



# California Regulatory Notice Register

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

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. 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)<sup>1</sup> by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **September 15, 2022**, 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 14, 2022**.

#### BACKGROUND/OVERVIEW

Three regulations are proposed for minor amendments: Regulation 18960, 18225.7 and 18728.5 to respond to recent legislation, remove unnecessary language, and clean-up outdated citations.

**Regulation 18960:** Direct Personal Benefit Defined. The Legislature recently amended Section 89521 to define and establishes penalties for an expenditure of campaign funds that violates the campaign fund “personal use” provisions and results in an “egregious personal benefit.” (Stats. 2021, Ch. 315.) Section 89521(b) defines an egregious personal benefit as a “direct personal benefit” with a total value of \$10,000 or more to a candidate, elected officer, or any individual or individuals with authority to approve the expenditure of a committee’s campaign funds.

Currently, Regulation 18960 defines the term, “direct personal benefit,” but only for purposes of a previously enacted statute, Section 89511, which defines a “substantial personal benefit” as a “direct personal

<sup>1</sup> 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.

benefit” with a value of \$200 or more to the same list of persons authorized to expend a committee’s campaign funds.

Because the term “direct personal benefit” now affects both definitional sections, it is essential to amend Regulation 18960 to apply to both sections and to delete the unnecessary \$200 threshold attached to the definition of a direct personal benefit. It will also be beneficial to comprehensively apply the definition to individual(s) with authority to make committee expenditures, as reflected by both sections, and delete the unnecessary term “actually” in the requirement that one make personal use of an asset obtained as the result of an expenditure to have a “direct personal benefit.”

**Regulation 18225.7:** Made at the Behest: Independent versus Coordinated Expenditures. There are four contexts under the Act in which the term “made at the behest” is used. This regulation addresses the term’s use in the context of independent and coordinated expenditures, and includes a referral to Regulation 18215.3, a regulation repealed by the Commission in 2021, for rules regarding behested payments for a charitable, legislative, or governmental purpose. The reference is no longer valid, and the referral is not needed.

**Regulation 18728.5:** Reporting of Commission Income and Incentive Compensation. The Act requires a public official or designated employee to file statements of economic interest which includes a disclosure of income. (Sections 87203 and 87302.) Regulation 18728.5 sets forth rules on disclosing the source of a public official’s “commission income” and “incentive income.” It came to staff’s attention that the reference to the definition of each term contained was outdated, to Regulation 18703.3, whereas Regulation 18700.1 now holds the definitions of “commission income” and “incentive income.”

#### REGULATORY ACTION

*Amend 2 Cal. Code Regs. Section 18960; 18225.7, and 18728.5.*

Commission staff proposes to amend Regulation 18960(a) to apply to both Section 89511 and 89521, delete the \$200 threshold, and the term “actually.”

Staff proposes to amend Regulation 18225.7(a) to delete the referral to repealed Regulation 18215.3.

Staff proposes amendments to correct the citations in Regulation 18728.5(a) to reflect the correct regulation, Regulation 18700.1, stating the definition of “commission income” and “incentive income.”

**SCOPE:** The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issue identified above or any related issue.

**FISCAL IMPACT STATEMENT**

*Fiscal Impact on Local Government.* None.  
*Fiscal Impact on State Government.* None.  
*Fiscal Impact on Federal Funding of State Programs.* None.

**AUTHORITY**

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

**REFERENCE**

Government Code Sections 89511 and 89521; 82041.3, 82015, 82025, 82031, 84224, 85310 and 85500; and 82030, 87207 and 87302.

**CONTACT**

Any inquiries should be made to L. Karen Harrison, Fair Political Practices Commission, 1102 Q St., Suite 3000, Sacramento, CA 95811; email: [KHarrison@FPPC.CA.Gov](mailto:KHarrison@FPPC.CA.Gov); telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

**TITLE 2. 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:** Association of California Water Agencies Joint Powers Insurance Authority  
Partnership Healthplan of California  
**STATE AGENCY:** Citizens Redistricting Commission  
Department of Insurance

A written comment period has been established commencing on August 12, 2022 and closing on September 26, 2022. Written comments should be direct-

ed to the Fair Political Practices Commission, Attention Daniel Vo, 1102 Q Street, Suite 3000, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest codes 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 codes will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest codes, 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 codes 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 codes. Any written comments must be received no later than September 26, 2022. 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 codes should be made to Daniel Vo, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED  
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Daniel Vo, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

**TITLE 4. GAMBLING CONTROL  
COMMISSION**

SPOUSAL FORM UPDATE  
CGCC-GCA-2022-02-R

**NOTICE IS HEREBY GIVEN** that the California Gambling Control Commission (Commission) is proposing to take the action described in the Informative Digest after consideration of all relevant public comments, objections, and recommendations received concerning the proposed action. Comments, objections, and recommendations may be submitted as follows:

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period, which closes on **September 26, 2022**. Written comments relevant to the proposed regulatory action may be sent by mail, facsimile, or e-mail, directed to one of the individuals designated in this notice as a contact

person. To be eligible for the Commission's consideration, all written comments must be **received at its office no later than midnight on September 27, 2022**. **Comments sent to persons and/or addresses other than those specified under Contact Persons, or received after the date and time specified above, will be included in the record of this proposed regulatory action, but will not be summarized or responded to regardless of the manner of transmission.**

PUBLIC HEARING

The Commission has not scheduled a public hearing on this matter. Any interested person, or his or her authorized representative, may request a hearing pursuant to Government Code section 11346.8. A request for a hearing should be directed to the person(s) listed under *Contact Persons* no later than 15 days prior to the close of the written comment period.

ADOPTION OF PROPOSED ACTION

After the close of the public comment period, the Commission, upon its own motion or at the instance of any interested party, may thereafter formally 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 oral or written 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 19811, 19824, 19840, 19841, and 19984 of the Business and Professions Code; and to implement, interpret or make specific sections 19801, 19811, 19824, 19826, 19841, 19850, 19851, 19852, 19855, 19864, 19865, 19866, 19867, 19868, 19878, 19880(d), 19883, 19890(e), 19893, 19912, 19951, 19982 and 19984 of the Business and Professions Code, the Commission is proposing to adopt the following changes to Chapter 2 of Division 18 of Title 4 of the California Code of Regulations:

INFORMATIVE DIGEST AND  
POLICY STATEMENT

**Introduction:**

The California Gambling Control Commission (Commission) is the state agency charged with the administration and implementation of the Gambling Control Act (Act).<sup>1</sup> The Commission is authorized to adopt regulations as necessary to implement the Act.

The Commission updated its licensing regulations in 2021. In the time since the regulations became effective, the Bureau of Gambling Control (Bureau) has had the opportunity to receive and review hundreds of applications. During those reviews, a small number of issues have arose. While these issues do not invalidate or make ineffective the regulations as originally adopted, the process would benefit from the correction and clarification of said issues.

**EXISTING LAW:**

Business and Professions Code section 19852 provides a list of persons who are required to apply for and obtain a license prior to the cardroom being eligible for a license certificate. This list includes, in part, owners of a corporation, partnership, trust, limited liability company, or other business organization that itself owns the cardroom or third-party provider of proposition player services, or any employee, agent, or other who is a holder of indebtedness or has the power to exercise a significant influence over the gambling operation.

Business and Professions Code sections 19811, 19824, 19840, 19841, and 19984 provide the authority and ability for the Commission to promulgate regulations regarding the application process within the controlled gambling industry.

**EFFECT OF REGULATORY ACTION:**

The proposed action has been prepared to modify existing regulations to clarify the requirements to submit the Spousal Information form and Supplemental Information Schedules. This includes clarifying when a spouse is required to submit an application for licensure. Finally, a new category is added to the form to allow the form to be submitted when an applicant is an owner category licensee but does not actually own or control a business but is instead an officer, director, or other employee who is required to licensed as an endorsee.

**ANTICIPATED BENEFITS OF PROPOSED REGULATION:**

This proposed action will have the benefit of providing the people of California with a clear method of requesting consideration for a finding of suitability.

<sup>1</sup> Business and Professions Code, Division 8, Chapter 5, section 19800 et seq.

**SPECIFIC PROPOSAL:**

This proposed action will make changes within the California Code of Regulations, Title 4, Division 18 as follows:

*CHAPTER 1 GENERAL PROVISIONS*

*ARTICLE 3. DESIGNATED AGENT*

***Amend 12080. Requirements.***

Section 12080 provides the process by which an applicant, license, or holder of a Commission work permit may designate a natural person(s) to server as their designated agent(s).

Subsection (a) provides the application form Appointment of Designated Agent, CGCC-CH1-04. The section specific instructions are modified to be consistent with the primary instructions, to require the indication of "N/A."

*CHAPTER 2 LICENSES AND WORK PERMITS*

*ARTICLE 2. INITIAL AND RENEWAL LICENSES AND WORK PERMITS*

***Amend 12112. Initial License Applications; Required Forms.***

Section 12112 provides the documents a person applying for an initial Commission approval must submit to the Bureau.

Subsection (a) provides the application forms that are required for all applications. Application for Owner Category License, CGCC-CH2-05, provides the application for TPPPS and cardroom business and endorsee licensees. Section 4 of the form requires a list of items that are required as attachments to the application. The Spousal Information form is added to these requirements.

Subsection (b) provides the supplemental forms that can be required of an applicant, depending on the specific application that is being requested.

- Paragraph (2) provides the Individual Owner/Principal: Supplemental Information form, CGCC-CH2-07.
  - Section 10, question H) requires in some cases that Trust: Supplemental Information, CGCC-CH2-09 is sometimes required. The revision date for the Trust: Supplemental Information form has been repealed.
  - Section 11 of the form requires a list of items that are required as attachments to the application. Two forms are proposed to be removed from these requirements.
    1. The Spousal Information form is no longer necessary to be submitted alongside the Individual Owner/Principal: Supplemental Information form.
    2. The Internal Revenue Service Request for Transcript or Tax Return, 4506-T, is no longer required.

3. The requirement to provide Schedules A through J from the Supplemental Information Schedules, CGCC-CH2-11, is revised to require Schedules A through K.

- Paragraph (3) provides the Key Employee or TPPPS Supervisor: Supplemental Information, CGCC-CH2-08. Section 11 of the form requires a list of items that are required as attachments to the application. The requirement to provide Schedules A through J from the Supplemental Information Schedules, CGCC-CH2-11, is revised to require Schedules A through K.
- Paragraph (5) provides the Commission Work Permit or TPPPS Worker: Supplemental Information, CGCC-CH2-10. Section 8 of the form requires a list of items that are required as attachments to the application. One form is proposed to be removed from these requirements. The Request for Copy of Personal Income or Fiduciary Tax Return, FTB-3516C1 PAGE 1.
- Paragraph (7) provides the Spousal Information form, CGCC-CH2-12. Because subsection (b) has the condition of “as applicable” and this proposed action would require the form in all cases, it has been moved out of subsection (b) and to subsection (f). Paragraphs (8) and (9) renumbered accordingly.

Subsection (e) provides a reference to the form Appointment of Designated Agent, CGCC-CH1-04, which is attached to Appendix A in Section 12080. The revision date for the Appointment of Designated Agent form has been repealed.

Subsection (f) is proposed to provide the Spousal Information form.

The form (CGCC-CH2-12) is amended as follows:

- The Spousal Information form provides instructions on how to complete the form. The instructions are amended in two ways:
  1. The instructions on when the form does not need to be submitted is amended to include both when the spouse is currently licensed or is submitting a license request as an owner for the associated cardroom or third-party provider of proposition player services concurrently with the applicant’s request.
  2. A question is added to indicate whether or not the applicant is either married or has a registered domestic partner.
- Section 2 requires information related to the relationship of the spouse to the business. A new option 6 is added, “The applicant is not an ownership interest holder.”
- Section 3 requires specific statements be initialed by both the applicant and their spouse in order for

the spouse to not be required to be licensed. The instructions for this section clarify that Section 3 only needs to be filled out if item 5 of section 2 is selected and items 2 through 4 of section 2 are not selected.

- Section 4 indicates any additional items that are required to be submitted alongside the spousal information form.
  - The instructions of the form are amended to provide that spouses of applicants who are not interest owners are not required to submit any additional documentation except any documentation that may be required by the Bureau under its own statutory or regulatory authority.
  - The first item, which requires the submittal of either a Request for Live Scan Service or two Applicant Fingerprint Cards is amended to clarify that the spouse is the person required to submit the form.

*Chapter 3 Conditions of Operation for TPPPS Businesses*

*Article 3. TPPPS Contract*

***Amend 12272. Review and Approval of TPPPS Contracts.***

Section 12272 provides the process by which the Bureau reviews and approves a TPPPS contract.

Subsection (a), paragraph (2), provides for the documents necessary for an application to be considered complete.

- Subsection (A) provides that the applicant must submit a completed Application for Contract Approval to Provide Proposition Player Services, CGCC-CH3-02. The provision is amended to clarify that the form is attached in Appendix A of Chapter 3. Additionally, the form is amended as follows:
  - Section 3 of them provides that in some cases the Appointment of Designated Agent, CGCC-CH1-04, is required alongside an Application for Contract Approval to Provide Proposition Player Services. The revision date for the Appointment of Designated Agent form has been repealed.

***Amend 12274. Expedited Review and Approval of TPPPS Contracts.***

Section 12274 provides the process by which the Bureau reviews and approves a TPPPS contract on an expedited basis.

Subsection (c) provides for the documents necessary for an application to be considered complete.

- Paragraph (1) provides a reference to the form Application for Contract Approval to Provide Proposition Player Services, CGCC-CH3-02,

which is attached to Appendix A in Section 12272. The revision date for the Application for Contract Approval to Provide Proposition Player Services form has been repealed.

- Paragraph (2) provides a reference to the form Appointment of Designated Agent, CGCC-CH1-04, which is attached to Appendix A in Section 12080. The revision date for the Appointment of Designated Agent form has been repealed.

***Amend 12278. Extension of TPPPS Contracts.***

Section 12278 provides the process by which the Bureau reviews and approves request to extend an existing TPPPS contract.

Subsection (a) provides for the documents necessary for an application to be considered complete.

- Paragraph (1) provides a reference to the form Application for Contract Approval to Provide Proposition Player Services, CGCC-CH3-02, which is attached to Appendix A in Section 12272. The revision date for the Application for Contract Approval to Provide Proposition Player Services form has been repealed.

**CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS**

The Commission has evaluated this regulatory action and determined that the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

The proposed action is intended to make changes to the Commission’s regulations to improve the Commission’s existing processes and in so doing makes them more compatible and internally consistent.

**COMPARABLE FEDERAL LAW**

There are no existing federal regulations or statutes comparable to the proposed regulations.

**FISCAL IMPACT ESTIMATES**

**FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES OR COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE:**

***Amend 12112. Initial License Applications; Required Forms.***

There is no anticipated fiscal savings or cost as this regulation is not anticipated to impact any existing process, but instead only provides clarification to existing application submittal requirements.

**NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES:** None.

**MANDATE IMPOSED ON ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING**

**WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:** None.

**COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:** None.

**EFFECT ON HOUSING COSTS:** None.

**IMPACT ON BUSINESS:**

The Commission has determined that this regulatory proposal will not have a significant impact directly affecting business, including the ability to compete. For this purpose, the consolidated small business definition provided in Government Code section 11346.3, subdivision (b), paragraph (4) was utilized.

The basis for this determination is that this proposed action imposes no mandatory requirement on businesses or individuals and does not significantly change the Commission’s current practices and procedures. The proposed action clarifies existing application submittal requirements.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:**

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.

**EFFECT ON SMALL BUSINESS:**

The Commission has made a determination that the proposed regulatory action would not affect small businesses as the proposed action only clarifies existing application submittal requirements.

**RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS IMPACT ON**

**JOBS/NEW BUSINESSES:**

The Commission has determined that this regulatory proposal will not have a significant impact on the creation of new jobs or businesses, the elimination of jobs or existing businesses, or the expansion of businesses in California. For this purpose, the consolidated small business definition provided in Government Code section 11346.3, subdivision (b), paragraph (4) was utilized.

The basis for this determination is that this proposed action imposes no new mandatory requirement on businesses or individuals and does not significantly change the Commission’s current practices and procedures. The proposed action clarifies existing application submittal requirements.

**BENEFITS OF PROPOSED REGULATION:**

It has been determined that the proposed action will protect the health, safety, and general welfare of California residents by aiding and preserving the integrity of controlled gambling.



**HEALTH AND WELFARE OF CALIFORNIA RESIDENTS:**

It has been determined that the proposed action will protect the health, safety, and general welfare of California residents by aiding and preserving the integrity of controlled gambling.

**WORKER SAFETY:**

It has been determined that the proposed action will not affect worker safety because it does not pertain to working conditions or worker safety issues.

**STATE'S ENVIRONMENT:**

It has been determined that the proposed action will not affect the State's environment because it has nothing to do with environmental issues.

CONSIDERATION OF ALTERNATIVES

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

INITIAL STATEMENT OF REASONS,  
INFORMATION AND TEXT OF PROPOSAL

The Commission has prepared an Initial Statement of Reasons and the exact language for the proposed action and has available all the information upon which the proposal is based. Copies of the language 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 Commission at 2399 Gateway Oaks Drive, Suite 220, Sacramento, CA 95833-4231.

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

All the information upon which the proposed action is based is contained in the Rulemaking File that will be available for public inspection and copying at the Commission's office throughout the rulemaking process. Arrangements for inspection and/or copying may be made by contacting the primary contact 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 one of the contact persons named below or by accessing the Commission's website listed below.

CONTACT PERSONS

All comments and inquiries concerning the substance of the proposed action should be directed to the following *primary* contact person:

Joshua Rosenstein, Legislative and Regulatory Specialist  
Legislative and Regulatory Affairs Division  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220,  
Sacramento, CA 95833-4231  
Telephone: (916) 274-5823  
Fax: (916) 263-0499  
E-mail: [jrosenstein@cgcc.ca.gov](mailto:jrosenstein@cgcc.ca.gov)

Requests for a copy of the Initial Statement of Reasons, proposed text of the regulation, modified text of the regulation, if any, or other technical information upon which the proposed action is based should be directed to the following *backup* contact person:

Alex Hunter, Legislative and Regulatory Specialist  
Legislative and Regulatory Affairs Division  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220,  
Sacramento, CA 95833-4231  
Telephone: (916) 263-1301  
Fax: (916) 263-0499  
E-mail: [ahunter@cgcc.ca.gov](mailto:ahunter@cgcc.ca.gov)

WEBSITE ACCESS

Materials regarding this proposed action are also available on the Commission's website at [www.cgcc.ca.gov](http://www.cgcc.ca.gov).

**TITLE 12. DEPARTMENT OF  
VETERANS AFFAIRS**

NOTICE IS HEREBY GIVEN that the California Department of Veterans Affairs ("CalVet") is proposing to take the action described in the Informative Digest after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department has not scheduled a public hearing. However, any interested person or his or her authorized representative may request a hearing no later than fifteen (15) calendar days prior the end of the written comment period. Submit a request to Phil McAllister at the address below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to CalVet. Comments may also be submitted by facsimile (FAX) at (916) 653-2456 or by e-mail to [phil.mcallister@calvet.ca.gov](mailto:phil.mcallister@calvet.ca.gov). The written comment period closes **on September 27, 2022 at 12:01 a.m.** CalVet will consider only comments received at CalVet offices by that date. Submit comments to:

Phil McAllister, Regulatory Actions Coordinator  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95814

AUTHORITY AND REFERENCE

Military and Veterans Code (MVC) sections 69 and 78 authorize CalVet to adopt this proposed regulation and are also the statutes being implemented, interpreted, and made specific.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

A. Policy Statement Overview

The purpose of these proposed regulations is to clarify how the California Veterans Board will conduct the Board meetings authorized by 12 MVC 69. Currently, no regulations exist that provide this information to the public.

B. Informative Digest

The specific purpose for each proposed amendment or adoption of 12 CCR 710 would provide as follows:

Section 710: The purpose of these proposed regulations is to clarify how the Veterans Board will conduct meetings authorized by 12 MVC 69.

Subsection (a): This subsection clarifies the quorum requirements for board and committee meetings, agenda requirements, and Board and committee meeting processes.

Subsection (a)(1): This subsection clarifies quorum requirements for Board and committee meetings.

Subsection (a)(2): This subsection clarifies the restrictions on Board members attending committee meeting in accordance with Government Code 11122.5.

Subsection (a)(3)(A): This subsection clarifies the requirement for the public to request items added to Board meetings.

Subsection (a)(3)(B): This subsection clarifies how Board agendas are constructed, and who has authority to establish an agenda.

Subsection (a)(3)(C): This subsection clarifies the requirements for posting and distributing agendas.

Subsection (a)(4): This subsection clarifies the authority of committees of the Board to make recommendations, and how those recommendations must be noticed in order for the Board to take action.

Subsection (a)(5): This subsection clarifies the requirements for a valid vote on an agenda item.

Subsection (b): This subsection clarifies the requirements for public participation, including the public right to address items, the requirement for a public forum, the time allowed for discussion of agenda items, and the requirements for written comments.

EVALUATION OF INCONSISTENCY OR INCOMPATIBILITY WITH EXITING STATE REGULATIONS

CalVet has researched existing regulations and determined that the proposed regulation is consistent and compatible with all state statutes and regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

*CalVet has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

In accordance with Government Code section 11346.5(a)(10), the results of the Economic Impact Assessment/Analysis (EIA) (full EIA found in the Initial Statement of Reasons) are as follows:

- The proposed regulations will not create or eliminate jobs in California.

- The proposed regulations will not create or eliminate businesses in California.
- The proposed regulations will not affect the expansion of existing businesses in California.

#### BENEFITS OF THE PROPOSED REGULATION

The benefits of the regulation are to make clear the requirements for meetings of the California Veterans Board to ensure that the meetings and meeting processes meet the Bagley–Keene Open Meeting Act, and inform the public of how they may participate in those meetings. The proposed action will benefit the health and welfare of California veterans through increased awareness of the requirements for participation in California Veterans Board meetings. There are no anticipated benefits to worker safety or the state’s environment.

#### SMALL BUSINESS DETERMINATION

The adoption of these regulations do not affect small business because the regulations only clarify the requirements for participation in California Veterans Board meetings authorized by 12 MVC 69.

#### BUSINESS REPORT

The proposed regulation does not require a business report.

#### CONSIDERATION OF ALTERNATIVES

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

#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Phil McAllister, Regulatory Actions Coordinator  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95818  
Telephone: (916) 653–1961  
Fax: (916) 653–2456  
Email: [phil.mcallister@calvet.ca.gov](mailto:phil.mcallister@calvet.ca.gov)

Tina Lassiter, Executive Officer  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95818  
Telephone: (916) 653–2041  
Email: [tina.lassiter@calvet.ca.gov](mailto:tina.lassiter@calvet.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Phil McAllister at the above address.

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

CalVet will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office 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 regulations, the initial statement of reasons. Copies may be obtained by contacting Phil McAllister at the address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Phil McAllister at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through

our website at <https://www.calvet.ca.gov/about-us/laws-regulations>.

## TITLE 12. DEPARTMENT OF VETERANS AFFAIRS

NOTICE IS HEREBY GIVEN that the California Department of Veterans Affairs (“CalVet”) is proposing to take the action described in the Informative Digest after considering all comments, objections, and recommendations regarding the proposed action.

### PUBLIC HEARING

The Department has not scheduled a public hearing. However, any interested person or his or her authorized representative may request a hearing no later than fifteen (15) calendar days prior the end of the written comment period. Submit a request to Phil McAllister at the address below.

### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to CalVet. Comments may also be submitted by facsimile (FAX) at (916) 653-2456 or by e-mail to [phil.mcallister@calvet.ca.gov](mailto:phil.mcallister@calvet.ca.gov). The written comment period closes **on September 27, 2022 at 12:01 a.m.** CalVet will consider only comments received at CalVet offices by that date. Submit comments to:

Phil McAllister, Regulatory Actions Coordinator  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95814

### AUTHORITY AND REFERENCE

Military and Veterans Code (MVC) sections 78 and 86 authorize CalVet to adopt this proposed regulation and are also the statutes being implemented, interpreted, and made specific.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### A. Policy Statement Overview

The purpose of these proposed regulations is to clarify how the Veterans Board will conduct the appeals process authorized by 12 MVC 86.

#### B. Informative Digest

The specific purpose for each proposed amendment or adoption of 12 CCR 715 would provide as follows:

Subsection (a): This subsection clarifies the decisions that may be appealed and who may hear the appeal being sought. Deferral of Farm and Home Loan appeals is required by 12 MVC 86(b).

Subsection (b): This subsection clarifies how the veteran must officially file the appeal, the immediate effect of the appeal, the types of appeals that the veteran may request, the notice the Board must give to participants, and the steps that the veteran may expect during the appeals process. The different types of appeals offer veterans a range of options for appellant review depending on the complexity of the issues under consideration. Many appeals do not require a full administrative hearing, and can be solved without the cost or time involved in a full administrative hearing.

Subsection (c): This subsection provides the detailed instructions for the filing of an appeal, including the evidence that must be presented in order to allow the Board to fully consider the issue under appeal.

Subsection (d): This subsection clarifies the specific Board requirements and options available for an administrative appeal, including the notice requirements, recording, decisions that the Board may make, and the timeline for those decisions to be communicated. This allows veterans to know how and when the decision will be made and communicated to them.

### EVALUATION OF INCONSISTENCY OR INCOMPATIBILITY WITH EXITING STATE REGULATIONS

CalVet has researched existing regulations and determined that the proposed regulation is consistent and compatible with all state statutes and regulations.

### DISCLOSURES REGARDING THE PROPOSED ACTION

*CalVet has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Significant, statewide adverse economic impact directly affecting business, including the ability of Cali-



for California businesses to compete with businesses in other states: None.

Significant effect on housing costs: None.

**RESULTS OF ECONOMIC IMPACT  
ASSESSMENT/ANALYSIS**

In accordance with Government Code section 11346.5(a)(10), the results of the Economic Impact Assessment/Analysis (EIA) (full EIA found in the Initial Statement of Reasons) are as follows:

- The proposed regulations will not create or eliminate jobs in California.
- The proposed regulations will not create or eliminate businesses in California.
- The proposed regulations will not affect the expansion of existing businesses in California.

**BENEFITS OF THE PROPOSED REGULATION**

The benefits of the regulation are to make clear the requirements for a veteran’s appeal to the California Veterans Board regarding a benefit not granted by CalVet. The proposed action will benefit the health and welfare of California veterans through increased awareness of the requirements for filing an appeal with the California Veterans Board and the process by which appeals are conducted. There are no anticipated benefits to worker safety or the state’s environment.

**SMALL BUSINESS DETERMINATION**

The adoption of these regulations do not affect small business because the regulations only clarify the veterans’ right to appeal CalVet benefit decisions authorized by 12 MVC 86.

**BUSINESS REPORT**

The proposed regulation does not require a business report.

**CONSIDERATION OF ALTERNATIVES**

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

**CONTACT PERSONS**

Inquiries concerning the proposed administrative action may be directed to:

Phil McAllister, Regulatory Actions Coordinator  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95818  
Telephone: (916) 653-1961  
Fax: (916) 653-2456  
Email: [phil.mcallister@calvet.ca.gov](mailto:phil.mcallister@calvet.ca.gov)

Tina Lassiter, Executive Officer  
California Department of Veterans Affairs  
1227 O Street, Suite 300  
Sacramento, California 95818  
Telephone: (916) 653-2041  
Email: [tina.lassiter@calvet.ca.gov](mailto:tina.lassiter@calvet.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Phil McAllister at the above address.

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

CalVet will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office 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 regulations, the initial statement of reasons. Copies may be obtained by contacting Phil McAllister at the address or phone number listed above.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

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

**AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Phil McAllister at the above address.

**AVAILABILITY OF DOCUMENTS  
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at <https://www.calvet.ca.gov/about-us/laws-regulations>.

**TITLE 16. RESPIRATORY CARE  
BOARD**

**CONTINUING EDUCATION, CONTINUING  
EDUCATION PROVIDERS, LAW AND  
PROFESSIONAL ETHICS COURSE,  
APPROVED CE PROGRAMS,  
PRECEPTORS, AND  
CITATIONS AND FINES**

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs, Respiratory Care Board of California (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this Notice.

**WRITTEN COMMENT PERIOD**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under *Contact Person* in this Notice, must be received by

the Board at its office not later than **5:00 p.m. on Tuesday, September 27, 2022**, or must be received by the Board at the hearing, if a hearing is held.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

After holding any requested hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications 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 contact person listed in this Notice at the address indicated in the below ‘contact person’ section. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 125.9, 701, 704, 3719, 3719.5, and 3722 of the Business and Professions Code<sup>1</sup> (B&P), and to implement, interpret or make specific sections 3719, 3719.5, 3742, 3750, and 3755, the Respiratory Care Board of California is considering changes to and addition of sections 1399.349, 1399.350, 1399.350.5, 1399.351, 1399.352, 1399.352.5, 1399.352.6, 1399.352.7, and 1399.381 of Division 13.6, Title 16 of the California Code of Regulations (CCR) as described herein.

**INFORMATIVE DIGEST**

*A. Informative Digest*

The Respiratory Care Board (Board) enforces the Respiratory Care Practice Act at Business and Professions Code (BPC) sections 3700–3779 and oversees approximately 23,600 licensed respiratory care practitioners and respiratory care practitioner applicants.

BPC section 3719 and 16 CCR 1399.350 currently require licensed respiratory care practitioners (RCPs) to complete 30 hours of continuing education (CE) every two years in alignment with the biennial renewal of each license. BPC section 3719 also authorizes the Board to identify and approve examinations that qualify for CE hours.

BPC section 3719.5 authorizes the Board to require the completion of courses offered by the Board, the American Association for Respiratory Care and the California Society for Respiratory Care as part of re-

<sup>1</sup> Unless otherwise specified, all sections refer to the Business and Professions Code.

quired CE and prior to initial licensure or consideration of a reinstatement petition.

Existing regulation, 16 CCR 1399.349–1399.359, establishes the criteria for various continuing education and license requirements. 16 CCR 1399.381 establishes the fine amount for a violation of the Respiratory Care Practice Act (RCPA) that is addressed through the Board’s citation and fine program.

To meet some of the Board’s strategic plan goals, the Board proposes to revise all of Article 5, Continuing Education, by reorganizing and amending sections 1399.349–1399.359.

**Problems being addressed include:**

- 1) The need to restructure Article 5 of Division 13.6 of the CCR to accommodate new language, provide clarity and improve program effectiveness.
- 2) The need for live and interactive continuing education to ensure licensees have the most current information relative to their profession, as well as foster leadership and the sharing of information among licensees.
- 3) The need to encourage and develop skills and knowledge in leadership to fill the expected gap in management attrition.
- 4) The need to encourage qualified preceptors to strengthen the clinical education of students to improve education outcomes, provide greater consumer protection and foster leadership skills.
- 5) The need to update the Citation and Fine Schedule to include legislative amendments to Section 3750.

**Specifically, the Board proposes to:**

- 1) Amend 16 CCR 1399.349 to delete the word “basic,” an unnecessary and confusing term used in the context of this section.
- 2) Amend 16 CCR 1399.350 to revise the existing requirement that at least two thirds of continuing education hours be directly related to clinical practice to a new set of standards describing that 25 of the 30 required hours be completed within an enumerated list of content areas.
  - a. Subdivision (b) is being amended to include a subdivision allowing for RCPs to obtain continuing education credit through physical attendance at certain meetings and describing how credit for attendance is calculated and how record of attendance is made.
  - b. Subdivision (c) of this section is being amended to describe 15 hours of instruction must be earned from live courses or meetings, and to define what counts as ‘live courses or meetings’.
  - c. Subdivision (d) of this section is being added to note licensees may not claim continuing

education hours for the same course or credentialing or certification examination more than once per renewal period.

- d. Existing subdivision (b) is being renumbered to (e) and is being amended to improve language clarity and to define “supporting documentation” and “documentation supporting compliance”.
  - e. Existing subdivision (c) is being renumbered to (f).
- 3) Amend 16 CCR 1399.350.5(b) to change which CE requirement the Law and Professional Ethics course may be credited toward, from “non-clinical practice” to “RCP Leadership.” This subdivision is also being modified to clarify an existing cross reference to section 1399.350(a)(1).
  - 4) Amend 16 CCR 1399.351 as follows:
    - a. Subdivision (b) is being amended to improve readability by noting that 15 hours of credit shall be approved for the listed initial credentials upon completion of examination. The existing regulation separately lists that 15 hours credit be given for each examination type; the proposed regulation moves those separate notations into a single notation. Further revisions are made to the names of the examinations to reflect their current names. Registered Respiratory Therapist is also being added to the list of allowable examinations, subject to conditions.
    - b. Subdivision (c) is being added to note the Board shall approve 15 hours of CE for each initial certification and 5 hours for each renewal or recertification for the listed certification examinations. The enumerated examinations currently allow for a “number of CE hours to be designated by the provider”; this is being revised to a flat 15 hour allowance. Further revisions are made to the names of the examinations to reflect their current names. Asthma Educator Certified is also being added to the list of allowable examinations.
    - c. Throughout section 1399.351, existing examinations have been renumbered to fall under proposed subdivisions (b) and (c).
    - d. Subdivision (d) is being added to allow for CE credit for initial certification for a number of hours given by the provider for Pulmonary Rehabilitation–Certified, Tobacco and Smoking–Cessation Certified, and COPD Educator–Certified.
    - e. Existing subdivision (c) is being renumbered to (e), its contents repealed and moved

to proposed section 1399.352, and replaced with language noting CE credit will not be granted for any review and/or preparation courses for credentialing or certification examinations, basic life support credentialing, renewal or recertification of any certification not expressly identified in subdivision (c), or employment-related courses on subjects not described in this Article.

- f. Existing subdivision (e) is being renumbered to (f). The existing regulatory language noting that credit may be obtained only once for credit for initial certifications is being removed, as is the language cross-referencing section 1399.352 for recertification. Additional clarifying language is being added to this subdivision noting programs listed in subdivision (c) of this section shall be provided by an approved entity.
  - g. Existing subdivision (f) is being removed. Authority to audit programs offering CE for compliance is provided in 1399.352(m).
- 5) Amend 16 CCR 1399.352 as follows:
- a. Subdivision (a) is being amended to cross-reference proposed section 1399.350 to clarify that the referenced areas of education are relevant to the scope of practice of respiratory care. The phrase “not directly related to clinical practice” is being replaced by “related to the role of a health care practitioner or indirectly related to respiratory care.” Related courses described in this subdivision are being revised as well, affecting which courses and subject matters may be deemed acceptable.
  - b. Subdivision (h) is being amended to improve clarity and readability, to clarify that course “in any format” are affected, and to remove the requirement that courses provided by any of the listed entities be “approved by the entity’s president, director, or other appropriate personnel.” The entities described in subdivision (h) are also being amended to reflect current acceptable entities. Several entities are being added.
  - c. Existing subdivision (h)(10) is being amended as subdivision (i) and is being changed to note which CE additional providers may provide live, “real-time” courses.
  - d. Existing subdivision (i) is being renumbered as (j) and record retention standards for course organizers are being updated.
  - e. Existing subdivision (j) is being repealed.

- f. Subdivision (k) is being amended to clarify what documentation must be provided to course participants upon completion of a course.
  - g. Other conforming changes are made to subdivision (l) to correct cross-references to this section.
- 6) Amend section 1399.352.5(a) to remove the phrase “as it pertains to their own course or a course approved by them.”
  - 7) Adopt section 1399.352.6 regarding preceptors. This new section defines ‘preceptor’ and sets out qualifying criteria. This new section describes how preceptors may claim continuing education credit. This new section also defines ‘instructor’ as it relates to preceptors, sets out qualifying criteria for instructors, and outlines rules for how instructors may claim continuing education credit.
  - 8) Amend section 1399.352.7 to clarify that the board or its designee may approve a course in law and professional ethics.
    - a. Subdivision (c) of this section is also amended to note that “at least two hours” of the law and professional ethics course must “be dedicated to professional ethics with a concentration in” enumerated subject areas.
    - b. Subdivision (d) is added to reflect that “up to one hour of material” with a concentration in certain subject matter areas may be included in the course content. These subject matter areas include ‘acts that jeopardize licensure and licensure status’ and a new subject matter area, ‘current activities of the RCP profession.’
    - c. Existing subdivision (d) is renumbered to (e), and the requirements of the law and professional ethics course are being amended to modify examination requirements and what the course must contain. Clarifications are also made to this subdivision relating to how much a provider may charge.
    - d. Subdivisions (e) through (h) are renumbered to fit the proposed changes, and subdivision (h) as amended is amended to reflect that the Board or its designee may rescind approval of a course.
  - 9) Amend section 1399.381 to include a fine for false statements as defined by Business and Professions Code section 3750(g).

*B. Policy Statement Overview/Anticipated Benefits of Proposal*

The Board’s highest priority is protection of the public in exercising its licensing, regulatory, and disci-



iplinary functions. To continue performing these functions, the Board’s continuing education and fine regulations must be kept current to reflect the underlying statutory requirements and to meet the most up-to-date standards and practices.

To that end, this proposal modernizes the Board’s continuing education system by offering improved flexibility for licensees in how continuing education credit is obtained. Promoting attendance at association meetings will improve licensees’ engagement and expose the licensee population to the current issues affecting their profession. Broadly, the changes in this proposal will provide greater access to a larger range of providers and subject matters and will more accurately attune the Board’s definition of related coursework to one more fitting health care practitioners. Further, this proposal will include new rules for preceptors and instructors that will help those qualifying participants complete their required continuing education hours.

This proposal will also expressly disallow certain unrelated education and activity from being used for continuing education credit and will clarify the responsibilities of providers to give completion documentation to attendees who have completed coursework. Finally, this rulemaking will place in regulation known maximum fines for false statements, in line with violations finable by the Board through the most current statutes.

Taken together, these changes will promote better access to continuing education, better incentivize instructional participation, modernize course access, and clarify the Board’s disciplinary authority, all of which will further the Board’s primary goal to protect the public by ensuring its licensees remain well educated and regulated.

*C. Consistency and Compatibility with Existing State Regulations*

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

**BUSINESS REPORTING REQUIREMENTS**

The regulatory action does not require businesses to file a report with the Board.

**FISCAL IMPACT ESTIMATES**

*Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:* The regulations do not result in a fiscal impact to the state.

The proposed amendments specify CE coursework and fulfillment requirements for licensees as part of license renewal. The regulations do not increase the total number of CE hours required. As a result, the Board does not anticipate an increase in workload or costs.

The proposed amendments provide for the issuance of a fine of up to \$5,000 for making a false statement, as specified. However, this addition is intended to specify a violation, which is currently delineated as unprofessional conduct. As a result, no addition revenues related to the issuance of a fine for making a false statement is anticipated.

*Nondiscretionary Costs/Savings to Local Agencies: Local Mandate:* None.

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

*Business Impact:* The Board has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

*Cost Impact on Representative Private Person or Business:*

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

The proposed amendments provide for the issuance of a fine of up to \$5,000 for making a false statement, as specified. However, this addition is intended to specify a violation, which is currently delineated as unprofessional conduct. As a result, no addition costs related to the issuance of a fine for making a false statement is anticipated.

*Effect on Housing Costs:* None.

**EFFECT ON SMALL BUSINESS**

The Board has determined the proposed regulations are not anticipated to affect small businesses operating in the state because the required CE courses, as specified, are currently readily available.

**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 have the following benefits to health and welfare of California residents, worker safety and the state's environment: None. This proposal is not related to residents' health and welfare, and is unrelated to the environment.

**CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the proposal 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 submit comments to the Board in writing relevant to the above determinations at 3750 Rosin Court, Suite 100, Sacramento CA 95834 and/or present such statements or arguments orally or in writing 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 any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 3750 Rosin Court, Suite 100, Sacramento, CA 95834.

**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: Stephanie Nunez  
Address: Respiratory Care Board  
3750 Rosin Court, Suite 100  
Sacramento, CA 95834  
Telephone No: (916) 999-2190  
E-mail: [rcbinfo@dca.ca.gov](mailto:rcbinfo@dca.ca.gov)

The backup contact person is:

Name: Christine Molina  
Address: Respiratory Care Board  
3750 Rosin Court, Suite 100  
Sacramento, CA 95834  
Telephone No: (916) 999-2190  
E-mail: [rcbinfo@dca.ca.gov](mailto:rcbinfo@dca.ca.gov)

Website Access: Materials regarding this proposal can be found at: <https://rcb.ca.gov/enforcement/lawsregs.shtml>

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND WILDLIFE**

**CESA CONSISTENCY DETERMINATION  
REQUEST FOR  
DESERT HARVEST SOLAR PROJECT  
2080-2022-011-06  
RIVERSIDE COUNTY**

The California Department of Fish and Wildlife (CDFW) received a notice on July 26, 2022 that EDF Renewables proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves the construction, operation, maintenance and decommissioning of a commercial solar power generating facility on Bureau of Land Management (BLM)-managed lands. Proposed activities will include, but are not limited to, the construction, operation, maintenance and decommissioning of the solar plant. The proposed project will occur in Riverside county, approximately 5 miles north of the rural community of Desert Center, California.

The U.S. Fish and Wildlife Service (Service) issued an amendment for a federal biological opinion (BO) (Service Ref. Number FWS-ERIV-10B0593-12F0411-R002) in a memorandum to the U.S. Bureau of Land Management on September 27, 2021, which

considered the effects of the proposed project on state endangered candidate and federal threatened desert tortoise (*Gopherus agassizii*).

Pursuant to California Fish and Game Code section 2080.1, EDF-RE Renewable Energy is requesting a determination that the Incidental Take Statement (ITS) and its associated BO are consistent with CESA for purposes of the proposed project. If CDFW determines the ITS and associated BO are consistent with CESA for the proposed project, EDF-RE Renewable Energy will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

**DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL**

NOTICE OF PUBLIC COMMENT PERIOD FOR  
CONSENT DECREE  
PCA METAL FINISHING, INC.  
PUBLIC COMMENT PERIOD:  
AUGUST 12, 2022 to SEPTEMBER 12, 2022

**WHAT IS BEING PROPOSED** — The Department of Toxic Substances Control (DTSC) invites the public to review and comment on a proposed Consent Decree (CD) entered with Robert C. Frojen and Colleen Frojen Trust and affiliated sub-trusts, Colleen Frojen, as an individual and as trustee of the Robert C. Frojen and Colleen Frojen Trust and affiliated sub-trusts, Robert Winters, and PCA Metal Finishing, Inc. (collectively, “Defendants”). This CD recovers a portion of California’s costs in responding to the release of hazardous substances at the 2.3 acre PCA Metal Finishing site (Site) located at 1726 E Rosslynn Ave, Fullerton, Orange County, California 92831. The release or threatened release of hazardous substances at or from the Site dating back before the early 1990s caused the State of California (State) to incur environmental response costs of approximately \$8,300,000 from 2007 through December 2021.

The proposed CD commits the Defendants to pay a total of \$3,000,000 to DTSC. Provided the payment is made as required, the proposed CD will constitute a settlement between the Defendants and DTSC within the meaning of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 113(f)(2), 42 U.S.C. § 9613(f)(2). After the 30-day public comment period ends, DTSC intends to file a motion for judicial approval of the proposed Consent Decree.

**HOW CAN I GET INVOLVED** — DTSC will consider written public comments on the proposed CD that are **postmarked or emailed by September 12, 2022**. DTSC may withdraw its consent to the CD

if it receives comments that disclose facts or considerations that indicate the CD is inappropriate, improper, or inadequate. Comments should be addressed to: Farah Itani, Project Manager, 5796 Corporate Avenue, Cypress, California 90630, or email your comments to [Farah.Itani@dtsc.ca.gov](mailto:Farah.Itani@dtsc.ca.gov).

**WHERE DO I GET INFORMATION** — The proposed CD and other documents related to the Site are available at the following location: **DTSC Cypress Office**, 5796 Corporate Avenue, Cypress, California 90630; phone: (714) 484-5337 (By appointment only; Monday-Friday, 8 a.m. to 5 p.m.) –OR– **Fullerton Public Library**, 353 W. Commonwealth Avenue, Fullerton, CA 92832, (714) 738 6326.

Copies of these documents, key technical reports, fact sheets and other site-related information are also available online at DTSC’s website: [https://www.envirostor.dtsc.ca.gov/public/profile/report.asp?global\\_id=71002360](https://www.envirostor.dtsc.ca.gov/public/profile/report.asp?global_id=71002360)

**FOR ADDITIONAL INFORMATION:** If you have any questions or wish to discuss the Consent Decree please contact:

**Farah Itani**  
DTSC Project Manager  
(714) 484-5471  
[Farah.Itani@dtsc.ca.gov](mailto:Farah.Itani@dtsc.ca.gov)

**Jessica Anderson**  
Public Participation Specialist  
(714) 484-5354  
[Jessica.Anderson@dtsc.ca.gov](mailto:Jessica.Anderson@dtsc.ca.gov)

**PETITION DECISIONS**

**DEPARTMENT OF RESOURCES  
RECYCLING AND RECOVERY**

July 27, 2022  
Leonard Lang  
1713 Mimosa Ln.  
Euless, TX 76039

**Via email:** [lang@recyclingandregulation.com](mailto:lang@recyclingandregulation.com)

Dear Mr. Lang:

Thank you for your letter of June 27, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department as **Petition for Rulemaking Number 2022-06-27**. The Department of Resources Recycling and Recovery, Division of Recycling (Department) has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is granting the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) requires recycling centers to prepare and maintain certain documents, including consumer transaction receipts and consumer transaction logs. (Pub. Res. Code §14538(d)(7)(B) and (C).) The Act authorizes the Department to inspect the operations, processes, and records of an entity required to submit a report to the Department. (Pub. Res. Code §14553(c).) The Department's regulations require the recycling center obtain the printed name and signature of the person selling or donating the material, or a statement explaining why such could not be obtained. (Cal. Code Regs., title 14, § 2525(a)(6).)

Your petition requests the Department initiate rulemaking to include the use of electronic signatures obtained from customers to satisfy the requirements for the printed name and signature on a consumer transaction receipt or consumer transaction log as required by section 2525(a)(6) of Title 14 of the California Code of Regulations (Regulations).

The Department is granting the rulemaking petition and will provide notice and conduct one or more public workshops to consult with the public, recycling center operators, the regulated community, and other interested persons on the desirability and appropriateness of developing regulatory amendments to allow recycling centers to utilize electronic signatures for purposes of satisfying the requirements of the Regulations. (Gov. Code §§ 11340.7(b) (agency may grant any relief or take any action warranted by the petition) & 11346(b) (agency may consult interested persons).)

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov), (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov).

Thank you for bringing this issue to my attention and for suggesting a solution.

Sincerely,

Mindy McIntyre  
Digitally signed by Mindy McIntyre  
Chief Deputy Director  
Department of Resources Recycling and Recovery  
(CalRecycle)  
Date: 2022.07.26  
11:29:02-07'00'

## DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

July 29, 2022

Leonard Lang  
1713 Mimosa Ln.  
Euless, TX 76039

Via email: [lang@recyclingandregulation.com](mailto:lang@recyclingandregulation.com)

Dear Mr. Lang:

Thank you for your letter of June 29, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department of Resources Recycling and Recovery (Department) as **Petition for Rulemaking Number 2022-06-29A**. The Department has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is denying the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) requires recycling centers to prepare and maintain certain documents, including consumer transaction receipts and consumer transaction logs. (Pub. Res. Code §14538(d)(7)(B) and (C).) The Act requires recycling centers to provide the Department with immediate access to its facilities, operations, and any relevant record. (Pub. Res. Code §14552(c).) The Act authorizes the Department to inspect the operations, processes, and records of an entity that is required to submit a report to the Department. (Pub. Res. Code §14553(c).) The Department's regulations require the recycling center to maintain those records in a manner suitable for examination. (Cal. Code Regs., title 14, § 2085(c).)

Your petition requests the following:

- (1) Adopt regulations procedures in regulation pursuant to the APA to implement chain of custody procedures for records obtained from recycling centers,
- (2) Adopt regulations to impose standards on the Department to support the request for original records, provide copies back to the recycling center of their original records at no cost, and a set time period for the return of the records (e.g. 90 days), and



- (3) Adopt regulations to establish the qualifications for anyone conducting a forensic examination of the documents.

Item 1 is not necessary. When the records are within the possession of the Department, there are internal processes to track the location of those records. There is no requirement to engage in the rulemaking process to establish regulations on how the Department tracks, organizes, and stores regulated entities' records. The burdens of engaging in a rulemaking for this request would be greatly outweighed by any benefits.

Item 2 imposes burdens on the Department mandated to verify the compliance of entities engaged in a regulated field. As a reminder, a certification to operate a recycling center is a privilege and not a vested right or interest. (Pub. Res. Code §14541.5.) Further, subdivision (c) of Section 14552 of the Public Resources Code is clear that the Department is entitled to immediate access to records as it is listed independently from immediate access to facilities. By requesting the Department to provide copies of the operator's records back to the operator at no cost, you are requesting that the payers of California Refund Value subsidize the recycling center's cost of compliance. Mandating a set time-period for the return of the records back to a recycling center would unduly burden the Department's attempt to ensure compliance of recycling centers. Inspections, investigations, or reviews of operations are conducted on a case-by-case basis because every recycling center has differing levels of complexity. The interests of the people of California would not be served by artificially restraining the ability of the Department to conduct a review.

Item 3 is a request to adopt in regulations the qualifications for anyone conducting a forensic examination of the documents. The California Department of Human Resources is the appropriate agency to address concerns related to the minimum qualifications of state job classifications. Therefore, the Department will not undertake rulemaking on this subject.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov), (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov). Sincerely,

Mindy McIntyre  
Digitally signed by Mindy McIntyre  
Chief Deputy Director  
Department of Resources Recycling and Recovery (CalRecycle)

Date: 2022.07.29  
13:56:32 -07'00'

## DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

July 29, 2022

Leonard Lang  
1713 Mimosa Ln.  
Eules, TX 76039

Via email: [lang@recyclingandregulation.com](mailto:lang@recyclingandregulation.com)

Dear Mr. Lang:

Thank you for your letter of June 29, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department of Resources Recycling and Recovery (Department) as **Petition for Rulemaking Number 2022-06-29B**. The Department has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is denying the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) prohibits recycling centers from purchasing out-of-state beverage container material. (Pub. Res. Code §§ 14538(d)(1)(5)(6) and 14595.4(a)(1)(A)(B)(2)(A) and (D).) The Department's regulations require recycling centers to inspect loads and to not redeem or receive any material from out-of-state. (Cal. Code Regs., title 14, § 2501(a)(d) and (f).) Further, the Department's regulations prohibit recycling centers from taking delivery of empty beverage container material that the recycling center knows, or should know, was imported into this state. (Cal. Code Regs., title 14, §2831.3.)

Your petition requests the adoption of procedures to ensure the Department takes proper care to educate and inform operators and their staff by providing pictures and informing recycling centers that empty beverage container material with the logo of an Arizona sports team is ineligible for redemption.

As listed above, the statutory and regulatory requirements for recycling centers on inspecting loads of material require that the recycling center not accept or pay on material the recycling center knows or should have known came from out-of-state. Your petition requests that the Department promulgate regulations specifically stating that empty beverage container material that contains an out-of-state sports logo is not eligible for redemption. Taking this interpretation

of the Department's regulations would require the Department to promulgate regulations for every indicator of out-of-state material. This kind of approach to regulation development is both unnecessary and burdensome. It would generate an endless list of specific examples of what is not eligible for redemption in the program and would be too prescriptive to be of use or assistance to anyone. If for example, the out-of-state logo changes, this approach might introduce confusion as to whether the new container label now permits redemption. Any benefit of such a rulemaking is greatly outweighed by the unintended consequences of this kind of regulatory approach where container labels enter and exit the market with great frequency.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, [regulations@calRecycle.ca.gov](mailto:regulations@calRecycle.ca.gov), (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov).

Sincerely,

Mindy McIntyre  
Digitally signed by Mindy McIntyre  
Chief Deputy Director  
Department of Resources Recycling and Recovery  
(CalRecycle)  
Date: 2022.07.29  
13:57:09 -07'00'

**DEPARTMENT OF RESOURCES  
RECYCLING AND RECOVERY**

July 29, 2022

Leonard Lang  
1713 Mimosa Ln.  
Eules, TX 76039

**Via email:** [lang@recyclingandregulation.com](mailto:lang@recyclingandregulation.com)

Dear Mr. Lang:

Thank you for your letter of July 1, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department of Resources Recycling and Recovery (Department) as **Petition for Rulemaking Number 2022-07-01**. The Department has accepted your petition for rulemaking under Gov-

ernment Code sections 11340.6 and 11340.7. The Department is denying the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) requires recycling centers to accept and pay at least the refund value for all empty beverage containers, regardless of type. (Pub. Res. Code § 14538(d)(3)(A).) The Act also prohibits a recycling center from paying refund value for any food or drink packaging material or any beverage container or other product that does not have a refund value established. (Pub. Res. Code § 14538(d)(1).) The Department's regulations require recycling centers to inspect loads to determine the material's eligibility for payment of refund value. (Cal. Code Regs., title 14, § 2501(a).) Further, the Department's regulations require a recycling center to calculate the refund value to consumers by either individual count of empty beverage containers or by total weight of the inspected material. (Cal. Code Regs., title 14, §2535(d).) For payment to consumers by weight, the material must be segregated. (Cal. Code Regs., title 14, §2535(d)(1).) Segregated means a load "...divided by material type, and consists of 100% California Refund Value." (Cal. Code Regs., title 14, §2000(a)(43).)

Your petition requests the adoption of procedures to ensure the Department adopt published standards and procedures in regulation to ensure the public receives proper reimbursement and that enforcement should recognize and honor those standards. This request is based on your conversation with a retired Operations Branch Chief that noted in years of statistical surveys of recycler purchases they were aware that there was no perfect inspection, and that the redemptions rates were reduced in a belief that it was necessary to protect the fund. Consequently, when the public presents a perfect segregated load, all CRV, they are being underpaid.

A container is eligible for redemption by a consumer if it is a properly labeled empty beverage container and has an established refund value. (Cal. Code Regs., title 14, §2000(a)(38).) If a container does not have a label, then it is no longer a "Redeemable Beverage Container." For recycling centers, processors, and department employees verifying compliance, all containers being claimed and paid refund value must have the label otherwise there is no preliminary indication of its eligibility for redemption.

The segregated rate paid to consumers, recyclers, and processors for material redeemed on the basis of weight does include a reduction based on surveyed amounts of ineligible material found in a deemed "segregated" load. This rate is calculated to protect the Beverage Container Recycling Fund while providing for the convenience of payment by weight. The Department's regulations permit a consumer to request

redemption by count for up to 50 empty beverage containers and, depending on the permissibility of the recycling center, up to the consumer daily load limit. (Cal. Code Regs., title 14, §2535(b).)

Any rulemaking conducted to permit payment for containers that do not have a label would be contrary to the law governing the program. Section 14560 of the Public Resources Code establishes how a beverage container has its refund established. Section 14561 of the Public Resources Code mandates that the beverage container contain the refund message. Paragraph (3) of subdivision (a) of Section 14572 is explicit in that a recycling center shall pay the refund value using the applicable segregated rate. Again, if the empty beverage container does not have a label, then any eligibility for redemption is forfeited as there is no other basis on which to determine eligibility for the unlabeled container.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov), (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov).

Sincerely,

Mindy McIntyre  
Digitally signed by Mindy McIntyre  
Chief Deputy Director  
Department of Resources Recycling and Recovery  
(CalRecycle)

Date: 2022.07.29  
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**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.

California Debt Limit Allocation Committee  
File # 2022-0721-01  
2022 QRRP Emergency Regulations

This emergency rulemaking action amends definitions and requirements pertaining to the Qualified Residential Rental Project Program (QRRP).

Title 04  
Amend: 5000, 5020, 5022, 5035, 5036, 5052, 5054, 5100, 5105, 5133, 5144, 5146, 5170, 5190, 5193, 5200, 5230, 5231, 5240, 5241  
Filed 08/01/2022  
Effective 08/01/2022  
Agency Contact: DC Navarrette (916) 813-1947

California Gambling Control Commission  
File # 2022-0721-07  
Commission Fees Modernization Project III

Recent legislative action fundamentally changes the California Gambling Control Commission's (CGCC) fee determination procedures. This action regulates the license fee determination procedures for card-room gambling facilities (4 CCR §§ 12360, 12368, and 12368.1.)

Title 04  
Adopt: 12368.1  
Amend: 12360, 12368, Appendix A  
Filed 08/01/2022  
Effective 08/01/2022  
Agency Contact: Josh Rosenstein (916) 274-5823

Board of Education  
File # 2022-0719-03  
Physical Fitness Test

This action readopts emergency regulations which eliminate the Body Composition subtest and all Healthy Fitness Zone performance standards from the California Physical Fitness Test. The action also readopts the emergency definition of the term "results" as used in Education Code section 60800(b), (c) & (d).

Title 05  
Amend: 1040  
Filed 07/27/2022  
Effective 08/03/2022  
Agency Contact: Lori Adame (916) 319-0860

State Water Resources Control Board  
File # 2022-0719-01  
Klamath River Watershed Drought Requirements

This emergency action readopts, with amendments, regulations concerning Klamath River Watershed drought requirements. The regulations authorize cur-

tailments of diversions where flows are insufficient to protect fish. They allow for diversions for non-consumptive uses, minimum human health and safety needs, and livestock watering as specified. The regulations establish a process for determining whether flows in the watershed are insufficient to support all water rights and the order of priority for curtailments as well as curtailment order reporting requirements, special rules during fall migration of Chinook and coho salmon, and provisions regarding penalties for violations of curtailment orders.

**Title 23**

Adopt: 875, 875.1, 875.2, 875.3, 875.4, 875.5, 875.6, 875.7, 875.8, 875.9  
Filed 07/29/2022  
Effective 07/29/2022  
Agency Contact: Marianna Aue (916) 224-8483

Health and Human Services Agency  
File # 2022-0714-04  
Conflict-of-Interest Code

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

**Title 22**

Amend: 10100  
Filed 07/27/2022  
Effective 08/26/2022  
Agency Contact: Lisa Wilson (916) 263-1719

Board of Equalization  
File # 2022-0715-04  
Assessment of Electric Generation Facilities

In this change without regulatory effect, the Board of Equalization adds an additional Reference citation to the list of Reference citations for section 905 of Title 18 of the California Code of Regulations.

**Title 18**

Amend: 905  
Filed 07/28/2022  
Agency Contact: Honey Her (916) 274-3523

Board of Forestry and Fire Protection  
File # 2022-0701-01  
Hyperlink Updates, 2022

This change without regulatory effect updates hyperlinks.

**Title 14**

Amend: 895.1, 1038.3, 1051.4, 1051.5, 1052.5, 1093.1, 1257, 1265.00, 1265.01, 1280.01  
Filed 08/01/2022  
Agency Contact:  
Jane Van Susteren (916) 619-9795

Air Resources Board  
File # 2022-0216-04  
Consumer Products Amendments

This action amends the Antiperspirants and Deodorants Regulation, the Consumer Products Regulation, the Aerosol Coating Products Regulation, the Alternative Control Plan Regulation, the Tables of Maximum Incremental Reactivity (MIR) Values, and Test Method 310 (collectively, Amendments). The changes are intended to reduce volatile organic compounds (VOC) emissions from consumer products and help California attain federal ozone standards. The Amendments would set or lower VOC standards for “Manual Aerosol Air Freshener,” four categories of hair care products (“Hair Finishing Spray,” “Dry Shampoo,” “Hair Shine,” and “Temporary Hair Color”), “Personal Fragrance Product,” and aerosol “Crawling Bug Insecticide.” The amendments also prohibit the use of several chlorinated toxic air contaminants (TAC) and the use of compounds with a global warming potential (GWP) over 50. The Amendments would also sunset a longstanding exemption for fragrance ingredients (the Two Percent Fragrance Exemption) for most consumer product categories. Additionally, the Amendments would encourage the development and sale of products using zero-emission compressed gas propellants, reduce excess VOC and TAC emissions from the sale of “Energized Electrical Cleaner” to automotive maintenance and repair facilities and update other regulatory provisions to improve program transparency and effectiveness.

**Title 17**

Amend: 94501, 94502, 94506, 94508, 94509, 94510, 94511, 94512, 94513, 94515, 94521, 94522, 94524, 94526, 94540, 94541, 94542, 94543, 94544, 94545, 94546, 94547, 94548, 94549, 94550, 94551, 94552, 94553, 94554, 94555, 94700  
Filed 08/01/2022  
Effective 08/01/2022  
Agency Contact: Chris Hopkins (916) 445-9564

Board of Forestry and Fire Protection  
File # 2022-0617-03  
Meadows and Wet Areas, and Cutover Land  
Amendments

This action removes references to “Cutover Land,” combines the definitions for “Meadows and Wet Areas” to cover all forest districts, and makes referenc-



es to “Meadows and Wet Areas” and “Wet Meadows and Other Wet Areas” consistent in the Forest Practice Rules.

Title 14  
 Amend: 895.1, 906, 912.7 (932.7, 952.7), 913.4 (933.4, 953.4), 916.3 (936.3, 956.3), 921.4, 923.1 (943.1, 963.1), 923.4 (943.4, 963.4), 953.12, 1027.1, 1034, 1038.4, 1051, 1051.4, 1072.4, 1094.6, 1094.8.  
 Filed 07/29/2022  
 Effective 01/01/2023  
 Agency Contact:  
 Jane Van Susteren (916) 619-9795

Department of Alcoholic Beverage Control  
 File # 2022-0620-03  
 Amendments to RBSTPA Regulations

This regular rulemaking action amends the Responsible Beverage Service Training Program Act (RBSTPA) regulations to update procedures for training providers, make grammatical changes, and correct internal cross-references.

Title 04  
 Amend: 163, 166, 168, 168.3, 170  
 Filed 08/01/2022  
 Effective 08/01/2022  
 Agency Contact: Robert de Ruyter (916) 419-8958

Department of Motor Vehicles  
 File # 2022-0615-03  
 Commercial Driver Licenses (CDL) Entry Level Driver Training

This action by the DMV updates one of the forms submitted during the commercial motor vehicle license application process. This change allows driver trainees to submit the form only once towards the end of the application process; the current form requires driver trainees to submit the form twice in some circumstances.

Title 13  
 Amend: 26.03  
 Filed 07/28/2022  
 Effective 07/28/2022  
 Agency Contact: Randi Calkins (916) 282-7294

Fish and Game Commission  
 File # 2022-0617-01  
 Klamath River Basin Sport Fishing

This action establishes the 2022 quota and bag and possession limits for adult Klamath River fall-run Chinook Salmon (KRFC).

Title 14  
 Amend: 7.40  
 Filed 07/28/2022  
 Effective 08/14/2022  
 Agency Contact: Maurene Trotter (916) 653-4899

New Motor Vehicle Board  
 File # 2022-0615-02  
 Certified Mail

Legislation removed reference to service by registered mail. The New Motor Vehicle Board accordingly amends 13 CCR Section 564 to remove references to registered mail and repeals 13 CCR Section 550.20, as it is the CCR Section which permits service by registered mail.

Title 13  
 Amend: 564  
 Repeal: 550.20  
 Filed 07/28/2022  
 Effective 10/01/2022  
 Agency Contact:  
 Danielle R. Phomsopha (916) 327-3129

Office of Emergency Services  
 File # 2022-0621-02  
 Telecommunication Outages

This action amends regulations requiring telecommunication service providers to provide notifications of community isolation outages. Specifically, it reduces the threshold reporting requirement from 50 percent to 25 percent of a carrier’s coverage area in a single zip code and it requires providers to post public outage maps on their internet website.

Title 19  
 Amend: 2480.2, 2480.3  
 Filed 08/03/2022  
 Effective 10/01/2022  
 Agency Contact: Beth Abdallah (916) 952-9449

Board of Parole Hearings  
 File # 2022-0616-01  
 Parole Consideration for Elderly Inmates

Penal Code section 3055 established the Elderly Parole Program “for purposes of reviewing the parole suitability of any inmate who is 50 years of age or older and has served a minimum of 20 years of continuous incarceration on the inmate’s current sentence, serving either a determinate or indeterminate sentence” (the “Program”). (Penal Code, section 3055, subdivision (a).) In this regular rulemaking, the Board of Parole Hearings (the “Board”) is (1) adopting criteria for determining who qualifies under the Program, (2) establishing the process for scheduling and conducting Program hearings, and (3) identifying the factors

the Board will consider when determining an elderly inmate’s suitability for parole under the Program.

**Title 15**

Adopt: 2449.40, 2449.41, 2449.42, 2449.43

Filed 07/28/2022

Effective 10/01/2022

Agency Contact: Chancellor Veal (916) 206–5896

Commission on Peace Officer Standards and Training  
File # 2022–0615–01

Minimum Training for DA Investigators

This action amends regulations to allow completion of the Specialized Investigators Basic Course as an alternative to the Regular Basic Course to meet the training requirements for District Attorney Investigators (DAIs).

**Title 11**

Amend: 1005

Filed 07/28/2022

Effective 10/01/2022

Agency Contact: Kirk Bunch (916) 227–3896

San Francisco Bay Conservation and Development  
Commission

File # 2022–0525–05

Administrative/Procedural, Permitting and Planning  
Matters

In this resubmitted rulemaking action, the Commission amends, adopts, and repeals regulations to revise its definitions and various requirements related to Commission meetings, memberships to advisory boards, and ex parte communications. The revisions also include various requirements and procedures related to permits and planning.

**Title 14**

Adopt: 10830

Amend: 10120, 10121, 10123, 10125, 10213, 10214, 10244, 10245, 10270, 10271, 10281, 10283, 10284, 10286, 10287, 10288, 10289, 10315, 10316, 10360, 10370, 10371, 10501, 10504, 10505, 10514, 10521, 10601, 10610, 10612, 10620, 10621, 10652, 10653, 10700, 10810, 10820, 11001, 11002, 11003, 11005, 11008, 11020, 11101, 11202, 11203, 11204, 11205, 11420, 11421

Repeal: 10522, 10702

Filed 08/02/2022

Effective 10/01/2022

Agency Contact: Marc Zeppetello (415) 352–3655

**CCR CHANGES FILED WITH THE  
SECRETARY OF STATE WITHIN  
April 1, 2022 to June 30, 2022**

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

**Title 01**

04/18/2022 ADOPT: 6.5, 101 AMEND: 1, 5, 6, 50, 52, 100

**Title 02**

04/13/2022 AMEND: 66.1

04/14/2022 AMEND: 1859.90.2

04/14/2022 ADOPT: 599.754.1 AMEND: 599.744

04/18/2022 AMEND: 1181.3

04/18/2022 AMEND: 599.946, 599.947

04/25/2022 ADOPT: 20024.5 AMEND: 20021, 20022, 20023, 20024, 20025, 20026, 20027

04/27/2022 AMEND: 46000, 46001

05/02/2022 AMEND: 1859.106.1

05/11/2022 ADOPT: 19001, 19002, 19003, 19004, 19005, 19006, 19008, 19009, 19010, 19011, 19012, 19013 REPEAL: 19001, 19002, 19003, 19004, 19005, 19006, 19007, 19008, 19009

05/17/2022 AMEND: 37000

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05/18/2022	AMEND: 18360.1	80047.4, 80048.3.1, 80048.3.2, 80048.6, 80048.7, 80048.8
<b>Title 03</b>		
04/01/2022	AMEND: 1280.2	06/27/2022 AMEND: 19810
04/06/2022	ADOPT: 839	<b>Title 07</b>
06/03/2022	ADOPT: 3288	04/26/2022 AMEND: 213
<b>Title 04</b>		
04/04/2022	AMEND: 12108, 12112, 12114, 12261, 12264, 12272, 12274, 12276, 12278, 12309, 12470, 12472	<b>Title 08</b>
04/07/2022	ADOPT: 1415	04/05/2022 AMEND: 9789.39
04/07/2022	AMEND: 10031, 10032, 10033, 10034, 10035, 10036	04/12/2022 ADOPT: 36.7
04/07/2022	AMEND: 200.1	04/25/2022 AMEND: 411
04/12/2022	ADOPT: 10092.15 AMEND: 10092.1, 10092.2, 10092.3, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14	05/05/2022 ADOPT: 3205, 3205.1, 3205.2, 3205.3, 3205.4
05/23/2022	ADOPT: 5022 AMEND: 5000, 5010, 5020, 5033, 5035, 5036, 5037, 5050, 5052, 5053, 5060, 5062, 5100, 5101, 5103, 5133, 5141, 5144, 5153, 5170, 5180, 5190, 5191, 5192, 5194, 5205, 5210, 5211, 5212, 5220, 5230, 5231, 5232, 5233, 5240, 5241, 5250, 5251, 5422, 5432 REPEAL: 5102, 5480, 5490, 5491, 5492, 5493, 5494, 5500, 5510, 5520, 5530, 5531, 5532, 5533, 5534, 5540, 5550, 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731	05/19/2022 ADOPT: 340.70
06/06/2022	ADOPT: 176, 177, 181, 181.1, 181.2, 183, 194, 196, 197.1 AMEND: 178, 184, 187, 188, 193, 195, 197, 198, 199 REPEAL: 189, 190	06/15/2022 ADOPT: 9984, 9985 AMEND: 9980, 9981, 9982, 9983
06/06/2022	ADOPT: 15014.1	06/29/2022 ADOPT: 13900, 13901, 13902, 13903
06/08/2022	AMEND: 7413, 7416	<b>Title 09</b>
06/16/2022	AMEND: 2066	05/06/2022 ADOPT: 4351, 4352, 4353
06/20/2022	ADOPT: 10091.4, 10091.16 AMEND: 10091.1, 10091.2, 10091.3, 10091.4 [renumbered as 10091.5], 10091.5 [renumbered as 10091.6], 10091.6 [renumbered as 10091.7], 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15 REPEAL: 10091.7	<b>Title 10</b>
06/23/2022	AMEND: 12054	04/11/2022 ADOPT: 5530, 5531, 5532, 5533, 5534, 5535, 5536, 5537, 5538, 5539, 5540, 5541
06/29/2022	ADOPT: 69, 69.1, 69.2, 69.3, 69.4	04/13/2022 AMEND: 2498.4.9
<b>Title 05</b>		
04/07/2022	AMEND: 58050, 58106	05/05/2022 ADOPT: 2239.10
05/10/2022	ADOPT: 30035	05/10/2022 AMEND: 1602, 1603, 1606, 1613, 1614, 1615, 1616
05/26/2022	ADOPT: 40752.1, 40802.1 (renumbered to 40752, 40802, respectively) AMEND: 40601, 40751, 40801 REPEAL: 40752, 40802	06/09/2022 ADOPT: 900, 901, 910, 911, 912, 913, 914, 915, 916, 917, 920, 921, 922, 930, 931, 940, 941, 942, 943, 950, 951, 952, 953, 954, 955, 956
05/26/2022	AMEND: 40405.2	06/21/2022 AMEND: 2780
05/31/2022	ADOPT: 80048.10, 80612, 80613 AMEND: 80033, 80047, 80047.1, 80047.2, 80047.3,	<b>Title 11</b>
		04/01/2022 ADOPT: 4301, 4310, 4311, 4312 AMEND: 4031, 4035, 4036
		04/06/2022 AMEND: 1070, 1082
		04/07/2022 AMEND: 1070, 1082
		04/07/2022 ADOPT: 962, 963, 964, 965, 966, 967, 968
		04/13/2022 AMEND: 999.500, 999.502, 999.503, 999.504, 999.505, 999.506
		05/05/2022 AMEND: 999.300 (renumbered to 7000), 999.301 (renumbered to 7001), 999.304 (renumbered to 7010), 999.305 (renumbered to 7012), 999.306 (renumbered to 7013), 999.307 (renumbered to 7016), 999.308 (renumbered to 7011), 999.312 (renumbered to 7020), 999.313 (renumbered to 7021), 999.313(c) (renumbered to 7024), 999.313(d) (renumbered to 7022), 999.314 (renumbered to 7051), 999.315 (renumbered to 7026), 999.316 (renumbered to 7028), 999.317(a) (renumbered to 7100(a)), 999.317(g)(3) (renumbered to 7100(b)), 999.317(b)-(f) (renumbered to 7101(a)-(e)), 999.317(g)(1) (renumbered to 7102(a)(1)), 999.317(g)(2) (renumbered to 7102(a)(2)),

999.317(h) (renumbered to 7102(b)), 999.318 (renumbered to 7031), 999.323 (renumbered to 7060), 999.324 (renumbered to 7061), 999.325 (renumbered to 7062), 999.326 (renumbered to 7063), 999.330 (renumbered to 7070), 999.331 (renumbered to 7071), 999.332 (renumbered to 7072), 999.336 (renumbered to 7080), 999.337 (renumbered to 7081), 7000 (renumbered to 7500)

05/19/2022 AMEND: 999.10, 999.14, 999.15, 999.16, 999.17, 999.18, 999.19, 999.22, 999.23, 999.24, 999.25, 999.26, 999.29 REPEAL: 999.11, 999..20

05/24/2022 AMEND: 1953, 1959

06/20/2022 AMEND: 1052, 1055, 1059, 1070

06/23/2022 AMEND: 1081

06/29/2022 AMEND: 1005, 1059

06/30/2022 ADOPT: 4320, 4321, 4322, 4323, 4324, 4325, 4326, 4327 AMEND: 4045.1, 4210, 4301

**Title 13**

04/01/2022 AMEND: 1239

04/05/2022 AMEND: 227.02, 227.38, 228.02

04/18/2022 AMEND: 17.00 REPEAL: 17.04

04/22/2022 AMEND: 1294

05/11/2022 AMEND: 1153

06/16/2022 AMEND: 2631, 2632, 2633, 2635, 2637, 2639

06/27/2022 AMEND: 345.50

**Title 14**

04/06/2022 AMEND: 18660.5, 18660.10, 18660.21, 18660.34

04/18/2022 AMEND: 17989

04/18/2022 AMEND: 708.14

05/03/2022 AMEND: 670.5

05/05/2022 AMEND: 1052, 1052.4

05/11/2022 AMEND: 27.60, 28.00

05/16/2022 ADOPT: 749.13

05/25/2022 AMEND: 1670

06/02/2022 ADOPT: 11522, 11523, 11524, 11525 AMEND: 11501, 11510, 11511, 11520, 11521, 11531, 11532, 11533, 11540, 11560 REPEAL: 11541, 11542, 11543, 11544

06/06/2022 AMEND: 913.8

06/06/2022 ADOPT: 29100, 29101, 29102, 29200, 29300, 29301, 29302

06/06/2022 AMEND: 926.9, 926.10, 928.5, 928.6

06/07/2022 ADOPT: 11387, 11388, 11389, 11390, 11391, and Appendix J AMEND: 11301, 11302, 11303, 11310, 11320, 11321, 11322, 11323, 11324, 11326, 11327, 11328, 11329, 11330, 11331, 11332, 11333, 11334, 11340, 11341, 11342, 11343, 11350, 11351, 11352,

11360, 11361, 11362, 11370, 11380, 11381, 11382, 11383, 11384, 11385, 11386, Renumbering of 11386(b) as new 11387 Renumbering of 11386(c) as new 11388 Renumbering of 11386(d) as new 11389 Renumbering of 11386(e)(f)(g)(h) as new 11390 Renumbering of 11386(i)(j)(k) as new 11391 and Appendices H and I

06/27/2022 AMEND: 18660.24, 18660.25, 18660.33, 18660.34

06/28/2022 ADOPT: 712.5

06/29/2022 AMEND: 28.55

**Title 15**

04/11/2022 ADOPT: 3270.3

05/02/2022 ADOPT: 3040.1 AMEND: 3000, 3040, 3041, 3041.3, 3043.3, 3043.5, 3044, 3044.1 (previously 3043.7), 3044.2 (previously 3043.8), 3075.1, 3077.1, 3315, 3375, 3375.2, 3375.4, 3375.5, 3375.6, 3379 REPEAL: 3040.1, 3040.2

05/23/2022 AMEND: 8000

05/24/2022 ADOPT: 3498.1, 3498.2 AMEND: 3043, 3043.5

06/02/2022 AMEND: 8001

06/07/2022 AMEND: 8003

06/07/2022 ADOPT: 3412

06/07/2022 AMEND: 8004

06/07/2022 AMEND: 3000, 3079.1

06/13/2022 ADOPT: 3486.01, 3486.1, 3486.2, 3486.3

06/13/2022 ADOPT: 3392.1, 3392.2, 3392.3, 3392.4, 3392.5, 3392.6, 3392.7, 3392.8, 3392.9, 3417 AMEND: 3391, 3392

06/14/2022 AMEND: 8004.1

06/14/2022 AMEND: 8004.3

06/14/2022 AMEND: 8004.2

06/14/2022 AMEND: 8004.4

06/27/2022 ADOPT: 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064

06/28/2022 AMEND: 3000, 3075.2

**Title 16**

04/01/2022 AMEND: 2521, 2522

04/01/2022 ADOPT: 1117

04/05/2022 AMEND: 6000, 6003, 6004, 6005, 6012, 6014, 6017

04/11/2022 AMEND: 1399.326, 1399.329, 1399.374

04/13/2022 AMEND: 1399.12 REPEAL: 1399.99.1, 1399.99.2, 1399.99.3, 1399.99.4

04/18/2022 AMEND: 2670

04/22/2022 AMEND: 1399.400, 1399.403, 1399.405, 1399.406, 1399.411, 1399.413, 1399.414, 1399.416, 1399.417, 1399.419, 1399.419.1,

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1399.419.2, 1399.421, 1399.422, 1399.423, 399.424, 1399.425, 1399.426, 1399.427,1399.428, 1399.430, 1399.431, 1399.434, 1399.435, 1399.437, 1399.438, 1399.439, 1399.434, 1399.440, 1399.441, 1399.443, 1399.444, 1399.451, 1399.455, 1399.463, 1399.464, 1399.465, 1399.467, 1399.468, 1399.469, 1399.469.1, 1399.469.2, 1399.475, 1399.476, 1399.477, 1399.479, 1399.480, 1399.481, 1399.482, 1399.483, 1399.484, 1399.485, 1399.486, 1399.487, 1399.488, 1399.489, 1399.489.1 REPEAL: 1399.456	06/15/2022	AMEND: 17000.30
05/02/2022	AMEND: 1815.8, 1821,1833.1 REPEAL: 1820.5, 1820.7	
05/05/2022	ADOPT: 3392.5 AMEND: 3340.1, 3340.16, 3340.16.5, 3340.41, 3392.2.1 (renumbered to 3392.1), 3392.3.1 (renumbered to 3392.2), 3392.5.1 (renumbered to 3392.3), 3392.6.1 (renumbered to 3392.4) REPEAL: 3392.1, 3392.2, 3392.3, 3392.4, 3392.5, 3392.6	
05/05/2022	AMEND: 1392, 1392.1	
05/10/2022	AMEND: 1100, 1101, 1104.2, 1105.1, 1105.3, 1105.4, 1106, 1108, 1122, 1124, 1126, 1127, 1131, 1138, 1139, 1142, 1143	
05/16/2022	ADOPT: 1138.1	
05/17/2022	AMEND: 2070, 2071, 2071.1	
05/17/2022	AMEND: 1399.101, 1399.150.1, 1399.160.6	
05/20/2022	AMEND: 1031	
05/23/2022	AMEND: 1399.15	
06/02/2022	REPEAL: 823	
06/06/2022	AMEND: 1104.1	
06/08/2022	AMEND: 2615, 2520	
06/09/2022	AMEND: 1730.1	
06/23/2022	ADOPT: 1066	
06/27/2022	ADOPT: 2537.2, 2590.2 AMEND: 2525, 2526, 2580, 2581	
06/29/2022	ADOPT: 1397.60.1, 1397.61.1, 1397.62.1, 1397.67.1 AMEND: 1381.9, 1397.60, 1397.61, 1397.62, 1397.67	
<b>Title 17</b>		
04/18/2022	ADOPT: 100005	
04/25/2022	ADOPT: 59009.5, 59010.1, 59010.2, 59010.3, 59010.4, 59010.5 AMEND: 59000, 59002, 59006, 59007, 59008, 59009, 59010, 59012, 59022, 59050, 59072	
05/12/2022	AMEND: 52000, 52082, 52109, 52162	
06/20/2022	AMEND: 6508	
06/28/2022	ADOPT: 23200, 23205, 23210, 23215, 23220, 23225, 23230, 23235	
<b>Title 18</b>		
06/08/2022	AMEND: 3500	
06/16/2022	ADOPT: 2470.1, 2470.2	
<b>Title 21</b>		
04/07/2022	ADOPT: 1477.3, 1484.3 AMEND: 1475, 1477, 1477.1, 1477.2, 1477.4, 1483, 1483.1, 1485, 1485.1, 1486, 1487, 1488, 1489	
<b>Title 22</b>		
04/05/2022	AMEND: 7000	
06/06/2022	AMEND: 66260.10, 66261.4	
06/20/2022	AMEND: 78201, 78203, 78205, 78401	
<b>Title 22, MPP</b>		
05/16/2022	ADOPT: 82100, 82101, 82102, 82122, 82161, 82165, 82168, 82168.2, 82168.3, 82169, 82175 AMEND: 82000, 82061, 82068.2	
06/09/2022	ADOPT: 83067 AMEND: 80061, 83001, 83064, 83074, 83075, 83076, 83079, 84001, 84065, 84067, 84074, 84075, 84076, 84079, 89201, 89374, 89376, 89377, 89379, 89405, 89475	
<b>Title 23</b>		
04/25/2022	ADOPT: 2927, 3014	
05/02/2022	ADOPT: 3939.58	
05/10/2022	ADOPT: 3969.5	
05/31/2022	ADOPT: 879.3 AMEND: 875.5, 875.6, 876.1, 877.1, 877.2, 877.3, 877.4, 877.5, 878, 878.1, 879, 879.1, 879.2 REPEAL: 877.6	
06/10/2022	ADOPT: 996	
<b>Title 25</b>		
04/01/2022	ADOPT: 6600, 6601, 6602, 6603, 6604, 6605, 6606, 6607	
04/20/2022	AMEND: 1002, 1009, 2002, 2009	
06/27/2022	ADOPT: 6932 REPEAL: 6932	
<b>Title 27</b>		
04/12/2022	AMEND: 27001	
06/02/2022	AMEND: 27000	
06/13/2022	AMEND: 25705	
<b>Title 28</b>		
05/18/2022	ADOPT: 1300.84.03, 1384.1 AMEND: 1300.84.06, 1300.84.2, 1300.84.3	
<b>Title MPP</b>		
04/06/2022	AMEND: 40-105, 40-190, 42-407, 42-715, 44-211, 82-812	
06/06/2022	AMEND: 44-102, 44-111, 44-315, 80-310, 82-504, 82-506, 82-507, 82-820, 82-832 REPEAL: 44-309, 44-310	
06/06/2022	AMEND: 44-211	
06/29/2022	AMEND: 40-103, 40-181, 44-113	