arguments, or comments, concerning the proposed amendments to Deputy Attorney General Ted Prim, Office of the Attorney General, 1300 I Street, Room 125, Sacramento, CA. 95814. Any written comments must be received no later than 5:00 p.m. on August 27, 2007.

At the end of the 45-day comment period, the proposed amendments to the conflict of interest code will be submitted to the Chief Deputy Attorney General for review, unless an interested person requests a public hearing no later than 15 days prior to the close of the written comment period. If a public hearing is requested, it will be conducted at 10:00 a.m. on August 29, 2007 by a designee of the Chief Deputy Attorney General at 1300 I Street, Sacramento, California. If this hearing is held, oral testimony will be accepted. Subsequent to the hearing, the proposed code will be submitted to the Chief Deputy for review.

The Chief Deputy Attorney General will review the above-referenced amendments to the Commission's conflict of interest code, proposed pursuant to Government Code section 87306, which designates, pursuant to Government Code section 87302, those Commission employees who must disclose certain investments, interests in real property, and income.

The Chief Deputy Attorney General, upon his or her own motion or at the request of an interested person, will approve, or revise and approve, or return the amendment to the Commission for revision and re-submission within 60 days without further notice.

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 Office of the Attorney General is the code reviewing body for the Commission. The Chief Deputy Attorney General shall approve the code 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 Deputy Attorney General Ted Prim, Office of the Attorney General, 1300 I Street, Sacramento, CA 95814; Telephone (916) 324-5481.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODE

Copies of the proposed conflict of interest code may be obtained from the Attorney General's Office or the Fair Political Practices Commission. Requests for copies from the Commission should be made to Andreas C. Rockas, 428 J Street, Suite 620, Sacramento, California 95814; Telephone (916) 322-5660. Requests for copies from the Attorney General's Office should be made to Ted Prim, Deputy Attorney General,

1300 I Street, Room 125, Sacramento, CA 95814; Telephone (916) 324-5481.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after August 16, 2007, at 10:00 a.m. Written comments must be received at the Commission offices no later than 5:00 PM on August 14, 2007.

BACKGROUND/OVERVIEW

2 Cal. Code Regs. Sections 18360 through 18361.8 set out procedures in administrative enforcement proceedings of the Fair Political Practices Commission, and prescribe the Executive Director's duties in these proceedings. In particular, Regulation 18361.7(b) prohibits the Executive Director from delegating these duties to anyone other than the General Counsel, and Regulation 18361.7(a) permits the Executive Director to delegate the authority to issue subpoenas to the General Counsel or the Chief of Enforcement. Regulation 18360(g) makes reference to Regulation 18361, which was repealed in 2004.

The Commission proposes to amend these regulations to expand the Executive Director's discretion to delegate his duties in administrative enforcement proceedings by permitting the Executive Director to delegate his or her duties in these proceedings not only to the General Counsel or Chief of Enforcement, but also to an attorney in the Commission's Legal Division or, as provided under Regulations 18361.1, 18361.4, and 18361.7, to an administrative law judge. In addition, the Commission proposes to amend the reference in 18360(g) to refer to Regulations 18361.1 through 18361.8, to accurately reflect the current numbering of these provisions after the repeal of Regulation 18361.

REGULATORY ACTION

Amend 2 Cal. Code Regs. Sections 18360(g) and 18361.7, and adopt 2 Cal. Code Regs. Section 18361:

The Commission proposes to accomplish these goals by amending Regulation 18361.7 to remove its provisions on delegation of the Executive Director's authority, adopting Regulation 18361 to describe the Executive Director's discretion in this area, and by amending

Regulation 18361(g) to correctly reflect the numbering of the referenced regulations.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code Sections 82016, 82043, 85301 and 85302.

CONTACT

Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.html?id=351>.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt, amend or repeal the regulation if it remains substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the regulation before its adoption, amendment, or repeal.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political

cal Practices Commission will consider the proposed regulation at a public hearing on or after **August 16, 2007**, at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **August 14, 2007**.

BACKGROUND/OVERVIEW

Section 84310 was added to the Act in 2006. This new section provides a disclosure requirement for certain campaign-related telephone calls. Specifically, Section 84310 prohibits candidates, committees, and slate mailer organizations from expending campaign funds to pay for 500 or more telephone calls that are similar in nature to support or oppose a candidate, ballot measure, or both, unless the name of the organization that authorized or paid for the calls is disclosed to the recipient of each call. Subdivision (a) of Section 84310 further requires a disclosure statement identifying the name of the candidate, committee, or slate mailer paying for the calls unless the organization or individual that authorized the calls is disclosed and has filing obligations under the Act.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18440: While Section 84310 sets out a general rule requiring disclosures to be provided when making certain telephone calls, it provides little guidance as to the disclosure required in many simple situations.

Section 84310 requires disclosure statements only if 500 or more calls that are “similar in nature” are made to “advocate support of, or opposition to, a candidate, ballot measure, or both.” Addressing the threshold question of when a disclosure is required, the Commission will consider the advantages or disadvantages of defining the phrases “similar in nature” and “advocate support of, or opposition to, a candidate, ballot measure, or both.” The Commission will also consider specific language defining these terms for purposes of Section 84310.

Additionally, the Commission will consider:

1) *The disclosure required for calls paid for at the behest of a candidate or committee.*

Section 84310 requires a disclosure statement in telephone calls if campaign funds are directly or indirectly expended to pay for the calls. The statute does not explicitly require a disclosure when calls are paid for by a person, other than a candidate or committee, at the behest of a candidate or committee. The commission will consider whether a candidate or committee indirectly expends campaign funds if a payment for calls is made by a person at the behest of the candidate or committee.

2) *The disclosure required for calls paid for or authorized by multiple candidates, committees, or slate mailers.*

Not all calls are made by a single candidate, committee, or slate mailer. Section 84310 does not address which candidate, committee, or slate mailer should be identified in the required disclosure when calls are paid for or authorized by multiple candidates, committees, or slate mailers. The Commission will consider language specifying that calls requiring a disclosure must identify at least one candidate, committee, or slate mailer “paying for” the calls or at least one candidate or committee “authorizing” the calls. The Commission will also consider definitions for “paying for” and “authorizing” calls.

3) *Recordkeeping requirements.*

Section 84310 requires a candidate, committee, or slate mailer paying for calls requiring a disclosure to maintain a record of the script of the calls and a recording of the calls if the calls are recorded messages. The Commission will consider whether Section 84310 requires each candidate, committee, or slate mailer paying for and each candidate and committee authorizing the calls to maintain a record of the calls.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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

REFERENCE

The purpose of these regulations is to implement, interpret, and make specific Government Code sections

82028, 82030, 82044, 87100, 87103, 87207, 87302 and 89501 through 89506.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

CONTACT

Any inquiries should be made to Brian G. Lau, Commission Counsel, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

**TITLE 17. DEPARTMENT OF
DEVELOPMENTAL SERVICES**

NOTICE OF PROPOSED RULEMAKING

RESPITE CARE RATE INCREASE

The California Department of Developmental Services (DDS) proposes to amend Title 17, California Code of Regulations (CCR), Division 2, Chapter 3, Subchapter 7, Article 5, Section 57310(b)(3), Method of Reimbursement for Voucher Services, and 57332(c)(3)(A) & (c)(9)(A), Maximum Rates of Reimbursement for Non-Residential Services.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action of DDS. The written comment period closes at 5:00 p.m. on Tuesday, August 28, 2007. Please submit any written comments, via U.S. Mail or fax or email, to the DDS contact persons designated below by 5:00 p.m. on Tuesday, August 28, 2007.

NO PUBLIC HEARING

No public hearing is scheduled for this rulemaking. However, any interested person or his or her duly authorized representative may request a public hearing no later than 15 days prior to the close of the written comment period.

AUTHORITY AND REFERENCE

Authority: Section 4690, Welfare and Institutions Code.

Reference: Sections 4648(a), and 4690, Welfare and Institutions Code.

Welfare and Institutions Code, Section 4690 mandates DDS to establish, maintain, and revise an equitable process for setting rates of payment for nonresidential services provided to the developmentally disabled. Title 17 establishes the maximum reimbursement rate for vouchered respite and in-home respite care workers.

Effective January 1, 2007, California law increased the minimum wage to \$7.50 per hour. The regulation changes are intended to reflect the increase in the maximum rates of reimbursement appropriated for in the Governor's Budget for Fiscal Year 2006-07 for respite services provided under In-home Respite Worker, Service Codes 864, and 869, and Vouchered Respite Service, Service Code 420 to \$10.12 per consumer, per hour.

Section 57310(b)(3) — Method of Reimbursement for Voucher Services

The Department proposes to increase the maximum reimbursement rate for in-home respite workers providing respite services under the voucher to \$10.12 per consumer per hour, effective January 1, 2007.

Section 57332(c)(3)(A) — Maximum Rates for Reimbursement for Non-Residential Services — In-Home Respite Worker — Service Code 864

The Department proposes to increase the maximum reimbursement rate for in-home respite workers providing respite services to \$10.12 per consumer per hour, effective January 1, 2007.

Section 57332(c)(9)(A)(2)(a) — Maximum Rates for Reimbursement for Non-Residential Services — Respite Facility — Service Code 869

The Department proposes to increase the maximum reimbursement rate for respite facilities providing respite services to \$10.12 per hour, effective January 1, 2007.

EFFECT ON SMALL BUSINESS

DDS has determined that the proposed regulations will not affect small businesses as costs incurred due to this regulation change will be reimbursed by the Department.

**LOCAL MANDATE AND FISCAL
IMPACT DETERMINATIONS**

DDS has determined that the proposed regulatory action does not impose: 1) a mandate on local agencies or school districts, 2) significant costs or savings to any state agency, 3) costs to any local agency or school district that must be reimbursed in accordance with Gov-

ernment Code sections 17500 through 17630, 4) other nondiscretionary costs or savings imposed on local agencies, or 5) costs or savings in federal funding to the state.

ECONOMIC IMPACT AND BUSINESS ASSESSMENT

Based on DDS's findings it is anticipated that the proposed action will have no economic effect on the creation of new jobs and new businesses within the state, nor on the expansion of businesses currently doing business within the State of California. DDS has also determined this proposed action will not eliminate jobs or existing businesses.

DDS has determined that the proposed regulations will not have: 1) a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states, or 2) a significant effect on housing cost. The DDS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ALTERNATIVES CONSIDERED

DDS 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 action.

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

CONTACT PERSON

General and substantive inquires concerning the proposed action may be directed to:

Department of Developmental Services
Community Rate Section
1600 Ninth Street, Room 310
Sacramento, CA 95814
Attention: David Temme
Phone: (916) 654-2982 Facsimile: (916) 654-1578
E-mail Address: david.temme@dds.ca.gov

If the above person is unavailable, you may also contact Greg Saul, Branch Manager, Programs Operations Branch, 1600 Ninth Street, Room 310, Sacramento,

CA, 95814, Phone (916) 653-3749, Facsimile (916) 654-1578, gsaul@dds.ca.gov.

AVAILABILITY OF RULEMAKING DOCUMENTS

DDS has prepared and has copies ready for public review, an Initial Statement of Reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the exact text of the proposed regulations.

Copies of the Notice, Initial Statement of Reasons and text of the proposed regulations will be made available through DDS's website at www.dds.ca.gov.

All other public records, reports, documentation or other material related to the proposed regulations will be contained in the rulemaking file and will be available for inspection and copying throughout the rulemaking process from the contact persons at the above address. Upon completion, the Final Statement of Reasons will be made available by either contacting the persons above or through DDS's website.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After close of the comment period DDS may adopt the proposed regulations as described in this notice. If DDS makes modifications that are sufficiently related to the originally proposed text, it will make the modified text, with changes clearly indicated, available for public comment at least 15 days before DDS adopts the regulations as revised. Requests for the modified text should be made to the contact person named above.

TITLE 22. EMPLOYMENT DEVELOPMENT DEPARTMENT

Amendment of Title 22, California Code of Regulations Section 311-1.

CONFLICT OF INTEREST CODE

Notice of Proposed Rulemaking

The Employment Development Department (Department) proposes to amend its Conflict of Interest Code, printed in California Code of Regulations (CCR), title 22, section 311-1. The Department will adopt these amendments after considering all comments, objections, or recommendations regarding the proposed action.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The existing Appendix to section 311-1 lists those designated employees in the Department who are required to file statements of economic interest, pursuant to Government Code sections 87100 through 87102, and the disclosure category for each of those designated employees. The proposed changes to the Appendix:

- (1) Add additional positions.
- (2) Rename positions which have changed due to reorganization.

Authority and Reference:

Authority: Sections 87300 and 87306, Government Code.

Reference: Sections 87300, 87301, 87302 and 87306, Government Code.

Fiscal Impact:

Anticipated costs or savings in federal funding to the State: None

Anticipated costs or savings to any State Agency: None

Anticipated costs or savings to any local agency or school district: None

Significant statewide adverse economic impact: The Department does not anticipate this regulatory action will result in any costs to the federal government, to State government, to local county governments, to private individuals, or to businesses and small businesses. Thus, no costs were shown on the Economic and Fiscal Impact Statement.

The Department has made an initial determination that the proposed amendments 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 because it will only affect employees of the Department. The Department has determined that the proposed amendments will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The costs impact on representative persons or businesses: 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 regulatory amendments.

Anticipated impact on housing costs: These proposed amendments will have no effect on housing costs.

Anticipated nondiscretionary costs or savings imposed upon local agencies: None.

Small Business Impact:

These proposed amendments will not have any impact upon small businesses because they will only affect employees of the Department.

Local Mandate Determination:

The Department has determined that these proposed amendments will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4 of the Government Code.

Consideration of Alternatives:

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

Written Comment Period:

Any interested person, or his or her authorized representative, may submit written comments on the proposed action to Laura Colozzi via U.S. mail, e-mail, or fax (see U.S. mail and e-mail addresses and fax number indicated below). **E-mail comments should include true name and mailing address of the commentor. Written comments submitted via U.S. mail, e-mail or fax, must be received by the Department no later than August 27, 2007, at 5 p.m.** Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

Contact Persons

Inquiries or comments should be directed to:

(Mailing address) Laura Colozzi, Legal Analyst
Employment Development
Department
P. O. Box 826880
Legal Office, MIC 53
Sacramento, CA 94280-0001

(Hand delivery) Laura Colozzi, Legal Analyst
Employment Development
Department
800 Capitol Mall, Room 5020
Legal Office, MIC 53
Sacramento, CA 95814

Telephone No.: (916) 654-7712
Fax No.: (916) 654-9069
E-Mail Address: eddlegal@edd.ca.gov

Note: In the event Laura is unavailable, inquiries should be directed to the following backup contact persons at the same address as noted above:

Name: Penny Ayers, Legal Analyst
Telephone No.: (916) 654-8410

Questions regarding the substance of the proposed amendments should be directed to:

Name: Glenn Jones, Staff Counsel
Telephone No.: (916) 654-8410

Internet Website Access

The Department has posted on its internet website <http://www.edd.ca.gov> materials regarding the proposed regulatory action. Select "Proposed EDD Regulations."

Public Hearing:

No public hearing has been scheduled on the proposed action. However, if any person desires to submit oral comments, the Department will schedule a public hearing upon that person's written request. **Such request must be received no later than 15 days prior to the close of the written comment period which is 5 p.m. on August 27, 2007.** A request for hearing can be made by contacting the persons noted above.

Modification of Proposed Action:

If the Department makes any additional changes based on public testimony, those changes (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted. Copies of any additional changes regarding the proposed regulatory action will be mailed to all persons who testified or submitted written comments at the public hearing (if one is scheduled); whose comments were received by the agency during the public comment period; and who requested notification from the agency of the availability of such changes.

Final Statement of Reasons:

After the close of the 45-day written comment period, the Department will summarize and respond to all public comments in a written final statement of reasons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

Further Information:

The Department has prepared and has available for review, upon request, the text of the proposed regulatory amendments discussed in this notice, written in plain English; a statement of reasons setting forth the purpose of the amendments; and the information upon which the

Department relied in proposing the amendments. (If you received this notice by mail, a copy of the text of the proposed amendments and the statement of reasons were enclosed.) To obtain a copy, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

All the information upon which the proposed amendments are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations' process, contact the persons noted above.

GENERAL PUBLIC INTEREST

DEPARTMENT OF HEALTH SERVICES

NOTICE OF GENERAL PUBLIC INTEREST

THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES QUALITY ASSURANCE FEE ON SKILLED NURSING FACILITIES FOR THE 2007-08 RATE YEAR

This notice provides updated information concerning the Quality Assurance (QA) Fee on each skilled nursing facility for the rate year August 1, 2007 to July 31, 2008. California Health and Safety Code sections 1324.20 through 1324.30, and Welfare and Institutions Code section 14105.06, authorize the California Department of Health Services (CDHS) to collect a QA Fee from all non-exempt Freestanding Skilled Nursing Facilities and Freestanding Skilled Adult Subacute Nursing Facility Level-Bs (FS/NF-Bs). The purpose of this fee is to enhance federal financial participation in the Medi-Cal program, provide additional reimbursement to, and to support quality improvement efforts in licensed FS/NF-Bs providing services for the Medi-Cal program.

QA FEE IMPOSED FOR THE 2007-08 RATE YEAR

Effective on August 1, 2007, for the rate year 2007-2008, CDHS will begin collecting the six (6) percent QA Fee authorized by the legislature on the total net revenue of all FS/NF-Bs, subject to the fee. CDHS will collect the following QA Fee on a monthly basis:

FS/NF-Bs with **100,000 or more** total annual resident days — \$7.55, per resident day.

FS/NF-Bs with **less than 100,000** total annual resident days — \$8.27, per resident day.

CDHS will send quarterly notices to each facility with three (3) monthly payment forms. Payments are due on or before the last day of the month following the month for which the fee is imposed.

PUBLIC REVIEW AND COMMENTS

A copy of the California Health and Safety Code sections 1324.20 through 1324.30, and Welfare and Institutions Code section 14105.06 may be requested from, and any comments may be sent to:

Alan Eng, Chief
Long Term Care System Development Unit
Rate Development Branch
Department of Health Services
1501 Capitol Avenue, Suite 71.4001
MS 4612
P.O. Box 997417
Sacramento, CA 95899-7417.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY**

**OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

Notice to Interested Parties
July 13, 2007

Announcement of a Public Comment Period

**Public comments on the child-specific Reference
Dose (chRD) for atrazine and deltamethrin
for use in assessing health risks at existing
and proposed School Sites**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is making available for review and comment the final draft report, "Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(g): PROPOSED CHILD-SPECIFIC REFERENCE DOSE (chRD) FOR SCHOOL SITE RISK ASSESSMENT, Atrazine and Deltamethrin." The final draft can be downloaded from the OEHHA website at www.oehha.ca.gov. HSC Section 901(g) requires OEHHA to annually evaluate and publish, as appropriate, numerical health guidance values (HGVs) or chRDs for those chemicals that would be encountered at school sites and adversely impact school children. ChRDs for the aforementioned chemicals are being considered at this time.

This final public review and comment period follows the requirements set forth in Health and Safety Code Section 57003 for receiving public input. OEHHA has evaluated comments from external peer review and other interested parties in developing the final draft document. OEHHA requests that comments on this final

draft report be delivered to OEHHA by 5:00 p.m. August 17, 2007.

If you would like to receive further information on this announcement or have questions, please contact our office at (916) 324-2829 or the address below. Written requests or comments should be addressed to:

Mr. Leon Surgeon
Integrated Risk Assessment Section
Office of Environmental Health Hazard Assessment
P.O. Box 4010
1001 I Street
Sacramento, California 95812-4010
FAX: (916) 322-9705

DISAPPROVAL DECISIONS

**DECISIONS OF DISAPPROVAL OF
REGULATORY ACTIONS**

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

DENTAL BOARD OF CALIFORNIA

**STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW**

In re:

DENTAL BOARD OF CALIFORNIA

REGULATORY ACTION:

Title 16,
California Code of Regulations

ADOPT: 1044.4

AMEND: 1044, 1044.1, 1044.2, 1044.3, 1044.5

**DECISION OF DISAPPROVAL OF REGULATORY
ACTION**

(Gov. Code, sec. 11349.3)

OAL File No. 07-0511-01 S

DECISION SUMMARY

This action proposes regulations to implement AB 1386 (Chap. 539, Stats. 2005) by establishing the proce-

whereby dentists may obtain a certificate from the Dental Board of California qualifying them to administer oral conscious sedation (OCS) to adult patients.

On June 25, 2007, the Office of Administrative Law (“OAL”) notified the Dental Board of California (“DBOC”) of the disapproval of the above-referenced regulatory action. OAL disapproved the regulations for the following reasons: (1) failure to comply with the “Clarity” standard of Government Code section 11349.1, (2) failure to comply with the “Necessity” standard of Government Code section 11349.1, (3) failure to summarize and/or adequately respond to each comment made regarding the proposed action, and (4) failure to comply with APA procedural requirements.

Date: July 2, 2007

Gordon R. Young
Senior Staff Counsel

For:

SUSAN LAPSLEY
Director

Original: Robert Hedrick, Executive Officer

FISH AND GAME COMMISSION

STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW

AGENCY: Fish and Game Commission

ACTION: Amend section 670.5 of title 14 of the California Code of Regulations

DECISION OF DISAPPROVAL OF PROPOSED CHANGES WITHOUT REGULATORY EFFECT

(Gov. Code, sec. 11349.3, and Cal. Code Regs., tit. 1, sec. 100)

OAL File No. 07-0510-02 N

DECISION SUMMARY

The Fish and Game Commission (“Commission”) proposed to add Scott Bar salamander (*Plethodon asupak*) to the list of amphibian species or subspecies in section 670.5(b) that have been declared threatened under the California Endangered Species Act (“CESA”). On May 10, 2007, the Commission submitted this proposed change to the Office of Administrative Law

(“OAL”) as a change without regulatory effect pursuant to title 1, California Code of Regulations, section 100.

On June 22, 2007, OAL disapproved the proposed addition of the Scott Bar salamander to the list of threatened species because the change would have regulatory effect, and therefore, does not qualify under the limitations that apply to the use of the procedures set forth in section 100 of title 1 of the California Code of Regulations (“CCR”).

Date: June 29, 2007

Debra M. Cornez
Assistant Chief Counsel

for: Susan Lapsley
Director

Original: Jon K. Fischer, Deputy Executive Director
cc: Sharon Tiemann

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

**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**

OFFICE OF ADMINISTRATIVE LAW

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

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

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:

Jimmy Van Pelt, T-59935
California State Prison — San Quentin
P.O. BOX 3EY25
San Quentin, CA 94964

Agency contact:

Timothy Lockwood, Chief of Regulations & Policy
Management Branch
Department of Corrections and Rehabilitation
Correctional Standards Authority
P.O. BOX 942883
Sacramento, CA 94283-0001

III

San Quentin has issued a memorandum dated November 15, 2006, stating that they would begin enforcement of IP215 on Monday, November 20, 2006. A true and correct copy of this memorandum is attached as Exhibit B.

IV

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044.

CTU-07-0525-01

Jimmy Van Pelt
P.O. Box T-59935
S.Q.S.P. 3EY25
San Quentin, CA 94974
Petitioner

IP215 and its Matrix is a regulation within the meaning of Government Code Section 11342.600 because it applies generally to all condemned inmates housed at San Quentin. It declares how a certain class of cases (i.e., condemned inmates) will be decided. It has been adopted to make specific the law enforced and administered by San Quentin. There is no express statutory exemption that would preclude it from the requirements of the Administrative Procedures Act.

V

This petition raises issues of considerable public importance that requires prompt resolution because based on this revised version of IP215, personal property that was previously allowed that is not included in the Matrix will be considered contraband and subject to confiscation. (See Exhibit A, End Footnotes). Inmates will be forced to relinquish such property at a considerable expense to the inmate. (Exhibits B and C).

OFFICE OF ADMINISTRATIVE LAW
STATE OF CALIFORNIA

In re:

Request for Regulatory Determination filed by Jimmy Van Pelt regarding Section 215 of San Quentins Operational Procedures Manual

Docket No. _____

Request for Determination Pursuant to Government Code Section 11340.5; Title 1, California Code of Regulations, Chapter 1, Article 3

TO: THE DIRECTOR OF THE OFFICE OF ADMINISTRATIVE LAW, HONORABLE WILLIAM L. GAUSEWITZ.

I

San Quentin State Prison (Prison), by and through its agents Robert L. Ayers Jr., Warden; R. Fox, Facility Captain; D. Coleman, Unit Lieutenant; S. Robinson, Correctional Lieutenant; have issued, used, enforced, or attempted to enforce an underground regulation.

II

This underground regulation is described as San Quentins' Operational Procedure #215 (IP215) with its Attachment 1 Property Matrix (Matrix) dated October 4, 2006. A true and correct copy of this Matrix is attached as Exhibit A.¹

1. It is to be noted that IP215 and its Matrix is a derivative of the Authorized Personal Property Schedule (APPS) which was illegally adopted in March of 2005 as Article 43 of Chapter 5 of the CDCR Department Operations Manual (DOM). (See OAL file #CTU 06-0628-01; Exhibit A, fn. page 6; and the attached Exhibit C).

DECLARATION

I, Jimmy Van Pelt, CDCR #T-59935, declare under penalty of perjury under the laws of the State of California that I believe all written information contained in this Petition for Request for Determination is true and correct and that this declaration was executed this 17 day of May, 2007, at San Quentin, California.

Jimmy Van Pelt
Condemned Prisoner
T-59935

* * *

TRANSMITTAL DECLARATION

I, Jimmy Van Pelt, declare under the penalty of perjury under the laws of the State of California that the documents contained herein were first transmitted by United States Mail to the head of the State agency whose rule is the subject of this request for Determination at the following address:

**James E. Tilton, Secretary/Director
California Department of Corrections
and Rehabilitation
P.O. Box 942883
Sacramento, California 94283-0001**

and by Institutional Mail to:

**Robert L. Ayers, Warden
San Quentin State Prison
San Quentin, California 94964**

on May 17, 2007, and that this declaration was executed this 17th day of May, 2007, at San Quentin, California.

Jimmy Van Pelt

**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**

OFFICE OF ADMINISTRATIVE LAW

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

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

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:

Keith A. Brown, D-78755
Ironwood State Prison
P.O. BOX 2199 (CFB4-209L)
Blythe, CA 92226-2199

Agency contact:

Timothy Lockwood, Chief of Regulations & Policy
Management Branch
Department of Corrections and Rehabilitation
Correctional Standards Authority
P.O. BOX 942883
Sacramento, CA 94283-0001

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044.

**PETITION TO THE OFFICE OF
ADMINISTRATIVE LAW**

RE: Alleged Underground Regulation
FROM: KEITH A. BROWN (Petitioner)
DATE: MAY 22, 2007

Use of this form is entirely optional. It requests the information required by Title 1, California Code of Regulations, section 260, for a petition challenging an alleged underground regulation. Although you are not required to use this specific form, the mandatory information required by 1 CCR 260, including the supporting documentation, must be included somehow 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. Identifying Information:

Your name: Keith A. BROWN

Your address: P.O. BOX 2199 CFB4-120L
IRONWOOD STATE PRISON
BLYTHE, CA 92226-2199

Your telephone number (if you have one):

Your email (if you have one):

**2. State agency or department being challenged:
CDCR AT IRONWOOD STATE PRISON**

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.

OP# 119 is IRONWOOD STATE PRISON's (ISP) daily Operational Procedural General Population intended to establish a uniform procedure for the daily operations of its institution (SEE, Attached OP# 119).

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.

ISP through its daily program operation has enforced an underground regulation, OP# 119, which discriminates against some A-1-A classified prisoners from access to privileges available to other A-1-A classified prisoners.

Petitioner's Name:

KEITH A. BROWN

Date: MAY 22, 2007

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.

Per Government Code Sec. 11342.600, OP# 119 is a rule of general application which interprets and enforces an existing rule in conflict thereof. Rules that interpret and implement other rules have no effect unless such rules have been promulgated in substantial compliance with APA Act, Armstead v State Personnel Board (1978) 149 Cal Rptr 1; 22 Cal3d 198, OP# 119 affects the prison population via discrimination against same classification prisoners therefore, no statutory exemption is required. Stoneham v Rushen 137 Cal App3d 729.

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution. CDCR must comply with its own rules and the rules of APA Act. In re Reina (1985) 171 Cal App3d 638.

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

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to:

Name: CHAPTER 2 COMPLIANCE UNIT
Agency: OFFICE OF ADMINISTRATIVE LAW
Address: 300 CAPITOL MALL, SUITE 1250
Sacramento, CA 95814
Telephone number:

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

Signature of Petitioner 5-22-07
Date

KEITH A. BROWN — D78755
C4-209L, I.S.P.
P.O.Box 2199
Blythe, CA 92226-2199

In Propria Persona:

IN THE STATE OF CALIFORNIA

KEITH A. BROWN,
PETITIONER
_____ /

REQUEST FOR OAL DETERMINATION

To the office of Administrative law:

AUTHORITY

Petitioner, Keith A. Brown, by and through his rights granted by the California State Legislature, pursuant to Government Code § 11340.5, this agency does have jurisdiction, and I hereby do petition as follows:

I.

INTRODUCTION

1. Petitioner is a 36-year old first term, confined by the Director of the California Department of Corrections and Rehabilitation, at Ironwood State Prison, in Blythe, California.

II.

STATEMENT OF FACTS

2. May 15, 2006, Warden D.L. Ollison implemented a rule Operational Procedure #119, which discriminate against some classified privilege group of prisoners from access to privileges accessible to other classified Group "A" prisoners here at Ironwood State Prison.

3. The new procedure treats "AIA assigned and unassigned different. Before this procedure was put in place all "AIA" prisoners were treated equally, whether working or not working. The different treatment violates the constitutional rights of the prisoner who is willing to work, however, the institution is unable to provide work, therefore, these prisoners are being deprived of privileges by circumstances beyond their control. (Cf. Memorandum exhibit included.)

4. The distinguishing element of Operational Procedure #119 (OP #119), to divide, deprive, or discriminate against some prisoners classified to the same privilege group, is in violation of Director's Rule §§ 3044(c)(5), 3043.6(a)(2), and is not in compliance with the Administrative Procedure Act and the Office of Administrative Law, thereby, rendering OP #119 an underground regulation and illegal.

III.

ACTION REQUESTED

That in its proper authority that this agency exercise its jurisdiction pursuant to government code § 11340.5 and determine whether OP #119 is an underground rule, not adopted through the Administrative Procedure Act.

VERIFICATION

I, Keith A. Brown, state:

I am the petitioner in this action. I have read the foregoing petition to repeal and the facts stated therein are accurate, correct, and true of my own knowledge, except as to matters that are therein stated on my own information and belief, and as to those matters I believe them to be accurate, correct, and true.

Affirmed under penalty of perjury the foregoing is accurate, correct, and true and this declaration was executed this 25th day of March, 2007 at Ironwood State Prison, Town of Blythe, County of Riverside, in the State of California.

Respectfully Presented By:

Keith A. Brown-D78755
litigant in pro se.
C4-209L, I.S.P.
P.O.Box 2199
Blythe, CA 92226-2199

MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF PETITION FOR
WRIT OF HABEAS CORPUS

INTRODUCTION

Petitioner has been incarcerated for 19-years for a term of 15-years to life, currently confined at Ironwood State Prison. Petitioner has been programing well, after which the cause of action occurred when he was non-adversely removed from his assignment.

I
UNDERGROUND RULE

California Department of Corrections & Rehabilitation (CDCR), failed to follow the APA by authorizing Warden Ollison to implement OP#119, which discriminates against some classified privilege group "A" prisoners from receiving privileges accessible to other group "A" prisoners contrary to Director Rule Title 15 Division 3 § 3044(c)(5), and 3043.6(a)(2).

All CDCR and BPT regulations as that word is defined by statute, must be created and approved in accord with State Administrative Procedure Act, Penal Code §§ 5058, 5076.2, Government Code 11342(g) and 11340 et seq. The court has judicial review of a regulation upon the grounds of substantial failure to comply with APA, Government Code 11350. Because the APA is a State Statutory Law, challenges must be brought to

State Court, and CDCR failure to follow the APA has been successfully used by prisoners to temporarily block enforcement of underground rules that have negative effect. *Stoneham vs Rushen* (1982) 137 Cal App 3d 729. Wardens are authorized by the Director to adopt rules called operational procedure, Dir. Rule Title 15 Div. 3 Sec. 3380. However, all OPs must be in compliance with all Dir. Rules, IBID.

On May 15, 2006 Warden D.L.Ollison implemented a rule, Operational Procedure #119, differentiating A-A assigned from A-A unassigned, which discriminates against some classified privilege group "A" prisoners from access to privileges accessible to other classified group "A" prisoners, specifically night yard/dayroom and all day weekend/holidays yard/dayroom. (Cf. copy of OP#119 included.).

This issue was raised on group appeal, of which, petitioner was a real party of interest, fully exhausted to Director's Level, (See attached Administrative Appeal.). Though the Director's Review acknowledges the deprivation of a right, it nonetheless unlawfully found the deprivation reasonable under CCR 3044(c)(1)(5) stating, "unassigned prisoners do not share the assignment commonality", therefore the equality clause of CCR 3044(c)(5) is not violated. (SEE, Administrative Appeal.).

Petitioner alleges after a careful examination of CCR Div. 3 Sec. 3044(c)(5) that the Rule is based upon the "commonality" of "classification" and "assignment" and the finding of the Administrative Appeal to omit "classification" as a shared element, is prejudicial and objectively unreasonable.

CCR Title 15 Div.3 Sec. 3044 does not have nor recognize a separate privilege group for work group A prisoners. It clearly only provides for work group A-1 and privilege group A. There is no privilege group A-1-A "unassigned". "A-1" is the classified work group and "A" is the privilege group whether assigned or unassigned.

The Institution is unable to provide assignments timely, prisoners are willing to work and should not be denied privileges and incentives because of inadequacy of prison officials.

History teaches that security concerns expressed by prison officials in the face of challenges to unconstitutional practices, sometimes prove exaggerated. *Northern vs Nelson* (N.D.Cal.1970) 315 F.Supp.687; *Johnson vs Avery* (1969) 393 US 483, 89 SCt 747, 21 LEd2d 718. Under *Turner vs Safley* (1987) 482 US 78, 107 SCt 2254, this Honorable Court still has jurisdiction to evaluate whether security justifications by prison officials are objectively reasonable when infringing on prisoners' rights. The distincting element of OP#119 to divide, deprive and discriminate against some prisoners classified to the same privilege group is in violation or

Dir.Rule Title 15 Div.3 Sec. 3044(c)(5), 3043.6(a)(2). It is well settled that an Administrative Regulation has the force of law, and is binding on the issuing agency. U.S. vs Nixon (1974) 418 US 683, 695-96, 94 Sct 3090, 41 LEd2d 1039.

CDCR must follow and comply with its own rules. In re Reina (1985) 171 Cal App 3d 638; In re French (1980) 106 Cal App 3d 74, 85, fn.24 [stating that Director’s Rules are binding on institutions.]. OP#119 is not in compliance with the adopted Director’s Rules, thereby, OP#119 is also not in compliance with the State APA and should be properly deemed underground.

Prayer For Relief

Petitioner Respectfully Prays,

(1) This Court issue an Injunction Prohibiting Enforcement of the alleged Underground Rule, pending Judicial Review;

(2) That the Court determine the word “classification” within the meaning of CCR Title 15 Div.3 § 3044(c)(5), is sufficient for equal protection requirement entitled to all work group “A-1” privilege group “A” prisoners whether assigned or unassigned;

(3) That the Court issue an Order for CDCR to show cause otherwise;

(4) And, upon completion of Judicial Review, issue an Order of Declaratory relief, finding OP#119 an underground rule not in compliance with the APA and Dir.Rules.

Petitioner implores the Court to act in agreement with affirmed legal principles that protect all parties of interest, in particular, the petitioner whose constitutional rights are at risk.

I, the petitioner Keith Brown in pro se, Affirm under penalty of perjury that these contents are accurate, correct and true, either of my personal knowledge and or belief, and so, affixed my signature to the contents thereof.

Keith Brown 3-25-07

SUSPENSION OF ACTION REGARDING UNDERGROUND REGULATIONS

OFFICE OF ADMINISTRATIVE LAW

SUSPENSION OF ACTION REGARDING UNDERGROUND REGULATIONS

(Pursuant to Title 1, section 280, of the California Code of Regulations)

On May 16, 2007, the Office of Administrative Law (OAL) received a petition challenging Policy Memo 99-001 — Reduced Pressure Devices on Graywater Irrigation issued by the Department of Health Services (DHS) as an alleged underground regulation.

On June 29, 2007, DHS certified to OAL that Policy Memo 99-101 had been rescinded; therefore, pursuant to Title 1, section 280 of the California Code of Regulations, OAL must suspend all action on this petition.

CERTIFICATION PURSUANT TO 1 CCR 280

I, Sandra Shewry, Director, California Department of Health Services (Department), hereby certify:

1. The Department received a copy of a petition filed with California Office of Administrative Law by Stephen Bilson, on or about May 16, 2007. A copy of the petition is attached hereto as Exhibit A.
2. The Department will not issue, use, enforce, or attempt to enforce the alleged underground regulation.
3. A copy of this certification was sent to the petitioner by certified mail, and a copy of the receipt is attached hereto as Exhibit B.

for Sandra Shewry, Director
California Department of
Health Services

DATED 22 June 2007

**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.

**BOARD OF OCCUPATIONAL THERAPY
Topical Medications**

This resubmission of previously disapproved file 06-1221-06 S adopts section 4152.1 of Title 16 and regulates the circumstances under which a licensed occupational therapist may apply topical medications via iontophoresis or phonophoresis.

Title 16
California Code of Regulations
ADOPT: 4152.1
Filed 07/03/07
Effective 08/02/07
Agency Contact: April Freeman (916) 322-3278

**BOARD OF PAROLE HEARINGS
Reportable Information**

Amendment to Title 15 California Code of Regulations section 2616 to implement Prop 83, "The Sexual Predator Punishment and Control Act: Jessica's Law" approved by the voters at the November 7, 2006 election and which became effective the day after the election. The proposed amendment to section 2616 adds to the list of reportable information for which the Board is authorized to revoke parole to include violations of residency restrictions for sex offenders, pursuant to the change made by Prop 83 to Penal Code section 3003.5 making it unlawful for any person required to register as a sex offender to "reside within 2000 feet of any public or private school, or park where children regularly gather."

Title 1
California Code of Regulations
AMEND: 2616
Filed 06/28/07
Effective 06/28/07
Agency Contact:
Teresa A. Arcure-Owensby (916) 322-9424

**CALIFORNIA ENERGY COMMISSION
Public Records and Rules of Practice and Procedures**

This regulatory action amends the Commission's rules of practice and procedure for Commission proceedings for complaint and investigation proceedings, energy data collection, and disclosure of Commission records.

Title 20
California Code of Regulations
ADOPT: 1233.5, 1234, 1236.5, 1311, 1346, 1349, 2508 AMEND: 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1341, 1342, 1343, 1344, 1345, 1347, 1348, 1350, 1351, 2501, 2502, 2503, 2504, 2505, 2506, 2507 REPEAL: 1340
Filed 07/03/07
Effective 07/03/07
Agency Contact: Caryn Holmes (916) 654-4178

**DEPARTMENT OF DEVELOPMENTAL SERVICES
Education Requirements for Behavior Management
Consultants**

This action amends the existing regulatory deadline for behavior management consultants to complete the required 12 semester units in applied behavior analysis.

Title 17
California Code of Regulations
AMEND: 54342
Filed 06/27/07
Effective 07/27/07
Agency Contact: Diana Nicolaou (916) 654-1760

**DEPARTMENT OF INSURANCE
Sections 1, 26, 37, 44, and 54 of the CAARP Plan of
Operations**

This regulatory action, designated RH06050872, makes two basic amendments to the California Automobile Assigned Risk Plan of Operations. Under current Plan rules, the insurer or CAIP servicing carrier must apply a premium refund to an outstanding balance on a current in force policy. AB 1043 allows the application of the premium refund to the renewal deposit. It also provides a notice requirement for insurers who intend to apply the refund to a balance due. Amendments also include requiring a refund of premiums from "within 30 days" to "within 25 business days" to maintain consistency with other parts of the Plan.

Title 10
California Code of Regulations
AMEND: 2498.4.9
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Section 8 of the LCA Plan of Operations

Department of Insurance proposes amendment to Sections 8 of the LCA Plan of Operations, which is incorporated by reference by amendment to 10 CCR sec. 2498.6. Amendments to LCA Plan Section 8, subsection B.8.a. Introduce guidelines for the termination of a LAD buy-out contract of a company that is declared insolvent or is subject to an Insurance Department order or is terminated for any other reason.

Title 10
California Code of Regulations
AMEND: 2498.6
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Amend Sections 8, 14 and 15 of the LCA Plan of Operations

Department of Insurance (DOI) proposes amendment to Sections 8, 14, & 15 of the LCA Plan of Operations, which is incorporated by reference by amendment to 10 CCR sec. 2498.6. Amendments to LCA Plan Sections 8, 14, and 15 updates the current LAD procedure and criteria for LAD eligibility to be consistent with provisions in the CAARP Plan of Operations.

Title 10
California Code of Regulations
AMEND: 2498.6
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Section 8 of the CAARP Plan of Operations

This regulatory action, designated RH05047242, makes minor amendments to the California Automobile Assigned Risk Plan of Operations. It revises the definition of Voluntary Private Passenger Nonfleet Liability Net Direct Written Car Years so that for 2007 and subsequent quotas only personal auto policies of any type are included.

Title 10
California Code of Regulations
AMEND: 2498.4.9
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Sunset of TRIA and Redefine Mobile Equipment

This amends the CAARP Plan of Operations by adopting updated exclusion of terrorism and mobile equipment endorsements and repealing the existing mobile equipment endorsement.

Title 10
California Code of Regulations
AMEND: 2498.4.9
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Section 8 of the LCA Plan of Operations

This action amends the LCA Plan of Operations by amending deadlines for return of unearned premium fund checks and modifying the limitation on the volume of assignments LCA Limited Assignments Distribution (LAD) servicing companies may write.

Title 10
California Code of Regulations
AMEND: 2498.6
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Sections 4, 14, 19, 20, 26, 28, 33, 34, and 37

These amendments to Title 10, section 2498.6 and the document incorporated by reference, the Low Cost Automobile Insurance Program ("LCA"), change internal references from repealed sections of Title 10 of the California Code of Regulations to corresponding sections of the California Automobile Assigned Risk Plan ("CAARP") Manual.

Title 10
California Code of Regulations
AMEND: 2498.6
Filed 06/28/07
Effective 07/28/07
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
Sections 8, 28, 33, 37, 43, and the Private Passenger Application

This action, designated RH05047241, makes minor amendments to the California Automobile Assigned Risk Plan of Operations that specify four new forms, including the standard private passenger auto insurance application; the procedure for termination of the services of limited assignment distribution companies; the procedure for processing incomplete applications; a requirement for notice in English and Spanish concerning

a request for additional information and the consequences of failure to provide it; and the procedure for processing a change in the insurance producer of record.

Title 10
 California Code of Regulations
 AMEND: 2498.4.9
 Filed 06/28/07
 Effective 07/28/07
 Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
 Amend Section 8 of the LCA Plan of Operations

Department of Insurance (DOI) proposes amendment to Section 8 of the LCA Plan of Operations, which is incorporated by reference by amendment to 10 CCR sec. 2498.6. This action amends only the third paragraph of Section 8.A. to include definitions of Voluntary Passenger Nonfleet Net Direct Written Car Years for 2006 and prior years and for 2007 and subsequent years for determining quotas under the LCA plan.

Title 10
 California Code of Regulations
 AMEND: 2498.6
 Filed 06/28/07
 Effective 07/28/07
 Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
 CAARP Rules and Rates — Rules 5, 122, and 124

In this filing, the Department of Insurance amends the “California Automobile Assigned Risk Plan Simplified Manual of Rules and Rates” to revise Rules 5, 122, and 124 of this Manual. This filing is exempt from OAL review pursuant to the exemption for regulations that establish or fix rates which is set forth in Government Code section 11340.9(g).

Title 10
 California Code of Regulations
 AMEND: 2498.5
 Filed 06/28/07
 Effective 07/28/07
 Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF INSURANCE
 CAARP Rules and Rates — Rules 24, 55, 140 and Private Passenger Rate Pages

In this filing, the Department of Insurance amends the “California Automobile Assigned Risk Plan Simplified Manual of Rules and Rates” to revise Rules 24, 55, and 140 and Private Passenger Rate Pages of this Manual. This filing is exempt from OAL review pursuant to the exemption for regulations that establish or fix rates

which is set forth in Government Code section 11340.9(g).

Title 10
 California Code of Regulations
 AMEND: 2498.5
 Filed 06/28/07
 Effective 07/28/07
 Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF MOTOR VEHICLES
 Foreign Organization License Plates

This is a nonsubstantive action amending the date to an incorporated by referenced form — Miscellaneous Certifications, Form REG 256A, Rev. 2/2007.

Title 13
 California Code of Regulations
 AMEND: 181.00
 Filed 06/29/07
 Effective 07/29/07
 Agency Contact: Randi Calkins (916) 657-8898

FAIR POLITICAL PRACTICES COMMISSION
 Officeholder Contribution Accounts

The regulations deal with officeholder contribution accounts.

Title 2
 California Code of Regulations
 ADOPT: 18531.62 AMEND: 18544, 18545
 Filed 07/02/07
 Effective 08/01/07
 Agency Contact: John Wallace (916) 445-4812

FRANCHISE TAX BOARD
 Income from Intangible Personnel Property

The regulatory action deals with income from intangible personal property.

Title 18
 California Code of Regulations
 AMEND: 17952
 Filed 07/02/07
 Effective 08/01/07
 Agency Contact: Colleen Berwick (916) 845-3306

STATE ALLOCATION BOARD
 Emergency Repair Program — AB 607

This emergency rulemaking package adds a new way for Local Educational Agencies (“LEAs”) to fund eligible projects pursuant to the Emergency Repair Program (“ERP”). The original ERP program, as adopted by SAB, only allowed for reimbursement of costs expended by LEAs. The program was amended by A.B. 607 (2006), which now requires the SAB to establish a grant application process to award funds in addition to

allowing reimbursement of funds already expended.
(Education Code section 17592.72(a)(2).)

Title 2

California Code of Regulations

ADOPT: 1859.302, 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

Filed 07/02/07

Effective 07/02/07

Agency Contact: Robert Young (916) 445-0083

STATE WATER RESOURCES CONTROL BOARD
Amendment to the WQCP for the Bay-Delta

This action updates the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan.

Title 23

California Code of Regulations

ADOPT: 3002

Filed 06/27/07

Effective 06/27/07

Agency Contact: Gita Kapahi (916) 341-5289

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN JANUARY 31, 2007 TO
JULY 04, 2007**

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

Title 1

06/28/07 AMEND: 2616

Title 2

07/02/07 ADOPT: 18531.62 AMEND: 18544, 18545

07/02/07 ADOPT: 1859.302, 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

06/20/07 ADOPT: 1859.106.1 AMEND: 1859.106

06/15/07 AMEND: div. 8, ch. 111, sec. 59560

06/13/07 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20,

20108.25, 20108.30, 20108.35,
20108.36, 20108.38, 20108.40,
20108.45, 20108.50, 20108.51,
20108.55, 20108.60, 20108.65,
20108.70, 20108.71, 20108.75, 20108.80
REPEAL: 20108.37

05/23/07 ADOPT: 20108, 20108.1, 20108.12,
20108.15, 20108.18, 20108.20,
20108.25, 20108.30, 20108.35,
20108.36, 20108.38, 20108.40,
20108.45, 20108.50, 20108.51,
20108.55, 20108.60, 20108.65,
20108.70, 20108.71, 20108.75, 20108.80

05/21/07 AMEND: 18402

05/17/07 AMEND: 52900

05/17/07 ADOPT: 1859.70.4, 1859.71.6,
1859.77.4, 1859.162.1, 1859.162.2,
1859.162.3, 1859.163.4, 1859.163.5,
1859.163.6, 1859.163.7, 1859.169.1
AMEND: 1859.2, 1859.51, 1859.60,
1859.61, 1859.70.3, 1859.71, 1859.78.9,
1859.83, 1859.93.2, 1859.160, 1859.161,
1859.162, 1859.163.1, 1859.163.2,
1859.163.3, 1859.164, 1859.164.1,
1859.164.2, 1859.165, 1859.166,
1859.167, 1859.167.1, 1866.4, 1866.13
REPEAL: 1859.162.1

05/14/07 AMEND: 599.664

05/08/07 ADOPT: 1185.2, 1185.3, 1185.4
AMEND: 1185, 1185.01 (renumbered to
1185.1), 1185.02 (renumbered to
1185.5), 1185.03 (renumbered to
1185.6), 1185.1 (renumbered to 1185.7)

05/08/07 AMEND: div. 8, ch. 48, sec. 53700

04/30/07 AMEND: 1859.124.1

04/25/07 AMEND: 1859.83, 1859.202, 1866

04/16/07 AMEND: 18401

04/04/07 AMEND: 28010 REPEAL: 36000

03/27/07 AMEND: 59560

03/20/07 ADOPT: 18746.3

03/15/07 AMEND: div. 8, ch. 102, section 59100

03/14/07 AMEND: div. 8, ch. 73, section 56200

03/01/07 AMEND: 21922

02/28/07 AMEND: 714

02/16/07 AMEND: 1859.2, 1859.76, 1859.83,
1859.163.1, 1859.167, 1859.202, 1866

02/02/07 AMEND: 2561, 2563, 2564, 2565, 2566,
2567

Title 3

06/21/07 AMEND: 3434(b), 3434(c)

CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 28-Z

06/13/07	ADOPT: 6739 AMEND: 6000, 6720, 6738, 6793	7003, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7014, 7015, 7016, 7017
06/07/07	AMEND: 3434(b)	
06/06/07	AMEND: 3434(b)	02/08/07 ADOPT: 12341
06/05/07	AMEND: 3591.20(a)	02/08/07 ADOPT: 12550, 12552, 12554, 12556, 12558, 12560, 12562, 12564, 12566, 12568, 12572
05/31/07	ADOPT: 900, 900.1, 900.2, 901.5, 901.8, 901.9, 901.10, 901.11, 902, 902.1, 902.3, 902.4, 902.5, 902.6, 902.7, 902.8, 902.9, 902.10, 902.11, 902.12, 902.13, 902.14, 903, 903.1, 903.2, 903.3, 903.4, 903.5, 903.6, 903.7, 903.8, 903.9, 903.10, 903.11, 903.12	01/31/07 AMEND: 12590
05/07/07	AMEND: 3433	Title 5
05/07/07	AMEND: 6860	06/05/07 AMEND: 19802
05/03/07	ADOPT: 3035 REPEAL: 3035, 3035.1, 3035.2, 3035.3, 3035.4, 3035.5, 3035.6, 3035.7, 3035.8, 3035.9	06/04/07 ADOPT: 11996, 11996.1, 11996.2, 11996.3, 11996.4, 11996.5, 11996.6, 11996.7, 11996.8, 11996.9, 11996.10, 11996.11
04/25/07	AMEND: 3433(b)	06/01/07 REPEAL: 41916
04/23/07	AMEND: 3591.20	05/30/07 ADOPT: 30920, 30921, 30922, 30923, 30924, 30925, 30926, 30927
04/20/07	AMEND: 3591.20(a)	05/18/07 ADOPT: 19828.2, 19829.5, 19830.1, 19837.1, 19838, 19846 AMEND: 19816, 19816.1, 19828.1, 19830, 19837, 19854
04/20/07	ADOPT: 3434	05/11/07 AMEND: 30023(c)
04/03/07	AMEND: 3591.20(a), 3591.20(b)	05/07/07 ADOPT: 30910, 30911, 30912, 30913, 30914, 30915, 30916, 30917
04/02/07	AMEND: 752, 796.6, 1301	04/27/07 ADOPT: Art. 2.2 (subch.1, ch. 6), 55151, 55151.5, 55151.7, 58707, 58785, AMEND: 55002, 55150, 58160, 58704, 58770, 58771, 58773, 58774, 58776, 58777, 58779 REPEAL: 58706, 58775
03/28/07	AMEND: 3591.2(a)	04/23/07 ADOPT: 30710, 30711, 30712, 30713, 30714, 30715, 30716, 30717, 30718
03/27/07	ADOPT: 1446.9, 1454.16	04/17/07 AMEND: 18013, 18054, 18068
03/21/07	ADOPT: 3591.20	04/09/07 ADOPT: 11962, 11962.1
03/15/07	ADOPT: 1371, 1371.1, 1371.2	04/06/07 AMEND: 41301
03/07/07	AMEND: 3423(b)	03/29/07 AMEND: 42356
03/06/07	AMEND: 3700(c)	03/19/07 AMEND: 41550
02/15/07	ADOPT: 499.5, 513, 513.5 AMEND: 498, 499, 500, 501, 502, 504, 505, 509, 510, 511, 512, 512.1, 512.2, 514, 515, 516, 517, 525, 551, 552, 553, 554, 604.1 REPEAL: 499.5, 503, 506, 508, 512.3, 527, 536, 537, 538, 539, 540, 541, 543, 544, 546, 547, 550	03/19/07 AMEND: 41301
02/14/07	AMEND: 3700(c)	03/01/07 AMEND: 19816, 19851, 19852, 19853
02/08/07	AMEND: 6170, 6172, 6200	02/28/07 AMEND: 80028, 80487
02/08/07	AMEND: 3433(b)	02/16/07 ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7
02/07/07	AMEND: 6170, 6172, 6200	02/08/07 ADOPT: 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, 1000.6, 1000.7
01/31/07	AMEND: 3591.12(a)	
Title 4		Title 8
05/30/07	AMEND: 1481	06/19/07 AMEND: 212.01
05/08/07	AMEND: 1433	06/15/07 ADOPT: 9792.20, 9792.21, 9792.22, 9792.23
05/07/07	AMEND: 1606	06/07/07 ADOPT: 9792.11, 9792.12, 9792.13, 9792.14, 9792.15
04/24/07	ADOPT: 9071, 9072, 9073, 9074, 9075	06/01/07 AMEND: 4543
04/19/07	AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10188	05/23/07 AMEND: 9767.4, 9767.8, 9768.10, 9788.11
03/13/07	ADOPT: 7075, 7076, 7077, 7078, 7079, 7080, 7081, 7082, 7083, 7084, 7085, 7086, 7087, 7088, 7089, 7090, 7091, 7092, 7093, 7094, 7095, 7096, 7097, 7098, 7099 REPEAL: 7000, 7001, 7002,	05/23/07 AMEND: 5001

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05/21/07 AMEND: 9768.5, 9788.31
 05/16/07 AMEND: 8397.16
 04/27/07 AMEND: 1801, 8416
 04/26/07 ADOPT: 10225, 10225.1, 10225.2
 04/24/07 AMEND: 5004, 5047, 8379
 04/20/07 AMEND: 1620, 1626, 1629
 04/20/07 AMEND: 5148(c)
 04/18/07 AMEND: 20299, 20363, 20407
 03/29/07 AMEND: 3664(a)
 03/27/07 AMEND: 3291, 3292, 3295, 3296
 03/06/07 AMEND: 1529, 1532, 1532.1, 1535, 5144, 5190, 5198, 5200, 5202, 5207, 5208, 5210, 5211, 5213, 5214, 5217, 5218, 5220, 8358
 03/02/07 ADOPT: 1731 AMEND: 1730
 03/01/07 AMEND: 1541
 02/28/07 AMEND: 9789.40
 02/21/07 AMEND: 9780, 9783
 02/15/07 AMEND: 9789.11

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06/12/07 AMEND: 10501, 10508, 10511, 10515, 10518, 10522, 10524, 10527, 10529, 10532, 10533, 10545, 10547, 10550, 10561, 10568, 1606, 10608, 10609, 10613, 10615, 10620, 10626, 10630
 05/24/07 AMEND: 13035
 05/01/07 ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415

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06/28/07 AMEND: 2498.6
 06/28/07 AMEND: 2498.5
 06/28/07 AMEND: 2498.4.9
 06/28/07 AMEND: 2498.6
 06/28/07 AMEND: 2498.4.9

06/28/07 AMEND: 2498.6
 06/28/07 AMEND: 2498.4.9
 06/28/07 AMEND: 2498.4.9
 06/28/07 AMEND: 2498.6
 06/28/07 AMEND: 2498.6
 06/28/07 AMEND: 2498.5
 05/01/07 AMEND: 2716.1, 2790.1.5, 2810.5 REPEAL: 2716, 2790.1, 2810
 04/26/07 ADOPT: 5357, 5357.1, 5358, 5358.1 AMEND: 5350, 5352
 04/25/07 AMEND: 2697.6, 2697.61
 04/25/07 AMEND: 250.30
 04/24/07 AMEND: 2498.6
 04/16/07 AMEND: 2318.6, 2353.1, 2354
 03/23/07 AMEND: 2695.8(b)(2)
 03/09/07 AMEND: 2498.6
 03/06/07 AMEND: 260.230, 260.231, 260.236.1, 260.241.4, 260.242 REPEAL: 260.231.2, 260.236.2

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06/08/07 ADOPT: 9020 REPEAL: 1019
 06/08/07 AMEND: 9072
 06/06/07 AMEND: 1010 (renumber to 9030 to new Chapter 3)
 06/04/07 AMEND: 1081
 06/01/07 ADOPT: 999.6, 999.7, 999.8
 06/01/07 AMEND: 1005, 1007, 1008
 04/19/07 ADOPT: 64.4
 04/19/07 ADOPT: 64.6
 04/19/07 ADOPT: 64.5
 04/18/07 ADOPT: 64.3
 03/06/07 AMEND: 1070, 1082
 02/02/07 ADOPT: 9070, 9071, 9072, 9073, 9076, 9077, 9078 AMEND: 1005, 1018, 1055 REPEAL: 1011
 02/02/07 ADOPT: 999.40

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06/29/07 AMEND: 181.00
 05/23/07 AMEND: 2180.1, 2181, 2184, 2185, 2186, 2192, 2194 REPEAL: 2011
 05/01/07 ADOPT: 1300, 1400, 1401, 1402, 1403, 1404, 1405 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406,

	1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425, and Article 15 text	04/13/07	ADOPT: 18751.2.1, Form CIWMB 303a, Form CIWMB 303b AMEND: 18751.2 REPEAL: Form CIWMB 303
04/26/07	AMEND: 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465	04/02/07	AMEND: 679
04/26/07	AMEND: 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, 2462	03/27/07	AMEND: 11900
04/12/07	ADOPT: 2775, 2775.1, 2775.2, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789 AMEND: 2430, 2431, 2433, 2434, 2438	03/27/07	AMEND: 11945
03/26/07	ADOPT: 182.00, 182.01, 182. 02, Form REG 195 (REV. 2/2007) AMEND: Form REG 256 (REV. 9/2005)	03/26/07	AMEND: 2305, 2310, 2320
02/09/07	AMEND: 2702, 2703, 2704, 2706, 2707, 2709	03/21/07	AMEND: 7.50
Title 13, 17		03/20/07	AMEND: 11945
06/15/07	AMEND: Title 13, 1969, Title 17, 60060.2, 60060.11, 60060.15, 60060.16, 60060.17, 60060.18, 60060.22, 60060.29, 60060.32, 60060.33, 60060.34	03/20/07	AMEND: 790, 815.01, 815.02, 815.03, 815.04, 815.05, 815.06, 815.07, 815.08, 815.09, 816.01, 816.02, 816.03, 816.04, 816.05, 816.06, 817.02, 817.03, 818.01, 818.02, 818.03, 819.01, 819.02, 819.03, 819.04, 819.06, 819.07, 820.01, 825.03, 825.05, 825.07, 826.01, 826.02, 826.03, 826.04, 826.05, 826.06, 827.01, 827.02
Title 14		03/01/07	AMEND: 10121, 11900(a)(5)
06/21/07	AMEND: 7.50(b)(91.1)	02/28/07	ADOPT: 5.81, 27.91 AMEND: 1.62, 1.63, 1.67, 2.00, 5.00, 5.80, 7.00, 7.50, 8.00, 27.60, 27.65, 27.90, 27.95, 28.20, 29.70, 29.80, 29.85, 195, 701
06/21/07	ADOPT: 2850 AMEND: 2090, 2425, 2530 REPEAL: 2850	02/23/07	AMEND: 671.5
06/20/07	AMEND: 3696.5	02/16/07	AMEND: 10214, 10381, 10500, 10620, 11002, 11003, 11005
06/18/07	AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867	02/13/07	AMEND: 53.03, 149, 149.1
06/11/07	ADOPT: 721	02/08/07	AMEND: 880
06/08/07	ADOPT: 2880	02/05/07	ADOPT: 2990, 2995, 2997 AMEND: 2125, 2518
05/29/07	AMEND: 360, 361, 362, 363, 364, 702, 708	Title 14, 27	
05/10/07	AMEND: 5.51, 7.50(b)(53.8)	03/14/07	ADOPT: Title 27, 21660.1, 21660.2, 21660.3, 21660.4, 21666 AMEND: Title 14, 17388.3, 17388.4, 17388.5, 18077, 18083, 18104.1, 18104.2, 18104.7, 18105.1, 18105.2, 18105.9, Title 27, 21563, 21570, 21580, 21620, 21650, 21660, 21663, 21665, 21675, 21685 REPEAL: Title 14, 17383.10, 17388.6
05/10/07	AMEND: 27.80	Title 15	
05/07/07	ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72 REPEAL: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21, 4970.22, 4970.23, 4970.24, 4970.25, 4970.26, 4970.27, 4970.28, 4970.29, 4970.30, 4970.31, 4970.32	06/26/07	ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4, 4036 REPEAL: 4040
05/03/07	ADOPT: 125.1 AMEND: 125	06/18/07	ADOPT: 1363 AMEND: 1300, 1302, 1303, 1304, 1311, 1312, 1314, 1320, 1321, 1323, 1324, 1325, 1340, 1341, 1342, 1343, 1350, 1353, 1357, 1360, 1361, 1370, 1374, 1375, 1377, 1378, 1390, 1407, 1437, 1438, 1439, 1450, 1461, 1462, 1480, 1501
04/30/07	AMEND: 1257	06/05/07	ADOPT: 3999.5
		05/15/07	ADOPT: 3999.4
		05/02/07	AMEND: 3276(e)
		04/19/07	AMEND: 3084.1, 3391

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04/18/07 AMEND: 2600.1
 04/18/07 ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3355.1, 3358
 02/23/07 AMEND: 3000, 3315, 3323, 3341.5
 02/05/07 ADOPT: 3999.3

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 07/03/07 ADOPT: 4152.1
 06/22/07 AMEND: 1399.170.11
 06/20/07 AMEND: 3303.1
 06/15/07 AMEND: 2070, 2071
 06/12/07 AMEND: 1325, 1339, 1344, 1350.3, 1355.35
 05/30/07 ADOPT: 980.2, 980.3 AMEND: 980.1
 05/23/07 AMEND: 1706.2
 05/04/07 ADOPT: 2516.5, 2518.7, 2576.7 AMEND: 2502, 2516, 2526, 2526.1, 2530, 2533, 2540.3, 2540.4, 2542.2, 2542.3, 2542.4, 2542.5, 2544, 2544.1, 2544.2, 2544.3, 2544.4, 2547.2, 2547.3, 2547.4, 2547.5 2562, 2575, 2581, 2581.1, 2585, 2587, 2592.3, 2592.4, 2593, 2593, 2593.1, 2593.2, 2593.3, 2593.4
 04/27/07 AMEND: 1387, 1390.3
 04/20/07 AMEND: 2032.4, 2034, 2036, 2036.5
 04/09/07 AMEND: 640, 643
 04/09/07 REPEAL: 356.1
 04/09/07 AMEND: 1388.6, 1381.5
 04/03/07 AMEND: 4202
 04/03/07 AMEND: 1399.101
 03/26/07 ADOPT: 1784
 03/26/07 AMEND: 919
 03/23/07 AMEND: 1399.151.1, 1399.160.2, 1399.160.3, 1399.160.4, 1399.160.5, 1399.160.6, 1399.160.7, 1399.160.9, 1399.160.10
 03/20/07 AMEND: 1803
 03/19/07 REPEAL: 942, 943, 944, 945, 946, 947, 948, 949, 950.6, 950.7, 966
 02/28/07 ADOPT: 1396.5
 02/23/07 REPEAL: 1712.2
 02/15/07 ADOPT: 1034.1 AMEND: 1021, 1028, 1034
 02/14/07 ADOPT: 1399.360 AMEND: 1399.302
 02/08/07 AMEND: 1397.12
 02/02/07 AMEND: 3356
 02/01/07 AMEND: 70
 01/31/07 AMEND: 884

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 06/27/07 AMEND: 54342

06/26/07 AMEND: 60201, 60202, 60205, 60210
 06/14/07 ADOPT: 100300, 100301, 100302, 100303, 100304, 100305, 100306, 100308, 100309, 100310
 05/04/07 ADOPT: 96100
 04/26/07 ADOPT: 93116.3.1 AMEND: 93115, 93116.2, 93116.3
 04/18/07 ADOPT: 2641.56, 2641.57 AMEND: 2641.30, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77
 03/01/07 AMEND: 30346.3, 30350.3
 02/28/07 ADOPT: 100500
 02/16/07 AMEND: 6540

Title 18
 07/02/07 AMEND: 17952
 06/20/07 ADOPT: 25137-14
 06/05/07 AMEND: 1668
 06/04/07 ADOPT: 1671.1
 05/17/07 AMEND: 1802
 05/15/07 AMEND: 1703
 04/25/07 AMEND: 1620
 04/10/07 AMEND: 1655
 04/10/07 AMEND: 1566
 03/30/07 AMEND: 1571
 03/22/07 ADOPT: 4500, 4501, 4502, 4503, 4504, 4505, 4506, 4507, 4508, 4509, 4600, 4601, 4602, 4603, 4604, 4605, 4606, 4607, 4608, 4609, 4700, 4701, 4702, 4703
 03/08/07 AMEND: 1602

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 03/28/07 AMEND: 906.2
 02/28/07 ADOPT: 574.4, 574.5, 574.6 AMEND: 557.1, 561.2, 565.2, 566, 568, 573, 574.1, 574.2, 574.3, 574.4, 574.5, 574.6, 575.1, 575.3, Table 4, 575.4, 578.1, 591.5, 594.3, 595.1, 596.1, 596.2 REPEAL: 574.4, 574.5, 574.6, 609.3, 609.4, 609.5, 609.6, 609.7, 610, 612, 613, 614.2, 614.4

Title 20
 07/03/07 ADOPT: 1233.5, 1234, 1236.5, 1311, 1346, 1349, 2508 AMEND: 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1341, 1342, 1343, 1344, 1345, 1347, 1348, 1350, 1351, 2501, 2502, 2503, 2504, 2505, 2506, 2507 REPEAL: 1340
 06/11/07 AMEND: 4.1

03/28/07 AMEND: 1002, 1201, 1207, 1208, 1209, 1209.5, 1216, 1217, 1702, 1708, 1709.7, 1710, 1716, 1717, 1720, 1720.3, 1720.4, 1721, 1744, 1747, 2012-App B
 REPEAL: 1219, 1720.5, 1720.6
 02/22/07 AMEND: 17.1, 17.4

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03/05/07 ADOPT: 1520.12

Title 22

06/18/07 ADOPT: 67386.5, 67386.6, 67386.7, 67386.8, 67386.9, 67386.10, 67386.11, 67386.12 AMEND: 66261.9.5, Appendix XII, 67386.1, 67386.2, 67386.3, 67386.4
 04/23/07 ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4
 04/20/07 ADOPT: 2708(d)-1(a), 2708(d)-1(b), 2708(d)-1(c)
 04/19/07 AMEND: 5065, 5101, 5108
 04/17/07 ADOPT: 40622, 40635.1, 40635.2, 40648, 40660, 40661, 40733, 40752 AMEND: 40603, 40635, 40743, 40747 REPEAL: 40753
 04/13/07 ADOPT: 66267.10 AMEND: 66264.1, 66265.1, 66270.1
 03/20/07 AMEND: 926-3, 926-4, 926-5
 03/20/07 ADOPT: 69106 AMEND: 69100, 69101, 69102, 69103, 69104, 69106 (renumber to 69107), 69107 (renumber to 69108)
 03/12/07 AMEND: 4400(ee) REPEAL: 4407, 4425, 4441.5
 02/28/07 AMEND: 92001, 92002, 92003, 92004, 92005, 92006, 92007, 92008, 92009, 92010, 92011, 92012, 92101, 92201, 92202, 92301, 92302, 92303, 92304, 92305, 92306, 92307, 92308, 92309, 92310, 92311, 92312, 92313, 92401, 92501, 92601, 92602, 92603, 92604, 92701, 92702
 02/23/07 AMEND: 100540
 02/22/07 ADOPT: 51003.1 AMEND: 51003, 51003.3
 02/22/07 AMEND: 100066, 100079

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02/23/07 ADOPT: 86500, 86501, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522,

86523, 86524, 86526, 86527, 86528, 86529, 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, MPP 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1

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06/27/07 ADOPT: 3002
 06/19/07 ADOPT: 3949.3
 05/21/07 ADOPT: 499.4.1.1, 499.4.1.2, 499.4.2, 499.6.3 AMEND: 499.1, 499.2, 499.3, 499.4, 499.4.1, 499.5, 499.6, 499.6.1, 499.7, 499.8 REPEAL: 499.6.2
 05/18/07 ADOPT: 3958
 05/18/07 ADOPT: 3959
 05/01/07 AMEND: 645
 04/25/07 AMEND: 3983
 04/06/07 AMEND: 737, 768, 769, 770, 771, 852
 03/23/07 ADOPT: 3989.6
 03/20/07 AMEND: 2913
 02/20/07 ADOPT: 3939.24
 02/20/07 AMEND: 3671, 3711, 3712, 3713, 3719.18
 02/06/07 ADOPT: 3939.23

Title 25

05/23/07 AMEND: 6932
 04/05/07 ADOPT: 7065.5

Title 27

04/13/07 ADOPT: 15186, 15187, and 15188 AMEND: 15100, 15110, 15120, 15130, 15150, 15160, 15170, 15180, 15185, 15187.1 (renumber to 15189), 15190, 15200, 15210, 15220 (amendment and renumbering of 15210(b) to 15220(a)), 15240, 15241, 15250, 15260, 15270, 15280, 15290

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06/26/07 AMEND: 40-118, 43-103, 44-209, 80-301, 82-808
 06/25/07 AMEND: 47-110 and 47-301
 02/05/07 AMEND: 30-757, 30-761