



California Regulatory Notice Register

REGISTER 2023, NUMBER 7-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

FEBRUARY 17, 2023

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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.

CALIFORNIA REGULATORY NOTICE REGISTER is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <https://oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY:

- El Dorado Irrigation District
- Employers' Training Resource
- West Valley-Mission Community College District

A written comment period has been established commencing on February 17, 2023 and closing on April 3, 2023. Written comments should be directed 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 April 3, 2023. 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. HORSE RACING BOARD

PROPOSED ADDITION OF RULE 1867.2,
ADMINISTRATION OF MULTIPLE
INTRA-ARTICULAR INJECTIONS

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

PROPOSED REGULATORY ACTION

The Board proposes to add Board Rule 1867.2, Administration of Multiple Intra-articular Injections, to require horses treated with a third intra-articular (IA) injection with any agent in the same joint within a 60-day period to be placed on the Veterinarian's List for 30 days.

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.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes on **April 3, 2023**. The Board must receive all comments by that time. Submit comments to:

Rick Pimentel, Regulations Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 274-6043
Fax: (916) 263-6042
Email: repimentel@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19440, 19562, 19580, and 19581, Business and Professions Code (BPC). Reference: Sections 19440, 19580, and 19581, BPC.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

BPC section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Horse Racing Law. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and control of horse racing and parimutuel wagering. BPC section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with Horse Racing Law, under which all horse races with wagering on their results shall be conducted. BPC section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. BPC section 19581 provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

Given the documented occurrences of the administration of either a high number of IA injections within a relatively short time period or multiple IA injections over a longer period without follow-up diagnostics, as well as efforts by associations to restrict this activity, the Board has determined that regulation is needed to address the issue, as it places horses at greater risk for catastrophic injury. A third IA injection within a 60-day period is indicative of an underlying issue that should be addressed using diagnostic procedures. The proposed regulatory action will require horses treated with a third IA injection with any agent in the same joint within a 60-day period to be placed on the Veterinarian's List for 30 days. This will allow the official veterinarian to require such horses to undergo diagnostic procedures, which will help ensure that any underlying issues that could lead to catastrophic injury are not left undetected, thereby benefiting the health and welfare of the racehorses.

ANTICIPATED BENEFIT OF
THE PROPOSED REGULATION

A third IA injection within a 60-day period is indicative of an underlying issue that should be addressed using diagnostic procedures. The proposed regulatory action will require horses treated with a third IA injection

tion with any agent in the same joint within a 60-day period to be placed on the Veterinarian's List for 30 days. This will allow the official veterinarian to require such horses to undergo diagnostic procedures, which will help ensure that any underlying issues that could lead to catastrophic injury are not left undetected, thereby benefiting the health and welfare of the racehorses.

CONSISTENCY EVALUATION

Evaluation of Consistency and Compatibility with Existing State Regulations: During the process of developing the regulatory action, the Board conducted a search of any similar regulations on the topic and concluded that the proposed rule is the only regulation that addresses the administration of multiple intra-articular injections in the same joint in racehorses. Therefore, the proposed regulatory action is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to local agencies and school districts that must be reimbursed in accordance with Government Code (GC) sections 17500 through 17630: none.

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

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

The Board has made an initial determination that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulatory action will require horses treated with a third IA injection with any agent in the same joint within a 60-day period to be placed on the Veterinarian's List for 30 days. It will also specify the days included in the 60-day period, the first day on the Veterinarian's List, and the day of removal from the list. Finally, the proposed regulatory action will provide that a horse on the Veterinarian's List for multiple reasons must meet the criteria required for removal for each reason.

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

Cost impact on representative private persons or businesses: none. The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The adoption of the proposed regulatory action **will not** create or eliminate jobs within the state, **will not** create new businesses or eliminate existing businesses within the state, **will not** result in the expansion of businesses currently doing business with the state, and **will not** benefit the health and welfare of California residents, worker safety, or the state's environment.

Effect on small business: none. The proposed regulatory action does not affect small business because small businesses are not legally required to comply with or enforce the regulation and neither derive a benefit nor incur a detriment from the enforcement of the regulation. The proposed regulatory action will require horses treated with a third IA injection with any agent in the same joint within a 60-day period to be placed on the Veterinarian's List for 30 days. It will also specify the days included in the 60-day period, the first day on the Veterinarian's List, and the day of removal from the list. Finally, the proposed regulatory action will provide that a horse on the Veterinarian's List for multiple reasons must meet the criteria required for removal for each reason.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

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

Rick Pimentel, Regulations Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 274-6043
Fax: (916) 263-6042
E-mail: repimentel@chr.ca.gov

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

Amanda Drummond, Manager
Regulations, Industry Applications, and
Administrative Hearings
Telephone: (916) 869-3255
Email: amdummond@chr.ca.gov

AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND
TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Rick Pimentel or the alternative contact person at the address, phone number, or email address listed above.

AVAILABILITY OF MODIFIED TEXT

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

AVAILABILITY OF FINAL
STATEMENT OF REASONS

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

BOARD WEB ACCESS

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

**TITLE 10. DEPARTMENT
OF INSURANCE**

NOTICE OF REVISIONS TO CALIFORNIA
LOW COST AUTOMOBILE PLAN OF
OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Ricardo Lara ("Commissioner") will hold a public hearing to address the proposed amendments to the proposed amendments to the California Low Cost Automobile ("CLCA") Plan of Operations. California Code of Regulations, Title 10, Chapter 5, Section 2498.6 references this plan.

AUTHORITY TO ADOPT
RATES AND REFERENCES

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret and makes specific the requirements of Insurance Code Section 11624(e). Insurance Code section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time:
April 13, 2023
1:00 p.m.

Location:
Department of Insurance Hearing Room
1901 Harrison Street 3rd Floor
Oakland, CA 94612

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Contact Person:
Michael Riordan, Attorney
California Department of Insurance
Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
riordanm@insurance.ca.gov
Telephone: (415) 538-422
Facsimile: (510) 238-7830

The *backup* agency contact person for this proceeding will be:

Elsa Carre, Legal Analyst
California Department of Insurance
Rate Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
Elsa.Carre@insurance.ca.gov
Telephone: (415) 538-4461

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on April 13, 2023**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection

with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346-6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

LC 23-01

Currently a Low Cost insured must provide an updated eligibility questionnaire every three years. This questionnaire is required to prove the insured is still eligible for the LCA program. The proposed regulation will eliminate this requirement and allow the insured to affirm they continue to meet the eligibility requirements at renewal.

LC 23-02

Currently low-cost insurers issue a notice of cancellation when an outstanding payment is due and the next installment payment is sent. This leads to low-cost policies being canceled for nonpayment on the installment date rather than the equity date. CAARP proposes to change this to allow the insured to get the full term of the low-cost policy with cancellation on the equity date.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES
OR SCHOOL DISTRICTS OR COSTS
WHICH MUST BE REIMBURSED
PURSUANT TO GOVERNMENT CODE
SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY
STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE
ADVERSE ECONOMIC IMPACT ON
BUSINESSES AND THE ABILITY OF
CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACTS ON PRIVATE
PERSONS OR ENTITIES

The Insurance Commissioner has initially determined that the proposal will not affect private person or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small businesses.

SPECIFIC TECHNOLOGIES
OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

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

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL
STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, Notice of Proposed Action and Regulation Text are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 1901 Harrison Street, Oakland, CA 94612, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published on-line and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED
TEXT OF REGULATIONS

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 10. DEPARTMENT
OF INSURANCE**

NOTICE OF PUBLIC HEARING
ON REVISIONS TO CALIFORNIA
AUTOMOBILE ASSIGNED RISK PLAN
PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Ricardo Lara ("Commissioner") will hold a public hearing to address the proposed amendments to the California Automobile Assigned Risk Plan ("CAARP" or "Plan") of Operations. California Code of Regulations, Title 10, Chapter 5, Section 2498.4.9 references this plan.

AUTHORITY TO ADOPT
RATES AND REFERENCES

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret and make specific the requirements of Insurance Code Section 11624(e). Insurance Code section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time:

April 13, 2023

1:00 p.m.

Location:

**Department of Insurance Hearing Room
1901 Harrison Street 3rd Floor
Oakland, CA 94612**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Contact Person:

Michael Riordan, Attorney
California Department of Insurance
Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (510) 238-7830

The *backup* agency contact person for this proceeding will be:

Elsa Carre, Legal Analyst
California Department of Insurance
Rate Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
Elsa.Carre@insurance.ca.gov
Telephone: (415) 538-4461

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on April 13, 2023**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

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300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346–6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CA 23–01

Currently there are no electronic options to make a payment on a CAARP private passenger assigned policy. The proposed regulation will introduce an electronic payment option.

CA 23–02

Currently CAARP requires that commissions are payable to the producer once the earned premium is received. However, commissions are not paid when the carrier successfully collects additional premium. CAARP proposes commissions will be payable on earned premium received by the service carrier as well on additional audited premium recovered after it is turned over to an attorney or a collection agency.

CA 23–03

Currently insurers issue a notice of cancellation when an outstanding payment is due and the next installment payment is sent. This leads to policies being

cancelled for nonpayment on the installment date rather than the equity date. CAARP proposes to change this to allow the insured to get the full term of the policy with cancellation on the equity date.

CA 23–04

Currently commercial servicing carriers provide quarterly loss statements to be reviewed for trend analysis by CAARP’s audit department. This quarterly statement is no longer needed as the trend analysis is now done in real time. CAARP proposes changing the rule to eliminate the quarterly loss statements.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimi-

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Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 1901 Harrison Street, Oakland, CA 94612, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

TITLE 16. BOARD OF REGISTERED NURSING

COURSEWORK EXEMPTIONS FOR OUT-OF-STATE APPLICANTS § 1410.5

NOTICE IS HEREBY GIVEN that the Board of Registered Nursing (Board) is proposing to take the action described below under the heading Informative Digest/Policy Statement Overview. Any person interested may present statements or arguments relevant to

the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office on **Tuesday, April 4, 2023, by 5:00 p.m.**

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

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

AUTHORITY AND REFERENCE:

Pursuant to the authority vested by Sections 2715, 2786, and 2786.6 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC Sections 2732.1, 2736, 2761, and 2786, the Board is considering adopting Section 1410.5 of Article 2, Division 14, of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing state law requires that a Registered Nurse (RN) applying for endorsement into California must meet the education requirements outlined in Title 16 CCR Section 1426. The requirement in 16 CCR 1426(c)(3) requires successful completion of nursing-related natural science courses such as anatomy, physiology, and microbiology — each with a laboratory component. If an applicant has not completed the laboratory component for any of the natural science courses, then their application is deemed deficient, and they are not able to receive a license until that deficiency is cleared.

The laboratory component of California’s natural science course requirements has been a long-time barrier for applicants seeking licensure by endorsement into California. This is due in part to the

fact that several other states do not have the same nursing-related natural science laboratory requirement for their nursing education and licensure requirements. Consequently, individuals in those states can become licensed and practice as an RN without completing a lab along with their anatomy, physiology, and microbiology courses. The laboratory component requirement has caused long delays for endorsement applicants as those applicants must go back to school to clear these deficiencies before they can become licensed and begin work.

This additionally affects the issuance of advanced practice registered nurse (APRN) certifications for certified nurse-midwives, nurse practitioners, registered nurse anesthetists, and clinical nurse specialists, since APRNs cannot be recognized to practice in California without being first licensed as an RN.

The Board proposes the following changes:

Add CCR Title 16 Section 1410.5 — Coursework Exemptions for Out-of-State Applicants

The proposal would provide that an out-of-state applicant licensed in another jurisdiction who has been practicing in good standing for at least 2 years will not need to retake any anatomy, physiology, or microbiology courses that include a laboratory component, if their endorsement application includes proof of successful completion of anatomy, physiology, and microbiology coursework, with or without a laboratory component, as part of their nursing education preparation.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

The proposed exemption will streamline the endorsement process by removing an educational barrier frequently encountered by out-of-state nurses who want to become licensed as an RN and/or an APRN in California. This will help California to recruit and maintain a larger pool of qualified nurses from across the country, thereby increasing access to care. The change will also reduce administrative workload for the Board’s licensing staff.

DETERMINATION OF CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

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

DISCLOSURES REGARDING
THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies: None.

The proposed regulations do not result in a fiscal impact to the state. The Board does not anticipate additional workload or costs resulting from the proposed regulations or costs of implementation are a result of current law.

Costs/Savings in Federal Funding to the state: None.

The regulations do not result in federal funding or any cost or savings to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact:

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

The proposed regulation would impact out-of-state applicants who wish to become licensed as individual RNs in California. Therefore, it would not have an adverse impact on businesses.

Business Reporting Requirements:

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

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.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that there will be no increased costs for small businesses with the proposed regulations because businesses are not seeking RN licenses by endorsement.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

The Board has determined this regulatory proposal (1) will not create or eliminate jobs; (2) will not cre-

ate new business nor eliminate existing businesses; (3) will not expand existing businesses in the state of California.

The proposed regulation will not result in additional costs to California licensees or RNs who are already licensed in other states who wish to become licensed in California. Rather, it will streamline the current endorsement process by removing an existing barrier.

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

This regulatory proposal will affect the general health and welfare of California residents by:

- Eliminating a barrier to entry for out-of-state nursing professionals seeking to become licensed in California, which will help California recruit and maintain a larger pool of qualified nurses from across the country, thereby increasing California residents' access to care.
- Reducing the time required for endorsement applicants to become licensed in California and enabling them joining the workforce faster, which will help California recruit and maintain a larger pool of qualified nurses from across the country, thereby increasing California residents' access to care.

The proposed amendments will not affect worker safety and the environment because this regulation does not relate to worker safety and the environment.

CONSIDERATION OF ALTERNATIVES

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

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

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

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information

on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.rn.ca.gov.

AVAILABILITY OF FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process on the Board's website. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations can be accessed at: <https://www.rn.ca.gov/regulations/proposed.shtml>

CONTACT PERSONS

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

Name: Marissa Clark
 Address:
 Board of Registered Nursing
 1747 North Market Boulevard, Suite 150
 Sacramento, CA 95834
 Telephone No.: 916-574-7438
 Fax No.: 916-574-7700
 E-Mail Address: brn.regulations@dca.ca.gov

The backup contact person is:

Name: Ras Siddiqui
 Address:
 Board of Registered Nursing
 1747 North Market Boulevard, Suite 150
 Sacramento, CA 95834
 Telephone No.: 916-574-7922
 Fax No.: 916-574-7700
 E-Mail Address: brn.regulations@dca.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

CONSISTENCY DETERMINATION
 REQUEST FOR
 COTTONWOOD CREEK ACCELERATED
 WOOD RECRUITMENT PROJECT PHASE II
 (TRACKING NUMBER:
 1653-2023-106-001-R1)
 SISKIYOU COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on February 2, 2023, that the U.S. Fish and Wildlife Service (Service) proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves felling up to 30 trees into Cottonwood Creek and moving them to create up to five logjams. The proposed project will be carried out on Cottonwood Creek, located at 2.6 creek miles south of Hilt Road bridge, Siskiyou County, California.

On December 9, 2022, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Cottonwood Creek Accelerated Wood Recruitment Project Phase II. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1A22153WNSI; ECM PIN No. CW-884715) for coverage under the General 401 Order on January 30, 2023.

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

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request

is not complete, the Service will have the opportunity to submit under Fish and Game Code section 1652.

**DEPARTMENT OF
FISH AND WILDLIFE**

CESA CONSISTENCY DETERMINATION
REQUEST FOR
KOPTA SLOUGH MULTI-BENEFIT
PROJECT
2080-2023-001-01(R)
TEHAMA COUNTY

The California Department of Fish and Wildlife (CDFW) received a notice on February 1, 2023 that Department of Water Resources (DWR) 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 removing approximately one mile of rock from the Sacramento riverbank, restoring approximately 176 acres of agricultural land to native floodplain habitat, and transferring the Kopta Slough Property to the U.S. Fish and Wildlife Service ownership. The Project objectives are to restore, enhance, and conserve the Sacramento River, restore hydrologic and geomorphic function to the Sacramento River, reduce flood operation and maintenance costs and responsibilities, improve fish and wildlife habitat, and facilitate the enhancement of recreational opportunities. Proposed activities will include, but are not limited to, the removal of existing rock revetment along approximately 5,600 feet of the Sacramento riverbank, restoration of approximately 176 acres of agricultural land to native floodplain habitat, and conversion of the agricultural land to approximately 46 acres of native grassland, 45 acres of valley oak woodland, and 85 acres of valley oak riparian forest. Some of the excavated rock will be used for drainage improvements, and crushed rock would be spoiled in designated areas and/or used as road base to improve existing roads on the property. The proposed project will occur along the west bank of the Sacramento River near the city of Corning in Tehama County.

The National Marine Fisheries Service (NMFS) issued a federal biological opinion (BO) (NMFS Ref. No. WCR-2017-8532) in a memorandum to the U.S. Bureau of Reclamation on August 31, 2018, which considered the effects of the proposed project on state and federally threatened Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) and state and federally endangered Sacramento River winter-run Chinook salmon (*O. tshawytscha*).

Pursuant to California Fish and Game Code section 2080.1, DWR 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, DWR will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

PETITION DECISION

ENERGY COMMISSION

ORDER NO: 23-0125-17
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT
COMMISSION

IN THE MATTER OF:
WESTERN STATES PETROLEUM
ASSOCIATION PETITION FOR
RULEMAKING

ORDER DENYING PETITION FOR
RULEMAKING

I. INTRODUCTION AND PROCEDURAL HISTORY

On September 16, 2022, the Governor signed Senate Bill (SB) 1322 (Allen, ch. 374, stats. 2022), which added Section 25355 to Chapter 4.5, Division 15 of the Public Resources Code, also known as the California Oil Refinery Cost Disclosure Act.

On January 1, 2023, SB 1322 took effect and requires operators of refineries in the state, within 30 days of the end of each calendar month, to submit a report to the California Energy Commission (CEC) containing, among other things, volume, costs, prices, and sales data related to the production of gasoline in that month. SB 1322 requires the CEC to publish the gross gasoline refining margin data reported for that month in the aggregate as specified.

On January 6, 2023, Western States Petroleum Association (WSPA) filed with the Executive Director of the CEC a petition to initiate a formal rulemaking (Petition) pursuant to California Code of Regulations (CCR), title 20, section 1221, seeking to clarify terms in Public Resources Code section 25355, to ensure consistency and accuracy in its interpretation and implementation. WSPA asserts that terms contained in

SB 1322, including the term “gross gasoline refining margin,” require clarification, and believes the components of SB 1322 used to calculate a “gross gasoline refining margin” do not accurately represent refining costs. WSPA also states that a formal rulemaking is necessary to avoid misunderstanding or misuse of publicly available data.

On January 13, 2023, the CEC’s Executive Director determined that the Petition is complete and contains the information requirements of CCR, title 20, section 1221.

On January 23, 2023, the CEC staff filed a recommendation on the Petition. In its filing, CEC staff recommends that the CEC deny the Petition because the terms that WSPA seeks to clarify are currently the subject of legislation being considered in a Special Session called by Governor Newsom in December 2022. Specifically, the Legislature is considering Senate Bill (SB) 2 (2023–2024 1st Ext Sess.) introduced by Senator Skinner that would adopt Public Resources Code section 25355.5, which includes and further defines the term “gross gasoline refiner margin.” The first sentence of the Legislative Counsel’s Digest states: “SB 2, as introduced, Skinner. Energy: transportation fuels: supply and pricing: maximum gross gasoline refining margin.” SB 2 contains a proposal to adopt an additional section in the Public Resources Code that revises the term “gross gasoline refining margin.” This term is specifically identified in the Petition as requiring interpretation through a formal rulemaking.

The bill could also potentially address other terms that WSPA asserts require clarification such as a determination of how to quantify Low Carbon Fuel Standard and Cap-and-Trade costs, as these terms are used in the pending legislation. Since the terms in SB 1322 are being considered and revised through the legislative process, CEC staff recommends denying the Petition and waiting to determine whether to initiate a rulemaking until the pending legislation has been resolved. A rulemaking at this time may conflict with changes to pending legislation on gasoline supply and pricing that may address the issues raised in the Petition.

On January 25, 2023, the CEC held a hearing to consider the Petition.

II. CEC FINDINGS

Based on the entirety of the record, the CEC finds that:

- 1) Public Resources Code sections 25213 and 25218(e) mandate and authorize the CEC to adopt rules and regulations, as necessary, to carry out its statutory duty. The CEC is required by Chapter 4.5, Division 15 of the Public Resources Code to obtain and analyze information and data concerning all aspects of the petroleum industry, including, but not limited to, production and supplies of

gasoline, and costs, prices, and investment choices for the state to develop and administer energy policies that are in the interest of the state’s economy and the public’s well-being. Thus, the CEC has the authority to initiate a rulemaking to adopt regulations, as requested in the Petition.

- 2) On September 16, 2022, the Governor signed SB 1322, which added Section 25355 to the Public Resources Code (the California Oil Refinery Cost Disclosure Act), to require operators of refineries in the state, within 30 days of the end of each calendar month, to submit a report to the CEC containing, among other things, volume, costs, prices, and sales data related to the production of gasoline in that month. SB 1322 requires the CEC to publish the gross gasoline refining margin data reported for that month in the aggregate as specified.
- 3) The Petition meets the requirements of CCR, title 20, section 1221.
- 4) Because the issues raised in the Petition are pending before the California State Legislature, CEC staff recommends allowing the legislative process to conclude before initiating a rulemaking for the purpose of considering whether to clarify terms in SB 1322 and ensure consistency and accuracy in its interpretation and implementation.
- 5) SB 1322 requires operators of refineries to provide information contained in Public Resources Code section 25355(b)(1)–(5) within 30 days of the conclusion of the month for which data is being reported. Operators of refineries are required to provide the listed data by March 2, 2023, which is 30 days after the conclusion of January, the first month in which this rule is effective.
- 6) CCR, title 20, section 1221(c), requires that the CEC, within 30 days of the filing of the petition, deny the petition, stating the reason for the denial in writing, or grant the petition, directing staff to prepare an order instituting a rulemaking.

III. CONCLUSION AND ORDER

- 1) For the reasons stated above, the CEC hereby DENIES WSPA’s Petition for Rulemaking.
- 2) CEC staff is directed to file this Order and supporting documentation with the Office of Administrative Law in accordance with Government Code section 11340.7(d)

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on January 25, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan
 NAY: NONE
 ABSENT: NONE
 ABSTAIN: NONE

Dated: January 27, 2023

SIGNED BY:

/s/

Liza Lopez
 Secretariat

DECISION NOT TO PROCEED

**OCCUPATIONAL SAFETY AND
 HEALTH STANDARDS BOARD**

CONSTRUCTION SAFETY ORDERS,
 SECTION 1512 AND GENERAL INDUSTRY
 SAFETY ORDERS, SECTION 3400
 CONCERNING FIRST AID

Pursuant to California Government Code section 11347, the Occupational Safety and Health Standards Board (OSHSB) hereby gives notice that it has decided not to proceed with the rulemaking action published in the Office of Administrative Law (OAL) California Regulatory Notice Register on March 4, 2022, Register 2022, No. 9–Z. The proposed rulemaking concerned the requirements for first aid kit materials. (OAL Notice File Number Z–2022–0222–02).

Any interested person with questions concerning this rulemaking should contact Christina Shupe (916) 274–5721 or by email at OSHSB@dir.ca.gov. The OSHSB will also post this Notice of Decision Not to Proceed on its website at <https://www.dir.ca.gov/OSHSB/First-Aid.html>.

**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.

Division of Workers’ Compensation
 File # 2022–1219–01
 Administration of QME Program

In this certificate of compliance, the Division makes permanent emergency regulations that allow medical–legal evaluations to be performed remotely. In addition, the Division added changes that were not part of the emergency regulations. The timeframe to obtain an appointment with a selected Qualified Medical Examiner (QME) has been extended. The regulations now specify that remote health evaluations must be consistent with the AMA Guides Fifth Edition. Further, both QME Form 31.5 and QME Form 108 have been updated to reflect changes made in the regulations.

Title 08
 Adopt: 46.3
 Amend: 31.3, 31.5, 34(b), 34(d), 34(e), 34(f), 108
 Filed 02/02/2023
 Effective 02/02/2023
 Agency Contact:
 Nicole L. Richardson (510) 286–0656

Occupational Safety and Health Standards Board
 File # 2022–1220–03
 COVID–19 Prevention

In this Certificate of Compliance for OAL Matter No. 2022–0425–04EE, the Occupational Safety and Health Standards Board (“OSHSB”) is establishing requirements regarding COVID–19 prevention for employees and places of employment. Specifically, OSHSB is: (1) identifying which employees and places of employment the regulations apply to; (2) defining terms used throughout the regulations; and (3) adopting regulations for prevention and identification of COVID–19 exposure and hazards in places of employment, including in both employer–provided housing, and transportation to and from work.

Title 08
 Adopt: 3205, 3205.1, 3205.2 [renumbered to 3205.1], 3205.3 [renumbered to 3205.2], 3205.4 [renumbered to 3205.3]
 Filed 02/03/2023
 Effective 02/03/2023
 Agency Contact: Christina Shupe (916) 274–5721

California Tax Credit Allocation Committee
 File # 2023–0202–01
 CTCAC Regulations Implementing Federal and State LIHTC law

This emergency rulemaking by the California Tax Credit Allocation Committee (CTCAC) amends the Low–Income Housing Tax Credit Program (LIHTC). Pursuant to Health and Safety Code sec-

tion 50199.17(d), is action is a deemed emergency presumed to be necessary for the immediate preservation of the public peace, health, safety, or general welfare.

Title 04
 Amend: 10327, 10328
 Filed 02/08/2023
 Effective 02/08/2023
 Agency Contact: Anthony Zeto (916) 214-6581

Department of Cannabis Control
 File # 2023-0106-01
 Conflict-of-Interest Code

OAL filed this regulation with the Secretary of State and will publish the regulation in the California Code of Regulations.

Title 02
 Adopt: 59900
 Filed 02/01/2023
 Effective 03/03/2023
 Agency Contact: Kaila Fayne (916) 251-4544

Department of Fish and Wildlife
 File # 2023-0113-03
 Landing of Commercially Caught Salmon
 Out of State

This action by the Department of Fish and Wildlife amends regulations concerning the landing of commercially caught salmon out of state to conform to federal law. This action is exempt from the Administrative Procedure Act pursuant to Fish and Game Code section 7652 and is submitted to OAL for filing with the Secretary of State and for publishing in the California Code of Regulations.

Title 14
 Amend: 105.1, 182
 Filed 02/01/2023
 Effective 02/01/2023
 Agency Contact: Ona Alminas (916) 902-9222

Fair Political Practices Commission
 File # 2023-0106-02
 Voluntary Expenditure Ceiling Amounts

This action by the Fair Political Practices Commission amends the voluntary expenditure ceiling amount for Assembly candidates in a primary or special primary election.

Title 02
 Amend: 18545
 Filed 02/02/2023
 Effective 03/04/2023
 Agency Contact: Amanda Apostol (916) 322-5660

California Department of Tax and Fee
 Administration
 File # 2022-1223-06
 Coins and Bullion

This change without regulatory effect updates the threshold sale amount for the tax exemption applicable to bulk sales of monetized bullion, nonmonetized gold or silver bullion, and numismatic coins that are substantially equivalent to transactions in securities.

Title 18
 Amend: 1599
 Filed 02/06/2023
 Agency Contact: Kim DeArte (916) 309-5227

Cemetery and Funeral Bureau
 File # 2022-1219-05
 Fee Revisions

This change without regulatory effect filing by the Cemetery and Funeral Bureau updates fees to align with Senate Bill 1443 (Stats. 2022, chapter 625).

Title 16
 Amend: 2310, 2311, 2326, 2328.1
 Repeal: 2312, 2313, 2314, 2315, 2316, 2317, 2317.1, 2318, 2320, 2321, 2322, 2323, 2324
 Filed 02/02/2023
 Agency Contact:
 Carolina Sammons (916) 574-7876

Cemetery and Funeral Bureau
 File # 2022-1219-06
 Schedule of Fees

This action by the Cemetery and Funeral Bureau (Bureau) makes changes without regulatory effect to regulations setting fees for administered by the Bureau.

Title 16
 Repeal: 1257
 Filed 02/02/2023
 Agency Contact:
 Carolina Sammons (916) 574-7876

Secretary of State
 File # 2022-1223-02
 Procedures and Standards for Reviewing Voting
 Systems

In this action without regulatory effect, the chapter on Procedures and Standards for Reviewing Voting Systems, Parts of a Voting System, and Ballot Marking Devices for Certification or Conditional Approval is being renumbered.

Title 02
 Amend: 20700, 20701, 20702, 20703, 20704,
 20705, 20706, 20707
 Filed 02/06/2023
 Agency Contact:
 Rodney Rodriguez (916) 695-1447

Board of Accountancy
 File # 2022-1216-05
 Continuing Education Programs

This rulemaking action amends continuing education program requirements to add technical subject areas, update nontechnical subject areas, and establish three new CE programs.

Title 16
 Amend: 87, 88, 88.1, 88.2, 89, 90
 Filed 02/01/2023
 Effective 07/01/2023
 Agency Contact: Sarah Benedict (916) 809-4028

Board of Accountancy
 File # 2022-1223-04
 Second Signature Removal

This action removes a requirement for a second supervisor to sign forms that certify completion of the experience requirement by a Certified Public Accountant (CPA) license applicant. This action also eliminates requirements for different Certificate of General Experience and Certificate of Attest Experience forms based on where applicants completed their experience.

Title 16
 Amend: 12, 12.5
 Filed 02/08/2023
 Effective 04/01/2023
 Agency Contact:
 Michael Lieberman (916) 561-1750

Bureau of Real Estate Appraisers
 File # 2022-1216-02
 Minimum Basic and Continuing Education

This action implements Assembly Bill 948 (Stats. 2021, chapter 352) by specifying requirements for instruction in cultural competency for applicants as a requirement of their basic education for licensure, and by specifying requirements in continuing education in cultural competency and training in the elimination of bias for licensees as a condition of renewal.

Title 10
 Adopt: 3542
 Amend: 3500, 3543, 3568
 Filed 02/01/2023
 Effective 02/01/2023
 Agency Contact: Whitney Spatz (916) 610-9927

California Architects Board
 File # 2022-1223-05
 Issuance and Appeal of Citations

Regarding the practice of landscape architecture, in this regular rulemaking, the California Architects Board is amending regulations pertaining to the issuance of citations, contesting citations, and informal conferences held in response to a request from any person served with a citation.

Title 16
 Amend: 2630, 2630.2
 Filed 02/08/2023
 Effective 04/01/2023
 Agency Contact: Stacy Townsend (916) 575-7235

California Architects Board
 File # 2022-1227-02
 Fees

This action increases various licensing fees.

Title 16
 Amend: 144
 Filed 02/06/2023
 Effective 07/01/2023
 Agency Contact:
 Kimberley McDaniel (916) 575-7221

Dental Hygiene Board of California
 File # 2022-1216-04
 Process for Approval of a New RDH Educational Program

In this action, the Board proposes to clarify the collective reference of "RDHs" to include registered dental hygienists, registered dental hygienists in alternative practice, and registered dental hygienists in extended functions within the regulation; repeal the Commission on Dental Accreditation's "Accreditation Standards for Dental Hygiene Education Programs;" and remove the extension process for completing the feasibility study for approving new RDH educational programs.

Title 16
 Amend: 1104.1
 Filed 02/01/2023
 Effective 04/01/2023
 Agency Contact:
 Adina Pineschi-Petty (916) 576-5002

Department of Corrections and Rehabilitation
 File # 2022-1220-01
 Controlled Substance Distribution

In this rulemaking, the California Department of Corrections and Rehabilitation amends its regulations

regarding what it means to “distribute” a controlled substance in the context of a regulatory rules violation.

Title 15
 Amend: 3000
 Filed 02/03/2023
 Effective 04/01/2023
 Agency Contact:
 Dmitriy Kostyuk (916) 445-2276

Department of Justice
 File # 2022-1222-01
 Police Body Armor

In this rulemaking action, the Department repeals its regulations related to police body armor.

Title 11
 Repeal: 941, 942, 943, 944, 945, 946, 947, 948, 949, 951, 952, 953, 954, 955, 956, 957
 Filed 02/06/2023
 Effective 04/01/2023
 Agency Contact:
 Marlon Martinez (213) 269-6437

Department of Justice
 File # 2022-1223-01
 Firearm Transfers to Law Enforcement

This action adopts the procedure for a dealer to notify the Department of Justice that the dealer has delivered a firearm to a law enforcement agency, pursuant to Penal Code section 28050, when a dealer may not return the firearm to the seller or transferor or the person loaning the firearm when to do so would constitute a violation of certain Penal Code sections.

Title 11
 Adopt: 4025
 Filed 02/08/2023
 Effective 04/01/2023
 Agency Contact:
 Marlon Martinez (213) 269-6437

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
 File # 2022-1223-03
 Notice to Consumers

This action requires licensed practitioners to provide notice that they are licensed by the state to consumers, and specifies the method of transmission and content of that notice.

Title 16
 Adopt: 1399.129, 1399.157.1
 Filed 02/06/2023
 Effective 04/01/2023
 Agency Contact: Maria Liranzo (916) 905-5441

State Water Resources Control Board
 File # 2022-1221-03
 Water Loss Performance Standards

This regular rulemaking action by the State Water Resources Control Board adopts water loss performance standards for urban retail water suppliers.

Title 23
 Adopt: 980, 981, 982, 983, 984, 985, 986
 Filed 02/06/2023
 Effective 04/01/2023
 Agency Contact: Beti Girma (916) 341-5469

Veterinary Medical Board
 File # 2022-1222-02
 Civil Penalties for Citations

This rulemaking action by the Veterinary Medical Board amends regulations relating to civil penalties for citations issued alleging different classes of violations.

Title 16
 Amend: 2043
 Filed 02/07/2023
 Effective 04/01/2023
 Agency Contact: Jeffrey Olguin (916) 282-6893

California Unemployment Insurance Appeals Board
 File # 2022-1216-06
 Application of APA, Submission of Appeal, Petition or Application, etc.

In this regular rulemaking, the California Unemployment Insurance Appeals Board (the “Board”) is adopting, amending, and repealing regulations regarding the following: (1) definitions of terms used throughout the Board’s regulations; (2) the applicability of the California Public Records Act (commencing with Government Code section 6250) to and confidentiality of records prepared and produced in connection with the administrative hearings; (3) filing deadlines; (4) scheduling hearings; (5) the circumstances under which an administrative law judge may order an appeal or petition dismissed without a hearing; and (6) updating cross-references.

Title 22
 Adopt: 5066.1
 Amend: 5000, 5007, 5010, 5050, 5054, 5062, 5066, 5067, 5068, 5111
 Repeal: 5055
 Filed 02/01/2023
 Effective 04/01/2023
 Agency Contact: Kim Hickox (916) 263-6806

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

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

