



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

TITLE 2. CALIFORNIA DEPARTMENT OF HUMAN RESOURCES
Dependent Verification and Re-Verification — Notice File No. Z2019-0402-03 555

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION
Gifts: Agency Provided Tickets or Passes, Valuation — Notice File No. Z2019-0402-05 557

TITLE 2. STATE ALLOCATION BOARD
Full-Day Kindergarten Facilities Grant Program — Notice File No. Z2019-0402-01 559

TITLE 13. DEPARTMENT OF MOTOR VEHICLES
Autonomous Vehicles — Motortrucks — Notice File No. Z2019-0402-02 568

TITLE 16. BOARD OF PHARMACY
Remote Dispensing Pharmacy Technicians — Notice File No. Z2019-0402-04 571

GENERAL PUBLIC INTEREST

DEPARTMENT OF PUBLIC HEALTH
Notice of Preventive Health and Health Services Block Grant (PHHSBG) Advisory Committee Input on Allocation of Anticipated Funding for Federal Fiscal Year (FFY) 2019 574

FISH AND GAME COMMISSION
Notice of Receipt of San Bernardino Kangaroo Rat Petition 575

(Continued on next page)

Time-Dated Material

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	575
Sections Filed, October 31, 2018 to April 3, 2019	578

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. CALIFORNIA DEPARTMENT
OF HUMAN RESOURCES**

The California Department of Human Resources (CalHR) proposes to amend the regulation described below after considering all comments, objections, and recommendations.

I. PUBLIC HEARING

CalHR has not scheduled a public hearing on this proposed action. However, CalHR 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.

II. WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to CalHR. Comments may also be submitted by facsimile (FAX) at 916-322-3769 or by e-mail to scott.morrison@calhr.ca.gov. The written comment period closes at 12:00 a.m. on May 28th, 2019. CalHR will consider only comments received at CalHR's office by that time. Submit comments to the following address:

Scott Morrison Jr., Health Policy Analyst
California Department of Human Resources
1515 'S' Street, North Building, Suite 500
Sacramento, CA 95811

III. AUTHORITY AND REFERENCE

Government Code sections 18502, 19815.4, and 22843.1 authorize CalHR to amend the regulation. The proposed amendment interprets and makes specific Government Code section 22843.1.

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

Government Code section 19815.4, subdivision (d) authorizes the California Department of Human Resources (CalHR) to promulgate regulations pertaining to state employee salaries, hours, and other personnel-related matters. In particular, Government Code section 22843.1 gives CalHR the authority to establish standards for verifying that the family members of state employees and annuitants are eligible for state-sponsored health benefits.

The proposed amendment to the regulation would further clarify the requirement in Government Code section 22843.1 requiring state agencies to re-verify, at least once every three years, that the family members (dependents) of state employees and annuitants enrolled for state-sponsored health benefits remain eligible. The amended regulation would: account for the change in employee/dependent notification requirements; specify the employee's responsibility of notifying the employing office of any permitting events that may change a dependent's eligibility; specify that any marriage certificate submitted must be issued by government entity.

**V. EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS**

CalHR evaluated whether or not the proposed amendment is inconsistent or incompatible with existing state regulations. These are the only regulations concerning Dependent Re-Verification. Therefore, the proposed amendment is not inconsistent nor incompatible with other existing state regulations.

**VI. ANTICIPATED BENEFITS FROM THIS
PROPOSED REGULATION**

This amendment to existing regulation would assist departmental HR offices in conforming to new guidelines issued by the Public Employees' Retirement System (CalPERS), regarding employee notification timelines, as well as conforming to new employee due dates for submitting appropriate re-verification documents. It would also assist departmental HR offices in enforcing what types of documents are acceptable for re-verification purposes, thus lessening employee confusion and frustration.

**VII. DISCLOSURES REGARDING THE
PROPOSED ACTION**

CalHR has made the following initial determinations:

1. Mandate on local agencies and school districts: None.
2. Cost or savings to any state agency: The current regulation does not have any fiscal impact on state agencies, local government, or private sector business. The proposed amendment would not change this assessment.
3. Cost to any local agency or school district, which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
4. Other nondiscretionary cost or savings imposed on local agencies: None.
5. Cost or savings in federal funding to the state: None.
6. Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.
7. Cost impacts on representative private person or businesses: CalHR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
8. Results of the Economic Impact Assessment/Analysis:
 Adoption of these regulations will not:
 - a. Create or eliminate jobs within California;
 - b. Create new businesses or eliminate existing businesses within California; or
 - c. Affect the expansion of businesses currently doing business within California.
 Adoption of these regulations will:
 - d. Positively affect the processing efficiency of the employing office, as well as reduce confusion for employees re-verifying their dependents.
9. Significant effect on housing costs: None.
10. Small Business Impact: The proposed regulation amendment has no significant adverse economic impact on small businesses. This only regulates the internal process by which the state HR departments shall ensure only those who are truly qualified dependents of active employees are receiving benefits, and does not extend in any way to private businesses or the general public.

VIII. CONSIDERATION OF ALTERNATIVES

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

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

IX. CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Scott Morrison Jr., Health Policy Analyst
 California Department of Human Resources
 1515 'S' Street, North Building, Suite 500
 Sacramento, CA 95811
 Telephone: 916-322-3657
 E-mail: scott.morrison@calhr.ca.gov

The backup contact person for these inquiries is:

Jodi Lefebre, Legislative Coordinator
 California Department of Human Resources
 1515 'S' Street, North Building, Suite 500
 Sacramento, CA 95811
 Telephone: 916-324-1037
 E-mail: jodi.lefebvre@calhr.ca.gov

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 Scott Morrison Jr. at the above address.

X. AVAILABILITY OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

CalHR will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address during normal business hours. As of the date this notice is published, the rulemaking file consists of this notice, the proposed

text of the regulation, and the initial statement of reasons.

XI. AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, CalHR may adopt the proposed amendment to the regulation as described in this notice. If CalHR makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public, and will submit a copy to anyone who has submitted a written comment, for at least 15 days before CalHR adopts the regulation as revised. Please send requests for copies of any modified regulation to the attention of Scott Morrison Jr. at the address indicated above. CalHR will accept written comments on the modified regulation for 15 days after the date on which they are made available.

XII. AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Scott Morrison Jr. at the above address.

XIII. 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 can be accessed through our website at www.calhr.ca.gov.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it by the Political Reform Act (the Act)¹ by Section 83112 of the Government Code proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **May 16, 2019** at the offices of the San Diego City Hall, 202 C Street, Council Com-

mittee Room, San Diego, California 92101, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m.** on **May 14, 2019**. This notice is being provided as a re-notice to indicate a change in the date and location of the public hearing at which this regulation will be considered.

BACKGROUND/OVERVIEW

In an effort to reduce improper influences on public officials, the Political Reform Act regulates the receipt of gifts by public officials. The term “gift” is defined in Section 82028(a) as:

“Any payment that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status.”

Regulation 18944.1 provides two alternative methods by which an official may accept the types of tickets addressed herein: (1) the agency may treat the ticket as part of the official’s governmental salary, provided it is treated as such under applicable tax laws; or (2) the official may accept the ticket if there is a public purpose achieved through that official’s use of the ticket.

Regulation 18944.1 sets up a procedure for agencies that provide tickets to their officials that, if utilized, will establish for gift purposes that the official receiving the ticket has met the burden under Section 82028 that equal or greater value has been provided in exchange therefor. Accordingly, under this procedure, no gift will have been received by the official. An agency is free to make its own choice whether or not to adopt a policy conforming to the regulation or to treat the tickets as income or gifts to the official and not apply the regulation.

Tickets distributed under the policy, including tickets distributed at the behest of a public official, must be identified on a Form 802 and posted on the agency’s website to comply with this regulation. The form must be completed within 45 days of distribution of a ticket or pass. Where the distribution is made pursuant to the public purpose exception, that purpose must also be described on the form.

To help clarify Regulation 18944.1, staff proposes including language specifying that an agency’s ticket distribution policy must include a provision prohibiting the disproportionate use of tickets or passes by a member of the governing body, chief administrative officer of the agency, political appointee, or department head; as well as making clear that where the public

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All further statutory references are to the Government Code. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations (hereafter Regulation).

purpose cited for the use of tickets involves the oversight or inspection of facilities, the official must document the public purpose by submitting a written inspection report of findings and recommendations to be provided to the official's agency.

Staff also proposes further clarifying the definition of "face value" to "fair value" contained in Regulation 18946, changing a reference from "face value" to "fair value" in Regulation 18946.1, and updating a cross-reference to Regulation 18944.1 contained in Regulation 18942.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18944.1 by adding language requiring an agency's ticket distribution policy to include a provision prohibiting the disproportionate use of tickets or passes by the members of the agency's governing board or chief administrative officer, as well requiring a written inspection report that includes findings and recommendations where the public purpose cited for the use of tickets involves the oversight or inspection of facilities. The amendments also include the removal of some redundant language from the definition of "ticket."

Amend 2 Cal. Code Regs. Section 18946 by changing the term "face value" to "fair value" and adding language clarifying the definition of "fair value" as it pertains to the valuation of tickets in a luxury box or suite.

Amend 2 Cal. Code Regs. Section 18946.1 by changing the term "face value" to "fair value."

Amend 2 Cal. Code Regs. Section 18942 by changing a cross reference from Regulation 18944.1, subdivision (f) to subdivision (d).

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or any related issues. The Commission must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISCAL IMPACT STATEMENT

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

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

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

The adoption of the proposed amendments: (1) will not impose a cost or savings on any state agency, 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; (2) will not result in any nondiscretionary cost or savings to local agencies; (3) will not result in any cost or savings in federal funding to the state; (4) will not impose a mandate on local agencies or school districts; and (5) will not have any potential cost impact on private persons or businesses including small businesses.

AUTHORITY

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

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Section 82028.

CONTACT

Any inquiries should be made to Zachary W. Norton, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

TITLE 2. STATE ALLOCATION BOARD

THE STATE ALLOCATION BOARD PROPOSES TO ADOPT REGULATION SECTIONS 1860 THROUGH 1860.21, INCLUDING ASSOCIATED FORMS AND GRANT AGREEMENT, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO THE FULL-DAY KINDERGARTEN FACILITIES GRANT PROGRAM

REGULATION SECTIONS PROPOSED FOR ADOPTION

- 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, and 1860.21

FORMS PROPOSED FOR ADOPTION

- *Application for Funding*, Form SAB 70-01 (New 10/18), referenced in Regulation Section 1860.2
- *Fund Release Authorization*, Form SAB 70-02 (New 10/18), referenced in Regulation Section 1860.2
- *Expenditure Report*, Form SAB 70-03 (New 10/18), referenced in Regulation Section 1860.2
- *Grant Agreement*, (New 10/18), referenced in Regulation Section 1860.2

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt the above-referenced regulation sections, including associated forms and grant agreement, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to adopt the above-referenced regulation sections under the authority provided by

Sections 17280, 17375, 17375(a), 17375(b), 17375(b)(2), 17375(b)(2)(A), 17375(b)(3), 17375(c), 17375(e), 17375(f), 17375(g), 17375(h) of the Education Code; 16304 and 16304.1 of the Government Code. The proposals interpret and make specific reference Sections 8973, 17070.15, 17072.10(b), 17072.10(d), 17072.10(e), 17074.10(e), 17075.10, 17280, 17375, 17375(a), 17375(b), 17375(b)(2), 17375(b)(2)(A), 17375(b)(2)(B), 17375(b)(3), 17375(c), 17375(d), 17375(e), 17375(f), 17375(g), 17375(h), 41024, and 42238.01 of the Education Code; 1771.3 and 1771.5, Labor Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

Assembly Bill (AB) 1808, Chapter 32, Statutes of 2018 (Committee on Budget, Education Finance: Education Omnibus Trailer Bill), established the Full-Day Kindergarten Facilities Grant Program (FDKFGP). The FDKFGP allows school districts that lack the facilities to provide full-day kindergarten to apply for one-time grants to construct new school facilities or retrofit existing school facilities for the sole purpose of providing full-day kindergarten classrooms. At its meeting on October 24, 2018, the SAB adopted regulations on an emergency basis to implement the FDKFGP. The emergency regulations were approved by the Office of Administrative Law and filed with the Secretary of State on December 14, 2018.

Funds Impacted

- General Fund appropriation in the amount of \$100,000,000

Attached to this Notice is the specific regulatory language of the proposed emergency regulations, including three forms. The *Grant Agreement* will not be included because the document is very large. However, the proposed regulations, forms and the *Grant Agreement* will be accessible and can be reviewed on OPSC's website at: <https://www.dgs.ca.gov/OPSC/Resources> and scroll down to Laws and Regulations for State Allocation Board-Administered Programs. Copies of the proposed regulations, forms and *Grant Agreement* will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations implement the FDKFGP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.8, Regulations relating to the Full-Day Kindergarten Facilities Grant Program.

Background and Problem Being Resolved

In a recent survey performed by the California Department of Education (CDE), school districts cited

lack of facilities as the main reason for not offering full-day kindergarten instruction. AB 1808, the Education Finance: Education Omnibus Trailer Bill was approved by the Governor and chaptered June 27, 2018. This bill appropriated \$100,000,000 from the General Fund for the 2018/2019 fiscal year to the SAB to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms. A “full-day kindergarten classroom,” for the purposes of this bill, must satisfy the design requirements required for new kindergarten classrooms as specified in paragraph (2) of subdivision (h) of Section 14030 of Title 5 of the California Code of Regulations.

OPSC, on behalf of the SAB, conducted three stakeholder meetings to develop and refine the criteria for providing grants to school districts under the FDKFGP. Proposed FDKFGP projects must increase the number of kindergarten classrooms meeting current kindergarten design requirements at the site by either the addition of a classroom(s) to an existing school site or by retrofitting an existing facility that is not currently designed as a kindergarten classroom. This is a self-certification program and the projects must provide classrooms to house existing kindergarten students, not add capacity to bring new students to the school site.

OPSC performed a search on whether the proposed regulations were consistent and compatible with existing State laws and regulations. After performing the search, OPSC, on behalf of the SAB, has determined that AB 1808, Chapter 32, Education Finance: Education Omnibus Trailer Bill, was created because there are no other programs or regulations that address the lack of kindergarten facilities. Therefore, the proposed regulations are determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the FDKFGP regulations, the three forms and the grant agreement templates, will enhance applicants’ awareness when partnering with the State while defining the responsibilities of funding applicant projects. This will ensure program oversight and expenditure accountability.

Anticipated Benefits of the Proposed Regulations

The proposed regulations promote the State’s general welfare, including protection of public health and safety, by assisting in increasing the State’s infrastructure investment of school facilities. The proposed regulations also promote fairness and/or social equity by providing one-time general fund funding to those school districts that may be able to construct new facilities or retrofit existing facilities in an effort to provide kindergarten facilities.

Many aspects of the FDKFGP are based on similarities in the Leroy F. Greene School Facilities Act of 1998

(School Facility Program), such as state share/district share funding of projects, Financial Hardship, site acquisition guidelines, etc. just to name a few. The School Facility Program is a \$42 billion voter-approved school facilities construction program. Although the FDKFGP is not the primary school facilities construction program, it does provide funding dedicated to construction of new facilities and/or retrofit of existing facilities for kindergarten classrooms only.

The proposed regulations are therefore determined to be consistent and compatible with existing State laws and regulations. As stated above, OPSC performed a search on whether the proposed regulations were consistent and compatible with existing State laws and regulations. After performing the search, OPSC, on behalf of the SAB, has determined that AB 1808, Chapter 32, Education Finance: Education Omnibus Trailer Bill, was created because there are no other programs or regulations that address the lack of kindergarten facilities. Therefore, the proposed regulations are determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the FDKFGP regulations, the three forms and the grant agreement templates, will enhance applicants’ awareness when partnering with the State while defining the responsibilities of funding applicant projects. This will ensure program oversight and expenditure accountability.

These proposed regulations may have a positive impact to various business, manufacturing, and construction-related industries such as architecture, engineering, trades and municipalities, along with the creation of an unknown amount of jobs. The proposed regulations may also provide a positive impact to the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

Summary of the Proposed Regulatory Amendments

A summary of the proposed regulations is as follows:

Proposed adoption of Regulation Section 1860 states the purpose of the regulations, which is to implement the FDKFGP. Full-day kindergarten is defined in Education Code Section 8973, which specifies that full-day kindergarten instruction exceeds four hours but does not exceed the length of the primary school day and that full-day kindergarten instruction must provide appropriate educational instruction composed of both active and quiet activities.

Proposed adoption of Regulation Section 1860.1 charges the Director of General Services with providing assistance to the SAB as necessary, pursuant to Government Code Section 15490(c). This Section also charges the Director, or his or her legal designee, with perform-

ing all acts necessary to implement the program whenever possible. This allows OPSC, as staff to the Director, to assist in the implementation of the program.

Proposed adoption of Regulation Section 1860.2 represents a set of defined words and terms used exclusively for these regulations. These definitions provide clarity to OPSC and school districts on program concepts and requirements.

Proposed adoption of Regulation Section 1860.3 sets forth general requirements that all school districts seeking program funding must meet. Specifically, participating school districts are required to complete and file with OPSC the Form SAB 70-01, *Application for Funding* (which is incorporated by reference), and all required documents as identified in the Specific Instructions section of the Form SAB 70-01. This regulation also specifies that school districts may only apply for program funding for a project that entered into a construction contract on or after the program start date, June 27, 2018.

Proposed adoption of Regulation Section 1860.4 provides general funding guidelines for the program that apply to all school districts that participate in the program. Government Code Section 16304 states in part that all program funds must be encumbered by the SAB by June 30, 2021. The Program will not operate beyond 2021 as no additional General Fund dollars will be appropriated for purposes of the Program. This Section clarifies that any funds returned prior to this date will be returned to the program account, while funds returned after this date will be returned to the General Fund.

Proposed adoption of Regulation Section 1860.5 sets forth several criteria that all school districts must meet in order to apply for program funding. School districts will be required to provide a school board resolution providing approval to provide full-day kindergarten instruction at the project school site at completion of the project, pursuant to Education Code Section 8973. Additionally, school districts will be required to prove that they currently lack full-day kindergarten facilities, which is defined as the project site having an existing kindergarten pupil population that exceeds the current state loading standard of 25 kindergarten pupils per kindergarten classroom. Statute does not provide the SAB the ability to provide funding for classrooms for projected kindergarten students. This Section also requires school districts to provide a description of the proposed project that contains certain criteria. OPSC will use this information in order to determine if the school district is eligible to receive program funding and, if so, for what types of funding the school district will qualify.

Proposed adoption of Regulation Section 1860.6 sets forth the application submittal process, which authorizes the SAB to establish two 30-calendar day funding

rounds for school districts to request apportionments of available program funds. The first funding round would begin January 2, 2019 and end January 31, 2019. The second funding round would begin May 1, 2019 and end May 30, 2019. A two-round system will allow the SAB to promptly expend the funds by the statute driven deadline of June 30, 2021. Any applications that do not receive an apportionment during each round will be returned to the school district. The two-round system will also provide more time for school districts to plan and prepare a project submittal so as to encourage full participation in the program. School districts that do not receive funding in the first round may apply again in the second round.

Proposed adoption of Regulation Section 1860.7 specifies the type of applications that school districts may submit. As stated in Education Code Section 17375(a), school districts may apply for new construction and/or retrofit funding for the purposes of providing full-day kindergarten classrooms. School districts may apply for funding with or without an advance release of funds. The Section specifies that in order to receive a grant without an advance release of funds, school districts must have received Division of the State Architect (DSA) and CDE final plan approval along with several additional criteria if the district is applying for a new construction grant that includes site acquisition. Grant requests with an advance release of funds for design and/or site acquisition costs will enable school districts that are lacking the required documentation and approvals to participate in the program and begin their project.

Proposed adoption of Regulation Section 1860.8 specifies that school districts must hold title to the real property where the proposed facilities are or will be located. Education Code Section 17375 does not provide the SAB the explicit ability to provide funding to school districts if their proposed projects are located on land, such as leased land, other than district-owned land.

Proposed adoption of Regulation Section 1860.9 sets forth the determination for a new construction apportionment. The applications that are funded with 2018 grant amounts will be determined at \$11,567 for each elementary school student. The per-pupil grant is determined by the School Facility Program (SFP) Regulations as stipulated in Education Code Section 17375(d). Applications that request, and the project includes, an automatic fire detection and alarm system will get an increase of \$14 per elementary school student, and applications that request an automatic sprinkler system will get an increase of \$194 per elementary school student. These grants are also provided by the SFP Regulations as stipulated in Education Code Section 17074.50. If a school district would like assistance with costs associated with site development, such as service site, off-site,

utilities, and/or general site, they may request it on the Form SAB 70-01, *Application for Funding*. If approved for a site development grant, the school district will be awarded an additional 35 percent of the base grant. The site development increase of 35 percent was determined by an historical average of site development grants allocated to projects in the SFP. If a school district would like assistance with costs associated with multilevel construction, they may request it on the Form SAB 70-01, *Application for Funding*. If approved for multilevel construction, the school district will be awarded 12 percent of the base grant. The 12 percent of the base grant for multilevel construction is identical to that for new construction projects in the SFP. Small school districts will be awarded \$7,074 for the cost necessary for project assistance, if eligible, as determined in Education Code Section 17072.10(e). Project assistance is intended for costs associated with preparation and submission of FDKFGP funding applications. This Section also sets forth the process by which new construction grant funding will be determined. Education Code Section 17375(d) requires the SAB to allocate funds using the same maximum grant eligibility amounts that are used in the SFP Regulations, as set forth in Education Code Sections 17072.10 and 17072.11. Just like in the SFP, the grant amounts, excluding grants for site development and for multilevel construction, will be adjusted annually based on the change in the Class B Construction Cost Index, which is approved every January by the SAB.

Proposed adoption of Regulation Section 1860.10 sets forth the process by which the amount for an additional grant for site acquisition will be determined. Education Code Section 17375(f) authorizes the SAB to allocate funding necessary to acquire property adjacent to the existing school site. The Site acquisition funding determination for FDKFGP projects is similar to what is used in the SFP Regulations. This Section specifies that the SAB will provide additional funding for site acquisition with the amount being the lesser of one half of the actual cost of the site or one half of the appraised value of the site acquired adjacent to an existing school site. Additionally, this Section specifies that the amount of acreage eligible for site acquisition funding for the FDKFGP will be reduced, on a prorated basis, by the percentage of the excess acreage of the site that exceeds the eligible acreage allowed for a kindergarten classroom project (0.3 acres) pursuant to Title 5, California Code of Regulations, Section 14010(a).

Proposed adoption of Regulation Section 1860.10.1 explains the requirements necessary for school districts to meet in order to obtain additional new construction funding for site acquisition costs. Specifically, school districts will have to certify on the Form SAB 70-01, *Application for Funding*, that the appraisal of the prop-

erty to be acquired will be appraised in as-is condition. This requirement must be met, but there are exceptions such as the site being appraised as if it were a clean site, safe of all toxic contaminants in compliance with appropriate guidelines and laws and if the site valuation included only proposed site improvements associated with grading the site to certain conditions specified in this section. School districts must also verify that consideration was made for net useable acreage and severance damages, appraisal services have been contracted, and that the appraisal complies with appropriate practices. These site acquisition guidelines are similar to those in the SFP.

Proposed adoption of Regulation Section 1860.10.2 sets forth the process of allocating a new construction additional grant for hazardous waste removal costs on an acquired site. Statute authorizes the SAB to allocate funding necessary to remove hazardous substances at a new school site. This Section determines that the grant amount will not be greater than 50 percent of one and one half times the value of the appraisal. However, exceptions to this grant calculation will be made for relocation costs and site other costs. The process for determining funding for hazardous waste removal costs on an acquired site is similar to the process used in the SFP Regulations. The main difference between the two is that the funding for the costs described in this section will be reduced on a prorated basis, as with the site acquisition grant.

Proposed adoption of Regulation Section 1860.10.3 sets forth the process of allocating a new construction additional grant for hazardous waste removal costs required on an existing school site by the Department of Toxic Substances Control (DTSC). Statute authorizes the SAB to allocate funding necessary to remove hazardous substances at an existing school site. This Section provides that school districts may only receive this additional funding if they are not requesting site acquisition funding and if their project will be adding facilities on an existing and functioning school site. This Section also specifies that funding for these costs will be equal to one half of the costs for preparation of the Phase One Environmental Site Assessment (POESA), the Preliminary Endangerment Assessment (PEA), and the Response Action (RA) as well as the costs to implement the RA. The process for determining funding for hazardous waste removal costs required on an existing school site mirrors the same process used in the SFP Regulations.

Proposed adoption of Regulation Section 1860.11 specifies the matching share requirement for school districts applying for a new construction grant. With the exception of school districts that receive financial hardship funding, school districts that apply for a new construction grant must provide 50 percent and the state

will provide 50 percent, pursuant to Education Code 17375(b)(3).

Proposed adoption of Regulation Section 1860.12 sets forth the determination for a retrofit apportionment. The applications that are funded with 2018 grant amounts will be determined at \$4,404 for each elementary school student. The per-pupil grant is determined by the SFP Regulations as stipulated in Education Code Section 17375(d). Applications that request an automatic fire detection and alarm system will get an increase of \$143 per elementary student. These grants are also provided by the SFP Regulations as stipulated in Education Code Section 17074.50. If a school district would like assistance with costs associated with site development, such as service site, off-site, utilities, and/or general site, they may request it on the Form SAB 70-01, *Application for Funding*. If approved for a site development grant, the school district will be awarded 35 percent of the base grant. The site development increase of 35 percent was determined by an historical average of site development grants allocated to projects in the SFP. If a school district is retrofitting a 50-year-old or older building, they may request an increase of 15 percent to the base grant to help upgrade the existing 50-year-old utilities. The increase of 15 percent was determined by an historical average of 50-year-old utilities grants provided for modernizing 50-year-old or older buildings in the SFP. Small school districts will be awarded \$3,772 for the cost necessary for project assistance, if eligible, as determined in Education Code Section 17074.10(e). Project assistance is intended for costs associated with preparation and submission of FDKFGP funding applications. The grant amounts shall be adjusted annually based on the Class B Construction Cost Index, which is approved every January by the SAB, which is identical to the SFP.

Proposed adoption of Regulation Section 1860.13 specifies the matching share requirement for school districts applying for a retrofit grant. With the exception of school districts that receive financial hardship funding, school districts that apply for a retrofit grant must provide 40 percent and the state will provide 60 percent, pursuant to Education Code 17375(b)(3).

Proposed adoption of Regulation Section 1860.14 sets forth criteria for school districts applying for financial hardship, as allowed in Education Code Section 17375(b)(2)(A). If a school district is unable to meet the financial requirements for either all or a portion to match their share of the project with the state and can prove a financial hardship, then they may qualify for hardship assistance pursuant to Education Code Section 17075.10. This Section is identical to the financial hardship provisions as defined in the SFP Regulations. OPSC will review financial records of the school district to determine if the school district qualifies for fi-

nancial hardship. The analysis will include all capital facility accounts, including but not limited to developer fees, Certificates of Participation, federal grants, bond funds either encumbered, unencumbered or authorized but not sold, etc. Any funds that have not been encumbered, either through contracts or otherwise, will be considered available funds for the matching share.

After the initial request for financial hardship is granted, no further encumbrances will be approved by OPSC. The school district must make a reasonable effort to fund its matching share of the project by demonstrating it is levying the maximum developer fee justified under law or an alternative revenue source equal to or greater than the developer fee otherwise justified under law at the time of the request for financial hardship, and the school district meets at least one of these criteria: The school district's current outstanding bonded indebtedness is at least 60 percent of the school district's total bonding capacity; the school district had a successful registered voter bond election for at least the maximum amount allowed under Proposition 39, within the previous two years from the date of the request for financial hardship. The proceeds from the bond election must be used to fund the school district's matching share of the project; the school district at the time of the request for financial hardship has a total bonding capacity of \$5 million or less; the school district may be found to qualify for financial hardship if the SAB approves other reasonable evidence of financial hardship.

Once the school district has been notified by OPSC of the processing of the Form SAB 70-01, *Application for Funding*, the school district has 30 days to submit verification of financial hardship. If verification is not received by OPSC within 30 days of notification, the school district will be ineligible to receive a financial hardship grant and preference points.

Proposed adoption of Regulation Section 1860.15 specifies the funding priority based on a school district's preference points. Education Code Section 17375(b)(2) states that priority for FDKFGP grants will be given to school districts that qualify for financial hardship and/or that have a high population of pupils who are eligible for Free and Reduced-Price School Meals (FRPM). This Section creates a system of preference points in order to determine project funding order. A maximum of 80 preference points may be earned in each funding round for each school district. A school district's preference points will be calculated into two categories. Similar to the sliding scale currently used in the SFP for the Charter School Facilities Program, a sliding scale was created to determine the percentage of students a school district has eligible for FRPM. Points begin at four points for 60-65 percent of students eligible for FRMP, while 40 points will be earned if 100 percent of students within the school district qualify for

FRPM. If a school district has been qualified for financial hardship by OPSC and is unable to contribute a portion or all of its matching share, the school district earns 40 points. Once OPSC has determined school districts' approved applications, school districts will be placed in a preference order based on the preference points earned. School districts will be ordered from highest to lowest points (80 points to zero points). If sufficient funds are available in that funding round, then all approved applications will be funded. If the amount of funding requested is more than the amount allocated for that round, then OPSC will begin with the highest preference point school district and fund their first priority project as stated on the Form SAB 70-01, *Application for Funding*. If two or more school districts have the same amount of preference points, then they will be placed into a lottery. The first school district pulled will have their first priority project funded, and OPSC will continue to the next school district with the same number of preference points. If OPSC has funded all school districts' first priority projects and funding still remains in that funding round, then OPSC will go back to the highest preference point school district and fund their remaining projects. As stated above, if two or more school districts have the same amount of preference points, they are placed into a lottery to determine who will go first in the funding order. Using the same funding order determined in the lottery to fund a school district's first priority project with the same number of preference points, each school district's second and subsequent priority projects (as identified by the school district on their Form SAB 70-01, *Application for Funding*, with the same number of preference points will be funded until funds are exhausted. If funds are still available, funding will continue to the next highest school district(s) based on total preference points. If the Board does not have sufficient funding to fully fund a school district's project, that school district has the option to accept the partial funding as full and final. If the school district chooses to decline the partial funding, then OPSC may offer the partial funding to the next approved application in the preference order.

Proposed adoption of Regulation Section 1860.16 specifies the process in which funds will be released to school districts with SAB-approved applications. School districts that have none or only a portion of the supporting documents required for a full fund release, may indicate that they will need an advance for design or site acquisition. This advance of funds will help school districts move forward with their projects. If a school district is doing a new construction project with an advance release of funding, then they will receive 40 percent of the new construction base grant. If a school district is applying for a retrofit project, and they have none or only a portion of appropriate supporting docu-

mentation then they may apply for an advance release of funding of 25 percent of the base grant. These percentages are identical to those in the SFP Regulations for standard new construction and modernization projects. When a school district is requesting two percent for other site costs for site acquisition assistance, a grant agreement must be executed and received by OPSC. For funds other than two percent site other to be released for either site acquisition, design or site other, a grant agreement must be executed and received by OPSC.

OPSC must ensure that specific requirements have been met and those requirements are: the school district has entered into escrow for the site and the escrow must be valid, there has been a final appraisal of the site, the school district has either received contingent or final site approval from CDE, a valid Form SAB 70-02, *Fund Release Authorization*, has been received; for a new construction or retrofit project, all unreleased funds will be released once an executed full grant agreement has been received by OPSC, along with verification of these documents: the school district's applicable matching share has been deposited or expended by the school district for the project, with the exception of financial hardship projects which are exempt from this requirement (requirements for financial hardship may be found in 1860.14); the school district has entered into a binding contract(s) for the completion of the project; the plans and specifications for the project have been approved by DSA. If there has been site acquisition then a final appraisal of the site, the site received written final approval from CDE, and the school district has entered into escrow for the site. Finally, for all remaining funds to be released, all requirements above must be met, as well as a valid Form SAB 70-02, *Fund Release Authorization*, and grant agreement has been received by OPSC.

For school districts that request either a new construction or retrofit grant that did not request an advance release of funding, a valid Form SAB 70-02, *Fund Release Authorization*, must be submitted with all the required approvals within 180 days of apportionment. If a valid Form SAB 70-02, *Fund Release Authorization*, request is not submitted within 180 days, the apportionment will be rescinded. For school districts that receive an advance release of funding for either new construction or retrofit projects, a valid Form SAB 70-02, *Fund Release Authorization*, must be submitted to OPSC with 12 months of apportionment. If a valid Form SAB 70-02, *Fund Release Authorization*, is not received within 12 months, then the apportionment shall be rescinded and returned to the Program for reallocation. Subject to available funds, site acquisition grants shall be adjusted based on actual costs prior to the release of funds.

Proposed adoption of Regulation Section 1860.17 sets forth the requirement that an authorized school district representative must sign and submit a grant agreement prior to the release of any program funds. Education Code Section 17375(e) requires school districts who receive FDKFGP funding to execute and submit a grant agreement to OPSC before the release of any program funds.

Proposed adoption of Regulation Section 1860.18 sets forth reporting requirements that school districts receiving program funding must meet. A school district that has received funds in accordance with the program must submit an expenditure report at the completion of the project. School districts must submit a valid Form SAB 70-03, *Expenditure Report*. A project is considered complete when either of the following occurs: 1) When the notice of completion has been filed; all outstanding invoices, claims, and change orders have been satisfied and the facility is currently in use by the school district; or 2) One year from the final fund release. A final expenditure report shall be due one year after the first expenditure report. OPSC will use the information provided on this form to ensure that expenditures made by the school districts for their FDKFGP projects comply with statute and other applicable State requirements pertaining to construction.

Proposed adoption of Regulation Section 1860.19 specifies how remaining funding may be used after project completion. Project savings and unexpended funds are the different types of remaining funds from FDKFGP projects. School districts that are not financial hardship are able to expend their project savings, including interest, that are not needed for the FDKFGP project on other high priority capital facility needs of the school district. Any savings not expended within one year of project completion must be returned to the State. School districts that are financial hardship that have any unexpended funds from the FDKFGP project and that were not spent on eligible expenditures, must be returned to the State upon completion of the project. Any interest earned on State funds for financial hardship grant funding that is not expended on eligible project expenditures must be returned to the State to help reduce the financial hardship contribution for that project. A school district is only required to return unexpended funds up to the amount of the financial hardship grant provided by the SAB.

Proposed adoption of Regulation Section 1860.20 specifies the audit process and requirements that school districts who receive FDKFGP funding will be subject to, as required in Education Code Section 17375(h). Projects will be subjected to an audit conducted pursuant to Education Code Section 41024 to ensure the expenditures incurred by the school district were made in accordance with Education Code Section 17375.

School districts must retain all documents and records referring to the FDKFGP project and should be able to provide them if an auditor requests the documents. If an audit determines that funding was spent on ineligible expenditures, CDE shall ensure that the school district corrects the audit exception by implementing an equal penalty payment of funds.

Proposed adoption of Regulation Section 1860.21 sets forth the requirement for school districts receiving FDKFGP funds to certify that a restricted account within the school district's general fund has been established for the purpose of providing on-going and major repair of its facilities.

Proposed adoption of Form SAB 70-01, *Application for Funding* (which is incorporated by reference) will be used by school districts to apply for program funding. The form also serves as a certification from the district regarding compliance with requirements of the law and FDKFGP Regulations. School districts must submit this form during the funding rounds described in Regulation Section 1860.6. OPSC will use this form in order to collect the information necessary to calculate the amount of grants applicable to the project and to determine project funding order.

Proposed adoption of Form SAB 70-02, *Fund Release Authorization* (which is incorporated by reference) will be used by school districts to request the release of funds when projects have received an apportionment by the SAB. The applicant will certify on this form that it has already submitted the signed grant agreement, or the signed grant agreement is accompanying the Form SAB 70-02. After an FDKFGP apportionment has been made by the Board, OPSC will release the apportioned funds once the school district completes and submits this form to OPSC. School districts who receive grants without an advance release of funds must submit this form with all required approvals within 180 days of apportionment. School districts who receive grants with an advance release of funds must then submit this form with all required approvals within 12 months of apportionment.

Adoption of the proposed Form SAB 70-03, *Expenditure Report*, will be used by school districts to report their project savings and unexpended funds. Expenditure reports must be submitted within one year of final fund release or at the completion of the FDKFGP project. A final savings report must be submitted within one year of the completion of the project. Financial hardship projects must submit their unexpended funds at the completion of their project. OPSC will use the information provided on this form to ensure that expenditures made by the school districts for FDKFGP projects comply with statute and other applicable State requirements pertaining to construction.

Proposed adoption of the grant agreement template (which is incorporated by reference) includes sections relevant to the FDKFGP for new construction and retrofit funding. It is the intent that the grant agreement will be entered into for every funding application that is processed; therefore, each grant agreement will contain the relevant project information. The grant agreements serve as binding documents and key resources that define the responsibilities of the state and school districts from the determination of the amount eligible state funding to the reporting of all project funds, including any savings achieved. This will ensure greater transparency and accountability for the program grants being awarded under FDKFGP.

After conducting a review, the SAB has concluded that these are the only regulations on this subject area (construction of and/or retrofit of existing school facilities for the sole purpose of providing kindergarten classrooms), and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB's authority to enact regulations for the FDKFGP under Education Code Section 17373(g) and Government Code Section 15503.

Forms Incorporated by Reference

- *Application for Funding*, Form SAB 70-01 (New 10/18), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Fund Release Authorization*, Form SAB 70-02 (New 10/18), referenced in Regulation Section 1860.2 and is incorporated by reference.
- *Expenditure Report*, Form SAB 70-03 (New 10/18), referenced in Regulation Section 1860.2 and is incorporated by reference.
- *Grant Agreement* (New 10/18), referenced in Regulation Section 1860.2 and is incorporated by reference.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- The proposed regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The proposed regulations implement the FDKFGP, which allows school districts that lack the facilities to provide full-day kindergarten to apply for one-time grants to construct new school facilities or retrofit existing school facilities for the sole purpose of providing full-day kindergarten classrooms.

Many aspects of the FDKFGP are based on similarities in the Leroy F. Greene School Facilities Act of 1998 (School Facility Program), such as state share/district share funding of projects, Financial Hardship, site acquisition guidelines, etc. just to name a few. The School Facility Program is a \$42 billion voter-approved school facilities construction program. Although the FDKFGP is not the primary school facilities construction program, it does provide funding dedicated to construction of new facilities and/or retrofit of existing facilities for

kindergarten classrooms only. In making these statements, manufacturing and construction-related industries may be competing for construction jobs for both the FDKFGP and the School Facility Program because of funds apportioned to school districts from both programs. The funds will be released once the school districts submit the fund release form and associated grant agreement. It is anticipated that there will be a positive impact to the State's economy and the potential for job creation because school districts are able to utilize these funds right away for their construction projects.

Therefore, the proposed regulations will most likely have a positive effect on the State's economy, creation of jobs, creation of new businesses, and expansion of businesses, and will not eliminate jobs or eliminate existing businesses within California.

Benefits to Public Health and Welfare, Worker Safety, and the State's Environment

- The proposed regulations promote the State's general welfare, including protection of public health and safety, by assisting in increasing the State's infrastructure investment of school facilities.
- The proposed regulations also promote fairness and/or social equity by providing one-time general fund dollars to those school districts that may be able to construct new facilities or retrofit existing facilities in an effort to provide kindergarten facilities.
- There are benefits to health, safety, and welfare of California residents (school children and school faculty) because kindergarten facilities will be built stronger and safer.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts utilize construction and trades employees to work on school construction projects and although these proposed regulations do not directly impact worker safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship and training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code-compliant and safer for use by pupils, staff, and other occupants on the site.
- There is no impact to the State's environment from the proposed regulations.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)-(4) of Section 4, Title 1, CCR. Although the proposed regulations only apply to school districts for purposes of funding kindergarten classroom projects, the demand on the manufacturing and construction-related industries could potentially stimulate the creation of small businesses in these areas because of funds being released to school districts from both the FDKFGP and the School Facility Program.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at OPSC no later than May 27, 2019. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones,
Regulations Coordinator

Mailing Address: Office of Public School
Construction
707 Third Street, 6th Floor
West Sacramento, CA 95605

E-mail Address: Lisa.Jones@dgs.ca.gov

Fax No.: (916) 375-6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Lisa Jones at (916) 376-1753. If Ms. Jones is unavailable, these questions may be directed to the backup con-

tact person, Mr. Michael Watanabe, Chief of Administrative Services, at (916) 376-1646.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Web site at: <https://www.dgs.ca.gov/OPSC/Resources>,

scroll down to "Laws and Regulations for State Allocation Board-Administered Programs," then click on "SFP Pending Regulatory Changes."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, 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.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Sections 227.26 and 227.28 in Article 3.7, and Section 228.02 in Article 3.8, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to the testing of autonomous vehicles.

PUBLIC HEARING

A public hearing has been scheduled to provide interested parties an opportunity to provide statements, both oral and in writing, on this proposed regulatory action.

The department will hold the hearing beginning at 10:00 a.m. on Thursday, **May 30, 2019**, at the department's headquarters complex at 2415 First Avenue, Sacramento, California. The public hearing will be held in the Assembly Room, which is accessible to persons with disabilities. The Assembly Room is located in a secure area of the building so please check-in at the security station.

Parking near the hearing venue is limited, so please plan accordingly. The public hearing will conclude when all attendees who wish to comment have provided their comment. If necessary, the department reserves

the right to limit the length of time each participant has to comment.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., **May 27, 2019**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt these regulations under the authority granted by Vehicle Code sections 1651 and 38750, in order to implement, interpret, or make specific Vehicle Code sections 410 and 38750.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill 1298 (Chapter 570; Statutes of 2012) enacted Vehicle Code §38750 which requires the DMV to adopt regulations necessary to ensure the safe operation of autonomous vehicles on public roads, with or without the presence of a driver inside the vehicle. The department initially adopted regulations for the testing of autonomous vehicles that require the presence of a driver inside the vehicle in 2014. Currently there are 61 manufacturers testing autonomous vehicles with test drivers behind the wheel on public streets in California.

Subsequently, the department adopted regulations for the testing of autonomous vehicles that do not require the presence of a driver inside the vehicle and for the submission of an application to the department for the deployment of autonomous vehicles on public roads. For ease of reference the department refers to the operation of autonomous vehicles by members of the public as “deployment.” Currently there is one manufacturer that has received a permit to test autonomous vehicles that do not require the presence of a driver inside the vehicle.

Senate Bill 1298 did not restrict the testing or deployment of autonomous vehicles on public roads to vehicles capable of carrying passengers; however, Section 227.28 of the existing regulations specifies that certain vehicles shall not be approved for testing or deployment. One of the vehicle types excluded under Section

227.28 is motortrucks. As defined in Vehicle Code Section 410 a “motortruck” is “a motor vehicle designed, used, or maintained primarily for the transportation of property.” The department is amending Section 227.28 to include the testing or deployment of autonomous vehicles that can be classified as a motortruck with a gross vehicle weight rating of less than 10,001 pounds.

PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

California law, at Vehicle Code Section 410 defines a motortruck as “a motor vehicle designed, used, or maintained primarily for the transportation of property.” Current regulations at Section 227.28 (a)(5) specify that “Vehicles described in Vehicle Code sections 31309 and 34500” shall not be approved for testing or deployment on public roads. Subdivision (j) of Vehicle Code Section 34500 specifies that any motortruck “not specified in subdivisions (a) to (h), inclusive, or subdivision (k), that is regulated by the Department of Motor Vehicles, the Public Utilities Commission, or the United States Secretary of Transportation, is subject to regulation by the California Highway Patrol. Motortrucks delivering goods or products are subject to regulation by the DMV and are thus currently excluded from testing or deployment on public roads.

A motortruck with a gross vehicle weight rating of less than 10,001 pounds fits a business model that the Department of Motor Vehicles has observed gaining momentum. Due to the current restrictions on testing and deployment some manufacturers interested in developing autonomous motortrucks have been forced to move their testing operations to other states. Those manufacturers indicate an interest to test and initiate pilot programs involving autonomous motortrucks in California. The amendment proposed by the department will allow the testing and deployment of light duty autonomous vehicles to occur on public roads in California.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department has conducted a review of other state regulations and has concluded that these are the only regulations related to the process by which an automobile manufacturer or company may test the automated operation of motortruck. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

COMPARABLE FEDERAL STATUTES
OR STATE REGULATIONS

Motor vehicle safety standards are established by the National Highway Traffic Safety Administration; however, there are currently no comparable federal or state regulations related to the testing of automated motortrucks.

ECONOMIC AND FISCAL
IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* Other than the costs associated with securing the evidence of financial responsibility as required by Vehicle Code section 38750, and the costs of applying for a permit to test and deploy vehicles as specified in the regulations, the department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- *Small Business Impact:* This proposed action may impact small businesses.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* The department does not anticipate any significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposed action allows for the testing and deployment of automated motortrucks and is anticipated to benefit businesses in California.

RESULTS OF THE ECONOMIC
IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has determined that this action may impact the creation of jobs, the expansion of businesses currently doing business in California, and will likely provide an assurance of safety to the general public when technology manufacturers and researchers are developing and testing automated vehicle driving systems on public roadways. The department does not anticipate any impacts to the creation or elimination of existing businesses, to health and worker safety, or the state's environment.

PUBLIC DISCUSSIONS OF
PROPOSED REGULATIONS

A pre-notice workshop was conducted on October 19, 2018 at the State Capitol. The workshop was attended by participants representing the automotive manufacturing industry, ride sharing companies, auto clubs, and various city and county governments.

ALTERNATIVES CONSIDERED

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, or would be effective as 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 provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-8898
Facsimile: (916) 657-6243
E-Mail: LADRegulations@dmv.ca.gov

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

Brian G. Soublet, Deputy Director/Chief Counsel
 Department of Motor Vehicles
 Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <http://www.dmv.ca.gov/portal/dmv/detail/about/lad/regactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy (board) is proposing to take the rulemaking action described below under the heading Informative Digest/Policy Statement Overview. Any person interested may present statements or argu-

ments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on May 28, 2019.

The board has not scheduled a public hearing on this proposed action. The board will, however, 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 prior to the close of the written comment period.

The board may, after considering all timely and relevant comments, adopt the proposed regulations substantially as described in this notice, or may modify the proposed regulations if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Sections 4005 and 4132 of the Business and Professions Code authorize the board to adopt these regulations. The proposed regulations implement, interpret, and make specific sections 4005, 4026.5, 4044.3, 4052, 4115, 4132 and 4202 of the Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California State Board of Pharmacy (board) proposes to add and adopt the minimum qualifications for a pharmacy technician to work at a remote dispensing site pharmacy.

Existing pharmacy law specifies that protection of the public is the highest priority for the board in exercising its licensing, regulatory, and disciplinary functions, and it generally authorizes the board to adopt and amend rules and regulations necessary for the protection of the public pertaining to the practice of pharmacy. Additionally, existing law authorizes the board to issue a license to a pharmacy and a pharmacy technician.

Assembly Bill (AB) 401 (Aguiar-Curry, Chapter 548, Statutes of 2017) added, among other things, Business and Professions Code (B&P) Sections 4130, 4131 and 4132 to make the following changes:

- B&P section 4130 — Established the board’s authority to issue a remote dispensing site pharmacy (RDSP) license. Additionally, it established that the RDSP shall only be staffed by a pharmacist or a pharmacy technician.

- B&P section 4131 — Established that, if the RDSP is not staffed by a pharmacist, it shall be staffed by a pharmacy technician who meets the qualifications of B&P section 4132, with the direct supervision of a pharmacist, which can be done remotely.
- B&P section 4132 — Established that, in addition to B&P section 4202, a pharmacy technician working at an RDSP shall meet the qualifications promulgated by the board prior to working at an RDSP.

Previously, pharmacy law did not allow for the licensure of a remote dispensing site pharmacy. This proposal will adopt the regulation text at section 1793.9 based on the statutory changes made as a result of AB 401 and the requirement that the board establish minimum qualifications for pharmacy technicians working at an RDSP.

Specifically, the proposal would:

- Specify that a pharmacy technician license be in good standing as defined by B&P section 4026.5.
- Specify that a pharmacy technician possess and maintain a certification issued by an approved certifying program.
- Specify that a pharmacy technician have a degree (associate's in Pharmacy Technology or any bachelor's degree) or complete a board-approved training program.
- Require a minimum of 1,000 hours of work experience in the three years prior to working at an RDSP.

ANTICIPATED BENEFITS OF PROPOSAL

This proposal is necessary to establish the specific minimum qualifications for pharmacy technicians working in an RDSP as part of the new statutory requirements enacted in AB 401, which increased access to prescription medication and pharmacist care for Californians living in rural areas by creating an RDSP. Additionally, consumers will be better protected by setting minimum qualifications for pharmacy technicians, which will guard against having unqualified technicians working with remote supervision in an RDSP.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing these regulations and amendments, the board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The board may incur minor and absorbable costs associated with routine inspections. These costs would be absorbed by the board's existing resources and become part of its regularly scheduled site inspections.

The board does not anticipate any costs/savings to other state agencies or costs/savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies:

None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses and/or employees including the ability of California businesses to compete with businesses in other states. This determination is based on the absence of testimony to that effect during the development of the proposed regulation, which occurred over a few months. Additionally, the proposed regulation establishes the education and experience of a pharmacy technician working in a remote dispensing site pharmacy. This may impact available qualified potential employees; however, it should not have a significant fiscal impact on businesses.

Cost Impact on Representative Private Person or Business:

There are three options for an individual to obtain a pharmacy technician license to work in California. The first is through education; they can complete a training course accredited by the American Society of Health-System Pharmacists (ASHP), graduate from a school of pharmacy accredited by the Accreditation Council for Pharmacy Education (ACPE), obtain an Associate Degree in Pharmacy Technology, or complete a training course that provides a minimum of 240 hours of instruction as required by CCR section 1793.6(c). The second is through certification and examination; they can successfully pass the Pharmacy Technician Certification Board (PTCB) or the Exam of the Certification of Pharmacy Technicians (ExCPT). The final option is through military training pursuant to 16 CCR section 1793.6(b). Obtaining a pharmacy technician license through one of the approved routes would allow the licensee to work as a pharmacy technician in California; however, licensees would not be able to work in a remote dispensing site.

ing site pharmacy until they have met the minimum qualifications specified in this regulatory proposal.

The board issued approximately 5,991 pharmacy technician licenses in FY 2016/2017. Of that, approximately 12 (0.2%) qualified by graduating from a school of pharmacy, approximately 121 (2.0%) qualified by having an Associate Degree in Pharmacy Technology, approximately 1,873 (31.3%) qualified by passing an exam (being certified by a pharmacy technician certifying program), and approximately 3,985 (66.5%) qualified by completing a board-approved training program.

In some cases, when applicants qualify by passing an exam, they also completed a training program to prepare them for the exam. In these cases, the board qualifies the applicant based on the exam and not the training program. The board does not track when applicants have met both qualifications. The board is unable to determine how many of the 1,873 licensees that qualified by passing an exam also completed a training program; however, the board estimates that approximately 25% (468) of those exam qualifiers also completed the training program.

There are two exams that applicants and licensees can take to become certified by a pharmacy technician certifying program (PTCB or ExCPT). The one-time cost for these exams is \$115 and \$129, respectively. This proposed regulation requires that the certification be maintained, which requires the licensee to renew the certification with either PTCB or ExCPT every two years. The certification bi-annual renewal fee costs are \$40 and \$169, respectively. The exam providers also require 20 hours of continuing education (CE) bi-annually. CE programs are available in 2-hour sessions and cost from zero to \$10.

Currently, there are approximately 130 pharmacy technician training/degree programs available. The cost of these programs ranges from free (Job Corp), to \$19,500 at post-secondary schools. Pharmacy technicians that are PTCB or ExCPT certified and have not completed a training course and do not have a Bachelor's degree would need to complete one of these programs.

The board estimates that, at most, approximately 460 jobs at a remote site dispensing pharmacy will be available. Additionally, the board estimates that approximately 2% (1,430) of pharmacy technician licensees may seek employment within a remote dispensing site pharmacy. If the percentages from FY 16/17 remain true, approximately 982 licenses may need to take one of the certifying exams. Of the remaining 448, 336 (75%) pharmacy technicians may need to complete a training program. This would result in a cost ranging from zero to \$6,552,000 to the pharmacy technicians depending on the training course the licensee selected to complete.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

While the board does not have nor does it maintain data to define if any of its licensees (pharmacies) are a "small business" as defined in Government Code section 11342.610, the board has made an initial determination that the proposed regulatory action would not have a significant adverse economic impact directly affecting small businesses. This initial determination is based on the absence of testimony to that effect during the development of the proposed regulation, which occurred over a few months. Additionally, the proposed regulation only establishes the education and experience of a pharmacy technician working in a remote dispensing site pharmacy. This may impact available qualified potential employees; however, it should not have a significant fiscal impact on small businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses:

The board concludes that it is:

- (1) Unlikely that the proposal will create or eliminate any jobs within California;
- (2) Unlikely that the proposal will create new, or eliminate existing, businesses in California;
- (3) Unlikely that the proposal will expand businesses currently doing businesses within the state.

While it is unlikely that this proposal will impact jobs or businesses, the authority to issue a remote dispensing site pharmacy license, as granted by AB 401, may increase the number of licensed pharmacies within California. As a result of AB 401, there could be an increase in available pharmacy technician jobs for individuals who meet the minimum qualifications as specified in this proposal.

Benefits of Regulation:

This regulatory proposal benefits the health and welfare of California residents because the proposed regulation implements AB 401, which established a remote dispensing site pharmacy. This statutory change increased access to prescription medication by creating a remote dispensing pharmacy in rural areas, where pharmacies are not readily available. As a result of the statutory change, additional entities may apply to become licensed by the board to establish new remote dispensing site pharmacies in California. These new remote dispensing pharmacies can be staffed by a qualified pharmacy technician and remotely monitored by a pharmacist, which would result in the availability of additional jobs for qualified pharmacy technicians and allow for

better access to prescription medication and remote pharmacist care. This proposal establishes the minimum qualifications for said pharmacy technicians. These minimum qualifications may impact qualified potential employees for remote dispensing pharmacies, but do not benefit worker safety in California or the environment.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments in writing relevant to the above determinations during the written comment period at the address listed for the Contact Person.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 1625 N. Market Blvd., N219, Sacramento, California 95834, or from the Board of Pharmacy’s website: <http://www.pharmacy.ca.gov>.

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

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

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

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Lori Martinez
Address: 1625 N. Market Blvd., N219
Sacramento, CA 95834
Phone No.: (916) 574-7917
Fax No.: (916) 574-8617
E-Mail Address: Lori.Martinez@dca.ca.gov

The backup contact person is:

Name: Debbie Damoth
Address: 1625 N. Market Blvd., N219
Sacramento, CA 95834
Phone No.: (916) 574-7935
Fax No.: (916) 574-8618
E-Mail Address: Debbie.Damoth@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at the Board of Pharmacy’s website: www.pharmacy.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF PUBLIC HEALTH

TITLE: PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT (PHHSBG) **ANTICIPATED FUNDING** FOR FEDERAL FISCAL YEAR (FFY) 2019
ACTION: NOTICE OF PHHSBG ADVISORY COMMITTEE MEETING TO GAIN ADVISORY COMMITTEE INPUT ON ALLOCATION OF ANTICIPATED FUNDING FOR FFY 2019

SUBJECT: The Centers for Disease Control and Prevention anticipates making funds available to the California Department of Public Health (CDPH) to address Healthy People 2020 Objectives and emerging health issues, provide leadership in developing and implementing Emergency Medical Systems throughout California, support public health infrastructure, and optimize the health and well-being of the people in Cali-

for. The purpose of this Advisory Committee (AC) Meeting is to discuss and receive member comments on the use of FFY 2019 PHHSBG funds during State Fiscal Year (SFY) 19/20.

NOTIFICATION: Notice is hereby given that CDPH will hold an AC Meeting commencing at 2:00 p.m. and ending at 4:00 p.m. PDT on Tuesday, April 23, 2019 in Room 74.463 (Kings River Round Conference Room), 1616 Capitol Avenue, Sacramento, California, at which time CDPH will discuss future use of PHHSBG funding. The AC members will have an opportunity to ask questions and make funding recommendations for the use of FFY 2019 funds during SFY 19/20; and the public will have an opportunity to ask questions; and submit verbal or written comments.

Any person may present statements or arguments orally or in writing relevant to the action described in this notice. If you plan to attend the AC Meeting in person, please bring photo identification so the security guard can admit you into the building. The CDPH — Chronic Disease Control Branch (CDCB), P.O. Box 997377 MS 7208, Sacramento, California, 95899-7377 must receive any written statements or arguments by 5:00 p.m. Wednesday, April 24, 2019, which is hereby designated as the close of the written comment period for this AC Meeting. It is requested, but not required, that written statements or arguments be submitted in triplicate.

WEBINAR INFORMATION: Attendees may choose to attend the AC Meeting via webinar rather than attending in person. Please register for the PHHSBG AC Meeting scheduled on Tuesday, April 23, 2019 from 2:00 p.m.–4:00 p.m. PDT (<https://global.gotomeeting.com/join/971452117>). It is highly recommended that attendees register early. After registering, you will receive a confirmation e-mail containing information about joining the webinar. **Please contact (916) 552-9900 if you experience technical difficulties.**

AGENDA: The Agenda will be available for review at 1616 Capitol Avenue, Sacramento, California, from 9:00 a.m.–6:00 p.m. PDT, from April 9, 2019 through April 23, 2019. The Agenda will also be available on the following website: The California Department of Public Health from 9:00 a.m. PDT–6:00 p.m. PDT, April 9, 2019 through April 23, 2019.

AVAILABILITY OF INFORMATION FOR REVIEW: This Notice will be made available in appropriate alternative formats, upon request by any person with a disability as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the applicable federal rules and regulations. CDPH must receive any requests for such information by April 16, 2019.

CONTACT: Inquiries concerning the action described in this notice may be directed to Rebecca Horne at (916) 552-9899; Rebecca.Horne@cdph.ca.gov, the PHHSBG Team at (916) 552-9900; PHHSBG@cdph.ca.gov, or CDCB@cdph.ca.gov. In any such inquiries, please identify the action by using the Department Control letters “PHHSBG.”

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission (Commission), on March 15, 2019, received a petition from the Endangered Habitats League to list San Bernardino kangaroo rat (*Dipodomys merriami parvus*) as endangered under the California Endangered Species Act.

Necessary habitat characteristics for San Bernardino kangaroo rat include: sandy or gravelly soils and substrates, generally supporting open-structured alluvial fan scrub vegetation, in floodplains with active fluvial processes and nearby upland and/or less frequently inundated terraces.

Pursuant to Section 2073 of the Fish and Game Code, on March 22, 2019, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5 of said code. The Commission will receive the petition at its April 17, 2019, meeting in the City of Santa Monica Civic Auditorium East Wing, 1855 Main Street, Santa Monica, California. It is anticipated that the Department’s evaluation and recommendation relating to the petition will be received by the Commission at its August 7–8, 2019, meeting in Sacramento.

Interested parties may contact Scott Osborn, California Department of Fish and Wildlife, 1812 Ninth Street, Sacramento, CA 95811 or email Scott.Osborn@wildlife.ca.gov, or telephone (916) 324-3564 for information on the petition or to submit information to the Department relating to the petitioned species.

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 indi-

cated. 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# 2019-0214-02
AIR RESOURCES BOARD
Cap-and Trade Amendments

This action by the California Air Resources Board revises Cap-and-Trade regulations that, among other things, aligns the regulations with requirements in Statutes 2017, Chapter 135 (AB 398).

Title 17
ADOPT: 95915, 95989
AMEND: 95802, 95812, 95813, 95820, 95830, 95831, 95833, 95834, 95841, 95841.1, 95851, 95852, 95854, 95856, 95870, 95871, 95890, 95891, 95892, 95893, 95894, 95911, 95912, 95913, 95914, 95920, 95921, 95942, 95943, 95973, 95974, 95976, 95977.1, 95979, 95981, 95981.1, 95982, 95983, 95984, 95985, 95987, 95990, 96011, 96014, 96021, 96022, Appendix B and Appendix E
Filed 03/29/2019
Effective 03/29/2019
Agency Contact: Bradley Bechtold (916) 322-6533

File# 2019-0214-03
AIR RESOURCES BOARD
Mandatory Reporting of Greenhouse Gas Emissions

This action amends the Regulation for the Mandatory Reporting of Greenhouse Gas (GHG) Emissions (MRR) to alter reporting requirements for dairy production as well as reporting and emission calculation requirements for Energy Imbalance Market (EIM) purchasers with respect to electronic imports resulting in imported electricity emissions.

Title 17
AMEND: 95101, 95102, 95103, 95111, 95115, 95118, 95152, 95153
Filed 03/29/2019
Effective 04/01/2019
Agency Contact: Chris Hopkins (916) 445-9564

File# 2019-0219-06
BOARD OF EDUCATION
Statewide Testing of Pupils and Evaluation Process

This change without regulatory effect filing by the Board of Education repeals sixteen sections to remove regulations related to award programs linked to the Academic Performance Index (API) pursuant to the repeal of the API requirements in Education Code section 52052 and 50252.1 (Assembly Bill 1808, Stats. 2018, ch. 32).

Title 5
REPEAL: 1030.5, 1030.6, 1030.7, 1030.8, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1039.1, 1039.2, 1039.3
Filed 04/03/2019
Agency Contact: Hillary Wirick (916) 319-0860

File# 2019-0319-02
BOARD OF FORESTRY AND FIRE PROTECTION
Emergency Post-Fire Recovery for Lake, Siskiyou, Mendocino, Shasta, Trinity and Napa Counties

This action readopts emergency regulations that provided an exemption from the plan, completion report, and stocking report requirements of the Z'berg-Nejedly Forest Practice Act of 1973 (Pub. Resources Code, § 4511 et seq.) to persons engaging in specified forest management activities in Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa Counties.

Title 14
AMEND: 1038.5
Filed 03/29/2019
Effective 03/29/2019
Agency Contact: Eric Hedge (916) 653-9633

File# 2019-0219-07
DEPARTMENT OF BUSINESS OVERSIGHT
Student Loan Servicing

The Department of Business Oversight adopted 26 regulations in seven new articles under a new subchapter. The regulations implement the Student Loan Servicing Act, operative July 1, 2018, pursuant to which student loan service providers must be licensed to engage in the business of servicing a student loan in this state.

Title 10
ADOPT: 2032, 2032.5, 2033, 2033.5, 2034, 2034.5, 2035, 2035.5, 2036, 2036.5, 2037, 2037.5, 2038, 2038.5, 2039, 2039.5, 2040, 2040.5, 2041, 2041.5, 2042, 2042.5, 2043, 2043.5, 2044, 2044.5
Filed 03/28/2019
Effective 03/28/2019
Agency Contact: Mark Dyer (916) 322-1977

File# 2019-0227-02
DEPARTMENT OF CORRECTIONS AND REHABILITATION
Automatic Restoration of Forfeited Credits

This Certificate of Compliance by the Department of Corrections and Rehabilitation (the "Department") adopts an alternative Good Conduct Credit restoration process for certain Division "D", "E", and "F" offenses discovered by Department staff on or after May 1, 2017.

Title 15
 ADOPT: 3329.5
 Filed 04/03/2019
 Effective 04/03/2019
 Agency Contact: Sarah Pollock (916) 445-2308

File# 2019-0213-02
 DEPARTMENT OF INSURANCE
 CAARP Simplified Manual of Rules and Rates
 In this file and print action, the California Department of Insurance amends the California Automobile Assigned Risk Plan Simplified Manual of Rules and Rates. This action is exempt from the Administrative Procedure Act pursuant to Insurance Code section 11620(c) and Government Code section 11340.9(g).

Title 10
 AMEND: 2498.5
 Filed 03/27/2019
 Effective 03/27/2019
 Agency Contact: Michael Riordan (415) 538-4226

File# 2019-0212-04
 DEPARTMENT OF PUBLIC HEALTH
 In-Patient Treatment of Eating Disorders
 In this regular rulemaking, the Department of Public Health adopts one chapter and two sections to establish definitions and designated health facilities for inpatient treatment of eating disorders.

Title 22
 ADOPT: 71900, 719001
 Filed 03/27/2019
 Effective 07/01/2019
 Agency Contact: Keith Van Wagner (916) 445-2012

File# 2019-0213-01
 DEPARTMENT OF REAL ESTATE
 First Point of Contact Solicitations
 The California Department of Real Estate is requiring that license ID numbers appear in print advertisements, electronic media advertisements, and specified "for sale," "for rent," "for lease," open house and directional signage with certain exemptions.

Title 10
 AMEND: 2773
 Filed 03/28/2019
 Effective 03/28/2019
 Agency Contact: Daniel Kehew (916) 263-8681

File# 2019-0322-01
 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
 Pilot Projects

This emergency rulemaking action by the Department of Resources Recycling and Recovery adopts fifteen sections to implement and operate the Pilot Projects Program in the California Beverage Container Recycling Program codified in Public Resources Code section 14571.9.

Title 14
 ADOPT: 2750, 2752, 2754, 2756, 2758, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778
 Filed 04/02/2019
 Effective 04/02/2019
 Agency Contact: Benjamin Grimes (916) 341-6365

File# 2019-0219-05
 DEPARTMENT OF SOCIAL SERVICES
 Temporary Management of Adult Community Care Facilities and Residential Care Facilities for the Elderly (RCFEs)

In this certificate of compliance, the Department of Social Services makes permanent regulations that address the qualifications of a temporary manager, the application and selection process for a temporary manager, and the budget restrictions when the manager temporarily operates Adult Community Care Facilities and Residential Care Facilities for the Elderly.

Title 22, MPP
 ADOPT: 89600, 89601, 89602, 89632, 89633, 89637, 89662, 89667
 Filed 04/03/2019
 Effective 04/03/2019
 Agency Contact: Everardo Vaca (916) 657-2363

File# 2019-0325-01
 DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Determining the Initial Penalty for Each Violation

This is a second emergency readoption of an increase in the minimum-to-maximum initial penalty amount ranges for violations of laws related to hazardous waste control and disposal.

Title 22
 AMEND: 66272.62
 Filed 04/03/2019
 Effective 04/03/2019
 Agency Contact: Shawn Cox (916) 322-7527

File# 2019-0305-02
 FISH AND GAME COMMISSION
 Filleting of fish on vessels, California Sheephead

This regular rulemaking by the Fish and Game Commission adds a 6.75-inch minimum fillet length, and requires that the entire skin remain intact, allowing legal-sized California sheephead to be filleted on board vessels while at sea and brought ashore as fillets.

Title 14
 AMEND: 27.65
 Filed 03/28/2019
 Effective 04/01/2019
 Agency Contact: Craig Castleton (916) 651-1329

11/29/18 ADOPT: 1896.83, 1896.85 AMEND:
 1896.60, 1896.61, 1896.62, 1896.70,
 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

11/27/18 AMEND: 1897
 11/08/18 ADOPT: 1896.13 AMEND: 1896.4,
 1896.12, 1896.17

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN October 31, 2018 TO
 April 3, 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

03/21/19 ADOPT: 579.9
 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

Title 3

03/21/19 AMEND: 3591.13
 03/13/19 AMEND: 3591.2
 03/06/19 AMEND: 3601
 02/28/19 ADOPT: 4920
 02/21/19 AMEND: 3591.2
 02/20/19 AMEND: 3591.2
 02/04/19 AMEND: 1180.3.1
 01/30/19 AMEND: 6860
 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
 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
 01/07/19 AMEND: 3439
 12/18/18 ADOPT: 4921
 11/29/18 AMEND: 3899
 11/06/18 AMEND: 3435(b)

Title 4

03/14/19 AMEND: 10325
 03/12/19 ADOPT: 1842.1 AMEND: 1588
 02/20/19 AMEND: 1843.2
 02/07/19 AMEND: 10315, 10317, 10322, 10325,
 10326, 10327, 10328, 10335, 10337
 01/22/19 AMEND: 1374, 1374.3
 01/16/19 ADOPT: 7213, 7214, 7215, 7216, 7218,
 7219, 7220, 7221, 7222, 7223, 7224,
 7225, 7227, 7228, 7229
 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
 01/02/19 AMEND: 12200, 12201, 12220, 12221

12/17/18	ADOPT: 10092.1, 10092.2, 10092.3 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14	02/14/19	AMEND: 9789.39
12/12/18	ADOPT: 10200, 10200.1, 10200.2, 10200.3, 10200.4, 10200.5, 10200.6, 10200.7	02/06/19	AMEND: 3389
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	01/07/19	AMEND: 11140
11/26/18	ADOPT: 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429	01/03/19	AMEND: 336
11/20/18	AMEND: 1632	12/26/18	AMEND: 9789.19
11/20/18	AMEND: 1843.3	11/26/18	AMEND: 9789.25
11/20/18	AMEND: 8078.3, 8078.15	11/15/18	AMEND: 344, 344.1, 344.2
11/19/18	ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229	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
11/02/18	AMEND: 8078.8, 8078.10	11/01/18	AMEND: 14300.35, 14300.41
10/31/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071		
Title 4, 16		Title 9	
03/19/19	AMEND: title 4: 1101, 1126, 1373.2, 1374, 1374.3, 1379; title 16: 2721, 2723, 2775	02/05/19	AMEND: 4350
Title 5		01/15/19	ADOPT: 4011, 4012, 4013, 4014, 4014.1, 4015
04/03/19	REPEAL: 1030.5, 1030.6, 1030.7, 1030.8, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1039.1, 1039.2, 1039.3	Title 10	
03/19/19	AMEND: 71398	03/28/19	AMEND: 2773
03/07/19	AMEND: 80048.8, 80048.8.1, 80413, 80523	03/28/19	ADOPT: 2032, 2032.5, 2033, 2033.5, 2034, 2034.5, 2035, 2035.5, 2036, 2036.5, 2037, 2037.5, 2038, 2038.5, 2039, 2039.5, 2040, 2040.5, 2041, 2041.5, 2042, 2042.5, 2043, 2043.5, 2044, 2044.5
02/21/19	AMEND: 19810	03/27/19	AMEND: 2498.5
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	03/26/19	AMEND: 2498.4.9
02/15/19	AMEND: 55200, 55202, 55204, 55206, 55208	03/25/19	AMEND: 2498.6
02/15/19	AMEND: 55800	03/07/19	ADOPT: 2915
01/31/19	AMEND: 850, 854.1, 854.2, 854.3, 854.4, 859, 862, 863	02/20/19	AMEND: 3500, 3576, 3577, 3721
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	01/14/19	AMEND: 2318.6, 2353.1, 2354
12/05/18	AMEND: 19810	01/14/19	AMEND: 2318.6
Title 8		12/31/18	AMEND: 2632.5, 2632.11
03/05/19	AMEND: 3999(b)	12/26/18	ADOPT: 2238.10, 2238.11, 2238.12
02/28/19	AMEND: 3295	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	
		03/25/19	AMEND: 1005
		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
		Title 12	
		03/19/19	ADOPT: 515, 515.1, 515.2, 515.3, 515.4, 515.5

CALIFORNIA REGULATORY NOTICE REGISTER 2019, VOLUME NO. 15-Z

01/08/19	ADOPT: 182.02, 182.03 AMEND: 182.01, 182.02 (renumbered to 182.04)	03/05/19	ADOPT: 18660.47, 18660.48, 18660.49, 18660.50, 18660.51 AMEND: 18660.5, 18660.20
01/03/19	AMEND: 553.70	02/28/19	AMEND: 7.50
11/07/18	AMEND: 505.2	02/26/19	AMEND: 670.2
Title 13		02/26/19	AMEND: 107, 174, 176, Appendix A (Div. 1, Subd. 1, Ch. 9)
03/25/19	ADOPT: 1070, 1071, 1072, 1073, 1074 AMEND: Article 13 (in Division 2, Chapter 4)	02/26/19	AMEND: 29.15
03/06/19	AMEND: 1152.3	02/25/19	AMEND: 1.53, 1.74, 5.00
02/21/19	AMEND: 17.02	02/19/19	ADOPT: 1038.6
01/28/19	AMEND: 20.05	02/19/19	ADOPT: 1038.1, 1038.2, 1038.3, 1038.4, 1038.5 AMEND: 1038, 1038.3 [renumbered to 1038.9] REPEAL: 1038.1, 1038.2
01/16/19	AMEND: 550, 551.8, 551.12, 590	02/15/19	AMEND: 1094, 1094.2, 1094.6, 1094.8, 1094.17, 1094.23
01/08/19	ADOPT: 182.02, 182.03 AMEND: 182.01, 182.02 (renumbered to 182.04)	02/07/19	ADOPT: 13008 AMEND: 13012, 13015, 13018, 13019, 13040, 13050, 13071, 13104, 13105, 13113, 13116, 13136, 13137, 13138, 13144, 13158, 13173, 13204, 13205, 13214.7, 13216, 13217, 13218, 13219, 13221, 13222, 13223, 13224, 13231, 13234, 13238.1, 13241, 13242, 13243, 13244, 13245, 13247, 13300, 13302, 13315, 13328.1, 13328.8, 13328.9, 13331, 13336, 13342, 13343, 13356, 13358, 13371, 13500, 13518, 13530, 13536, 13545, 13546, 13548, 13554, 13576, 13577, 13600, 13610, 13625, 13626, 13635, 13645, 13647, 13648, REPEAL: 13214, 13214.1, 13214.2, 13214.3, 13214.4, 13214.5, 13214.8.
01/03/19	AMEND: 553.70	02/06/19	ADOPT: 1720.1, 1724.5, 1724.7.1, 1724.7.2, 1724.8, 1724.10.1, 1724.10.2, 1724.10.3, 1724.10.4, 1724.11, 1724.12, 1724.13 AMEND: 1724.6, 1724.7, 1724.10, 1748, REPEAL: 1724.8, 1748.2, 1748.3
12/26/18	AMEND: 2025	01/02/19	AMEND: 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.55, 52.10, 150.16
12/26/18	AMEND: 1152.7, 1152.7.1	12/28/18	ADOPT: 15064.3, 15234 AMEND: 15004, 15051, 15061, 15062, 15063, 15064, 15064.4, 15064.7, 15072, 15075, 15082, 15086, 15087, 15088, 15094, 15107, 15124, 15125, 15126.2, 15126.4, 15152, 15155, 15168, 15182, 15222, 15269, 15301, 15357, 15370, Appendix G, Appendix M, Appendix N
12/20/18	ADOPT: 1217.2, 1263.2	12/17/18	ADOPT: 798 AMEND: 791, 791.6, 791.7, 792, 793, 794, 795, 796, 797
12/12/18	AMEND: 1961.2, 1961.3	12/17/18	AMEND: 819, 819.01, 819.02, 819.03, 819.04, 819.05, 819.06, 819.07
12/04/18	ADOPT: 425.01		
11/29/18	AMEND: 17.00		
11/27/18	AMEND: 1157.21		
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			
04/02/19	ADOPT: 2750, 2752, 2754, 2756, 2758, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778		
03/29/19	AMEND: 1038.5		
03/28/19	AMEND: 27.65		
03/20/19	ADOPT: 1752, 1772, 1772.1, 1772.1.1, 1772.1.2, 1772.1.3, 1772.1.4, 1772.2, 1772.3, 1772.4, 1772.5, 1772.6, 1772.7 AMEND: 1723.9, 1760		
03/18/19	AMEND: 670.5		
03/07/19	ADOPT: 29.06		

12/17/18	ADOPT: 820.02	02/25/19	AMEND: 3075.2
12/17/18	ADOPT: 817.04 AMEND: 790	01/28/19	AMEND: 8004.1
12/14/18	ADOPT: 4970.17.1 AMEND: 4970.00, 4970.01, 4970.04, 4970.05, 4970.06.1, 4970.06.2, 4970.06.3, 4970.07.2, 4970.08, 4970.09, 4970.10.1, 4970.10.2, 4970.10.3, 4970.10.4, 4970.11, 4970.13, 4970.19.2, 4970.20, 4970.21, 4970.22, 4970.23, 4970.23.1, 4970.23.2, 4970.24.1, 4970.24.2, 4970.25.1, 4970.25.2	01/23/19	AMEND: 3043.3
12/13/18	AMEND: 2975	01/15/19	AMEND: 3177, 3315
12/10/18	ADOPT: 126.1 AMEND: 125.1, 126 [renumbered to 126.1]	01/09/19	AMEND: 3043, 3043.3, 3043.4, 3043.5
11/28/18	ADOPT: 716 AMEND: 300	01/07/19	AMEND: 3999.98, 3999.200
11/28/18	ADOPT: 42 AMEND: 43, 651, 703	01/07/19	AMEND: 8000
11/20/18	AMEND: 699.5	12/26/18	ADOPT: 2249.30, 2449.31, 2449.32, 2449.33, 2449.34, 3495, 3496, 3497 AMEND: 2449.1, 3490, 3491
11/15/18	AMEND: 632	11/14/18	ADOPT: 1350.5, 1352.5, 1354.5, 1358.5, 1408.5, 1418, 1437.5 AMEND: 1302, 1303, 1304, 1321, 1322, 1324, 1325, 1327, 1328, 1329, 1341, 1343, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1370, 1371, 1372, 1373, 1374, 1376, 1377, 1390, 1391, 1400, 1401, 1402, 1403, 1404, 1406, 1407, 1408, 1412, 1413, 1415, 1416, 1417, 1430, 1431, 1432, 1433, 1434, 1436, 1437, 1438, 1439, 1452, 1453, 1454, 1460, 1461, 1462, 1464, 1465, 1467, 1480, 1482, 1483, 1484, 1485, 1487, 1500, 1510, 1511 REPEAL 1378
11/15/18	AMEND: Subsection 120.7(m) REPEAL: Appendix A Form DFG-120.7 (10/87)		
11/13/18	AMEND: 1038, 1038.1, 1038.2		
11/06/18	AMEND: 3010, 3011, 3012, 3013, 3015		
11/05/18	ADOPT: 29.11		
Title 14, 27			
03/05/19	ADOPT: title 14: 18815.1, 18815.2, 18815.3, 18815.4, 18815.5, 18815.6, 18815.7, 18815.8, 18815.9, 18815.10, 18815.11, 18815.12, 18815.13 AMEND: title 14: 17365, 17370.2, 17379.0, 17383.3, 17383.4, 17383.5, 17383.6, 17383.7, 17383.8, 17388.4, 17388.5, 17389, 17414, 17869, 17896.45, 18794.0, 18794.1, 18794.2, 18800; title 27: 20510, 20686, 20690	11/13/18	ADOPT: 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215 AMEND: 8000, 8004.3, 8106, 8106.1 amended and renumbered as 8207, 8106.2 amended and renumbered as 8106, 8198 amended and renumbered as 8298, 8199 amended and renumbered as 8299
Title 15		11/01/18	ADOPT: 3999.25
04/03/19	ADOPT: 3329.5	Title 16	
03/22/19	ADOPT: 4199	03/26/19	AMEND: 1887.4.1
03/21/19	AMEND: 4900, 4927, 4935, 4936, 4937, 4938, 4939 REPEAL: 4939.5, 4961.1, 4972, 4975, 4977, 4977.5, 4977.6, 4977.7, 4978, 4979, 4980, 4981, 4982, 4983, 4983.5	03/06/19	AMEND: 20
03/18/19	ADOPT: 3741, 3742, 3743, 3744, 3745, 3746, 3747, 3748	02/25/19	AMEND: 1399.515
03/18/19	REPEAL: 3349, 3349.1, 3349.2, 3349.3, 3349.4, 3349.5, 3349.6, 3349.7, 3349.8, 3349.9	02/05/19	REPEAL: 1023.15, 1023.16, 1023.17, 1023.18, 1023.19
03/12/19	AMEND: 3355.1 (renumbered to 3999.367), 39999.99, 3999.206, 3999.234, 3999.237, 3999.375 (renumbered to 3999.395)	01/31/19	REPEAL: 2624, 2624.1
03/05/19	AMEND: 3269.1, 3315	01/30/19	AMEND: 1735.1, 1735.2, 1735.6, 1751.1, 1751.4
02/26/19	AMEND: 3294.5	01/29/19	ADOPT: 6020
		01/16/19	ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5007.1, 5007.2, 5008, 5009, 5010, 5010.1, 5010.2, 5010.3, 5011, 5012, 5013, 5014, 5015 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5024.1, 5025, 5026, 5027, 5028, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5040.1, 5041, 5041.1, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050,

- 5051, 5052, 5052.1, 5053, 5054, 5300, 5301, 5302, 5303, 5303.1, 5304, 5305, 5305.1, 5306, 5307, 5307.1, 5307.2, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5400, 5402, 5403, 5403.1, 5404, 5405, 5406, 5407, 5408, 5409, 5410, 5411, 5412, 5413, 5414, 5415, 5415.1, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5426, 5427, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5506.1, 5507, 5600, 5601, 5602, 5603, 5604, 5700, 5701, 5702, 5703, 5704, 5705, 5706, 5707, 5708, 5709, 5710, 5711, 5712, 5713, 5714, 5715, 5717, 5718, 5719, 5720, 5721, 5722, 5723, 5724, 5725, 5726, 5727, 5728, 5729, 5730, 5731, 5732, 5733, 5734, 5735, 5736, 5737, 5738, 5739, 5800, 5801, 5802, 5803, 5804, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5812, 5813, 5814, 5815, 5900, 5901, 5902, 5903, 5904, 5905
- 01/15/19 ADOPT: 1483.1, 1483.2, 1486 AMEND: 1480, 1481, 1482, 1483, 1484
- 12/21/18 ADOPT: 1399.515
- 12/05/18 AMEND: 1380.3, 1380.6, 1381, 1381.1, 1381.4, 1381.5, 1381.7, 1382, 1382.3, 1382.4, 1382.5, 1382.6, 1386, 1387.3, 1387.4, 1387.5, 1387.7, 1388, 1389.1, 1390.1, 1390.3, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7, 1391.11, 1393, 1394, 1395, 1395.1, 1396.5, 1397, 1397.35, 1397.50, 1397.51, 1397.53, 1397.54, 1397.55, 1397.60, 1397.61, 1397.62, 1397.67, 1397.69, 1397.70 REPEAL: 1381.6, 1397.63, 1397.64, 1397.65, 1397.66, 1397.68, 1397.71
- 12/03/18 AMEND: 18
- 11/28/18 AMEND: 1399.514
- 11/20/18 AMEND: 2450
- Title 17**
- 03/29/19 AMEND: 95101, 95102, 95103, 95111, 95115, 95118, 95152, 95153
- 03/29/19 ADOPT: 95915, 95989 AMEND: 95802, 95812, 95813, 95820, 95830, 95831, 95833, 95834, 95841, 95841.1, 95851, 95852, 95854, 95856, 95870, 95871, 95890, 95891, 95892, 95893, 95894, 95911, 95912, 95913, 95914, 95920, 95921, 95942, 95943, 95973, 95974, 95976, 95977.1, 95979, 95981, 95981.1, 95982, 95983, 95984, 95985, 95987, 95990, 96011, 96014, 96021, 96022, Appendix B and Appendix E
- 03/25/19 ADOPT: 59000, 59001, 59002, 59003, 59004, 59005, 59006, 59007, 59008, 59009, 59010, 59011, 59012, 59013, 59014, 59015, 59016, 59017, 59018, 59019, 59020, 59021, 59022
- 03/18/19 ADOPT: 30220 AMEND: 30108.1, 30192.6, 30194, 30210, 30257, 30293, 30295, 30373 REPEAL: 30210.1,
- 03/07/19 AMEND: 30335.5, 30440, 30444, 30451, 30455.1, 30456.2, 30466
- 02/28/19 AMEND: 6508
- 02/26/19 ADOPT: 30197, 30197.1, 30197.2, 30197.3, 30197.4, 30197.5, 30197.6, 30197.7 AMEND: 30195.1
- 01/16/19 ADOPT: 40100, 40101, 40102, 40105, 40115, 40116, 40118, 40120, 40126, 40128, 40129, 40130, 40131, 40132, 40133, 40135, 40137, 40150, 40152, 40155, 40156, 40159, 40162, 40165, 40167, 40175, 40177, 40178, 40179, 40180, 40182, 40184, 40190, 40191, 40192, 40194, 40196, 40200, 40205, 40207, 40220, 40222, 40223, 40225, 40230, 40235, 40240, 40243, 40246, 40248, 40250, 40253, 40255, 40258, 40270, 40272, 40275, 40277, 40280, 40282, 40290, 40292, 40295, 40297, 40300, 40305, 40306, 40308, 40315, 40330, 40400, 40401, 40403, 40404, 40405, 40406, 40408, 40409, 40410, 40411, 40412, 40415, 40417, 40500, 40505, 40510, 40512, 40513, 40515, 40517, 40525, 40550, 40551, and 40570
- 01/10/19 AMEND: 3030
- 12/31/18 AMEND: 94506, 94509, 94513, 94515
- 12/27/18 ADOPT: 95371, 95372, 95373, 95374, 95375, 95376, 95377
- Title 18**
- 03/19/19 ADOPT: 35001, 35002, 35003, 35004, 35005, 35006, 35007, 35008, 35009, 35010, 35011, 35012, 35013, 35014, 35015, 35016, 35017, 35018, 35019, 35020, 35021, 35022, 35023, 35024, 35025, 35026, 35027, 35028, 35029, 35030, 35031, 35032, 35033, 35034, 35035, 35036, 35037, 35038, 35039, 35040, 35041, 35042, 35043, 35044, 35045, 35046, 35047, 35048, 35049, 35050, 35051, 35052, 35053, 35054, 35055, 35056, 35057, 35058, 35060, 35061, 35062, 35063, 35064, 35065, 35066, 35067, 35101 AMEND: 1032, 1124.1, 1249, 1336, 1422.1, 1705.1, 2251, 2303.1, 2433, 3022, 3302.1,

	3502.1, 4106, 4703, 4903, 5200, 5202, 5210, 5211, 5212, 5212.5, 5213, 5214, 5216, 5217, 5218, 5219, 5220, 5220.4, 5220.6, 5221, 5222, 5222.4, 5222.6, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5231.5, 5232, 5233, 5234, 5234.5, 5235, 5236, 5237, 5238, 5240, 5241, 5242, 5244, 5245, 5246, 5247, 5248, 5249, 5249.4, 5249.6, 5260, 5261, 5262, 5263, 5264, 5265, 5266, 5267, 5268, 5700 REPEAL: 1807, 1828, 4508, 4609, 4700, 4701, 4702, 5201, 5210.5, 5215, 5215.4, 5215.6, 5232.4, 5232.8, 5239, 5243, 5250, 5255, 5256		5234, 5234.5, 5235, 5236, 5237, 5238, 5240, 5241, 5242, 5244, 5245, 5246, 5247, 5248, 5249, 5249.4, 5249.6, 5260, 5261, 5262, 5263, 5264, 5265, 5266, 5267, 5268, 5700 REPEAL: 1807, 1828, 4508, 4609, 4700, 4701, 4702, 5201, 5210.5, 5215, 5215.4, 5215.6, 5232.4, 5232.8, 5239, 5243, 5250, 5255, 5256
		11/20/18	AMEND: 25137-1, 17951-4
		Title 19	
		11/30/18	ADOPT: 4010
		Title 20	
		03/18/19	AMEND: 1602, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608
01/03/19	AMEND: 1533.2, 1598	03/18/19	AMEND: 1602, 1605, 1605.1, 1605.2, 1605.3, 1606, 1608
01/02/19	ADOPT: 30000, 30101, 30102, 30103, 30104, 30105, 30106, 30201, 30202, 30203, 30204, 30205, 30206, 30207, 30208, 30209, 30210, 30211, 30200.5, 30212, 30213, 30213.5, 30214, 30214.5, 30215, 30216, 30217, 30218, 30219, 30220, 30221, 30222, 30223, 30224, 30301, 30302, 30303, 30304, 30310, 30311, 30312, 30313, 30314, 30315, 30316, 30401, 30402, 30403, 30404, 30405, 30410, 30411, 30412, 30420, 30421, 30430, 30431, 30432, 30433, 30501, 30502, 30503, 30504, 30505, 30601, 30602, 30603, 30604, 30605, 30606, 30607, 30701, 30702, 30703, 30704, 30705, 30706, 30707	12/05/18	ADOPT: 1751, 1769.1, 1937, 1941, 1942, 2300 AMEND: 1201, 1209, 1211.5, 1211.7, 1212, 1231, 1232, 1232.5, 1233.1, 1233.2, 1233.3, 1233.4, 1234, 1240, 1704, 1706, 1708, 1709, 1710, 1714, 1714.3, 1714.5, 1720.2, 1745.5, 1748, 1768 (renumbered to 1749), 1769, 1936, 1940, 1943, 1944, 1945, 1946, 2308 (renumbered to 2300.1) REPEAL: 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2309
12/27/18	ADOPT: 3702	Title 22	
12/17/18	ADOPT: 35001, 35002, 35003, 35004, 35005, 35006, 35007, 35008, 35009, 35010, 35011, 35012, 35013, 35014, 35015, 35016, 35017, 35018, 35019, 35020, 35021, 35022, 35023, 35024, 35025, 35026, 35027, 35028, 35029, 35030, 35031, 35032, 35033, 35034, 35035, 35036, 35037, 35038, 35039, 35040, 35041, 35042, 35043, 35044, 35045, 35046, 35047, 35048, 35049, 35050, 35051, 35052, 35053, 35054, 35055, 35056, 35057, 35058, 35060, 35061, 35062, 35063, 35064, 35065, 35066, 35067, 35101 AMEND: 1032, 1124.1, 1249, 1336, 1422.1, 1705.1, 2251, 2303.1, 2433, 3022, 3302.1, 3502.1, 4106, 4703, 4903, 5200, 5202, 5210, 5211, 5212, 5212.5, 5213, 5214, 5216, 5217, 5218, 5219, 5220, 5220.4, 5220.6, 5221, 5222, 5222.4, 5222.6, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5231.5, 5232, 5233,	04/03/19	AMEND: 66272.62
		03/27/19	ADOPT: 71900, 719001
		03/22/19	ADOPT: 64417, 64418, 64418.1, 64418.2, 64418.3, 64418.4, 64418.5, 64418.6, 64418.7, 64418.8, 64419, 64420, 64420.1, 64420.2, 64420.3, 64420.4, 64420.5, 64420.6, 64420.7, 64420.8
		03/21/19	AMEND: 75021
		03/20/19	AMEND: 7127
		03/05/19	AMEND: 66250, 66250.1, 66250.2
		02/27/19	AMEND: 72329.2
		02/14/19	ADOPT: 130000, 130001, 130003, 130004, 130006, 130007, 130008, 130009, 130020, 130021, 130022, 130023, 130024, 130025, 130026, 130027, 130028, 130030, 130040, 130041, 130042, 130043, 130044, 130045, 130048, 130050, 130051, 130052, 130053, 130054, 130055, 130056, 130057, 130058, 130062, 130063, 130064, 130065, 130066, 130067, 130068, 130070, 130071, 130080, 130081, 130082, 130083, 130084, 130090, 130091, 130092,

130093, 130094, 130095, 130100,
130110, 130200, 130201, 130202,
130203, 130210, 130211
12/31/18 AMEND: 66272.62
12/19/18 AMEND: 66262.41
12/19/18 AMEND: 72329.2
12/13/18 ADOPT: 51002.5 AMEND: 51003.1
12/04/18 ADOPT: 69511.3 AMEND: 69511
12/04/18 AMEND: 20100.5
11/29/18 ADOPT: 96060, 96061, 96062, 96065,
96070, 96071, 96075, 96076, 96077,
96078, 96080, 96081, 96082, 96083,
96084, 96085, 96086, 96087
10/31/18 ADOPT: 66264.121, 66265.121,
66270.28 AMEND: 66264.90,
66264.110, 66265.90, 66265.110,
66270.1, 66270.14
10/31/18 AMEND: 97215, 97216, 97217, 97221,
97222, 97223, 97224, 97225, 97226,
97227, 97228, 97229, 97232, 97248

Title 22, MPP
04/03/19 ADOPT: 89600, 89601, 89602, 89632,
89633, 89637, 89662, 89667
01/15/19 ADOPT: 35064 AMEND: 31-002,
35000, 35001, 35129, 35129.1, 35152.1,
35152.2, 35177, 35179, 35181, 35183,
35211, 35215, 35315
01/08/19 AMEND: 87224, 87412
01/02/19 ADOPT: 85175, 85318, 85320, 85340,
85342, 85364, 85368.1, 85368.4, 85370,
85387, 85390, 85102, 85161, 85168,
85168.3, 85169 AMEND: 85000,
85068.2, 85375, 85100, 85101, 85118,
85120, 85122, 85140, 85142, 85164,
85165, 85168.1, 85168.2, 85168.4,
85170, 85187, 85190, 85300, 85301,
85302, 85322, 85361, 85365, 85368,
85368.2, 85368.3, 85369
11/15/18 AMEND: 35000, 35011, 31-005,
31-405, 31-420, 31-425

Title 23
03/04/19 ADOPT: 3929.17
02/25/19 ADOPT: 3002.1 AMEND: 3002
02/19/19 ADOPT: 3949.15
01/15/19 AMEND: 597
12/19/18 AMEND: 315, 316
12/13/18 ADOPT: 3939.56
12/13/18 ADOPT: 3939.55
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
11/29/18 ADOPT: 3919.18
11/14/18 AMEND: 3006
11/05/18 AMEND: 2200, 2200.4, 2200.6
11/01/18 AMEND: 1062, 1063, 1064, 1066, 1068

Title 25
02/28/19 REPEAL: 6200, 6201, 6202, 6203

Title 27
03/12/19 ADOPT: 25607.34, 25607.35
03/11/19 AMEND: 25805
02/21/19 ADOPT: 432a, 800, 801, 802, 803
AMEND: 8, 421, 430, 439, 440
02/05/19 AMEND: 25705
12/27/18 AMEND: 27001
11/27/18 AMEND: 25603

Title 28
03/05/19 ADOPT: 1300.49

Title MPP
02/06/19 AMEND: 41-440, 42-711, 42-716,
42-717, 44-207
01/09/19 AMEND: 42-207, 42-213, 42-215,
42-221, 80-310
12/20/18 AMEND: 40-105, 40-171, 80-301
REPEAL: 40-026