



California Regulatory Notice Register

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

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**PROPOSED ACTION ON
REGULATIONS**

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TITLE 2. OFFICE OF TAX APPEALS

**NOTICE OF INTENTION TO ESTABLISH
CONFLICT-OF-INTEREST CODE OF THE
OFFICE OF TAX APPEALS**

NOTICE IS HEREBY GIVEN that the Office of Tax Appeals, pursuant to the authority vested in it by section 87306 of the Government Code, proposes to establish its conflict-of-interest code. A comment period has been established commencing March 22, 2019 and closing on May 6, 2019. All inquiries should be directed to the contact listed below.

The Office of Tax Appeals proposes to establish its conflict-of-interest code to include employee positions that involve the making or participation in the making of governmental decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

Any interested person may submit written statements, arguments, or comments relating to the proposed Code by submitting them in writing no later than **May 6, 2019**, or at the conclusion of the public hearing, if a hearing is requested, whichever comes later, to the contact person set forth below.

At this time, no public hearing has been scheduled. If any interested person requests a hearing, he or she must do so no later than 15 days prior to the end of the public comment period, by contacting the contact person set forth below.

The Office of Tax Appeals has determined that the proposed conflict-of-interested code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

4. Will not result in any nondiscretionary cost or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed conflict-of-interest code and any communications required by this notice should be directed to:

Jeanna Wimberly, Filing Officer
(916) 206-3720
jeanna.wimberly@ota.ca.gov

In the event the contact person is unavailable, inquiries should be directed to:

Lina Newson
(916) 208-2771
linda.newson@ota.ca.gov

**TITLE 13. CALIFORNIA
HIGHWAY PATROL**

**TITLE 13, CALIFORNIA CODE OF
REGULATIONS
DIVISION 2, CHAPTER 6.5, AMEND ARTICLE 3.
GENERAL DRIVING REQUIREMENTS,
SECTIONS 1201, 1212, AND 1212.5**

**DRIVERS' HOURS-OF-SERVICE
(CHP-R-2015-01)**

Section 2400 of the California Vehicle Code (CVC) authorizes the Commissioner of the California Highway Patrol (CHP) to enforce laws regulating the safe operation of motor vehicles. Section 2402 CVC authorizes the Commissioner to make and enforce regulations as necessary to carry out the duties of the CHP. Sections 32002, 34501, 34501.2, and 34501.5 CVC allow the CHP to adopt reasonable rules and regulations which are designed to promote the safe operation of vehicles described in Section 34500 CVC, which are commercial vehicles, commonly referred to as "regulated" vehicles (motor trucks, tractor-trailer combinations, buses, etc.). The adopted regulations are contained in Title 13 of the California Code of Regulations (CCR).

The CHP proposes to amend the Motor Carrier Safety Regulations contained in Title 13 CCR to be consistent with the CVC and the current version of adopted federal regulations in Title 49 of the Code of Federal Regulations (CFR), Part 395.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The definition for “On-duty Time” in Title 13 CCR, Section 1201(u), is no longer consistent with the same definition found in Title 49 CFR, Section 395.2. Current federal regulation, contained in Title 49 CFR, requires states to remain compatible with federal regulations¹. Therefore, current state regulations, contained in Title 13 CCR, Section 1201, are incompatible for federal funding purposes. Additionally, this inconsistency places California drivers in a competitive disadvantage when compared with similar drivers engaged in interstate commerce. Currently, the provisions, contained in Section 395.2 of Title 49 CFR, allow for time spent resting in or upon a parked vehicle, and up to two hours in the passenger seat immediately before or after a period of at least eight hours in the sleeper berth, to not be counted as on-duty time. Title 13 CCR, Section 1201(u), will be amended to add the same two provisions to be utilized by drivers engaged in intrastate commerce.

This rulemaking also clarifies that a driver who operates a vehicle for a public utility or public water district is exempt from all hours-of-service (HOS) regulations and associated recordkeeping provided they are not transporting hazardous materials, as those terms are defined in Section 171.8 of Title 49 CFR. The utility service vehicle (USV) HOS exemption was ratified by the California State Legislature in 2009 and became effective January 1, 2010 (Section 34501.2[b][3] CVC). This exemption is essentially identical to an exemption, effective September 4, 2007, adopted by the Federal Motor Carrier Safety Administration and published in the Federal Register, Vol. 72, No. 128, July 5, 2007. The current exemption, contained in Title 13 CCR, Section 1212(i), provides relief from HOS regulations only during the emergency restoration of services in the event of a power, gas, or water outage and has been rendered moot by the blanket HOS exemption granted to USV drivers by Section 34501.2(b)(3) CVC.

Additionally, this regulatory action adds clarifying language to the HOS exemption afforded to drivers transporting farm products from the field to the first point of processing, the 100 air-mile radius driver exemption, and makes nonsubstantive changes to regulatory language in Title 13 CCR, Sections 1212(e)(4) and (k), thereby lending clarity to existing rules. The current language merely reiterates the statutory exemption provided by Section 34501.2(c)(1) CVC; however, the application of the exemption is often interpreted incorrectly. These amendments should effectively eliminate

confusion surrounding the appropriate application of this HOS exemption by industry and law enforcement.

In recent years, the CHP has been contacted by numerous government agencies within the State of California, such as the Los Angeles County Department of Public Works and the Office of Emergency Services, requesting temporary exemptions from all drivers’ HOS rules for drivers of commercial motor vehicles with a gross vehicle weight rating or gross vehicle weight over 10,000 pounds, employed by those agencies, during the emergency restoration of basic essential public services and related operations. The Department relies on the provisions of Title 13 CCR, Section 1202(e), which provides authority to the Commissioner to grant limited exemptions to HOS requirements during similar emergency events. The process, from first determining the need for an exemption to requesting and obtaining an exemption, often takes several hours, or even days, which in turn delays the critical response of local governments regarding emergency restoration of basic essential public services. This amendment would simplify the process and provide local government immediate discretion regarding the utilization of a 72-hour exemption during emergency restoration efforts. This rulemaking will adopt an exemption from drivers’ HOS limits to the extent permitted by statute contained in Section 34501.2 CVC, for drivers employed by the State of California, a city, a county, a city and county agency, or any political subdivision thereof during the emergency restoration of basic essential public services and related operations.

This regulatory action will also make a change to tow truck drivers’ HOS by providing a limited extension of the driver’s work period. This limited extension of the driver’s work period is provided in support of public safety in order to ensure tow operators have sufficient driving hours available to remove disabled vehicles and restore the roadway in a timely manner. Additionally, this exemption will ensure tow operators are available to assist with disabled vehicles and their occupants, particularly if the request for assistance is arranged by a law enforcement agency. The proposed exception is inconsistent with existing drivers’ HOS limits applicable to drivers engaged in intrastate transportation of general freight; however, the proposed exception is consistent with the Federal Motor Carrier Safety Assistance Program drivers’ HOS tolerance guidelines contained in Title 49 CFR, Part 350.341, applicable to state drivers’ HOS requirements. Historically, due to the unique nature of tow truck operations, compliance with conventional drivers’ HOS limits has proven difficult. For example, tow truck operations in rural areas are operated by a few employees and often require drivers to drive long distances to reach the location of the disabled vehicle or blocked roadway. Additionally, these unplanned

¹ Section 355.25 of Title 49, CFR

incidents occur at any time throughout the day or night. This exemption will permit drivers of tow trucks to drive commercial vehicles for not more than 12 non-consecutive hours since first reporting for duty, without being limited by driving only within the first 16 hours since reporting for duty.

Finally, this rulemaking would clarify the language related to the HOS requirements for drivers of buses and trucks being operated in intrastate commerce. Currently, the regulations combine the requirements for bus drivers, truck drivers, and flammable-liquid tank vehicles within the same subdivision. This could lead to confusion as to the specific requirements for the driver of each vehicle type. The proposed changes will reformat the section, providing greater clarity, as well as consistency with the same limitation prescribed pursuant to Section 34501.2(b)(1) CVC.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

The CHP has determined the proposed regulations are neither inconsistent, nor incompatible, with existing regulations. After conducting a review of existing state regulations for any regulations that would relate to or affect this area, the CHP has concluded that these are the only regulations that concern HOS.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

This amendment would continue to provide a non-monetary benefit to the protection and safety of public health, employees, and the environment by providing a regulatory authority for enforcement efforts as they relate to violations of HOS regulations.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments on this proposed action, via facsimile at (916) 322-3154, by electronic mail to cvsregs@chp.ca.gov, or by writing to:

California Highway Patrol
Commercial Vehicle Section
Attention: Officer David Kelly
P.O. Box 942898
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 p.m., on May 6, 2019.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be re-

ceived by the CHP, Commercial Vehicle Section (CVS), no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 322-3154, or by calling the CHP, CVS, at (916) 843-3400. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number in the event the requester's information is incomplete or illegible.

The rulemaking file is available for inspection at CHP, CVS, 601 North 7th Street, Sacramento, CA 95811. Interested parties are advised to call for an appointment. All documents regarding the proposed action are available through the CHP's website at:

<https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>.

Any substantial changes to the original proposal will be available for at least 15 days prior to the CHP adopting this resulting regulation.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above-noted address. Copies will also be posted on the CHP's website.

CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations, or questions regarding the content of the proposed regulations, should be directed to Officer David Kelly or Sergeant Jaime Nunez, CHP, CVS, at (916) 843-3400.

ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

DISCLOSURES REGARDING THE PROPOSED ACTION

The CHP has made the following determinations:

Mandate on local agencies and school districts: None.
Cost or savings to any state agency: None.

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

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

Other nondiscretionary cost or savings imposed on local agencies: None.

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

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

Effect on small business: The CHP has determined that the proposed regulations will not affect small business. The overlying statute (Section 34501.2 CVC) mandates California's drivers' HOS regulations applicable to all drivers of commercial motor vehicles remain consistent with federal drivers' HOS regulations. This proposal will amend those regulations as required by statute. However, the regulated community is encouraged to respond during the public comment period of this regulatory process if significant impacts are identified.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The CHP has made an initial determination this proposed regulatory action: (1) is unlikely to create additional jobs, nor eliminate any jobs in the State of California; (2) is unlikely to result in the elimination of existing businesses, nor create or expand businesses in the State of California; (3) will continue to provide a non-monetary benefit to the protection and safety of public health, employees, and the environment by providing a regulatory authority for enforcement efforts as they relate to violations of HOS.

ALTERNATIVES

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

sons and equally effective in implementing the statutory policy or other provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AUTHORITY AND REFERENCE

The authority and references for the adopted and amended sections contained in this rulemaking are as follows:

Section 1201

Note: Authority cited: Sections 31401, 34501, 34501.5, 34508, and 34520, Vehicle Code; and Section 39831, Education Code. Reference: Sections 336, 378, 545, 546, 27375, 31401, 34501, 34501.2, 34501.5, 34508, and 34520, Vehicle Code; and Section 39831, Education Code.

Section 1212

Note: Authority cited: Sections 31401, 34501, 34501.2, 34501.5, and 34508, Vehicle Code; and Section 39831, Education Code. Reference: Sections 545, 31401, 34501, 34501.2, 34501.5, and 34508, Vehicle Code; and Section 39831, Education Code.

Section 1212.5

Note: Authority cited: Sections 31401, 34500.4, 34501, 34501.5, and 34508, Vehicle Code; and Section 39831, Education Code. Reference: Sections 545, 31401, 34003, 34500.4, 34501, 34501.2, 34501.5, and 34508, Vehicle Code; and Section 39831, Education Code.

TITLE 13. NEW MOTOR VEHICLE BOARD

NOTICE IS HEREBY GIVEN that the California New Motor Vehicle Board ("Board"), pursuant to the authority vested in the Board by subdivision (a) of Vehicle Code section 3050 proposes to adopt the proposed regulation as described below, after considering all comments, objections, and recommendations regarding the proposed regulatory action.

PROPOSED REGULATORY ACTION

The Board proposes to amend section 551.25 of Title 13 of the California Code of Regulations pertaining to substitution or withdrawal of counsel.

PUBLIC DISCUSSIONS PRIOR TO NOTICE

Prior to the publication of this notice, the Board considered and adopted the proposed regulation at a noticed General Meeting held on January 24, 2019. Four-

teen days prior to the meeting, a detailed agenda including the consideration of the proposed text of the regulation was mailed to all individuals and entities on the Board's Public Mailing list, Electronic Public Mailing list, and website subscription list. The agenda was also posted on the Board's website.

No comments by the public were received at the January 24, 2019, General Meeting, and no further public discussion was held prior to publication of the notice.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any person interested, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by facsimile (FAX) at (916) 323-1632 or by e-mail at danielle.phomsopha@nmvb.ca.gov or nmvb@nmvb.ca.gov. The written comment period closes at 5:00 p.m. on May 6, 2019. The Board will consider only comments received at the Board's offices by that time. Submit comments to:

Danielle R. Phomsopha, Staff Counsel
 New Motor Vehicle Board
 1507 21st Street, Suite 330
 Sacramento, CA 95811
 (916) 327-3129 direct line
 (916) 445-1888 main line
 (916) 323-1632 fax
danielle.phomsopha@nmvb.ca.gov

AUTHORITY AND REFERENCE

Vehicle Code section 3050, subdivision (a), authorizes the Board to adopt the proposed regulation. The proposed regulation implements, interprets, and makes specific California Rules of Court Rule 3.1362, Rule 1.16 of the California Rules of Professional Conduct and Section 284 of the California Code of Civil Procedure.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The adopted mission of the Board is to: “. . . enhance relations between dealers and manufacturers throughout the State by resolving disputes in the new motor vehicle industry in an efficient, fair and cost-effective manner. The adopted vision statement provides that the Board safeguard for its “constituency, a fair, expeditious and efficient forum for resolving new motor vehicle industry disputes, which ultimately improves relations and reduces the need for costly litigation and develop methods that further improve the delivery of Board services in a timely and cost-effective manner . . .”

The Board proposes to amend Section 551.25 to reflect recent changes made to the California Rules of Professional Conduct as referenced in the regulation and to make additional changes to ensure client confidentiality is protected.

Section 551.25(b) describes how counsel of record must obtain permission from the Board to withdraw from a protest, petition or appeal. The proposed language describes the requirements of the written request that must be filed must satisfy the same requirements as those in the California Rules of Court. The reference section is also amended to include the California Rules of Court as well as the updated Rule of Professional Conduct.

OBJECTIVE AND ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

The broad objective of the regulation is to clarify for litigants that appear before the Board the information necessary to effectively represent themselves or their clients.

The specific benefit anticipated from the regulation is promoting the expeditious and economical resolution of statutorily enumerated disputes between new motor vehicle dealers (franchisees) and their manufacturers or distributors (franchisors). The Board keeps these types of cases from further clogging our already congested courts. It provides a uniformity of decisions across the state, allowing franchisors and their dealers to conduct their business in compliance with California law. The regulatory amendments bring the Board's regulations up to date with the most recent Rules of Professional Conduct as well as eliminate any possibility of a filing that may result in a breach of client confidentiality.

EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

The Board conducted an evaluation of the proposed regulation's potential inconsistency or incompatibility

with existing state regulations and has found that it is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Cost impacts on a representative private person or business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant statewide adverse economic impact directly affecting businesses, including the ability of California business to compete with businesses in other states: None.
- Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Board concludes that the proposed regulations will not (1) create any jobs within the State of California, (2) eliminate any jobs within the State of California, (3) create any new businesses within the State of California, (4) eliminate any existing businesses within the State of California, or (5) cause the expansion of businesses currently doing business within the State of California.

BENEFITS OF THE REGULATION

The proposed regulation will promote the expeditious and economical resolution of disputes between

new motor vehicle dealers and their manufacturers or distributors.

SMALL BUSINESS DETERMINATION

The Board has determined that the proposed regulation will have no effect on small businesses. This determination was made because no small businesses are legally required to comply with the regulation, are legally required to enforce the regulation, or derive a benefit from or incur an obligation from the enforcement of the regulation. The proposed regulation merely clarifies case management for franchised new motor vehicle dealers and their franchisors (new vehicle manufacturers or distributors) who choose to file a protest, petition or appeal with the Board.

CONSIDERATION OF ALTERNATIVES

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

The Board invites interested persons to present comments, statements or arguments with respect to alternatives to the proposed regulation, during the written comment period or at the public hearing, if one is requested.

CONTACT PERSONS

Please direct requests for copies of the proposed text (the “express terms”) of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Ms. Phomsopha at the following address:

Danielle R. Phomsopha, Staff Counsel
New Motor Vehicle Board
1507 21st Street, Suite 330
Sacramento, CA 95811
(916) 327-3129 direct line
(916) 445-1888 main line
(916) 323-1632 fax
danielle.phomsopha@nmvb.ca.gov

The backup contact person for these inquiries is:

Robin P. Parker, Senior Staff Counsel
New Motor Vehicle Board
1507 21st Street, Suite 330
Sacramento, CA 95811
(916) 323-1536 direct line
(916) 445-1888 main line
(916) 323-1632 fax
robin.parker@nmvb.ca.gov

AVAILABILITY OF STATEMENT OF REASONS,
TEXT OF PROPOSED REGULATION, AND
RULEMAKING FILE

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the initial statement of reasons, the Economic and Fiscal Impact Statement, and all the information upon which the proposal is based. Copies may be obtained by contacting the contact persons identified above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

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

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon completion of the Final Statement of Reasons, copies thereof may be obtained by contacting Ms. Phomsopha or Ms. Parker at the above address.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in

underline and strikeout font can be accessed through the Board's website at www.nmvb.ca.gov.

**TITLE 14. BOARD OF FORESTRY
AND FIRE PROTECTION**

“Fire Safety Survey, 2019”

**Title 14 of the California Code of Regulations
(14 CCR), Division 1.5, Chapter 7, Subchapter 3,
Article 4**

**Adopt
Article 4**

§§ 1267.00; 1267.01; 1267.02; 1267.03

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on Thursday, May 8, 2019, at its regularly scheduled meeting commencing at 9:00 a.m., at the Ramada Plaza, 685 Manzanita Court, Chico, CA 95926. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends on Monday, May 6, 2019.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral

testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Edith Hannigan
Land Use Planning Policy Manager
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

PublicComments@BOF.ca.gov

AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)
14 CCR § 1122

Authority cited: Section 4290.5, Public Resources Code. Reference: Sections 4290 and 4290.5, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

(pursuant to GOV 11346.5(a)(3)(A)-(D))

California Public Resources Code (PRC) 4290.5 requires the board, in consultation with the State Fire Marshal, to identify existing subdivisions located in a state responsibility area or a very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code, without a secondary egress route that are at significant fire risk. The board is authorized to contract with technical assistants to perform this work.

The **problem** is that there are no regulations governing the identification and surveying of subdivisions at significant fire risk.

The **purpose** of the proposed action is to establish the criteria for identifying subdivisions to survey under this program.

The **effect** of the proposed action is to create standardized and transparent criteria for identifying subdivisions to survey, resulting in clarity amongst the regulated public.

The **primary benefit** of the proposed action is a clear, direct, and standardized subdivision identification process that maximizes efficiency, provides transparency to the regulated public, and is utilized effectively to prevent property and life losses in the wildland-urban interface due to fire. As a result, this regulatory action will have a positive effect on the protection of public health and safety, worker safety, and the environment.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether or not the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to secondary egress routes and found no existing State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statute to which the proposed action was compared: Sections 4290, 4290.5, 4102, 4201, 4291, Public Resources Code; Sections 66424, 51178 Government Code.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to surveying subdivisions for fire safe access, in the SRA or otherwise. No existing Federal regulations meeting the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS (pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

LOCAL MANDATE
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT
(pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action may result in savings to a State agency by slowing or stopping wildfire and through increased government efficiency through the consolidation of several relevant regulatory sections into one section and the reduction of duplicative or inconsistent regulations.

HOUSING COSTS
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY AFFECTING
BUSINESS, INCLUDING ABILITY TO COMPETE
(pursuant to GOV §§ 11346.3(a), 11346.5(a)(7)
and 11346.5(a)(8))

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states (by making it costlier to produce goods or services in California).

FACTS, EVIDENCE, DOCUMENTS,
TESTIMONY, OR OTHER EVIDENCE RELIED
UPON TO SUPPORT INITIAL DETERMINATION
IN THE NOTICE THAT THE PROPOSED ACTION
WILL NOT HAVE A SIGNIFICANT ADVERSE
ECONOMIC IMPACT ON BUSINESS
(pursuant to GOV § 11346.2(b)(5) and GOV
§ 11346.5(a)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating fire safety in land use and development in California that the Board brings to bear on regulatory development.

STATEMENTS OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- (A) will not create jobs within California;
- (A) will not eliminate jobs within California;
- (B) will not create new businesses;
- (B) will not eliminate existing businesses within California;
- (C) will not affect the expansion or contraction of businesses currently doing business within California;
- (D) will yield nonmonetary benefits. For additional information on the benefits of the proposed regulation, please see anticipated benefits found under the Informative Digest/Policy Statement Overview.

COST IMPACTS ON REPRESENTATIVE PERSON
OR BUSINESS
(pursuant to GOV § 11346.5(a)(9))

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

BUSINESS REPORT
(pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS
(defined in GOV 11342.610)

Small businesses, within the meaning of GOV § 11342.610, are not expected to be affected by the proposed action.

Small business, pursuant to 1 CCR § 4(a):

- (1) is not legally required to comply with the regulation;
- (2) is not legally required to enforce the regulation;
- (3) does not derive a benefit from the enforcement of the regulation;
- (4) may not incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

Pursuant to 1 CCR § (b), the reason(s) the regulation does not affect small business are the same as provided in the Economic Impact Analysis in the Initial Statement of Reasons.

ALTERNATIVES INFORMATION

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Edith Hannigan
Land Use Planning Policy Manager
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8007

The designated backup person in the event Ms. Hannigan is not available is Eric Hedge, Regulations Coordinator for the Board of Forestry and Fire Protection. Mr. Hedge may be contacted at the above address or phone.

AVAILABILITY STATEMENTS

(pursuant to GOV § 11346.5(a)(16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board website at: http://bofdata.fire.ca.gov/regulations/proposed_rule_packages/

TITLE 22. DEPARTMENT OF HEALTH CARE SERVICES

SUBJECT: Mental Health Services Act (MHSA) Fiscal Regulations, DHCS-16-009

NOTICE IS HEREBY GIVEN that the Department of Health Care Services (Department) proposes changes to the California Code of Regulations, title 9, as follows:

Article 2. Definitions — Adopting sections 3200.022, 3200.025, 3200.079, 3200.181, 3200.195, 3200.197, 3200.213, 3200.227, 3200.244, 3200.252, 3200.254.1, 3200.257, 3200.258, and 3200.323; and amending sections 3200.080, 3200.110, 3200.251 and 3200.260.

Article 4. Funding Provisions — Adopting sections 3420, 3420.10, 3420.15, 3420.20, 3420.25, 3420.30, 3420.35, 3420.40, 3420.45, 3420.50, 3420.55, 3420.60 and 3420.65.

Article 5. Reporting Requirements — Amending section 3510; and adopting sections 3510.005 and 3510.030.

WRITTEN COMMENT PERIOD

Any interested person or his or her duly authorized representative may submit written comments to the Department relevant to the regulatory action described in this notice.

Please label any comments as pertaining to **MHSA Fiscal Regulations, DHCS-16-009** and submit using any of the following methods:

Mail

Delivery: Department of Health Care Services
Office of Regulations, MS 0015
P.O. Box 997413
Sacramento, CA 95899-7413

Hand

Delivery: Department of Health Care Services
Office of Regulations
1501 Capitol Avenue, Suite 5084
Sacramento, CA 95814

FAX: (916) 440-5748

Email: regulations@dhcs.ca.gov

The written comment period closes at **5:00 p.m. on May 8, 2019**, any written comments, regardless of the method of transmittal must be received by the Office of Regulations by **5:00 p.m.** on this date for consideration.

Written comments should include the author's contact information so the Department can provide notification of any further changes to the regulation proposal.

A public hearing has not been scheduled for this rule-making. However, the Department will conduct a hearing if a written request for a public hearing is received from any interested person or his or her duly authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8.

The Department shall consider all comments received regarding the proposal equally, whether submitted in writing or through oral testimony at a public hearing.

AUTHORITY AND REFERENCE

These regulations are being proposed under the following authority:

Section 5898, Welfare and Institutions Code.

These proposed regulations implement, interpret, or make specific the following:

Sections 5802, 5806, 5813.5, 5847, 5848, 5878.1, 5890, 5891, 5892, 5892.5, 5897, 5898, 5899 and 5899.1, Welfare and Institutions Code; and Section 30200, Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department's mission is to provide Californians with access to affordable, integrated, high-quality health care, including medical, dental, mental health, substance use treatment services and long-term care. In support of this mission, the Department administers many health care programs including the MHSA.

In November 2004, California voters approved Proposition 63, a ballot initiative that enacted the MHSA. The MHSA imposes a one (1) percent tax on individuals' incomes over \$1 million to provide funding to counties for designated community based mental health programs, which include Prevention and Early Intervention (PEI), Innovation (INN) and children and adult and older adult systems of care (Community Services and Supports (CSS)), plus the necessary infrastructure, technology, and training programs to support these needs. The State Controller deposits the tax revenue into a State Mental Health Services (MHS) Fund and makes monthly distributions to each County's Local Mental Health Services (LMHS) Fund. The MHSA became effective on January 1, 2005.

The MHSA specifies the percentages that counties are to allocate to each type of program PEI, INN, and CSS and the amount of time that counties have to spend MHSA funds. Historically, counties had three years to

spend PEI, INN, and CSS funds and ten years to spend funds dedicated to capital facilities, technological needs, or education and training. If a County fails to spend funds for an authorized purpose within the specified period, the unspent funds revert to the state to be redistributed to other counties. The MHSA also requires counties to invest MHSA funds and to establish a Prudent Reserve, a type of rainy day fund.

Program History

The former Department of Mental Health (DMH) was the state entity responsible for administering and overseeing county implementation of the MHSA. In June 2012 many of the functions performed by DMH were transferred to the Department pursuant to AB 1467 (Committee on Budget, Chapter 23, Statutes of 2012) and DMH was streamlined to become the California Department of State Hospitals. AB 1467 also added Welfare and Institutions Code (W&I Code) section 5899 that requires the Department to develop and administer instructions for the “Annual Mental Health Services Act Revenue and Expenditure Report” (ARER), a report that counties are to submit to the Department annually. In 2016, the Legislature passed AB 1618 (Committee on Budget, Chapter 343, Statutes of 2016) that amended W&I Code Section 5899 to authorize the Department to withhold MHSA funds from a County that does not submit its ARER as specified by the Department.

In February 2018, the California State Auditor produced Report 2017–117, *The State Could Better Ensure the Effective Use of Mental Health Services Funding* that is available at <https://www.bsa.ca.gov/pdfs/report/2017-117.pdf> (CSA Report) and concerns the funding and fiscal oversight of the MHSA. “To effectively monitor MHSA spending and provide guidance to the local mental health agencies . . .,” the report recommended the Department, through the promulgation of regulations, develop an MHSA fiscal reversion process to ensure that the State can reallocate any MHSA funds that local mental health agencies do not spend, clarify that interest earned on unspent MHSA funds are subject to reversion, and establish and enforce an MHSA prudent reserve level to allow local mental health agencies to maintain sufficient funds to continue providing crucial services in times of economic hardship.

Senate Bill 192 (Beall, Chapter 328, Statutes of 2018) added W&I Code section 5892(b)(2), which caps the amount a county can hold in its prudent reserve at 33 percent of the average CSS revenue the county received in the preceding five years. The bill also requires each county to calculate the amount of its prudent reserve and reassess and certify that amount every five years. In addition, the bill amends W&I Code section 5892(h)(1)

to make interest accrued on MHSA funds subject to reversion.

W&I Code section 5898 directs that “The State Department of Health Care Services, in consultation with the Mental Health Services Oversight and Accountability Commission, shall develop regulations, as necessary, for the State Department of Health Care Services, the Mental Health Services Oversight and Accountability Commission, or designated state and local agencies to implement this act.” The Department is fulfilling its statutory responsibility in submitting these proposed regulations that will better ensure the effective use of MHSA funds.

Related Existing Laws and Regulations

W&I Code section 5890(a) provides that MHS Fund money be continuously appropriated for MHSA programs and related activities. Counties are required to use MHS Fund money to expand mental health services and only to pay for the programs authorized by the MHSA. (W&I Code, § 5891(a).) W&I Code section 5891(c) provides that the State Controller shall distribute funds from the MHS Fund to each County’s LMHS Fund on a monthly basis. W&I Code section 5892(f) requires each County to invest its LMHS Fund balance “consistent with other County funds” and to transfer the interest it earns on the investments back into the LMHS Fund.

W&I Code section 5892(a)(3) directs each County to use twenty (20) percent of the funds distributed to the County from the MHS Fund on PEI programs. W&I Code section 5892(a)(5) directs the County to use the “balance of funds . . .” for the CSS programs. Section 5892(a)(6) directs the County to use “Five percent of the total funding” for PEI and CSS programs for INN programs. Consistent with this statute, existing California Code of Regulations (Cal. Code Regs.), title 9, section 3930(d)(7) requires each County to document “that the source of Innovation Funds is 5 percent of the County’s PEI allocation and 5 percent of the CSS allocation.”

Each County is required to “prepare and submit a Three–Year Program and Expenditure Plan, and Annual Updates, adopted by the County Board of Supervisors, to the Mental Health Services Oversight and Accountability Commission and the State Department of Health Care Services.” (W&I Code, § 5847(a).) The County must base the Three–Year Program and Expenditure Plan and Annual Updates on “. . . available unspent funds and estimated revenue allocations provided by the state and in accordance with established stakeholder engagement and planning requirements as required in section 5848.” (W&I Code, § 5847(b); *see also* Cal. Code Regs., tit. 9, §§ 3300, 3310, 3315.) In addition, all county expenditures of Local MHS Fund mon-

ey must be “consistent with a currently approved plan or updates pursuant to section 5847.” (W&I Code, § 5892(g); *see also* W&I Code § 5891(d).)

W&I Code section 5847(b)(1)–(4) and California Code of Regulations, title 9, section 3310(b) require County “Three-Year Program and Expenditure Plan and Annual Updates . . .” to include PEI, CSS, INN, and Capital Facilities and Technological Needs (CFTN) programs. The plans and updates must also address workforce, education and training (WET) needs and the County’s Prudent Reserve.

W&I Code section 5892(b)(1) authorizes Counties to fund their CFTN, WET, and Prudent Reserve from CSS funds provided the total allocation “. . . not exceed 20 percent of the average amount of funds allocated to that County for the previous five years . . .”

A County may access its Prudent Reserve to “ensure the County program will continue to be able to serve children, adults, and seniors that it is currently serving . . . during years in which revenues for the Mental Health Services Fund are below recent averages . . .” (W&I Code, § 5847(b)(7).) W&I Code section 5847(f) provides a County must include an allocation of funds from its Prudent Reserve for the CSS component “in years in which the allocation of funds . . . are not adequate to continue to serve the same number of individuals as the County had been serving in the previous fiscal year.”

A County may transfer funds allocated to its CSS component to its PEI component if “. . . the department determines that the increase [in PEI expenditures] will decrease the need and cost for additional services to severely mentally ill persons in that County by an amount at least commensurate with the proposed increase.” (W&I Code, § 5892(a)(4).)

One of the CSS component service categories is the Mental Health Services Act Housing Program. (Cal. Code Regs., tit. 9, § 3615(a)(4).) Under the Mental Health Services Act Housing Program, MHSA funds may be used to provide permanent supportive housing for clients with serious mental illness. (Cal. Code Regs., tit. 9, § 3200.225.) W&I Code section 5892.5 authorizes the release of unencumbered Mental Health Services Fund monies dedicated to the Mental Health Services Act housing program upon the written request of the County. The monies released to the County must be used to provide housing assistance as specified in W&I Code section 5892.5.

Two or more counties acting jointly may form or join a joint powers authority to agree “. . . to deliver or subcontract for the delivery of those (MHSA) mental health services . . . Any agreement between counties shall delineate each County’s responsibilities and fiscal liability.” (W&I Code, § 5897(b); Gov. Code, § 6500.)

W&I Code section 5899 requires the Department to develop instructions for the ARER and “If a County does not submit the annual revenue and expenditure report . . . by the required deadline, the department may withhold MHSA funds until the reports are submitted” (W&I Code, § 5899(e)).

Statement of Purpose/Problem to be Addressed

The purpose of these regulations is to provide a clear framework for county mental health departments, two or more county mental health departments acting jointly, or a city operated program receiving funds per W&I Code section 5701.5 (each referred to as a “County” [*see* Cal. Code Regs., tit. 9, § 3200.090]), to allocate, transfer, expend, and report the use of, MHSA funds, and to establish rules and processes for reversion of funds. These regulations are necessary because statute does not provide clear guidance. These provisions will also assist the Department with overseeing County compliance with the MHSA.

The proposed regulations amend and add to articles 2, 4, and 5, under title 9, division 1, chapter 14 of the California Code of Regulations. (All section references are to title 9 of the California Code of Regulations, unless otherwise indicated.) Additions and amendments to article 2 (sections 3200.022–3200.323) provide definitions to new concepts such as the CSS Account, define terms, such as Capital Facilities and Technological Needs and revise section numbers to fit new definitions within article 2. Article 4 (sections 3420–3420.65) addresses: the allocation and expenditure requirements of MHSA funds, including investment gains; the transfer of MHSA funds from the CSS Account; funding of, and transfers from, the Prudent Reserve; the maintenance of records of such transactions; reversion of unspent MHSA funds and an appeal process. Article 5, section 3510 is amended by revising the ARER to include current data needs and information and to specify the forms in which a County is required to submit expenditure data and information; and section 3510.005 is added to provide a process to withhold MHSA funds from a County for non-submission of a complete and accurate ARER. Section 3510.030 is added to implement statutory requirements that a County certify the accuracy of the ARER pursuant to W&I Code section 5899(a).

Anticipated Benefits of the Regulation

The Department anticipates that the proposed regulatory amendments will enhance the fiscal integrity of the MHSA and enhance County compliance with the programmatic requirements of the MHSA. In addition, by allowing the Department to enforce County fiscal reporting requirements the proposed regulations will enable the Department to collect more complete and accurate data regarding the performance of county mental

health programs. This data will assist the State, Counties and other interested parties in developing and recognizing best practices, which in turn will result in more effective county mental health services.

Stakeholder Involvement in Preparation of the Regulations

In July 2016, the Department conducted several meetings with the MHSOAC and the California Behavioral Health Directors Association of California to discuss proposed fiscal policies and obtain input to be used in the development of these regulations. The meetings centered on the following topics:

1. The tracking of revenue and expenditures by component.
2. The tracking of interest earned on investments.
3. The determination of total revenue allocated to each component.
4. The transferring of funds from the CSS component to CFTN and WET Accounts, and Prudent Reserve.
5. The determination of total expenditures from the LMHS Fund for each component.
6. The calculating of reversion.
7. The method the Department will use to recoup funds that have been reverted.
8. The transfer of only CSS funds to the Prudent Reserve.
9. The determination of the maximum amount that may be held in the local Prudent Reserve and when to access the Prudent Reserve.

Consistency and Compatibility with Existing State Regulations

The Department has conducted an evaluation of the related existing state regulations under title 9, California Code of Regulations, division 1 and has determined that the proposed regulations are consistent with and compatible with those regulations. An automated search of title 9, using the following keywords “Mental Health,” “MHSA,” “Reversion,” and “Prudent Reserve” was conducted via Westlaw and yielded no conflicting state regulations.

Annual MHSA Revenue and Expenditure Report Forms and Instructions

This regulatory action will update and expand definitions and program requirements. W&I Code section 5899 requires Counties to submit Annual Revenue and Expenditure Reports to the Department and the Mental Health Services Oversight and Accountability Commission, specifies the purposes of the reports, and requires Counties to certify the accuracy of the reports. It also requires the Department to develop and administer

instructions for the Annual MHSA Revenue and Expenditure Reports. The Department is requiring Counties to complete the forms listed below (and follow the corresponding instructions) to implement this requirement. These specified forms allow the Department to gather comprehensive and accurate information from participating Counties related to the Counties’ use of MHS Fund monies. It is critical that the Department obtain all of this information. This information is necessary for the Department to monitor Counties’ compliance with statutory and regulatory requirements and for the MHSOAC to evaluate MHSA programs. These forms will help clearly identify the information that Counties shall report and will streamline and standardize reporting requirements. The following forms are incorporated by reference in this regulatory proposal:

1. Mental Health Services Act Prudent Reserve Assessment/Reassessment, DHCS 1819, (02/19).
2. Annual Mental Health Services Act (MHSA) Revenue and Expenditure Report and Adjustment Worksheet County Certification, DHCS 1820, (02/19).
3. Mental Health Services Act Adjustments to Revenue or Expenditure Summary Worksheet, DHCS 1821, (02/19).
4. Annual Mental Health Services Act (MHSA) Revenue and Expenditure Report. DHCS 1822 A–J as follows:
 - a) Information Worksheet DHCS 1822 A, (02/19).
 - b) Component Summary Worksheet DHCS 1822 B, (02/19).
 - c) Community Services and Supports (CSS) Summary Worksheet, DHCS 1822 C, (02/19).
 - d) Prevention and Early Intervention (PEI) Summary Worksheet, DHCS 1822 D, (02/19).
 - e) Innovation (INN) Summary Worksheet, DHCS 1822 E, (02/19).
 - f) Workforce Education and Training (WET) Summary Worksheet, DHCS 1822 F, (02/19).
 - g) Capital Facility Technological Needs (CFTN) Summary Worksheet, DHCS 1822 G, (02/19).
 - h) MHSA Adjustments Worksheet, DHCS 1822 H, (02/19).
 - i) FFP Revenue Adjustment Worksheet, DHCS 1822 I, (02/19).
 - j) Comments Worksheet, DHCS 1822 J, (02/19).

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Department has made the following initial determinations:

Fiscal Impact Statement

- A. Costs to any Local Agency or School District that are required to be reimbursed Under Part 7 (commencing with Section 17500), Division 4 of the Government Code: None.
- B. Costs to any Local Agency or School District that are not reimbursable by the State: None.
- C. Costs or Savings to any State Agency: None.
- D. Costs or Savings in Federal Funding to the State: None.
- E. Other Nondiscretionary Costs or Savings Including Revenue Changes Imposed on State or Local Agencies: None.

All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

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

Mandates on Local Agencies or School Districts

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

Significant Statewide Adverse Economic Impact Affecting Businesses

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

Results of the Economic Impact Assessment (Analysis)

In accordance with Government Code Section 11346.3(b)(1), the Department has made the following assessments and has determined that the proposed regulations would not significantly affect the following:

- 1. The creation or elimination of jobs in California.
- 2. The creation or elimination of businesses in California.
- 3. The expansion of businesses currently doing business in California.

Impact on Jobs and Businesses

This regulatory proposal establishes requirements for Counties related to the distribution, allocation, transfer, expending, and reporting of MHSA funds, which will support the effective and efficient use of these funds. The Department has determined that the proposed regulations would not affect small businesses because small businesses are not required to comply with or enforce the proposed regulations, nor would any benefit or detriment be derived from enforcement. This regulatory action will affect only those Counties that administer MHSA programs, and therefore it is not anticipated to have an impact on the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses or the expansion of businesses in California.

Benefits of the Proposed Regulation

The Department has determined that the proposed regulations will not specifically affect worker safety or the state's environment. However, the proposed regulations will benefit the health and welfare of California residents by implementing fiscal policies that will increase the effective and timely use of MHSA funds.

These regulations will provide uniform standards and use of MHSA funds across all California Counties. The proposed regulations specify an allocation methodology for MHSA funds distributed to each County's Local Mental Health Services Fund, including interest earned on these funds, and provide direction on the use and transfer of such funds to other components, reserves or entities. In addition, the proposed regulations ensure MHSA funds are spent in a timely manner by establishing a reversion and reallocation process for MHSA funds subject to reversion. Lastly, the ARER is integral to identifying County expenditures of MHSA funds and determining reversion amounts for each County. This is important, as funds that are not spent within a given timeframe, as proposed in these regulations, need to be reallocated to other Counties to serve the purpose they were intended to serve. The proposed regulations will provide Counties with a timeline for submittal of ARERs, subsequent withhold of fund distributions for non-submittals and an appeal process of reversion amounts derived from the County's ARER.

These regulations, by providing clear guidance on the allocation, transfer and reversion of MHSA funds, will ensure the effective and efficient use of funds. The proposal will support Counties in their effort to provide effective mental health services and may lead to further transparency in the use of MHSA funds and provide stakeholders, taxpayers and other interested parties with better information that may lead to more meaningful involvement in the development of County expenditure plans. Lastly, these regulations will allow for

the consistent use of MHSA funds across all Counties and ensure MHSA funds are spent for their intended purpose by each County and, if not spent timely, spent by other Counties for the intended purpose. The additions to “Article 5. Reporting Requirements,” as proposed herein, allow for the effective evaluation of MHSA funded programs and projects for each County and statewide.

Effect on Small Businesses

The Department has determined that the proposed regulations would not affect small businesses as these regulations only affect County Mental Health Departments.

Housing Costs Determination

The Department has made the determination that the regulations would have no impact on housing costs.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Mental Health Services Act was passed by voters in November 2004. Since this time, no regulations have been promulgated that address the requirements associated with this regulation package. In 2012, the Department assumed administration of certain MHSA related functions from the former Department of Mental Health. In a report published in February 2018, the California State Auditor found the Department could better ensure the effective use of MHSA funding, in part, by developing regulations as proposed in this regulation package.

ASSISTIVE SERVICES

For individuals with disabilities, the Department can provide assistive services such as the conversion of written materials into Braille, large print, audiocassette and computer disk. For public hearings, assistive services can include sign-language interpretation, real-time captioning, note takers, reading or writing assistance. To request these assistive services, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email — [regulations@](mailto:regulations@dhcs.ca.gov)

dhcs.ca.gov, or write to the Office of Regulations at the address noted above. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

The Department shall provide, upon request from a person with a visual disability or other disability for which effective communication is required under state or federal law, a narrative description of the additions to, and deletions from, the California Code of Regulations or other publication in a manner that allows for accurate translation by reading software used by the visually impaired. Providing this description may require extending the period of public comment for the proposed action pursuant to Government Code Section 11346.6.

CONTACT PERSONS

Inquiries regarding the proposed regulations described in this notice may be directed to Donna Ures, of Mental Health Services, at (916) 713-8802.

All other inquiries concerning the action described in this notice may be directed to Greg Rodriguez of the Office of Regulations, at (916) 345-8396, or to the designated backup contact person, Jasmin Delacruz, at (916) 440-7695.

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Regulations, at the address noted above, will be the location of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file). In addition, a copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available by the Department’s Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

Materials regarding the regulatory action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) are posted to the Department’s Internet site at: <http://www.dhcs.ca.gov/formsandpubs/laws/Pages/ProposedRegulations.aspx>.

In order to request a copy of this public notice, the regulation text, and the initial statement of reasons be

mailed to you, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email regulations@dhcs.ca.gov, or write to the Office of Regulations at the address noted above.

**RULEMAKING PETITION
DECISIONS**

**DEPARTMENT OF FOOD AND
AGRICULTURE**

**NOTICE OF DECISION ON PETITION FOR
RULEMAKING
(Government Code Section 11340.7)**

By letter dated February 12, 2018, Dr. Stewart Townsend, (petitioner), petitioned the Department of Food and Agriculture (Department) of the State of California in accordance with Government Code section 11340.6 and Food and Agricultural Code section 36632, for the approval of temporary standards for Almond Milk Cream Cheese and Almond Milk Ricotta for an initial period of one year. The Department has set the matter for a public hearing in accordance with Food and Agricultural Code sections 36632 and 36633. Food and Agricultural Code sections 36631-36638, pertain to consideration of a definition and standard for milk products that are not specified in existing statutes or regulations, and no legislative bill is currently introduced to establish the definition and standard in the Food and Agricultural Code.

**PROVISIONS OF THE CODE OF REGULATIONS
REQUESTED TO BE AFFECTED**

Article 7 (Acidophilus or Modified Milk), of Chapter 1 (Dairies), Division 2 (Animal Industry), Title 3, California Code of Regulations.

AUTHORITY AND REFERENCE

Authority: Sections 407, 36637, and 39872, Food and Agricultural Code.

Reference: Sections 35071 and 35072, Food and Agricultural Code.

CONTACT PERSON

Any interested person may obtain a copy of the petition and exhibits by accessing the Department's website: <http://cdfa.ca.gov/ahfss/regulations.html>, or by contacting the following person:

Anne Quilter, Assistant Chief
Department of Food and Agriculture
Milk and Dairy Food Safety Branch
1220 N Street, Sacramento, CA 95814
Phone: (916) 900-5008

PUBLIC HEARING

As provided by Food and Agricultural Code section 36632(a) the Department has scheduled a public hearing, which has been properly noticed to all interested persons. The hearing will be conducted exclusively by written brief unless an oral hearing is specifically requested by an interested person. Written briefs must be received by the Branch before the close of the public hearing at 5:00 p.m. on Monday, April 15, 2019. Written briefs may be sent by mail, or e-mail in electronic PDF to MDFSBinfo@cdfa.ca.gov, or faxed to the Branch at (916) 900-5337. Any interested party must request an oral hearing by the close of business, Thursday, March 14, 2019.

Consistent with Food and Agricultural Code section 36633, the hearing shall be conducted to determine whether each product proposed for a temporary standard qualifies for that standard and whether a temporary standard has been properly sought for each proposed product definition, standard, nomenclature, and label offered by the petitioner.

Following the hearing, as set forth in Food and Agricultural Code section 36633(b), the Department shall evaluate the temporary standard request on the basis of all of the following: testimony submitted by interested persons; the health and safety conditions under which each proposed product will be processed and distributed; and definitions and standards established for comparable products, if they exist. Accordingly, respondents to this hearing notice are respectfully requested to address these issues, if possible, in their written briefs.

If the Department subsequently decides, after the hearing, to grant the petition, it shall establish an appropriate definition and nomenclature as well as quality and labeling requirements applicable to the permitted product(s) pursuant to Food and Agricultural Code section 36633(c). The Department shall notify the petitioner of its decision not later than 30 days following the close of the hearing. It shall also post the decision on its website: <http://cdfa.ca.gov/ahfss/regulations.html>.

A temporary standard approved by the Department shall take effect upon being adopted as set forth in Food and Agricultural Code sections 36634(d) and 36637.

DEPARTMENT DECISION

On February 27, 2019, the Department responded to the petitioner and has granted the consideration of the petition in full, and has set the matter for a public hearing in accordance with Food and Agricultural Code section 3662(a) and Government Code section 11340.7, for the reasons set forth below.

REASONS SUPPORTING THE DEPARTMENT'S DETERMINATION

Food and Agricultural Code section 36632(b) provides that, upon the request of any interested person, the Department may grant a temporary standard for an initial period of one year for a new milk product or product resembling a milk product. Section 36632(b) requires that the petition "shall include a proposed definition, standard, nomenclature, and label for the new product". The Department has determined that the petition of Lyrical Foods, Inc., satisfies the requirements of this section.

Therefore, the Department has published a notice of a public hearing to consider the adoption of the temporary standard pursuant to sections 36631–36638 of the Food and Agricultural Code responded to the petitioner as follows:

February 27, 2019

Dr. Stewart Townsend
Lyrical Foods, Inc.
3180 Corporate Place
Hayward, CA 94545

RE: PETITION FOR TEMPORARY STANDARDS

Dear Dr. Townsend:

The California Department of Food and Agriculture (Department) received your petition, dated February 12, 2019, requesting that it consider a temporary standard for Almond Milk Cream Cheese and Almond Milk Ricotta in accordance with Food and Agricultural Code (FAC) section 36632. The Department has granted the consideration of the petition and has set the matter for a public hearing in accordance with FAC section 36632(a) and Government Code section 11340.7.

FAC section 36632(a) specifies that in no case shall a temporary standard be granted for a product for which a definition and standard was contained in a bill which was not enacted during the immediately preceding session of the Legislature. Additionally, FAC section 36632(b) requires that the petition shall include a pro-

posed definition, standard, nomenclature, and label for the new product. The petition shall also address the relation between the proposed product and existing definitions and standards established for comparable products. The Department has determined that the petition submitted by Lyrical Foods, Inc., meets the requirements of these sections.

Accordingly, the Department has published a notice of a public hearing to consider the adoption of the temporary standards pursuant to FAC sections 36631–36638. As provided by FAC section 36632(a), the public hearing shall be conducted exclusively by written brief unless an oral hearing is specifically requested by an interested person by close of business, March 14, 2019. The deadline for the submittal of written briefs is 5:00 p.m., April 15, 2019.

If you have any questions, you may contact me at (916) 900–5008.

Sincerely,

Dr. Stephen Beam, Chief
Milk and Dairy Food Safety Branch
Animal Health and Food Safety Services Division

cc: Karen Ross, Secretary, CDFA
Dr. Annette Jones, State
Veterinarian and Director, AHFSS

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

March 4, 2019

Mr. Leonard Lang
Upper Room Consulting, Inc.
10002 Delano Lane
Cypress, CA 90630

Via e-mail: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your recent e-mail message petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. The Department of Resources Recycling and Recovery, Division of Recycling (Department) has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. For the reason stated below, the petition is denied.

You have recommended amending a group of regulations to allow dealers in unserved convenience zones that elect to redeem empty beverage containers on their premises pursuant to Public Resources Code section 14571.6 to be reimbursed upon delivering the material a certified recycling center or processor. (Amendments recommended to Cal. Code Regs., title 14, §§ 2056, 2060, 2430, 2500, 2516, 2530 & 2535.)

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) defines and establishes convenience zones and mandates that each zone be served by at least one certified recycling center. (Pub. Res. Code §§ 14509.4 (convenience zone defined), 14571 (at least one recycling center in every convenience zone), & 14571.1 (annual designation and mapping of convenience zones).)

Dealers in convenience zones that are not served by a certified recycling center must, by affidavit filed with the Department, elect to either (1) redeem empty beverage containers on their premises and deliver the redeemed containers to a recycling center or processor for recycling, or (2) pay the Department \$100 per day until a certified recycling center is established in the zone or the dealer begins redeeming on premises per option (1). Your petition addresses dealers that select option (1), commonly referred to as in-store redemption. Neither the Act nor the Department's regulations provide reimbursement to dealers for the costs of in-store redemption.

Your rulemaking petition is denied because the burdens on the Department and the regulated industry associated with adopting and implementing regulations providing reimbursement for in-store redemption would outweigh the potential benefits.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Sharon Siozon, Division of Recycling, 801 K Street, MS 19-01, Sacramento, California 95814, Sharon.Siozon@CalRecycle.ca.gov, (916) 322-1760.

Thank you for the interest and concern you have shown for recycling in California.

Sincerely,
/s/

Adam Tauber
Assistant Director for Recycling
Department of Resources Recycling and Recovery
(CalRecycle)

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2019-0122-06
BOARD OF ACCOUNTANCY
Registration Forms for Out-of-State Accounting Firms

This action, without regulatory effect, amends the Out-of-State Accounting Firm Registration Form PP-13 to change informative references in the instructions from Board of Equalization to California Tax and Fee and Administration, aligning with statutory changes to the roles of those agencies.

Title 16
AMEND: 20
Filed 03/06/2019
Agency Contact: Aaron Bone (916) 561-1792

File# 2019-0220-02
CALIFORNIA HIGHWAY PATROL
Explosives Routes and Stopping Places

The California Highway Patrol updated the routes for the transportation of explosives by commercial vehicles on highways in the state by removing 2.2 miles and extending 10.4 miles of designated routes in the Mojave Area.

Title 13
AMEND: 1152.3
Filed 03/06/2019
Effective 03/06/2019
Agency Contact: Tian-Ting Shih (916) 843-3400

File# 2019-0131-04
CALIFORNIA HORSE RACING BOARD
Horse Ineligible to Start in a Race

This action by the California Horse Racing Board adopts and amends regulations regarding intra-articular treatments for horses.

Title 4
ADOPT: 1842.1
AMEND: 1588
Filed 03/12/2019
Effective 07/01/2019
Agency Contact: Harold Coburn (916) 263-6026

File# 2019-0220-03
COMMISSION ON TEACHER CREDENTIALING
Single Induction Experience for New Teachers
In this resubmittal of OAL Matter No. 2018-1023-06S, the Commission on Teacher Credentialing is amending regulations to provide a single induction experience for new teachers and update regulations regarding how educators qualify for an extension of time to obtain a teaching credential.

Title 5
AMEND: 80048.8, 80048.8.1, 80413, 80523
Filed 03/07/2019
Effective 03/07/2019
Agency Contact: David Crable (916) 323-5119

File# 2019-0226-01
DEPARTMENT OF CORRECTIONS AND REHABILITATION
Copayment and Artificial Appliances
The Department of Corrections and Rehabilitation submitted this emergency action to amend regulations addressing copayments and artificial appliances and a related incorporated by reference form. The amendments eliminate copayments for health care services and payment for prescribed artificial appliances.

Title 15
AMEND: 3355.1 (renumbered to 3999.367), 39999.99, 3999.206, 3999.234, 3999.237, 3999.375 (renumbered to 3999.395)
Filed 03/12/2019
Effective 03/12/2019
Agency Contact: Julie Inderkum (916) 691-0697

File# 2019-0207-01
DEPARTMENT OF FOOD AND AGRICULTURE
Oriental Fruit Fly Eradication Area
The Department of Food and Agriculture submitted this timely certificate of compliance to make permanent the amendments made in OAL File No. 2018-0820-01E. The emergency rulemaking amended the Oriental Fruit Fly Eradication Area to include Yolo county.

Title 3
AMEND: 3591.2
Filed 03/13/2019
Effective 03/13/2019
Agency Contact: Rachel Avila (916) 403-6813

File# 2019-0219-01
DEPARTMENT OF FOOD AND AGRICULTURE
Assessments for Control of Beet Leafhopper
The Department of Food and Agriculture submitted this file and print action to increase the current assessment rates imposed on producers, handlers, and producer-handlers for beet leafhopper control.

Title 3
AMEND: 3601
Filed 03/06/2019
Effective 03/06/2019
Agency Contact: Rachel Avila (916) 403-6813

File# 2019-0124-03
DEPARTMENT OF PUBLIC HEALTH
Individual Taxpayer Identification Number (ITIN)
This action by the California Department of Public Health makes changes without regulatory effect that conform the regulations to the identification requirements in Health and Safety Code sections 114870 and 106995 as amended by Statutes 2018, chapter 838 (SB 695).

Title 17
AMEND: 30335.5, 30440, 30444, 30451, 30455.1, 30456.2, 30466
Filed 03/07/2019
Agency Contact: Laurel Prior (916) 440-7673

File# 2019-0123-01
DEPARTMENT OF REAL ESTATE
Petitions Process Website Discipline Information
The Department of Real Estate (Department) proposed this action to implement new provisions in Business and Professions Code section 10083.2 by establishing a petition process for licensees to seek removal of certain license discipline information from the department's website.

Title 10
ADOPT: 2915
Filed 03/07/2019
Effective 03/07/2019
Agency Contact: Daniel Kehew (916) 263-8681

File# 2019-0222-01
FISH AND GAME COMMISSION
Purple Sea Urchin

This rulemaking action by the Fish and Game Commission adopts regulations setting daily bag limits for purple sea urchin.

Title 14
 ADOPT: 29.06
 Filed 03/07/2019
 Effective 03/07/2019
 Agency Contact: David Thesell (916) 654-9903

File# 2019-0131-01
 OFFICE OF ENVIRONMENTAL HEALTH
 HAZARD ASSESSMENT
 Proposition 65 MADLs for n-Hexane

This rulemaking action by the Office of Environmental Health Hazard Assessment establishes Proposition 65 Maximum Allowable Dose Levels for oral exposure to n-Hexane of 28,000 micrograms per day and inhalation exposure to n-Hexane of 20,000 micrograms per day.

Title 27
 AMEND: 25805
 Filed 03/11/2019
 Effective 07/01/2019
 Agency Contact: Monet Vela (916) 323-2517

File# 2019-0131-02
 OFFICE OF ENVIRONMENTAL HEALTH
 HAZARD ASSESSMENT
 Proposition 65 Clear and Reasonable Warnings —
 Residential Rental Property

The Office of Environmental Health Hazard Assessment adopts these regulations to provide clarifying guidance to residential rental property businesses concerning how to comply with the warning requirements of Proposition 65 for exposures to listed chemicals at residential rental properties.

Title 27
 ADOPT: 25607.34, 25607.35
 Filed 03/12/2019
 Effective 07/01/2019
 Agency Contact: Monet Vela (916) 323-2517

File# 2019-0227-01
 OFFICE OF STATEWIDE HEALTH PLANNING
 AND DEVELOPMENT
 Conflict-of-Interest Code

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

Title 2
 AMEND: 35101
 Filed 03/07/2019
 Effective 04/06/2019
 Agency Contact: Beth Herse (916) 326-3610

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN October 10, 2018 TO
 March 13, 2019**

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

Title 2
 03/07/19 AMEND: 35101
 02/27/19 AMEND: 80225
 02/27/19 AMEND: 11087, 11095, 11097
 02/25/19 ADOPT: 18360.1, 18360.2
 02/21/19 ADOPT: 574
 02/20/19 AMEND: 18702.2
 02/13/19 AMEND: 54700
 01/31/19 ADOPT: 59840
 01/24/19 AMEND: 1859.194, 1859.196
 01/22/19 AMEND: 1859.51(e)
 01/14/19 AMEND: 18756
 01/07/19 AMEND: 60802, 60803, 60807, 60808, 60824, 60825, 60827, 60831, 60832, 60833, 60835, 60840, 60842, 60843, 60844, 60845, 60846, 60847, 60848, 60849, 60850, 60851, 60852, 60853, 60854, 60855, 60856, 60858, 60860, 60861, 60863, 61120
 12/18/18 AMEND: 1859.76
 12/14/18 ADOPT: 1860, 1860.1, 1860.2, 1860.3, 1860.4, 1860.5, 1860.6, 1860.7, 1860.8, 1860.9, 1860.10, 1860.10.1, 1860.10.2, 1860.10.3, 1860.11, 1860.12, 1860.13, 1860.14, 1860.15, 1860.16, 1860.17, 1860.18, 1860.19, 1860.20, 1860.21
 12/12/18 AMEND: 2970
 12/12/18 AMEND: 18545, 18700, 18730, 18940.2
 12/05/18 REPEAL: 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445
 12/04/18 AMEND: 1897
 11/29/18 ADOPT: 1896.83, 1896.85 AMEND: 1896.60, 1896.61, 1896.62, 1896.70,

CALIFORNIA REGULATORY NOTICE REGISTER 2019, VOLUME NO. 12-Z

	1896.71, 1896.72, 1896.73, 1896.74, 1896.75, 1896.76, 1896.77, 1896.78, 1896.81, 1896.82, 1896.84, 1896.88, 1896.90, 1896.91, 1896.92, 1896.95, 1896.96, 1896.97		10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14
11/27/18	AMEND: 1897		
11/08/18	ADOPT: 1896.13 AMEND: 1896.4, 1896.12, 1896.17	12/12/18	ADOPT: 10200, 10200.1, 10200.2, 10200.3, 10200.4, 10200.5, 10200.6, 10200.7
10/29/18	AMEND: 1896.99.100, 1896.99.120	11/26/18	ADOPT: 7313, 7314, 7315, 7316, 7317, 7318, 7319, 7319.1, 7320, 7321, 7322, 7323, 7324, 7325, 7325.1, 7326, 7327, 7328, 7329
10/22/18	ADOPT: 18215.4	11/26/18	ADOPT: 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429
10/11/18	AMEND: 1859.51(e)		
Title 3			
03/13/19	AMEND: 3591.2	11/20/18	AMEND: 1632
03/06/19	AMEND: 3601	11/20/18	AMEND: 1843.3
02/28/19	ADOPT: 4920	11/20/18	AMEND: 8078.3, 8078.15
02/21/19	AMEND: 3591.2	11/19/18	ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229
02/20/19	AMEND: 3591.2		
02/04/19	AMEND: 1180.3.1	11/02/18	AMEND: 8078.8, 8078.10
01/30/19	AMEND: 6860	10/31/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071
01/17/19	REPEAL: 1305.00, 1305.01, 1305.02, 1305.03, 1305.04, 1305.06, 1305.07, 1305.08, 1305.09, 1305.10, 1305.11, 1305.12	10/18/18	AMEND: 1843.2
01/16/19	ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608, 8609	10/18/18	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.14
01/07/19	AMEND: 3439	Title 5	
12/18/18	ADOPT: 4921	03/07/19	AMEND: 80048.8, 80048.8.1, 80413, 80523
11/29/18	AMEND: 3899	02/21/19	AMEND: 19810
11/06/18	AMEND: 3435(b)	02/19/19	REPEAL: 1200, 1202, 1203, 1204, 1204.5, 1205, 1206, 1207, 1207.1, 1207.5, 1208, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1216.1, 1217, 1218, 1218.6, 1219, 1220, 1225
Title 4			
03/12/19	ADOPT: 1842.1 AMEND: 1588	02/15/19	AMEND: 55200, 55202, 55204, 55206, 55208
02/20/19	AMEND: 1843.2	02/15/19	AMEND: 55800
02/07/19	AMEND: 10315, 10317, 10322, 10325, 10326, 10327, 10328, 10335, 10337	01/31/19	AMEND: 850, 854.1, 854.2, 854.3, 854.4, 859, 862, 863
01/22/19	AMEND: 1374, 1374.3	12/31/18	AMEND: 11517.6, 11518, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.70, 11518.75, 11519.5
01/16/19	ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229	12/05/18	AMEND: 19810
01/16/19	AMEND: 5000, 5033, 5060, 5100, 5170, 5260, 5350, 5450, 5500, 5540, 5600 REPEAL: 5361, 5362, 5363, 5380, 5560, 5570, 5571, 5572, 5573, 5580, 5590	10/22/18	ADOPT: 20236 AMEND: 20101, 20105, 20107, 20116, 20118, 20122, 20123, 20124, 20125, 20127, 20130, 20134, 20135, 20136, 20140, 20180, 20185, 20190, 20203, 20205, 20235 REPEAL: 20119, 20158, 20125, 20216, 20217, 20251, 20251, 20255, 20251, 20260, 20265
01/02/19	AMEND: 12200, 12201, 12220, 12221	10/17/18	AMEND: 18600
12/17/18	ADOPT: 10092.1, 10092.2, 10092.3 10092.4, 10092.5, 10092.6, 10092.7,		

Title 8

03/05/19 AMEND: 3999(b)
 02/28/19 AMEND: 3295
 02/14/19 AMEND: 9789.39
 02/06/19 AMEND: 3389
 01/07/19 AMEND: 11140
 01/03/19 AMEND: 336
 12/26/18 AMEND: 9789.19
 11/26/18 AMEND: 9789.25
 11/15/18 AMEND: 344, 344.1, 344.2
 11/06/18 ADOPT: 9789.19.1 AMEND: 9789.12.1,
 9789.12.2, 9789.12.6, 9789.12.8,
 9789.12.12, 9789.12.13, 9789.13.2,
 9789.16.1, 9789.16.7, 9789.18.1,
 9789.18.2, 9789.18.3, 9789.18.11,
 9789.19
 11/01/18 AMEND: 14300.35, 14300.41
 10/30/18 ADOPT: 9792.24.5 AMEND: 9792.22
 10/10/18 AMEND: 344.18

Title 9

02/05/19 AMEND: 4350
 01/15/19 ADOPT: 4011, 4012, 4013, 4014,
 4014.1, 4015

Title 10

03/07/19 ADOPT: 2915
 02/20/19 AMEND: 3500, 3576, 3577, 3721
 01/14/19 AMEND: 2318.6, 2353.1, 2354
 01/14/19 AMEND: 2318.6
 12/31/18 AMEND: 2632.5, 2632.11
 12/26/18 ADOPT: 2238.10, 2238.11, 2238.12
 11/29/18 ADOPT: 2509.80, 2509.81, 2509.82
 11/27/18 AMEND: 3704
 11/20/18 AMEND: 8000, 8030
 11/19/18 ADOPT: 10000, 10001, 10002, 10003,
 10004, 10005, 10006, 10007

Title 11

02/06/19 AMEND: 1008
 02/04/19 AMEND: 1009
 01/25/19 AMEND: 999.12 REPEAL: 999.13
 01/08/19 ADOPT: 5460
 12/31/18 AMEND: 2084, 2086, 2088, 2089, 2090,
 2092, 2095, 2107
 12/28/18 AMEND: 5505, 5507, 5509, 5510, 5511,
 5513, 5514, 5516, 5517
 10/24/18 AMEND: 1953, 1955

Title 12

01/08/19 ADOPT: 182.02, 182.03 AMEND:
 182.01, 182.02 (renumbered to 182.04)
 01/03/19 AMEND: 553.70
 11/07/18 AMEND: 505.2

Title 13

03/06/19 AMEND: 1152.3
 02/21/19 AMEND: 17.02
 01/28/19 AMEND: 20.05

01/16/19 AMEND: 550, 551.8, 551.12, 590
 01/08/19 ADOPT: 182.02, 182.03 AMEND:
 182.01, 182.02 (renumbered to 182.04)
 01/03/19 AMEND: 553.70
 12/26/18 AMEND: 2025
 12/26/18 AMEND: 1152.7, 1152.7.1
 12/20/18 ADOPT: 1217.2, 1263.2
 12/12/18 AMEND: 1961.2, 1961.3
 12/04/18 ADOPT: 425.01
 11/29/18 AMEND: 17.00
 11/27/18 AMEND: 1157.21
 10/22/18 AMEND: 551.14, 551.24, 555.1, 584
 10/18/18 AMEND: 551.12
 10/10/18 AMEND: Appendix (Article 2.0)

Title 13, 17

02/25/19 AMEND: title 13: 2452, 2461.1; title 17:
 93116.3
 02/07/19 AMEND: Title 13: 1956.8, 1961.2, 1965,
 2036, 2037, 2065, 2112, 2141, Title 17:
 95300, 95301, 95302, 95303, 95304,
 95305, 95306, 95307, 95311, 95662,
 95663
 01/04/19 ADOPT: title 17: 95483.2, 95483.3,
 95486.1, 95486.2, 95488, 95488.1,
 95488.2, 95488.3, 95488.4, 95488.5,
 95488.6, 95488.7, 95488.8, 95488.9,
 95488.10, 95490, 95491.1, 95500,
 95501, 95502, 95503 AMEND: title 13:
 2293.6; title 17: 95481, 95482, 95483,
 95483.1, 95484, 95485, 95486, 95487,
 95489, 95491, 95492, 95493, 95494,
 95495 REPEAL: title 17: 95483.2,
 95488, 95496

Title 14

03/07/19 ADOPT: 29.06
 03/05/19 ADOPT: 18660.47, 18660.48, 18660.49,
 18660.50, 18660.51 AMEND: 18660.5,
 18660.20
 02/28/19 AMEND: 7.50
 02/26/19 AMEND: 670.2
 02/26/19 AMEND: 107, 174, 176, Appendix A
 (Div. 1, Subd. 1, Ch. 9)
 02/26/19 AMEND: 29.15
 02/25/19 AMEND: 1.53, 1.74, 5.00
 02/19/19 ADOPT: 1038.6
 02/19/19 ADOPT: 1038.1, 1038.2, 1038.3, 1038.4,
 1038.5 AMEND: 1038, 1038.3
 [renumbered to 1038.9] REPEAL:
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02/06/19 ADOPT: 1720.1, 1724.5, 1724.7.1,
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 4970.06.2, 4970.06.3, 4970.07.2,
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12/13/18 AMEND: 2975

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11/28/18 ADOPT: 716 AMEND: 300

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11/06/18 AMEND: 3010, 3011, 3012, 3013, 3015

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03/05/19 AMEND: 3269.1, 3315

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01/28/19 AMEND: 8004.1

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01/07/19 AMEND: 3999.98, 3999.200

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 10/30/18 ADOPT: 3329.5
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 10/22/18 ADOPT: 2150, 2151, 2152, 2153, 2154,
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- 10/22/18 ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84 AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75 REPEAL: 66273.90, 66273.91, 66273.100, 66273.101
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- 01/15/19 ADOPT: 35064 AMEND: 31-002, 35000, 35001, 35129, 35129.1, 35152.1, 35152.2, 35177, 35179, 35181, 35183, 35211, 35215, 35315
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- 11/29/18 ADOPT: 335, 335.2, 335.4, 335.6 [renumbered to 335.16], 335.8 [renumbered from 335.12(a)], 335.10 [renumbered to 335.12], 335.12 [335.12(a) renumbered to 335.8; 335.12(b)-(c) renumbered to 335.6], 335.14 [renumbered to 335.10], 335.16 [renumbered to 335.14], 335.18, 335.20 AMEND: 310
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- 02/28/19 REPEAL: 6200, 6201, 6202, 6203
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- 03/12/19 ADOPT: 25607.34, 25607.35
- 03/11/19 AMEND: 25805
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- 02/06/19 AMEND: 41-440, 42-711, 42-716, 42-717, 44-207
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