



California Regulatory Notice Register

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[Editorial Note: The following Notice was listed in the Table of Contents in Notice Register 2020, No. 31-Z, July 31, 2020. However, the actual Notice was not published. We are including the Notice in this Notice Register. The agency has extended the comment deadline accordingly.]

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

**CONFLICT-OF-INTEREST CODES
AMENDMENT**

MULTI-COUNTY: Trindel Insurance Fund

A written comment period has been established commencing on August 14, 2020 and closing on September 28, 2020. Written comments should be directed to the Fair Political Practices Commission, Attention Amanda Apostol, 1102 Q Street, Suite 3000, Sacramento, California 95811.

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

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than September 28, 2020. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Amanda Apostol, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 324-3854

AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Amanda Apostol, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 324-3854

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it under 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 regulations at a public hearing on or after September 17, 2020, at the offices of the Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California, commencing at approximately 10:00 a.m. Written comments should be received at the Commission offices no later than 5:00 p.m. on September 15, 2020.

BACKGROUND/OVERVIEW

A public official is prohibited from making, participating in making, or attempting to influence a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on the official's financial interest, *distinguishable from its effect on the public generally*. (Sections 87100 and 87103.)

Regulation 18703 explains the specific details of the rules for applying the "public generally exception." Subdivision (a) provides the general rule and the two-prong test to establish if the effect of a decision on an official's financial interest is indistinguishable from the effect on the public generally. The first prong is to determine if a "significant segment" is affected, and the second prong is to ask if the effect on the official's financial interest "is not unique compared to the effect on the significant segment." Once an official deter-

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

mines that a significant segment of the jurisdiction will be affected by the decision, the official is permitted to take part in the decision so long as the decision does not have a unique effect on the official's interest in comparison to the significant segment.

Subdivision (b)(1)–(3) provides detailed definitions of the term "significant segment." A significant segment of the public is at least 25 percent of either all businesses or non-profit entities; all real property, commercial real property, or residential real property; or all individuals within the official's jurisdiction.

Subdivision (c) defines when a decision will have a "unique effect" on a public official's financial interest.

Subdivision (d) provides a detailed definition of the term "jurisdiction" for purposes of determining the significant segment.

Subdivision (e) sets out special circumstances when the effect on an official's financial interest will be deemed indistinguishable from that of the public generally and permit the official to participate.

REGULATORY ACTION

The Commission may review and consider all aspects of the publicly general exception including, but not limited to, the review of the appropriate significant segment and further clarification of the unique effect standard. The Commission may also consider all aspects of the special circumstances public generally exceptions including consideration of any additional circumstances that may warrant a specific exception. While the Commission may review and consider any aspect of Regulation 18703, it is anticipated that the Commission will specifically consider each of the following proposals made by Commission staff:

Amend 2 Cal. Code Regs. Section 18703; subdivision (b)(2) to create a lower, 15 percent, significant segment threshold for residential real property within the official's jurisdiction for instances where the only interest effected is the official's residence.

Amend subdivision (e) to add the requirement that there be no unique effect on the official's interest to the beginning of this subdivision.

Amend subdivision (e)(1) to make clear that an official may not take part in a decision to impose an assessment, tax or fee, or determine the boundaries of property or groups of persons subject to the assessment, tax, or fee; and is only permitted to take part in establishing and adjusting the actual assessment, tax, or fee amount once the decision to create it has been made without that official's participation.

Amend subdivision (e)(3) to provide a minimum size of a neighborhood to which the special circumstances exception for “limited neighborhood effects” applies.

Amend subdivision (e)(4) to permit officials to take part in broad rent control decisions and tenant protection measures, which apply to all rentals except those exempted by the Costa–Hawkins Rental Housing Act (Civil Code Sections 1954.50, et seq.) provided the official owns three or fewer residential rental units, and only interests resulting from the official’s leasehold interest as a lessor of residential real property and the lessee or owner of the official’s primary residence are affected by the decision.

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.

FISCAL IMPACT STATEMENT

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

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

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

AUTHORITY

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 Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 87100, 87102.5, 87102.6, 87102.8 and 87103.

CONTACT

Any inquiries should be made to Zachary Norton, Fair Political Practices Commission, 1102 Q St., 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](http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html).

TITLE 2. STATE PERSONNEL BOARD

Notice is hereby given that the State Personnel Board (Board) proposes to amend Section 242 to clarify the Rules related to promotions in place related to status; movements between rank and file, supervisory, and managerial classifications; the meaning of eligibility; and communication to staff.

PUBLIC HEARING

A public hearing regarding the proposed regulatory action will be on September 29, 2020, at 10:00 a.m. via WebEx. In order to participate in the public hearing, please see the following options:

- Via Video (Online)

You may click, or copy and paste into your web browser, the following link: <https://spb-meetings.webex.com/webappng/sites/spb-meetings/meeting/download/f85c0d58b9c449b9bc7f-3b0132e44f87?siteurl=spb-meetings&MTID=ma0c0fb26327f77830757075c4e151181>

Then enter the following information to gain access to the hearing:

Meeting Number: **126 054 6184**
Meeting password: **AipWHR3Cy48**

- Via Telephone

You may also participate by dialing the phone number first and then the participant code listed below:

Phone Number: **1–844–992–4726**
Participant Code: **1260546184**

The telephonic conference to be used for the public hearing is accessible to persons with mobility impairment. Persons with sight or hearing impairments are requested to notify the contact person for these hearings (listed below) in order to make specific arrangements, if necessary.

WRITTEN COMMENT PERIOD

Any interested party, or his or her duly authorized representative, may submit written comments relevant to the proposed regulatory action to the contact person listed below.

Lori Gillihan, Chief
Policy Division
State Personnel Board
801 Capitol Mall

Email: lori.gillihan@spb.ca.gov

The written comment period closes on September 28, 2020. Only written comments received by that time shall be reviewed and considered by the Board before it adopts, amends, or repeals a regulation.

AUTHORITY AND REFERENCE

The Board proposes to amend Section 242 of Title 2, Chapter 1 of the CCR pursuant to the authority vested in it by the California Constitution, article 7, section 3, and Government Code sections 18502, 18660, 18701, and 18804. The proposed regulations will implement, interpret, and make specific the provisions of Government Code sections 18500, 18951, and 19050.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board is a constitutional body responsible for enforcing California's civil service statutes. (Cal. Const., art. VII, §§ 1, subd. (b) & 3; Gov. Code, § 18660.) In addition, the Board, by majority vote of all its members, prescribes probationary periods and classifications, adopts other rules authorized by statute, and reviews disciplinary actions imposed against state employees. (*Ibid.*)

Regulations adopted by the Board are exempt from the Administrative Procedure Act (APA), except as expressly specified. (Gov. Code, §§ 18211, 18215, & 18216.)

The purpose of this regulatory action is to update the Board's regulations to clarify that it is not the Board's intent that an employee in a limited-term position promote in place. Additionally, the proposed regulation makes clear that it is inappropriate for an employee in a rank and file position to promote in place to a supervisory or managerial position or for an employee in a supervisory position to promote in place to a managerial position given the substantial difference in competencies required.

Also, given that exams, both open and promotional, are now generally provided on a continuous and online basis, those employees currently not on the employment list, but otherwise eligible to examine for promotional opportunities, must be informed verbally of the reasons the employee was not selected for promotion.

Additionally, appointing authorities must provide the reasons an employee is not selected for a promotion in place to the employee verbally, unless the employee requests the reasons to be provided in writing.

The benefits of this regulatory change include: the Board, CalHR, and each state agency and employee must encourage economy and efficiency in and devotion to state service by "encouraging promotional advancement of employees" who show "willingness and ability to perform efficiently services assigned" to them. (Gov. Code, § 18951.) "[E]very person in state service shall be permitted to advance according to merit and ability." (*Ibid.*)

Proposed section 242 allows an employee with permanent civil service status to be promoted in place, if certain conditions apply: (1) the position currently occupied by the employee is reallocated to the "to" class without a change of unit or location; (2) within the employee's agency, there are no position ratio allocation limits on the "to" class that would preclude other eligible employees from competing in the future for an appointment to the "to" class; and (3) the employee competed in and passed an examination for the "to" class and is currently placed on the employment list for that examination in one of the top three ranks.

This proposed regulatory action encourages promotional advancement of employees while also maintaining a competitive examination process. Section 242 also clarifies under what conditions an employee may receive a promotion in place.

In reviewing other state regulations, the Board found that the instant regulatory proposal is consistent and compatible with existing state regulations.

FISCAL IMPACT ON PUBLIC AGENCIES

- Mandate on local agencies and school districts: None.
- Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Cost or savings to any State agency: None, since State agencies are currently required to record and maintain certain documents and files related to personal services contracts.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the State: None.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

ECONOMIC IMPACT ON BUSINESS

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

COST IMPACT ON A REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action since the regulatory change only impacts the hiring and selection process of state departments, agencies, boards, or commissions.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Adoption of these regulations will not:

1. Create or eliminate jobs within California.
2. Create new businesses or eliminate existing businesses within California.
3. Affect the expansion of businesses currently doing business within California.
4. Affect worker safety or the state’s environment.

The adoption of these regulations, however, will have a positive impact on the health and welfare of California residents in that the benefits of this regulatory action, as mentioned under the INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW, encourage economy and efficiency in and devotion to state service by “encouraging promotional advancement of employees” who show “willingness and ability to perform efficiently services assigned” to them. (Gov. Code, § 18951.)

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered or that is otherwise identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and

equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSONS

Inquiries concerning the proposed regulatory action, including questions regarding procedure, comments, or the substance of the proposal, may be directed to:

Lori Gillihan, Chief
 Policy Division
 State Personnel Board
 801 Capitol Mall
 Sacramento, CA 95814
 Phone: (916) 651-1043
 Email: lori.gillihan@spb.ca.gov

The backup contact person for these inquiries is:

Carlos Gomez, Analyst
 Policy Division
 State Personnel Board
 801 Capitol Mall
 Sacramento, CA 95814
 Phone: (916) 651-8350
 Email: carlos.gomez@spb.ca.gov

Please direct requests for copies of the proposed text of the regulations, the initial statement of reasons, or other information upon which the rulemaking is based to Policy Division Chief, Lori Gillihan, at the above address.

AVAILABILITY OF RULEMAKING FILE:

The Board is maintaining a rulemaking file for the proposed regulatory action, which as of the date of this notice contains the following:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~ and underline;
2. A copy of this notice and statement of reasons for the proposed adoption; and
3. Any factual information upon which the proposed rulemaking is based.

If written comments, data or other factual information, studies or reports are received, they will be added to the rulemaking file. The file is available for public inspection during normal working hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814. Items 1 through 3 are also available on the Board’s website at www.spb.ca.gov under “What’s New?” Copies may be obtained by contacting the person via the address, email, or phone number listed above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the person at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available to the public.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

It is anticipated that the proposed regulations will be filed with the Office of Administrative Law and shall include a Final Statement of Reasons. Copies of the Final Statement of Reasons may be obtained from the contact person when it becomes available.

**AVAILABILITY OF
DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed on the Board's website at www.spb.ca.gov under "What's New?"

**TITLE 4. CALIFORNIA HORSE
RACING BOARD**

**RULE 1501, WORKER'S COMPENSATION
INSURANCE REQUIRED AND**

**RULE 1502, PROGRAM
TRAINING PROHIBITED**

The California Horse Racing Board (Board) proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Board Rule 1501, Worker's Compensation Insurance Required, to re-

quire that no licensee, for the purpose of avoiding the requirements for workmen's compensation insurance, shall place any horse in the care of or attendance of any other person. This subsection was originally found in Board Rule 1502 but is being moved for clarity purposes as it relates to worker compensation insurance requirements. The proposed amendment to Board Rule 1502, Program Training Prohibited, will clarify that program training is prohibited, and any licensee who engages in program training may be suspended or fined.

PUBLIC HEARING

The Board will hold a public hearing starting at 9:30 a.m., Thursday, October 22, 2020, or as soon after that as business before the Board will permit, via teleconference. In accordance with the guidance form Executive Order N-29-20, a physical location will not be provided. Members of the public are strongly encouraged to participate using the teleconference phone number provided below so as to minimize the spread of COVID-19 and reduce the risk of infection during this current state of emergency. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

To participate in the teleconference, dial 888-392-4564 and enter 6896291# when prompted.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes on September 28, 2020. The Board must receive all comments at that time. However, written comments may still be submitted at the public hearing. Submit comments to:

Zachary Voss, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
(916) 263-6036
Fax: (916) 263-6022
zavoss@chr.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19420, 19440, 19460, and 19464, Business and Professions Code (BPC). Reference: Sections 19420, 19440, 19460, and 19464, BPC.

BPC section 19440 authorizes the Board to adopt the proposed regulation, which would implement, interpret, or make specific sections 19420, 19440, 19460, and 19464, BPC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. BPC section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include, but are not limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. BPC section 19460 states all licenses granted under this chapter are subject to all rules, regulations, and conditions prescribed by the Board. BPC section 19464 provides that no application for a horse owner’s license or for a license to conduct a race meeting shall be granted unless the applicant’s liability for workers’ compensation is secured in accordance with Division 4 (commencing with Section 3700) of the Labor Code.

The proposed amendment to Board Rule 1501, Worker’s Compensation Insurance Required, will add a subsection (b) to require that no licensee, for the purpose of avoiding the requirements for workmen’s compensation insurance, shall place any horse in the care of or attendance of any other person. This subsection was originally found in Rule 1502 but is being moved for clarity, as it relates to worker compensation insurance requirements.

The proposed amendment to Board Rule 1502, Program Training Prohibited, will clarify that program training is prohibited, and any licensee who engages in program training may be suspended or fined. This is necessary to clarify that any licensee who engages in program training will be held liable for their actions. Subsection (b) provides that program training occurs when a licensed trainer is identified as the trainer of record in the official program but has not engaged in

the actual training of the horse either personally or through the assistant trainer. Subsection (c) provides that actual training, as it is used in this regulation, shall mean any responsibility required of a licensed trainer under this division or any act traditionally performed by a licensed trainer including, but not limited to: (1) determining when a horse will walk, gallop, or work-out; (2) determining the feed or supplements given to the horse; (3) consulting with a licensed veterinarian when needed. This subsection is necessary to clarify what actions constitute training.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The trainer plays a vital role in the conditioning and training of a horse prior to a race. The decisions the trainer makes about training, workouts, and rest can affect the performance of the horse. The trainer is also ultimately responsible for the condition of the horse prior to race and for ensuring the horse is free of medications and illicit substances, healthy to run, and fit to compete.

Given the great responsibility placed on a trainer, there exists a risk to the industry and the wagering public through “program” or “paper” trainers. A program trainer is generally a licensed trainer who is listed on the official race program as the trainer of record for the entered horse. In reality this is in name only, as the actual training and conditioning of the horse has been completed by someone other than the listed trainer, and sometimes by an individual whose license has been suspended or revoked. The Board has faced issues in the past where a horse owner will use a program trainer until their horse comes up with a positive drug test and the trainer is suspended. The owner will then find someone else who either has or can get a trainer’s license and is willing to have their name put on the program for a stipend – until one of the horses they saddle gets a positive test, resulting in frequent turnover of program trainers. Program training is unfair to both the wagering public and other licensees because the person responsible for the training of the horse is unknown and puts the horse and rider at risk. Although instances of program training are pursued against licensees who engage in such behavior, the proposed amendments to Board Rules 1501 and 1502 seek to clarify and expressly prohibit this activity.

The proposed amendments to Board Rules 1501 and Rule 1502 will promote fairness and help to protect the health and safety of horse and rider by holding any

licensee that engages in program training accountable for the condition of the horse entered in a race. This will increase the public's confidence in California horse racing, which may result in increased wagering. An increase in wagering will have a positive economic impact on the industry by increasing handle, which in turn may increase purses and commissions.

CONSISTENCY EVALUATION

During the process of developing the regulation, the Board has conducted a search of any similar regulations on this topic and has concluded that the regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

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

Other non-discretionary costs or savings imposed upon local agencies: none.

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

The Board has made an initial determination that the proposed amendment to Board Rules 1501 and Rule 1502 will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: none.

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

Significant effect on housing costs: none.

RESULT OF ECONOMIC IMPACT ANALYSIS

The adoption of the proposed amendments to Board Rules 1501 and 1502 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; (3) affect the expansion of businesses currently doing business within California; or (4) benefit the state's en-

vironment. The proposed amendments to Board Rules 1501 and Rule 1502 benefit the health and welfare of California residents by promoting fairness and helping to protect the health and safety of horse and rider by holding the trainer accountable for the condition of a horse entered in a race.

Effect on small businesses: none. The proposal to amend Board Rules 1501 and Rule 1502 does not have an effect on small businesses because horse racing is not a small business under GC section 11342.610.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Zachary Voss
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
(916) 263-6036
zavoss@chr.ca.gov

If the person named above is not available, interested parties may contact:

Amanda Drummond, Manager
Policy and Regulations
(916) 263-6033
amdummond@chr.ca.gov

AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND TEXT OF
PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies may be obtained by contacting Zachary Voss or the alternative contact person at the address, phone number, or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulation should be sent to the attention of Zachary Voss at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL
STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Zachary Voss at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulation and the initial statement of reasons. The Board's website address is: www.chrb.ca.gov.

**TITLE 11. COMMISSION ON PEACE
OFFICER STANDARDS AND TRAINING**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code section 11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by September 28, 2020.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-4547, by email to Jennifer Hardesty, or by letter to:

Commission on POST
Attention: Jennifer Hardesty
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code section 13503 (authority of the Commission on POST) and Penal Code section 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code section 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Penal Code section 13510 requires that POST develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers. This proposed action will modify the certification process for the training course, move those certification requirements to their own Commission Regulation section and add an experience requirement for individuals managing and evaluating the scenario testing process component of the required training course.

Certification Process

The current certification process is very cumbersome for both the presenters and POST staff. Currently, presenters are required to reformat the current training and testing specification content into an expanded course outline and submit for POST review. A significant amount of time is spent on the presenter side to develop this document and on the POST side to review this document. Additionally, presenters are required to develop and submit a proposed schedule outlining how they intend to present this material to their recruits. This current process offers no guarantee the course materials are being presented to recruits as certified.

The current process for certifying basic courses resides in Commission Regulation 1052(f). This location makes them very difficult to locate and oftentimes they are confused with the certification requirements for all other POST-certified courses. Moving the certification process for basic courses to a new Commission Regulation section would eliminate this confusion and ensure ease of access for presenters and POST staff.

Scenario Testing Process

Currently, presenters are required to designate scenario managers who oversee the scenario testing process and scenario evaluators who evaluate student performance of the required scenario tests. There is no qualification standard outlined in regulation for either of these academy positions. POST has identified through an academy review process, there are individuals either overseeing the testing process or evaluating student performance who have either never completed the scenario testing process themselves or have never completed a probationary period with an agency. The proposed changes will require a scenario manager or evaluator have sworn, full-time law enforcement experience and be in possession of their POST Basic Certificate which can only be obtained after successful completion of an agency's probationary period.

The benefits anticipated by the proposed amendments to the regulations will be a more streamlined certification process allowing presenters more time to focus on ensuring the training and testing specification content is being presented to recruits as required. The updated process will also allow POST staff more time to work with presenters to anticipate and correct deficiencies in the training before training is complete, which will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. Requiring sworn, full-time law

enforcement experience and a POST Basic Certificate for those individuals managing the scenario testing process and evaluating student performance will benefit academies, POST and the recruits attending these courses. It is one more step to ensuring the highest level of student success through the basic course training process and it will allow academies and POST staff to ensure students are not inappropriately passing or failing these tests.

During the process of developing these regulations and amendments, POST 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.

The framework for these changes was developed by a committee of basic course directors/coordinators participating in a course certification update workshop. The proposed changes were developed from this framework and presented to the POST Commission for final review and adoption. Upon adoption of the proposed changes, academies and course presenters will be required modify the process for certifying basic courses. The proposed effective date is April 1, 2021.

ADOPTION OF PROPOSED REGULATIONS

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, changes clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

ESTIMATE OF FISCAL IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Cost impacts on a representative private person or business: POST is not aware of any cost impacts that a representative private person or business would

necessarily incur in reasonable compliance with the proposed action.

Non-Discretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Costs to any Local Agency or School District for which Government Code sections 17500-17630 requires reimbursement: None.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

Small Business Determination: The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect California businesses, including small businesses, because the regulatory action addresses the following: 1) basic course presenters will be able to use existing staff when completing the certification documentation for basic courses, 2) the restructured process does not require any additional training, nor does it eliminate the time and work needed to develop these documents. Additionally, the Commission's main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

RESULTS OF ECONOMIC
IMPACT ASSESSMENT
per Gov. Code section 11346.3(b)

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

The benefits of the proposed amendments to the regulations will be to increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, and protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the State's environment.

COST IMPACT ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

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

CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective 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 provision of law than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Jennifer Hardesty, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630 at (916) 227-3917. General questions regarding the regulatory process may be directed to Katie Strickland at (916) 227-2802.

TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST website at: <https://post.ca.gov/Regulatory-Actions>.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above.

**TITLE 16. CONTRACTORS STATE
LICENSE BOARD**

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

**NOTICE OF PROPOSED REGULATORY
ACTION CONCERNING FEES, § 811**

NOTICE IS HEREBY GIVEN that the Contractors State License Board (Board) is proposing to amend California Code of Regulations, Title 16 (16 CCR), Division 8, Article 1.5, Section 811, as described in the Informative Digest.

PUBLIC HEARING

Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held via Webex event at:

To participate via Computer/Tablet/Smart Phone:
<https://cslb.webex.com/cslb/onstage/g.php?MTID=ebbbbc9e627d3bd9a21elc361199c0ea7>

To participate via Phone Call—in:

(415) 655-0001 or (844) 621-3956

Access Code: 126 405 3781#

During hearing use *3 to raise/lower hand

Time and Place:

9821 Business Park Drive, Sacramento, CA 95827

on September 29, 2020 at 10:00 a.m.

Written comments, including those sent by mail, facsimile, or email 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 **September 29, 2020.**

The Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modifications are sufficiently related to the original text. Apart from 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 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

Pursuant to the authority vested by Business and Professions Code (BPC) sections 7008 and 7137, the Board is proposing to implement, interpret, and make specific BPC section 7137 in amending section 811, Division 8 of Title 16 of the CCR.

Amend 16 CCR 811

BPC section 7008 authorizes the Board to adopt rules and regulations as are reasonably necessary to carry out the provisions of the Contractors State License Law (CSLL). BPC section 7137 authorizes the Board to set fees by regulation. The statute sets forth the minimum and maximum fee ranges for application, examination, initial licensure, license renewal, and other miscellaneous fees. Among other fees, 16 CCR 811 establishes the fees the Board charges for renewal of an active license, renewal of an inactive license, and renewal of a home improvement salesperson registration.

In this regulatory proposal, the Board proposes to increase the fees for renewal of an active license, renewal of an inactive license, and renewal of a home improvement salesperson registration. (Bus. & Prof. Code, § 7137, subs. (e)(1), (e)(2), and (h).) Specifically, the Board proposes to increase the fee for renewal of an active license from \$360 to \$450, increase the fee for renewal of an inactive license from \$180 to \$225, and increase the fee for renewal of a home salesperson registration from \$75 to \$95. The Board also proposes to add “(a)” to the beginning of the first line of section 811 to re-establish the correct numbering hierarchy for this section of law.

The Board is a self-supporting, special fund agency that generates the majority of its revenue from renewal fees (on average 70%). This rulemaking is necessary to permanently increase renewal fees to avoid the imminent shutdown of the Board’s enforcement activity, the impending insolvency of the Board, and serious harm to the public and their property. The Board is experiencing reduced license renewals, significantly increased expenditures, a structural budget imbalance, and a rapidly shrinking contingent fund.

These factors will immediately impact the Board’s ability to continue its enforcement efforts and severely limit the performance of its core licensing, examination, investigative, and public outreach functions. The proposed amendments will permanently increase the subject renewal fees to the statutory maximums to address Board’s structural budget imbalance. Without adequate financial resources, the Board will be unable to operate at a capacity that fulfills its highest priority of consumer protection.

ANTICIPATED BENEFITS OF THE
PROPOSED REGULATION

The proposed amendments to the Board’s renewal fee schedule will enable the Board to eliminate a structural budget imbalance, maintain a prudent reserve, and continue the Board’s enforcement, investigative, licensing, examination, and public outreach operations. The amendments will ensure that the Board is able to achieve its highest priority of consumer protection.

DETERMINATION OF INCONSISTENCY/
INCOMPATIBILITY WITH
EXISTING REGULATION

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

FISCAL IMPACT ESTIMATES

The Board has made the following initial determinations:

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The anticipated average additional revenue from the proposed fee increases will increase the Board’s revenue by approximately \$6,258,480 in additional revenue per fiscal year on an ongoing basis (\$6,139,800 for contractor license renewals and \$118,680 for home improvement salesperson registration renewals). For additional information, please refer to the Initial Statement of Reasons (ISOR).

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: This regulation may have an economic impact on businesses, specifically, contractor licensees and home improvement salesperson registrants. The Board issues licenses to sole owners, corporations, partnerships, limited liability companies, and joint ventures. The regulation would impose additional fees on the renewal of contractor licenses and home improvement salesperson registrations, which are paid every two years for active licenses and registrations or every four years for inactive licenses.

To the extent these licensees opt to renew their licenses and registrations, the proposed regulations will impact them. Although the regulation has an economic impact, the impact is not anticipated to be a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with other businesses in California, because the fee increase is considered to be very minor compared to the income of most licensees and registrants.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because the proposed fees are anticipated to have a minimal impact on businesses. It will benefit the health and welfare of California residents because the proposal will increase the Board’s revenue and funding available to continue uninterrupted the Board’s enforcement, investigative, licensing, examination, and public outreach operations.

Renewal fees are the Board’s main source of revenue (approximately 70%) and are primarily allocated to funding enforcement activities that proactively and reactively address substandard trade performance and disreputable or incompetent business practices within the profession, as well as unlicensed activity. These enforcement efforts help protect the health and welfare of California residents and consumers, particularly those who hire contractors. While the proposal does not directly affect worker safety or the environment in the state, the increased fees will fund increased enforcement activities that can lead to greater protection of worker safety and the environment.

In addition, these fee increases are necessary to fulfill the Board’s priority of consumer protection and the legislative mandates expressed in the applicable statutes.

Cost Impact of Representative Private Person or Business: This regulation may have an economic impact on private persons or businesses, specifically, sole owner contractor licensees and home improvement salesperson registrants. The regulation would impose additional fees on the renewal of contractor licenses, which are paid every two years for active licenses or every four years for inactive licenses, and on the renewal of home improvement salesperson registrants, which are paid every two years. To the extent these licensees opt to renew their licenses and registrations, the proposed regulations will impact them. Although the regulation has an economic impact, the impact is

not anticipated to be significant because the fee increase is considered to be very minor compared to the income of most licensees and registrants. For additional information, please refer to the Initial Statement of Reasons (ISOR).

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board estimates that the effect on small business will be minimal as the increase is absorbable.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Board has determined that this regulatory proposal will have a minimal impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the state of California. It will benefit the health and welfare of California residents because the proposal will increase the Board's revenue and funding available to continue uninterrupted the Board's enforcement, investigative, licensing, examination, and public outreach operations.

Renewal fees are the Board's main source of revenue (approximately 70%) and are primarily allocated to funding enforcement activities that proactively and reactively address substandard trade performance and disreputable or incompetent business practices within the profession, as well as unlicensed activity. These enforcement efforts help protect the health and welfare of California residents and consumers, particularly those who hire contractors. While the proposal does not directly affect worker safety or the environment in the state, the increased fees will fund increased enforcement activities that can lead to greater protection of worker safety and the environment.

In addition, these fee increases are necessary to fulfill the Board's priority of consumer protection and the legislative mandates expressed in the applicable statutes.

CONSIDERATION OF ALTERNATIVES

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

proposed regulatory action, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of the law.

Interested persons are invited to present statements or arguments orally or in writing relevant to the above determinations at the above scheduled hearing or during the written comment period.

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

The Board has compiled a record for this regulatory action, which includes the ISOR, proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and may be obtained upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.cslb.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 rulemaking action may be addressed to:

Name:

Betsy Figueira

Address:

9821 Business Park Drive
Sacramento, CA 95827

Telephone Number:

916-255-3369

E-Mail Address:

betsy.figueira@cslb.ca.gov

Backup:

Name:

Michael Jamnetski

Address:

9821 Business Park Drive
Sacramento, CA 95827

Telephone Number:
916-255-2798

INFORMATIVE DIGEST

E-Mail Address:
michael.jamnetski@cslb.ca.gov

Website Access: Materials regarding this proposal can be found at https://cslb.ca.gov/About_Us/Library/Laws/.

TITLE 16. BOARD OF PSYCHOLOGY

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter “Board”) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

Wednesday September 30, 2020,
1:00 p.m. – 2:00 p.m.
Department of Consumer Affairs
El Dorado Room #220
1625 N Market Blvd
Sacramento, CA 95834

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 no later than 5:00 p.m. on Tuesday, September 29, 2020, or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals 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 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: Pursuant to the authority vested by Section 2930 of the Business and Professions Code, and to implement, interpret or make specific Sections 686, 2290.5, 2904.5 and 2960 of said Code, the Board is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

A. Informative Digest

Business and Professions Code (Code) section 2930 authorizes the Board of Psychology to adopt rules and regulations as may be necessary. Sections 2290.5 and 2904.5 of the Code allow licensees of the Board to provide psychological health care services via telehealth. Section 2290.5 defines “originating site.”

The Board proposes to add Section 1396.8 to Title 16 of the California Code of Regulations to do the following:

Subdivision (a) states that licensed California psychologists, registrants, and psychology trainees may provide psychological health care services via telehealth to an originating site in this State, or to a client who is domiciled or resides in California, but who is temporarily located outside of this State. It also defines “resident” and “domicile.”

Subdivision (b) sets out the conditions for the provision of services via telehealth, including:

- holding a valid and current license issued by the board;
- obtaining informed consent covering the unique concerns related to telehealth;
- determining that the provision of services via telehealth is appropriate after considering the various factors, as well as whether providing telehealth is within the scope of competence of a trainee who may be providing such services;
- possessing the appropriate knowledge, skills, and abilities relating to the delivery of and technology used to provide telehealth services;
- ensuring the appropriate security of any transmitted client data; and
- complying with all other provisions of the Psychology Licensing Law and all other applicable provisions of law and standards of care in this and the other relevant jurisdiction.

Subdivision (c) states that failure to follow these provisions, as well as provisions of another state, constitutes unprofessional conduct.

B. Policy Statement Overview/Anticipated Benefits of Proposal

Adoption of this proposal will benefit licensed California psychologists and psychology trainees who provide psychological services via telehealth by providing guidance to and establishing standards for such services. Telehealth services benefit consumers who live in remote areas or who, due to illness or mobility problems, cannot leave home by increasing their ac-

cess to care. Telehealth services also provide psychological support to clients between regularly scheduled office visits or while they are temporarily located outside of this State. Overall consumer protection is advanced because the informed consent must address the uniqueness of receiving telehealth services, making for a more educated consumer who is more able to determine whether receipt of services in this manner is right for him or her. Additionally, the licensee is likewise required to take into account the circumstances unique to each client, as well as his or her own competence, before engaging in telehealth services. It requires that licensees take reasonable steps to ensure that confidential information is securely transmitted and that patients are notified of any breaches. By ensuring that both provider and client have considered the ramifications of services via telehealth, consumer protection is advanced. Lastly, it informs providers of possible consequences for failing to meet these minimum standards.

C. Consistency and Compatibility with Existing State Regulations

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

INCORPORATION BY REFERENCE

N/A

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact:

The Board has made an initial determination that the adoption of this regulation would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

Although the proposed regulations require the licensee to take reasonable steps to ensure that the data is transmitted securely, licensees may be separately required to follow more prescriptive guidelines under the Health Insurance Portability and Accountability Act (HIPAA). Compliance with HIPAA may impact representative private persons or businesses, due to the potential cost regarding the use of a secure system, but the Board is unable to quantify the specific cost. In addition, current law does not prohibit the use of telehealth, but lacks clarity in regulations regarding Board's specific requirement for its licensees. Any licensees that are currently practicing telehealth should already be in compliance with HIPAA, and already be utilizing a secure system.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses, as it does not increase reporting or administrative burdens on small private practices.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

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

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents, worker safety, and the state's environment as it establishes guidelines for licensed California psychologists and psychology trainees for providing telehealth services to residents of California both in California, and those who are temporarily located outside of California.

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 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 orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person, or by accessing the Board’s website, www.psychology.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 rulemaking action may be addressed to:

Name:
Jason Glasspiegel
Address:
1625 North Market Blvd., Suite N215
Sacramento, CA 95834
Telephone Number:
(916) 574-7137
Fax Number:
(916) 574-8672

E-Mail Address:
Jason.Glasspiegel@dca.ca.gov

The backup contact person is:

Name:
Jeffrey Thomas
Address:
1625 North Market Blvd., Suite N215
Sacramento, CA 95834

Telephone Number:
(916) 574-7116

Fax Number:
(916) 574-8672

E-Mail Address:
Jeffrey.Thomas@dca.ca.gov

Website Access:

Materials regarding this proposal can be found under “Proposed Regulations” at www.psychology.ca.gov/laws_regs/index.shtml.

TITLE 16. DENTAL HYGIENE BOARD OF CALIFORNIA

[Editorial Note: The following Notice was listed in the Table of Contents in Notice Register 2020, No. 31-Z, July 31, 2020. However, the actual Notice was not published. We are including the Notice in this Notice Register. The agency has extended the comment deadline accordingly.]

**Division 11, Article 3, Section 1107
NOTICE OF PROPOSED REGULATORY ACTION CONCERNING
RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage, § 1107**

NOTICE IS HEREBY GIVEN that the Dental Hygiene Board of California (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 arguments 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 on September 28, 2020.

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

Pursuant to the authority vested by Sections 1905, 1906, 1909, and 1944 of the Business and Professions Code (BPC), and to implement, interpret or make specific Sections 1905, 1909, 1917, and 1944 of the BPC, the Board is considering changes to Division 11 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC sections 1905 and 1906 authorize the Board to adopt, amend, and revoke regulations to implement the statutory requirements of Article 9 of Chapter 4, BPC sections 1900 through 1966.6, regarding dental hygienists. The Board, a constituent agency within the Department of Consumer Affairs (DCA), regulates registered dental hygienists, registered dental hygienists in alternative practice, and registered dental hygienists in extended functions (collectively RDHs). The Board's highest priority is the protection of the public when exercising its licensing, regulatory, and disciplinary functions. The Board's core functions are issuing licenses to qualified applicants, investigating consumer complaints filed against licensees, disciplining licensees for sustained violations of the BPC and Title 16 of the CCR, regulating and approving RDH educational programs, and monitoring licensees placed on disciplinary probation by the Board.

This proposal would amend the language and requirements for a Registered Dental Hygienist course in Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide–Oxygen Analgesia (SLN). The proposal is as follows:

Amend Section 1107 to Title 16 of the California Code of Regulations.

BPC section 1909(b) requires an RDH to provide evidence satisfactory to the Board of completion of a course of soft tissue curettage, administration of local anesthesia, and administration of nitrous oxide and oxygen.

Existing law sets forth the criteria for the Board's approval of educational courses of instruction in local anesthesia, nitrous oxide–oxygen analgesia, and periodontal soft tissue curettage. Section 1107 prescribes the required form for applicants to submit for approval of a course of instruction and the biennial reports approved courses are required to submit to the Board. Section 1107 also prescribes specific curriculum content for local anesthetic agents, nitrous oxide oxygen analgesia, and periodontal soft tissue curettage.

The Board proposes to amend section 1107: (1) to clarify the types of injections required by the Board for education for local anesthesia for the RDH; (2) to update the regulation to be consistent with current educational terminology; (3) to clarify the period of time for the beginning and end of administration of nitrous oxide–oxygen analgesia required for RDH clinical instruction; (4) to incorporate updated forms for approval of educational courses and required biennial report; (5) to replace the term “pre-clinical” with “preclinical” for consistency within the regulation; (6) to update titles and revision dates on forms incorporated by reference (SLN–01 (9–2019), SLN–02 (10–2019), and SLN–03 (9–2019)); and (7) to replace the term “Committee” with “Board” as the Board is now the Dental Hygiene Board of California as a result of Senate Bill 1482 (Hill, Chapter 858, Statutes of 2018).

Anticipated Benefits of the Proposed Amended Regulation:

The proposed amendments to section 1107 would enhance clarity for educational providers by updating inconsistent language, updating forms, and identifying the types of injections required to be taught in SLN educational courses. The proposal will also enhance public safety by ensuring competency of RDHs providing injections to their patients.

Determination of Inconsistency and Incompatibility with Existing State Regulations:

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on this topic and has concluded that the proposed regulatory action is not inconsistent or incompatible with existing state regulations.

FORMS INCORPORATED BY REFERENCE

- SLN-01 — Application for Approval of a Course in Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide–Oxygen Analgesia (SLN) (09/2019)
- SLN-02 — Certification in Administration of Local Anesthesia, Nitrous Oxide–Oxygen Analgesia, And Performance Of Periodontal Soft Tissue Curettage (10/2019)
- SLN-03 — Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide–Oxygen Analgesia (SLN) Course Provider Biennial Report (09/2019)

DISCLOSURES REGARDING THE PROPOSED ACTION

FISCAL IMPACT ESTIMATES

The Board has made the following initial determinations:

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The Board indicates any workload and costs to ensure compliance will be minor and absorbable within existing resources.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 through 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 business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts:

There is no business impact because the proposed amendments to the regulation clarify the title of the Board, provide consistency of language within the regulation, update forms, change clinical instruction to coincide with current local anesthesia requirements, and clarify the time required to provide nitrous oxide–oxygen analgesia for clinical educational requirements.

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

Significant Effect on Housing Costs: None.

Business Reporting Requirement

The regulatory action does not require businesses to file a report with the Board. The change in regulatory language will only affect the educational requirements that RDH educational programs and courses will be required to maintain as a part of their approval by the Board.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

Impact on Jobs/Businesses: The Board has determined that this regulatory action will not create or eliminate jobs, will not create new business or eliminate existing businesses, and will not affect the expansion of businesses currently doing business within the State of California because the proposed amendments to the regulation clarify the title of the Board, provide consistency of language within the regulation, update forms, change clinical instruction to coincide with current local anesthesia requirements, and clarify the time required to provide nitrous oxide–oxygen analgesia for clinical educational requirements.

Benefits of the Proposed Action: This regulatory proposal will benefit the health and safety of California residents because the proposed amendments would help to ensure all newly licensed RDHs are trained uniformly in local anesthesia and nitrous oxide–oxygen analgesia techniques. This will ensure that California residents are treated safely.

The Board anticipates that this regulatory action will not have any monetary effect because the proposed amendments to the regulation clarify the title of the Board, provide consistency of language within the regulation, update forms, change clinical instruction to coincide with current local anesthesia requirements, and clarify the time required to provide nitrous oxide–oxygen analgesia for clinical educational requirements. This regulatory proposal would not affect worker safety because the proposed amendments to the regulation clarify the title of the Board, provide consistency of language within the regulation, update forms, change clinical instruction to coincide with current local anesthesia requirements, and clarify the time required to provide nitrous oxide–oxygen analgesia for clinical educational requirements.

Effect on Small Business: The Board has determined that this regulatory action would not affect small businesses because the proposed amendments to the regulation clarify the title of the Board, provide

consistency of language within the regulation, update forms, change clinical instruction to coincide with current local anesthesia requirements, and clarify the time required to provide nitrous oxide–oxygen analgesia for clinical educational requirements.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to 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 regulatory action, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of the law.

Interested persons are invited to present statements or arguments orally or in writing relevant to the above determinations at the above scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries or comments concerning the proposed regulatory action may be directed to the following designated agency contact persons:

Dental Hygiene Board of California
Attn: Adina A. Pineschi–Petty DDS
2005 Evergreen St, Ste. 2050
Sacramento, CA 95815
Phone: 916–576–5002
Email: adina.petty@dca.ca.gov

Backup Contact Person:

Attn: Anthony Lum
2005 Evergreen St, Ste. 2050
Sacramento, CA 95815
Phone: 916–576–5004
Email: anthony.lum@dca.ca.gov

Please direct requests for copies of the proposed text of the regulations, the initial statement of reasons, or other information upon which the rulemaking is based to Dr. Pineschi–Petty at the above address. In her absence, please contact the designated back–up contact person.

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

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the amendments as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that was noticed to the public. In the event that such modifications are made, the full regulatory text, with the modifications clearly indicated, will be made available to the public for review and or written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text by contacting Dr. Pineschi–Petty at the address above.

AVAILABILITY OF FINAL STATEMENT OF REASONS

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting Dr. Pineschi–Petty at the address above.

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to Dr. Pineschi–Petty at the address above or by accessing the website listed below.

TEXT OF THE PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the ISOR, and all of the information on which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2005 Evergreen Street, Suite 2050, Sacramento, California 95815, or by accessing the Board’s website at www.dhbc.ca.gov.

AVAILABILITY OF
DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Actions the Initial Statement of Reasons, and the text of the regulations can be accessed through the Board’s website at www.dhbc.ca.gov.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR

Hayshed Gulch Large Wood Augmentation Project
(Tracking Number: 1653–2020–061–001–R1)
Mendocino County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on July 31, 2020, that the Trout Unlimited proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves the installation of 63 pieces of wood at 30 sites to increase stream complexity, pool frequency, pool depth, high–flow refugia, and over–summer rearing habitat for coho salmon and steelhead trout. The proposed project will be carried out on Hayshed Gulch a tributary to the Noyo River, located at approximately 2.25 miles east of Fort Bragg, Mendocino County, California.

On July 1, 2020, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Hayshed Gulch Large Wood Augmentation Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1B20144WNME, ECM PIN No. CW–

868119) for coverage under the General 401 Order on July 29, 2020.

Trout Unlimited is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, Trout Unlimited will have the opportunity to submit under Fish and Game Code section 1652.

**DEPARTMENT OF
FISH AND WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR

Redwood Creek (SF Eel River) Large
Wood Augmentation Project
(Tracking Number: 1653–2020–060–001–R1)
Mendocino County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on July 31, 2020, that the Trout Unlimited proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves the installation of 85 pieces of wood at 42 sites to enhance instream habitat for coho salmon and steelhead trout. The proposed project will be carried out on Redwood Creek just above the confluence with the South Fork Eel River, 3 miles northwest of the town of Branscomb, Mendocino County, California.

On July 1, 2020, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Redwood Creek (SF Eel River) Large Wood Augmentation Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental

Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1B20145WNME, ECM PIN No. CW-868121) for coverage under the General 401 Order on July 29, 2020.

Trout Unlimited is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, Trout Unlimited will have the opportunity to submit under Fish and Game Code section 1652.

DECISION NOT TO PROCEED

EMERGENCY MEDICAL SERVICES AUTHORITY

Pursuant to Government Code section 11347

Re: Emergency Medical Services System Regulations (OAL Notice File No. Z2020-0225-06)

Pursuant to Government Code Section 11347, the Emergency Medical Services Authority hereby gives notice that it has decided not to proceed with the rule-making action published in the California Regulatory Notice Register on March 6, 2020, Register 2020, No. 10-Z. The proposed rulemaking concerned Emergency Medical Services System Regulations (OAL Notice File No. Z2020-0225-06).

Any interested person with questions concerning this rulemaking should contact Kent Gray, Regulations Manager, at either (916) 384-1476 or by e-mail at Regulations@emsa.ca.gov.

The Authority will also post this Notice of Decision Not to Proceed on its website.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH THE SECRETARY OF STATE

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

Board of Equalization
File # 2020-0618-01
Rules for Tax Appeals

This action without regulatory effect amends rules for tax appeals to conform to statutory and internal restructuring of the Board of Equalization primarily regarding agency jurisdiction with respect to the California Department of Tax and Fee Administration and Office of Tax Appeals and reassigning certain appeals functions to different internal classifications.

Title 18

Amend: 5216, 5218, 5229, 5231, 5232, 5234, 5235, 5237, 5240, 5241, 5242, 5245, 5246, 5247, 5248, 5249.4, 5249.6, 5260, 5261, 5262, 5263, 5264, 5266, 5267, 5268, 5310, 5311, 5323.6, 5324, 5324.6, 5325, 5325.4, 5325.6, 5326, 5326.2, 5326.4, 5326.6, 5327, 5327.6, 5328, 5331, 5334, 5335, 5335.6, 5337, 5337.4, 5338, 5338.4, 5338.6, 5341, 5343, 5345, 5510, 5511, 5521, 5521.5, 5522, 5522.2, 5522.4, 5522.6, 5522.8, 5523, 5523.1, 5523.2, 5523.3, 5523.4, 5523.5, 5523.6, 5523.7, 5523.8, 5530, 5540, 5541, 5550, 5551, 5552, 5560, 5561, 5562, 5570, 5571, 5572, 5573, 5574, 5575, 5576

Repeal: 5410, 5411, 5412, 5420, 5421, 5422, 5423, 5424, 5430, 5432, 5435, 5440, 5441, 5442, 5443, 5444, 5450, 5451, 5452, 5453, 5454, 5460, 5461, 5462, 5463, 5464, 5465

Filed 07/30/2020

Agency Contact: Lawrence Lin (916) 322-1982

California Pollution Control Financing Authority
File # 2020-0721-03
California Capital Access Program for Small Businesses

This emergency action by the California Pollution Control Financing Authority amends loan enrollment criteria for the California Capital Access Program

(CalCAP) small business loan financing assistance program and amends the minimum threshold for annual recapture of contributions from loss reserve accounts. This action also amends definitions and criteria implementing the CalCap On-Road Heavy-Duty Vehicle Air Quality Loan Program.

Title 04
 Amend: 8072, 8073, 8078, 8078.22, 8078.24, 8078.25, 8078.31
 Filed 07/31/2020
 Effective 07/31/2020
 Agency Contact: Doreen Smith (916) 653-3993

Department of Consumer Affairs
 File # 2020-0714-04
 Conflict-of-Interest Code

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

Title 16
 Amend: 3830
 Filed 08/04/2020
 Effective 09/03/2020
 Agency Contact:
 Grace Arupo Rodriguez (916) 574-8260

Department of Food and Agriculture
 File # 2020-0720-04
 Euthanized Animals

This emergency action requires marking of large domesticated animals under Food and Agricultural Code section 19201 that are euthanized by barbiturates.

Title 03
 Adopt: 1180.43.1
 Filed 07/30/2020
 Effective 07/30/2020
 Agency Contact: Andrew Halbert (916) 900-5372

Department of Insurance
 File # 2020-0619-07
 Special Investigative Units

This action by the Department of Insurance amends regulations regarding special investigative units.

Title 10
 Amend: 2698.30, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41
 Filed 07/30/2020
 Effective 10/01/2020
 Agency Contact: George Teekell (415) 538-4390

Department of Justice
 File # 2020-0625-04
 Repeal of Title 11, Division 1, Chapter 4.5

The California Department of Justice in this action without regulatory effect is repealing several sections in title 11 because all rulemaking authority has been repealed.

Title 11
 Repeal: 401, 402, 403, 404, 405, 406, 407, 408
 Filed 07/30/2020
 Agency Contact: Zachary Hoffman (916) 210-3633

Fish and Game Commission
 File # 2020-0629-01
 Klamath River Basin Sport Fishing

This action by the Fish and Game Commission amends fishery management measures and quota structures for Klamath River Basin adult fall-run Chinook Salmon for the 2020 season.

Title 14
 Amend: 5.87, 7.50
 Filed 08/05/2020
 Effective 08/15/2020
 Agency Contact: Craig Castleton (916) 651-1329

Occupational Safety and Health Standards Board
 File # 2020-0619-02
 Tree Work, Maintenance or Removal — Use of Portable Power Saws

This action by the California Occupational Safety and Health Standards Board amends regulations relating to the starting and use of portable power saws during tree work, maintenance, or removal.

Title 08
 Amend: 3420, 3425
 Filed 07/30/2020
 Effective 10/01/2020
 Agency Contact: Christina Shupe (916) 274-5721

**PRIOR REGULATORY
 DECISIONS AND CCR
 CHANGES FILED WITH THE
 SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit www.oal.ca.gov.