

Research & Practice Guide: California Regulatory History & Intent

Third Edition

Carolina C. Rose, J.D.



Research & Practice Guide: California Regulatory History & Intent

Valuable Guideposts for Wading
Through the Morass that is
California Regulatory Research

Third Edition

Carolina C. Rose, J.D.

President and Founder
Legislative Research & Intent LLC

www.lrihistory.com



Legislative Research & Intent LLC
1107 9th Street, Suite 220
Sacramento, CA 95814
800-530-7613
intent@lrhistory.com
www.lrhistory.com

© 1998, 2003, 2005, 2011 LRI

Permission is granted for the unlimited reproduction or republication of any portion of the contents of this guide on the condition that Legislative Research & Intent LLC is properly cited as the source. Any other reproduction or republication must first obtain written permission from LRI.

Third Edition

Printed in the United States of America

ABOUT THE AUTHOR

Carolina C. Rose is President of Legislative Research & Intent LLC (est. 1983), a firm that specializes in the historical research surrounding the adoption of California statutes, constitutional provisions, regulations and ordinances. A graduate of Stanford University (English, B.A., 1973 and Juris Doctorate, 1976), she worked in the California Legislature for approximately 7 years – 1 year as Assembly Fellow, right out of law school, and 6 years as Chief of Staff for Senator Nicholas C. Petris (Dem. Oakland) where she was responsible for his entire legislative program – over 200 bills during that time period. Ms. Rose qualifies as an expert witness in the reconstruction of California legislative histories. She also provides consulting services for the purposes of enacting or opposing legislation. Her MCLE seminars on legislative history are popular with attorneys, law librarians, law students and professors.

TABLE OF CONTENTS

WITH ANNOTATIONS

Following is an annotated list of the documents provided in this compendium. It provides commentary aimed at assisting the researcher in dealing with the many problem areas involved in California regulatory research. Acknowledgments are especially in order for Mike Ibold, former Law Librarian of the California Office of Administrative Law, the patron saint, mentor/advisor for this compendium. Unfortunately, Mike “retired” from state service in the wake of one of California’s many budget debacles – a true loss to the state. He used to generously make himself available to the public for assistance in grappling with the bear that is California regulatory research. As of this writing Mike works part time at the Calaveras County Law Library.

GENERAL BACKGROUND

1. **“Balm For CCR Angst!”** by Mike Ibold, For Your Information Newsletter, Council of California County Law Librarians (CCCLL), May - June 1997, p. 6 1

Commentary

Mike's article breaks down regulatory research into two categories:

- (1) Tracing language development (a very dicey process) and
- (2) Getting your hands on the promulgating agency's rulemaking file (good luck). The article provides insights and background into both areas with an emphasis on category (1).

Regarding the tracing of language development. Mike’s article points out that the Sacramento Office of Administrative Law has the only complete set of registers in the State – including hard to find superseded ones from 1945 - 1990. (Mike used to fax or mail the identified register excerpt needed if you could not locate it at a depository library near you.) Fortunately – at my behest – the law librarian community (NOCALL and SCALL) lobbied for a budget to correct this major oversight. So all of the OAL’s registers from 1945 – 1990) now have been copied to microfiche for wider availability. (I’ve heard the set sells for \$8,000.00.)

Before he left OAL, Mike told me that his office kept all superseded register pages and a drawer full of handwritten entries showing all register citations for every agency by Title and division. This is critical whenever there has been a repeal and recodification *sans annotations* and when you are trying to

reconstruct the prior law. (The officially published annotations should be sufficient, but they are not – hence this research guide.) As a precaution, LRI copied the “magic drawer” for posting on the internet. To access it, look for the link on our website at www.lrihistory.com.

Note: U.C. Berkeley and the State Law Library have most the complete hard copy sets of registers from 1945 - 1990. UMI published them from 1980 to current on microfiche. The “magic drawer” is most useful for tracing language changes from 1945 up through 1979. After that, just look at the annual UMI snapshots of your section number to track changes. (Sounds tedious because it is.)

2. **“How to Find a Regulation That is No Longer in the CAC,”** pp. 32-43, “Users Guide to the CAC,” author unknown; discontinued, unpublished paper by the Office of Administrative Law (OAL), June 12, 1986, provided by Mike Ibold, OAL Law Librarian.....3

Commentary

Although this paper is old, it is not dated. Yes, the California Administrative Code (CAC) became the California Code of Regulations (CCR) on January 1, 1988. It was on April Fool's day 1990 that the publication was privatized and Barclays took over (Yes. It *really was* April 1 -- perhaps some state bureaucrat's parting shot.) However, the preexisting CAC "History" annotations were merged into the new CCR both pre and post privatization. This means that the research tips set out in this paper are still valuable for the period covering 1945 (when the regulations were first published) through 1990 after Barclays took over.

However, do not expect completely accurate prior law annotations. *Since 1945, the inception of a statewide regulatory code, there has never been a uniform recordation of prior law annotations between the titles.* Sometimes such annotations exist, along with the rare reorganization tables (see items 5 and 6 below). However, this practice is spotty. Mike Ibold suggested ways to overcome this glaring problem, covered under items 5-7 below. (Preview: *The good news is:* Mike supplied prior law conversion tables (a rare item) for Titles 5 & 8. *The bad news is:* Prepare yourself for tedious and time consuming review of past registers. You will use the official citations and the citations from Mike's “magic drawer” described in item 1 to fill in the blanks. You can also take a short cut by reviewing the annual UMI snapshots – but only after 1979.)

It would be nice to be able to report that April Fool's Day of 1990 was kind to regulatory researchers and that the state's privatization contract mandated Barclays to continue, at minimum, the annotation details previously provided by OAL's editorial staff. Well it didn't.

All the detail provided in the CAC annotations did not become the mandated road map for the CCR's annotations. Previously, the CAC annotations were created by OAL editorial staff with specified criteria and covered areas that were not mandated in the Barclays contract. Unfortunately, the Barclays contract does not clearly specify requirements for historical notes of any type. Furthermore, state budget cuts have eliminated the OAL editorial positions, so OAL no longer generates its regulatory annotations to be picked up by Barclays. As a result, there is a great deal of anxiety among regulatory researchers that the new CCR annotations are not as detailed as they should be. This concern could be alleviated if Barclays published its annotation methodologies and offered assurances that it continues

the identical annotations previously provided by the OAL in the CAC. The Barclays contract expired March 1998 but was renewed.

Cautionary note: On page 34 of the 1986 OAL paper, the writer points out that individual regulations will not always have separate historical notes following each regulation because there is a blanket history note at the beginning of the division, chapter or subchapter that provides the historical detail applicable to all the subsequent regulations. However, Mike Ibold pointed out that in the 1980's an OAL decision was made to *discontinue these blanket notes* and to instead provide historical notes following each section. Mike disagreed with this development and lobbied for continuance of the blanket notes while also expanding the annotations to follow each regulation. Barclays has not reinstated the blanket note practice.

Cautionary note: On page 35 of the 1986 OAL paper, the writer guides the reader on how to use the "prior history" notes that pop up from time to time under OAL's CAC annotations. The implication one might derive from this is that prior history notes are covered for all the regulations when necessary. Unfortunately, this is not true as is covered under items 5-7 below.

Advisory note: Page 41 of the 1986 OAL paper describes the CAC practice of recording the history of repealed sections without reprinting the repealed text. This practice continues in the CCR.

3. **“Historical Summary of Regulation Codification,”** by Inez Burrow, Codification Officer, Office of Administrative Procedure, The Administrative Law Bulletin, No. 6, November - December, 1967. (Provided by Mike Ibold, OAL Law Librarian)16

Commentary

This choice historical piece describes the genesis of the regulatory registers and codes from 1941 and the various agencies with responsibility for its publication. It describes problems of the day including distribution delays and the increased volume of regulations from 1952 through 1967.

4. **Sample, UMI's History Table for CCR**.....22

Commentary: A separate master index to the CCR is published by both Barclays and UMI. UMI has been publishing the CAC & CCR on microfiche since 1980. Both have a handy table of “statutes to regulations” showing which California statutes have been the basis for California regulations. UMI also publishes a history table that dates back to 1975 which merely summarizes the history notes for each regulation. Sample provided.

ADDITIONAL DETAIL REGARDING THE RECONSTRUCTION OF PRIOR LAW

5. **Excerpt, Register 62, No. 22 (1962).** “Reference Tables (Tables of Agency Regulations by Title & Register),” pp. xx - xxix.....29

Commentary

Mike informed me that this register guides one to all the agencies’ rulemaking activity from “Day 1 [1945] up to 1962.” This type of summary was never again published after that. However, Mike preserved a card index drawer with the same type of information (all handwritten) covering all the agency regulations from 1945 until the Barclays privatization of 1990. Use of this 1962 guide in conjunction with Mike’s magic drawer of register annotations per Title/agency would bring the researcher current up through the 1990 privatization. Again, after Mike retired, LRI copied and indexed the contents of this drawer for public use. See LRI’s main web.

Shortcomings: These summaries per Agency/Title do not explain what is covered under each cited Register. This means that one would have to read each of the registers looking for the regulation of interest, an extremely tedious and labor intensive process. Furthermore, since there is no ready, central guide as to any recodifications, reorganizations or renumberings that may have occurred, the researcher would be wise to be guided by substance in reviewing each register (as opposed to regulation section number) since the regulation section number(s) of interest might have changed. However, items 6 - 7 below do provide cross reference tables for Titles 8 & 5 recodifications covering specified time periods. Mike supplied these cross reference tables and believes such tables to be quite rare.

The OAL card index 1945 - 1990: Because the code editorial staffs from 1945 to date have not provided uniform annotations regarding prior law it is critical to access this card index collection. See LRI’s web site for information on how to do this.

6. **Excerpt, Register 70, No. 9 (1970).** “Title 5. Revision Information Cross Reference Table of Sections in Part I (New to Former Sections),” pp. xxi-xxiv; and “Cross Reference Table of Title 5 Sections (Former to New Sections),” pp. xxv - xxviii.....35

Commentary

Mike informed me that this register provides the definitive “prior law” guide or reorganization tables for that point in time, 2/28/70. However, be advised: These tables do not provide clarity with regard to any reorganizations, renumberings or recodifications that may have occurred *prior* to 2/28/70. Refer to the annotation under item 5 above for advice on reconstructing prior law for this title before and after 2/28/70.

7. Excerpt, Register 72, No. 6 (1972). "Title 8. Division of Industrial Safety General Industry Safety Orders", pp. 432.3 - 432.6.....	41
---	-----------

Commentary

This recodification chart starts with the statement: "The following shows the old section number and the new section number." Mike informed us that this register provides the definitive "prior law" guide or reorganization tables for that point in time, 2/5/72. However, be advised: These tables do not provide clarity with regard to any reorganizations, renumberings or recodifications that may have occurred *prior* to 2/5/72. Refer to the annotation under item 5 above for advice on reconstructing prior law for this title before and after 2/5/72.

8. Draft, unpublished Title 22 Cross Reference Table: Provided by the Department of Health Services to the State Law Library, dated 06/17/91. Thanks are in order to Elizabeth (Beth) Owens, Senior State Law Librarian, who lead LRI staff to the document.....	45
---	-----------

Commentary

Repeated disclaimers appear regarding the accuracy of this 29 page translation table. It strongly advises the user to confirm each conversion relied upon by reviewing the text of the old and the new sections. It is troubling that the law does not require each state agency to file accurate conversion tables with OAL for publication in the CCR. I recommended to the CA Law Revision Commission that they take corrective action here. They turned me down on the grounds that the current mandates were adequate. No comment.

9. <u>Rulemaking By California State Agencies and the Role of the Office of Administrative Law</u>, 1996-1997	76
--	-----------

Commentary

This booklet published by the OAL is an excellent guide on a number of fronts. In particular, the researcher can find a list of the regulatory publications and what they contain (see especially pages 2 and 23) and it summarizes everything you ever wanted to know about the rulemaking process.

Item not covered: Public access to rulemaking files: Not covered are the particulars that assure public access to rulemaking files. On that subject, see Mike's article under item 1 and access the Public Records Act (Government Code Section) covered under item 9 below.

Item not covered: Distinguishing Administrative Registers (the law) & Notice Registers (notice only): Beth Owens and Mike told me that they are always helping patrons distinguish between the administrative registers and the notice registers. People ask – what is the difference between the two? Well, hopefully, this summary of Beth's and Mike's answer can help to eliminate the confusion out there on this subject.

Notice Registers: Mike advises that the key word here is “notice.” It publishes various agency notices – not the final, approved regulation. In the spring of 1974 the state began to publish what is nicknamed the “Z” Registers. Page 23 of the OAL’s 1997 publication here abstracted has a fairly succinct description of what they contain (i.e., summaries of proposed rulemaking – text is rarely reprinted; notices of investigative hearings, variances, etc.). They are currently entitled California Regulatory Notice Register. Mike says they were originally called the “Notice Supplement.” [Mike says that searching the “Z” registers 18 months before the final approved regulatory filing is a good way to run across relevant rulemaking history. Just be aware that if a proposed filing was disapproved at any time, the history can be at least 18 months longer for each disapproval.]

Administrative Registers: California Regulatory Code Supplements are the loose leaf pages that are filed as the California Code of Regulations. They are the law. They are designated by “Register Number” with a separate number next to it. They contain the substance of what is cited in the history notes following each regulation. They lead you to the various versions of the regulation. They also contain the rare prior law conversion tables as items 6 - 7 above show. Unlike the notice registers, their primary purpose is to publish the final, approved regulation. Other titles these Registers have appeared in were California Code of Regulations Supplement, and California Administrative Register.

- 10. 2003 excerpts from The California Public Records Act (PRA).** Government Code Sections 6253 (the broad right of public access) and 6253.7 (exemptions)..... 110

Commentary

An index of the PRA’s sections is also provided. Other sections to review covering agency compliance deadlines, etc. are not excerpted in this compendium. However, those sections can be easily identified from the index. The regulatory agencies must provide access to the public to the rulemaking file. These code excerpts and index guide the researcher on what to expect in making a PRA request for rulemaking files.

- 11. 2003 excerpt from the Administrative Procedures Act (APA) dealing with the content of rulemaking files after 1980.** Government Code Section 11347.3 119

Commentary

If you are successful in locating the rulemaking file from the promulgating agency you well might locate invaluable documentation explaining the basis for the regulations adopted. After 1980 agencies were required to maintain specific items in their rulemaking files and to

preserve them for court and public access. Government Code Section 11347.3 sets forth the promulgating agency's requirements in this area. As to obtaining the file:

- (1) There is usually someone assigned in an agency to handle PRA requests for rulemaking files (see item 7 above). However, if that person cannot help you, do not give up.
- (2) Contact the legal department of the rulemaking agency and make the same PRA request. Usually it is the legal division of an agency that takes responsibility for the final drafting and they sometimes keep a separate set of files.
- (3) If the legal department protests not to know where the file is, don't give up. Get a hold of a state directory and call the division that deals with the substance involved. Also, I have found that when I ask the promulgating agency for a written statement that they looked for the file and could not find it and to specify the actions undertaken to find it – voila! Another effort to locate it undertaken with success! Wow!
- (4) Another possible source for rulemaking files might be the State Archives in Sacramento.
- (5) If you are dealing with a pre 1980 file, good luck. There was no legal mandate that they be preserved. Under the pre 1980 law, most agencies either dumped files after 20 years, sent them to the State Archives, or warehoused them. In truth, it is basically an agency-by-agency hodge podge as to preservation practices pre and post 1980. Even after the 1980 preservation mandate came about, agencies still kept “losing” or misplacing rulemaking files. SB 1507 (Petrus), Stats. 1986, c. 928 was originally proposed by Legislative Research & Intent LLC to clarify this mandate.

#1.

"Balm For CCR Angst!" by Mike Ibold, For Your Information Newsletter, Council of California County Law Librarians (CCCLL), May-June 1997, p. 6

Balm For CCR Angst!

by Mike Ibold, Calaveras County Law Library

For most of you, wrestling with the *California Code of Regulations* is a real California bear. Just keeping a paper set of the CCR current, with its substantial weekly changes, is plenty (anyone want to keep up six sets?). California law librarians often turn pale when confronted with a CCR research request. Calling the agency that wrote the regulation

FOR YOUR INFORMATION, May-June 1997, p. 6.

can be frustrating but sometimes worth a try if you get to the right person.

Since I work for the Office of Administration Law in Sacramento and also take care of little Calaveras County law library on a part-time basis, I can offer you some insights to help level this rough and tumble playing field a bit.

First, when it comes to getting an earlier version of a CCR section, one of the quiet little facts of California legal research is that the Office of Administrative Law possesses in its law library perhaps the most complete and intact sets of Registers to the CCR back to the original titles of 1945 (there is no mandate for this). If you do not have the earlier Registers but have the Register year and weekly issue number identified from the section's history notes, obtaining them is merely a phone call (916/323-8906), fax (916/323-6826), or internet (mibold@oal.ca.gov) away for you or your patron. If the history note does not go back far enough, OAL can still usually dig it up (after a decade of this, I've learned where some of the regulatory bodies are buried) but might charge a fee for sweat work (available time and resources are a factor). Unfortunately, there is no practical way to reconstruct entire titles or an agency's entire body of regulations from a bygone era. At this time the State Law Library is working to have the CCR Registers preserved and backed up on micrographics.

Secondly, while OAL can often answer the question of "what" an agency wrote in its regulations, it cannot answer the question of "why" an agency took such regulatory action. The search for that ever elusive regulatory intent must be obtained from the state agency that owns the regulation. More precisely, since 1980 when the Administrative Procedure Act was overhauled and OAL created, from the rulemaking file the agency created and submitted to OAL for legal review. These files contain statements of reasons and the agency's responses to public comments. OAL returns the rulemaking file to the agency after its review is completed along with a memo directing the agency to keep and preserve the file. Last year, the California law library community was successful in passing SB 1507 (Stats. 1996.c.928) which mandates their preservation. I've sent out memos to both the regulation coordinators and records management analysts of the agencies informing them of the new mandate in an effort to improve the situation regarding retention of rulemaking files. A check with the State Archives indicates that most agencies prefer to hang on to their rulemaking files themselves rather than turning them over to the State Archives.

Finally, for you netizens out there, last year's SB 1910 (Stats. 1996.c.501) establishes a mandate for the CCR to be available free on the internet in mid 1998. California statutes and bills, etc. are already available on the internet. OAL's current agreement with Barclays will be up at the end of next March. But at this time, it is too early to speculate how, when or where this major goal will be achieved. Keep your fingers crossed.

Sic transit ex libris gloria!

#2.

"How To Find A Regulation That Is No Longer In the CAC", pages 32 - 43, "Users Guide to the CAC", author unknown; discontinued, unpublished paper by the Office of Administrative Law (OAL), June 12, 1986, provided by Mike Ibold, OAL Law Librarian

HOW TO FIND A REGULATION THAT IS NO LONGER IN THE CAC

When using with the California Administrative Code (CAC), it is frequently necessary to trace the historical development of specific sections in order to know exactly what those sections said at a particular time in the past. By using the history note in the CAC, it is possible to determine when a regulation was adopted, if and when it was amended, and if and when it was repealed or renumbered. The history note also tells you where you can find the text of a regulation during any of the changes mentioned above.

Most of the information needed to begin research in the CAC is on the page of the current edition of the CAC where the section appears. The information needed is: 1) the name of the agency or subject matter, 2) the Title number in which the section is located, 3) the section number itself, 4) the Register number in which the current page is printed, and 5) the History note which contains the Register number where previous versions of that section are located.

On the next page is a sample page from the CAC.

TITLE 10 SUPERINTENDENT OF BANKS § 80.3
(Register 80, No. 29—7-18-80) (p. 100.546 43)

Article I. General Provisions

Subarticle 1. Citation and Construction

80.1. Scope.

- (a) This Subchapter contains regulations relating to payment instruments.
- (b) This Article contains general provisions relating to this Subchapter. The succeeding articles of this Subchapter contain regulations relating to various subjects regarding payment instruments.
- (c) This Subarticle contains regulations relating to the citation and construction of this Subchapter. Subarticle 2 (commencing with Section 80.100) of this Article contains regulations relating to definitions.

NOTE: Authority cited: Section 33202, Financial Code. Reference: Division 16, Financial Code.

HISTORY:

- 1. New Subchapter 80 (Articles 1-9, Sections 80.1-80.8310, not consecutive) filed 7-16-80; designated effective 9-2-80 (Register 80, No. 29).

80.2. Citation.

- (a) This Subchapter shall be known and may be cited as the "Payment Instruments Regulations".
- (b) The first unit of the number of each section in this Subchapter is "80". However, in citing a section of this Subchapter, a person may omit the first unit of the number of such section if it is clear that such person is referring to a section of this Subchapter.

NOTE: Authority cited: Section 33202, Financial Code. Reference: Division 16, Financial Code.

80.3. Unsafe and Unsound Acts.

- (a) Any act which is designated in this Subchapter as an "unsafe and unsound act" is an act which, in the usual or typical circumstances encountered, constitutes an unsafe and unsound act within the meaning of the Payment Instruments Law. However, it is impossible to foresee or to provide for all the varying circumstances which may arise in a particular case. Also, the acts designated in this Subchapter as "unsafe and unsound acts" are not intended to constitute a complete compilation of all the acts which constitute unsafe or unsound acts within the meaning of the Payment Instruments Law. Therefore, the Superintendent may, if and when warranted in any particular case, upon application or on the Superintendent's own initiative, decide that in such case an act which is designated in this Subchapter as an "unsafe and unsound act" does not constitute an unsafe or unsound act within the meaning of the Payment Instruments Law. Also, the Superintendent may decide that an act which is not designated in this Subchapter as an "unsafe and unsound act" constitutes an unsafe or unsound act within the meaning of the Payment Instruments Law.

(b) Subject to the qualifications set forth in Subdivision (a) of this Section, whenever a licensee commits any act which is designated in this Subchapter as an "unsafe and unsound act," such licensee shall be deemed:

- (1) To be transacting and conducting its business in an unsafe and unsound manner within the meaning of the Payment Instruments Law; and
- (2) If and to the extent that such act affects the condition of the licensee, to be in an unsafe and unsound condition within the meaning of the Payment Instruments Law.

NOTE: Authority cited: Section 33202, Financial Code. Reference: Division 16, Financial Code.

History Notes

The History notes give the reader the history of a particular section or groups of sections. The history note is placed after the first section in a group of sections being adopted (usually an article, subchapter, etc.) or after a section that is being amended for the first time. The history is listed in chronological order with the oldest notation listed first and the latest alteration listed last.

If you glance at the sample page from the CAC you will see that there is no history note following section 80.3. This is also true for section 80.2; but the history note does appear following section 80.1, the first section in the subchapter. That history note says "New Subchapter 80 (Articles 1-9, Sections 80.1-80.8310, not consecutive) filed 7-16-80; designated effective 9-2-80 (Register 80, No. 29)".

This means that this is the history note for the entire Subchapter 80 which includes Articles 1-9, which are comprised of sections 80.1-80.8310. None of succeeding individual sections have a separate history reference unless they are individually amended or repealed or renumbered. Later on, these sections will not have a history note. The notation--Register 80. No.

29--means that this Register contains regulations as printed in the twenty-ninth week (No. 29) of 1980 (Register 80). This Register numbering system began late in 1953. Before that the Registers were numbered consecutively as issued.

"Prior History"

Sometimes the history reference will say, "For prior history, see Register. (See example below) This means that all the history notes prior to the oldest (first) reference given, can be found in Register 66, No. 1. If you were to look in Register 66, No. 1, in addition to the prior history notes you would find the text of the section as it appeared in the first week (No. 1) of 1966 (Register 66).

TITLE 3

PLANT INDUSTRY

§ 3853

(Register 83, No. 13—3-26-83)

(p. 343)

Article 1. Definitions and Construction

3850. Terms Defined.

(a) As used in the California Seed Law, Section 52251 *et seq.*, Food and Agricultural Code, and in Group 3 of these regulations:

(1) "Lot" means a definite quantity of seed normally identified by a number or other identification.

(2) Change in Lot. As used in Section 52354(a) of the Food and Agricultural Code the identity of the lot has been changed whenever the information required by any of the following sections of the Food and Agricultural Code has been changed: 52452(b), (h) and 52453(c), (d).

(3) "Origin Inspected Warehouse" means a premise which has maintained standards included in Article 7 of these regulations and therefore is exempt from the provisions of Section 6501, Food and Agricultural Code.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Sections 52254.5, 52257.5, 52331, 52333, 52354, 52363, 52391, 52392, 52451-52454, 52482, and 52511, Food and Agricultural Code.

HISTORY:

1. Amendment filed 1-24-69; effective thirtieth day thereafter (Register 69, No. 4). For prior history, see Register 66, No. 1.

2. Amendment filed 3-24-83; effective thirtieth day thereafter (Register 83, No. 13).

3851. Agricultural Seeds.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Section 52332, Food and Agricultural Code.

HISTORY:

1. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

2. Repealer filed 3-24-83; effective thirtieth day thereafter (Register 83, No. 13).

3852. Vegetable Seeds.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Section 52332, Food and Agricultural Code.

HISTORY:

1. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

2. Repealer filed 3-24-83; effective thirtieth day thereafter (Register 83, No. 13).

3853. Weed Seeds.

The following species, when occurring incidentally in agricultural seed, are classed as weed seeds for the purpose of labeling as required by Section 52452, Food and Agricultural Code, unless labeled and sold as specific constituents of a definite seed mixture:

(a) All species not listed in Section 3899, Schedule I (a);

(b) All species listed in Section 3901, Schedule III.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Section 52332, Food and Agricultural Code.

HISTORY:

1. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

2. Amendment filed 1-14-66; effective thirtieth day thereafter (Register 66, No. 1).

3. Amendment filed 3-24-83; effective thirtieth day thereafter (Register 83, No. 13).

After finding Register 66, No. 1, which is shown below, it is possible to see the entire history which traces back to the original publication of Title 3 in 1945.

On this page it is also possible to see the text that was in force from 1966 to 1969.

342

/ AGRICULTURE

TITLE 3

(Register 66, No. 1-15-68)

Article 1. Definitions and Construction

3850. Terms Defined. (a) When used in Group 3 of these regulations, all terms defined in the Agricultural Code have the meaning therein defined, unless a different meaning is apparent from the context.

(b) In addition, as used in the California Seed Law and in Group 3 of these regulations, the term "lot" means a definite quantity of seed, subject to the California Seed Law, normally identified by a number or other identification.

Note.—Authority cited for §§3850 to 3901, inclusive: Sections 16, 914, 917.2, 917.3 and 917.5, Agricultural Code. Reference: Sections 910.5, 911.2, 911.3, 911.4, 912, 913, 914, 915.1, 915.2, 915.3, 915.4, 917.2, 917.3, 919 and 920, Agricultural Code. Issuing agency: Department of Agriculture.

History: 1. Group 3 originally published 7-25-45 (Title 3).

2. Revision filed 2-6-46 (Register 3).

3. Revision filed 12-3-47; effective 30th day thereafter (Register 10, No. 5).

4. Revision and new §§3850 to 3901, inclusive, filed 8-29-50; effective 30th day thereafter (Register 21, No. 1).

5. Amendment filed 8-2-56; effective 30th day thereafter (Register 60, No. 15).

6. Amendment filed 12-1-59; effective 30th day thereafter (Register 60, No. 21).

7. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

8. Amendment filed 1-14-66; effective thirtieth day thereafter (Register 66, No. 1).

3851. Agricultural Seeds are defined as the seeds of all domesticated grasses and cereals, and of all legumes and other plants grown as turf, cover crops, forage crops, fiber crops or field crops, and mixtures of such seeds, not including varieties which are generally known and sold as flower seeds or vegetable seeds. The plants and crops listed in Section 3899, Schedule I (a), among others, are or may be grown in California from agricultural seeds.

History: 1. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

3852. Vegetable Seeds are defined as the seeds of crops which are or may be grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds. The plants and crops listed in Section 3899, Schedule I (b), among others, are or may be grown in California from vegetable seeds.

History: 1. Amendment filed 11-15-62; effective 30th day thereafter (Register 62, No. 23).

3853. Weed Seeds are defined as any and all noxious weed seeds, and any and all seeds not included in the definition of agricultural or vegetable seeds, when occurring incidentally in agricultural or vegetable seeds. The following species, when occurring incidentally in agricultural seed, are classed as weed seeds for the purpose of labeling as required by Section 912, Agricultural Code, unless labeled and sold as specific constituents of a definite seed mixture:

(a) All species not listed in Section 3899, Schedule I (a).

If the research project requires the exact text of Section 3850 as originally adopted, it would be necessary to search back through the registers to the Original Title adopted in 1945. On the pages below Section 3859 is shown as the lead section, in the original adoption in 1945.

344

AGRICULTURE

TITLE

(3) "Seed Laboratory" means Federal-State Seed-Test Laboratory, State Office Building No. 1, Sacramento 14, California.

(4) "Branch Laboratory" means Seed-Testing Laboratory, State Department of Agriculture, 204 State Building, Los Angeles 12, California.

Note—(1) 1945 to 1962, inclusive, issued under the authority contained in Sect. 917.3 and 917.5, Agricultural Code. Source of (1) 1945 to 1961, inclusive, is the Rules Regulations issued by the Director of Agriculture.

911. Agricultural Code. "Agricultural seeds," as used in this article, means the seeds of all domesticated grasses and cereals, and of all legumes, other plants grown as turf, cover crops, forage crops, fiber crops, or field or seed mixtures of such seeds, but does not include varieties which are generally known and sold as flower seeds or vegetable seeds.

3851. Agricultural Seeds. The Director finds that the plants and crops listed in Schedule I (Section 3899) are or may be grown in California from agricultural seeds. Species marked therein with an asterisk (*) are included as agricultural seeds only as to varieties other than those generally known and sold as flower seeds or vegetable seeds.*

911.1. Agricultural Code. "Vegetable seeds," as used in this article, means the seeds of crops which are or may be grown in gardens or on truck farms, are generally known and sold under the name of vegetable seeds.

3852. Vegetable Seeds. The Director finds that the plants and crops listed in Schedule II (Section 3900) are or may be grown in California from vegetable seeds. Species marked therein with an asterisk (*) are included as vegetable seeds only as to varieties generally known and sold under the name of vegetable seeds.*

911.2. Agricultural Code. "Weed seeds," as used in this article, means any and all noxious weed seeds, and any and all seeds not included in the definition of agricultural seeds, when occurring incidentally in agricultural seed.

911.21. Agricultural Code. "Noxious weed" means any species of plant which is or is liable to be detrimental or destructive and difficult to control eradicate. Noxious weeds are of two classes, primary noxious-weeds and secondary noxious-weeds, which are defined in Sections 911.22 and 911.23, Agricultural Code, respectively.

911.22. Agricultural Code. "Primary noxious-weeds," as used in this article, means perennial noxious-weeds such as not only reproduce by seed, but also spread by underground roots or stems, and which, when established, are highly destructive and difficult to control in this State by ordinary good cultivation. Exception is made for certain of such species which because of distribution in the State are classified herein as secondary noxious-weeds.

Primary noxious-weeds include the following:
Austrian fieldgrass (*Hordeum australe*).
Blindweed (*Mimulus dielsii*).
Canada thistle (*Cirsium arvense*).
Horned melon, winged *Cucurbit* (*Solanum carolinense*).
White horned melon (*Solanum elaeagnifolium*).
Klamath weed (*Hypericum perforatum*).
Leafy spurge (*Euphorbia Esula*).

Perennial spurge, mossy hairy spurge (*Gaura villosa*), white spurge (*Gaura occidentalis*), scarlet spurge (*Gaura odorata*), and hairy-leaf spurge (*Gaura linearis*).

Perennial poppy (*Lepidium latifolium*).
Perennial sowthistle (*Sonchus oleraceus*).

* For statutory and source citations, see note to 1945.

TITLE 3

SEED INSPECTION

243

Article 6. Administration: Practice and Procedure—(Continued)

California
Administrative
Code

Agricultural Code Section	Section
911.4. Federal standards	1945
911.5. Formulation of regulations	1945
911.6. Procedure on promulgation of Rules and Regulations	1945
Public	1945(h)
Findings	1945(f)
Hearing	1945(d)
Notice of adoption	1945(e)
Notice of hearing	1945(c)
Notice of rescission	1945(i)
Publication	1945(a)
Record	1945(b)
Request for notice of hearing	1945(g)

Article 7. Administration: Prosecutions and Seizures

912. Prosecutions	1945
Procedure to show cause why complaint should not be filed	1945
Appeal	1945(a)
Findings	1945(d)
Hearing	1945(b)
Order to show cause	1945(c)
Record	1945(e)
913. Seizure and Condemnation	1945

Article 8. Schedule: Re Seeds

I. AGRICULTURAL SEEDS	1945
A. Immatured Grasses and Cereals	1945
B. Legumes and Other Plants Grown as Turf, Cover Crops, Forage Crops, Fiber Crops or Field Crops	1945
II. VEGETABLE SEEDS WITH STANDARDS OF GERMINATION	1945
III. AGRICULTURAL AND VEGETABLE SEEDS CLASSIFIED AS WEED SEEDS WHEN OCCURRING INCIDENTALLY IN AGRICULTURAL SEEDS	1945
IV. TESTS FOR SAMPLING AND TESTING	1945
A. Purity Analysis	1945
B. Germination Tests	1945
C. Weed-Seed Examination	1945
D. Sampling by Request	1945
V. TOLERANCES FOR NOXIOUS WEED SEEDS	1945

Article 1. Definitions and Construction

910. Agricultural Code. This article shall be known and may be cited as the "California Seed Law."

910.5. Agricultural Code. This article and the terms used herein shall be construed so as to conform insofar as possible with the construction placed upon the Federal Seed Act and regulations issued thereunder, and to effectuate its purpose to make uniform the laws of the State adopting it.

3850. Terms Defined. (a) When used in these Rules and Regulations, all terms defined in the Agricultural Code have the meaning herein defined, unless a different meaning is apparent from the context.

(b) In addition, as used in these Rules and Regulations:

(1) "Bureau" means Bureau of Rodent and Weed Control and Seed Inspection of the Department of Agriculture of the State of California.

(2) "Office of the Director" means the office of the Director of Agriculture, Second Floor, State Office Building No. 1, Sacramento 14, California.

* For statutory and source citations, see note to 1945.

Since these were the original Titles, no register number appears at the top of the page. Nor is there a history note. The system of Registers and history notes began with the need for amendments to the CAC.

The first history note for section 3871, Classification of Samples, indicates that it was amended in 1966. Register 66, No. 1, confirms that the section was amended but does not show when it was first adopted.. This is because this section is a part of Group 3, and the history note for that Group is under the lead section, 3850.

TITLE 3 **PLANT INDUSTRY** **§ 3872**
(Register 22, No. 27-47-48) (p. 347)

(g) When more than one ingredient is used in conjunction for treating seed, the labeling required shall be for the ingredient with the higher level of toxicity.
NOTE: Authority cited: Sections 407, 52331 and 52332, Food and Agricultural Code. Reference: Sections 52332 and 52454, Food and Agricultural Code.

HISTORY:

1. Amendment filed 3-26-58, designated effective 1-1-59 (Register 58, No. 9).
2. Amendment filed 10-15-76, effective thirtieth day thereafter (Register 76, No. 42).
3. Amendment of subsection (a) filed 3-24-83, effective thirtieth day thereafter (Register 83, No. 13).

3867. Labeling of Seed Containers.

The following statement may appear upon every label and/or invoice of agricultural and/or vegetable seed in addition to the information required under Sections 52452 and 52453 of the Food and Agricultural Code.
"Any person in the State of California who alleges loss or damage by failure of this seed to produce or perform as represented hereon, may, within ten (10) days after the alleged defect becomes obvious, file a formal complaint in writing with the Director, Department of Food and Agriculture, 1220 N Street, Sacramento, California 95814, accompanied by a filing fee of two hundred and fifty dollars (\$250) (nonrefundable). The crop as to which alleged damage is claimed shall also be maintained in the field until after inspection by the Director."

The statement provided for in this section may also appear on order forms and price lists distributed by labelers of agricultural and/or vegetable seeds.
The procedure for making the formal complaint referred to in the label statement above is set forth in Article 10, Sections 3915 through 3921.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Sections 52452 and 52453, Food and Agricultural Code.

HISTORY:

1. New section filed 8-7-75, effective thirtieth day thereafter (Register 75, No. 32).
2. Editorial correction of NOTE filed 4-27-83 (Register 83, No. 18).

Article 3. Inspection and Sampling

3871. Classification of Samples.

(a) An official sample is a sample drawn by an enforcement officer in the manner prescribed by Sections 3872 and 3873 for the purpose of determining whether the seed is in compliance with the provisions of the California Seed Law, Section 52251 *et seq.*, Food and Agricultural Code.

(b) A certification sample is a sample drawn by an agent of a recognized seed certifying agency, or by an enforcement officer acting upon the request of such agency, in accordance with the rules and regulations of such agency.

(c) A quarantine sample is a sample submitted for noxious-weed seed examination by a commissioner or a plant quarantine officer.

(d) A service sample is a sample submitted for testing for an individual or firm.

(e) A miscellaneous sample is any sample not otherwise classified.

NOTE: Authority cited: Sections 407 and 52331, Food and Agricultural Code. Reference: Section 52331, Food and Agricultural Code.

HISTORY:

1. Amendment filed 1-14-66, effective thirtieth day thereafter (Register 66, No. 1).
2. Amendment of subsection (a) filed 3-24-83, effective thirtieth day thereafter (Register 83, No. 13).

3872. Sampling.

(a) Procedure. The following procedure shall be followed for securing off

(Register 66, No. 1-1-16-66)

This regulation implements Sections 914.9 and 917.2 of the Agricultural Code.

History: 1. Amendment filed 8-20-68; designated effective 1-1-69 (Register 68, No. 9).

Article 3. Inspection and Sampling

3871. Classification of Samples. (a) An official sample is a sample drawn by an enforcement officer in the manner prescribed by Sections 3872 and 3873 for the purpose of determining whether the seed is in compliance with the provisions of the California Seed Law.

(b) A certification sample is a sample drawn by an agent of a recognized seed certifying agency, or by an enforcement officer acting upon the request of such agency, in accordance with the rules and regulations of such agency.

(c) A quarantine sample is a sample submitted for noxious-weed seed examination by a commissioner or a plant quarantine officer.

(d) A service sample is a sample submitted for testing for an individual or firm.

(e) A miscellaneous sample is any sample not otherwise classified.

History: 1. Amendment filed 1-14-66; effective thirtieth day thereafter (Register 66, No. 1).

3872. Sampling. (a) Procedure. The following procedure shall be followed for securing official samples and is recommended for all other samples:

(1) General. (A) Approximately equal portions shall be taken from fairly evenly distributed parts of the quantity of seed to be sampled. Access shall be had to all parts of that quantity. When more than one trierful of seed is drawn from a container, each successive trierful shall be from evenly separated parts of the container. When more than one handful is taken from a container the handfuls shall be taken from well-separated parts.

(B) For free flowing seed in bags or bulk, a probe or trier long enough to sample any portion of the bag shall be used.

(C) Non-free-flowing seed, such as certain grass seed, or uncleaned seed, difficult to sample with a probe or trier, shall be sampled by thrusting the hand into the bulk and withdrawing representative portions.

(D) As the seed is sampled, each portion shall be examined and if there appears to be a lack of uniformity, the portions shall not be combined but shall be retained as separate samples to determine such lack of uniformity as may exist.

(E) When the portions appear to be uniform, they shall be combined to form a composite sample.

The History Note under section 3850 which we looked at earlier will help us find the previous history. In this case Register 21, No. 1 (see below), shows us that there was a general repealer of the sections between 3850 and 3904 and that new sections that included all of the whole numbers between 3850 and 3904 were adopted as new regulations. This is the first time that section 3871 appeared in the CAC.

342

AGRICULTURE

TITLE

(Register 21, No. 1—7-8)

Article 1. Definitions and Construction

3850. Terms Defined. (a) When used in these regulations, terms defined in the Agricultural Code have the meaning therein defined, unless a different meaning is apparent from the context.

(b) In addition, as used in these rules and regulations:

(1) "Bureau" means Bureau of Rodent and Weed Control and Seed Inspection of the Department of Agriculture of State of California.

(2) "Office of the Director" means the office of the Director of Agriculture, Second Floor, State Office Building No. 1, Sacramento 14, California.

(3) "Seed Laboratory" means Federal State Seed-Test Laboratory, State Office Building No. 1, Sacramento 14, California.

(4) "Branch Laboratory" means Seed-Testing Laboratory, State Department of Agriculture, 919 Mirror Building 145 South Spring Street, Los Angeles 12, California.

NOTE—Authority cited for 11350 to 3904, inclusive: Sections 10 and 21 Agricultural Code, Issuing agency: Department of Agriculture.

History 1. Group 3 originally published 7-25-45 (Title 3).

2. Revision Sled 2-4-48 (Register 3).

3. Revision Sled 12-3-47; effective 30th day thereafter (Register No. 5).

4. Repealer and new 11350 to 3904, inclusive, Sled 6-26-50; effective 30th day thereafter (Register 21, No. 1).

3851. Agricultural Seeds are defined as the seeds of all domesticated grasses and cereals, and of all legumes and other plants grown for turf, cover crops, forage crops, fiber crops or field crops, and mixtures of such seeds, not including varieties which are generally known and sold as flower seeds or vegetable seeds. The director finds that the plants or crops listed in Schedule I (a) (Section 3899), among others, are or may be grown in California from agricultural seeds.

3852. Vegetable Seeds are defined as the seeds of crops which are or may be grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds. The director finds that the plants and crops listed in Schedule I (b) (Section 3899), among others, are or may be grown in California from vegetable seeds.

3853. Weed Seeds are defined as any and all noxious weed seeds and any and all seeds not included in the definition of agricultural seeds when occurring incidentally in agricultural seeds. The following species when occurring incidentally in agricultural seeds, are classed as weed seeds for the purpose of labeling as required by Section 912, Agricultural Code, unless labeled and sold as specific constituents of a definite seed mixture:

(a) All species not listed in Schedule I (a).

(b) All species listed in Schedule III (Section 3901), which the director hereby finds are detrimental to agriculture when occurring incidentally in other crops.

TITLE 3

SEED INSPECTION

345

(Register 21, No. 1—7-8-50)

(c) "Grain or other crop seed" is construed to include cereals, beans, peas, flaxseed, cottonseed, mustard seed, celery seed, and other crop seed which may be utilized for purposes other than planting, as well as seeds intended for planting purposes only.

(d) Appropriate Warning. The words "Poison Treated" are permissible but not necessarily required. Other appropriate warnings may be used; for example: "This seed has been treated with _____"; "DDT Treated"; "copper carbonate added." The warning statement must be in red letters, and may be shown on the analysis tag or label, on a separate tag or label, or stenciled on the container.

Article 3. Inspection and Sampling

3871. Classification of Samples. (a) An official sample is a sample drawn by an enforcement officer in the manner prescribed by Section 3872 for the purpose of determining whether the seed is in compliance with the provisions of the California Seed Law.

(b) A federal sample is a sample submitted under the terms of an agreement with the Secretary of Agriculture.

(c) A certification sample is a sample drawn by an agent of a recognized seed certifying agency, or by an enforcement officer acting upon the request of such agency, in accordance with the rules and regulations of such agency, for the purpose of determining whether the seed is eligible for certification.

(d) A quarantine sample is a sample submitted for noxious-weed seed examination by a commissioner or a plant quarantine officer.

(e) A service sample is a sample submitted for testing for the information or benefit of an individual or firm.

(f) A miscellaneous sample is any sample not otherwise classified.

3872. Sampling. (a) Procedure. In order to secure a representative sample, official samples shall, and all other samples should, be drawn in the following manner:

(1) General. (A) Approximately equal portions shall be taken from fairly evenly distributed parts of the quantity of seed to be sampled. Access shall be had to all parts of that quantity.

(B) For free-flowing seed in bags or bulk, a probe or trier long enough to sample any portion of the bag shall be used.

(C) Nonfree-flowing seed, such as certain grass seed, or uncleaned seed, difficult to sample with a probe or trier, shall be sampled by thrusting the hand into the bulk and withdrawing representative portions.

(D) As the seed is sampled, each portion shall be examined and if there appears to be a lack of uniformity, the portions shall not be combined but shall be retained as

* Quarantine procedure is regulated by Sections 160-173 of the Agricultural Code, and is not a part of the California Seed Law nor of these Rules and Regulations.

Repealed Sections

In some cases sections have been repealed and the text is removed from the Code. When this occurs and the number is not used for another regulation, the section number, title and history continues to be printed in the Code. In the example below, Title 3, Section 3258, was repealed in 1976. To find the previous text, Register 64, No. 10 must be consulted.

§ 2254
(p. 298)

PLANT INDUSTRY

TITLE 3

(Register, Vol. No. 23-7, 1424)

(1) All Articles and Commodities Covered, Except Tubers, Prohibited from Area Under Quarantine. All articles and commodities covered except tubers treated in accordance with paragraph (2), are prohibited entry into California if grown, packed or stored within or shipped from the area under quarantine.

(2) Sweet Potato Tubers Grown, Packed or Stored Within or Shipped From the Area Under Quarantine Admitted If Treated at Origin. Sweet potato tubers grown, packed, or stored within or shipped from the area under quarantine, will be admitted into California provided they have been certified by an authorized agricultural official of the state of origin as having been treated (at owner's risk) for sweet potato weevil and were free from post-treatment infestation by sweet potato weevil.

(3) Articles and Commodities Covered from a Noninfested County or Parish in the Area Under Quarantine Admitted Under Certification of Origin. Articles and commodities covered, if grown, packed and stored (if stored) within and shipped from a noninfested county in the area under quarantine, will be admitted into California provided each lot or shipment is accompanied by a certificate of origin issued by an authorized agricultural official of the origin state giving the name and address of the shipper, number and kind of container in shipment or lots, manner of shipment, and car initials and number if shipped by rail. The certificate shall state that the lot or shipment originated in a noninfested county or parish.

(4) Exception. Morning-glories from a noninfested county or parish in the area under quarantine are admissible without a certificate of origin.

NOTE: Authority cited: Sections 407, 5301 and 5302, Food and Agricultural Code. Reference: Sections 5301 and 5302, Food and Agricultural Code.

HISTORY:

1. Amendment filed 6-11-64, effective thirtieth day thereafter (Register 64, No. 22). For prior history see Register 67, No. 15.
2. Amendment filed 10-27-71, effective thirtieth day thereafter (Register 71, No. 44).
3. Amendment of subsection (b-1) filed 5-24-73, effective thirtieth day thereafter (Register 73, No. 21).
4. Amendment of subsection (b-1) filed 12-6-76, effective thirtieth day thereafter (Register 76, No. 39).
5. Repealer and new section filed 3-29-83, effective thirtieth day thereafter (Register 83, No. 14).
6. Amendment of subsection (b) filed 7-11-84, effective thirtieth day thereafter (Register 84, No. 28).

3258. Citrus White Fly Exterior Quarantine (Quarantine Proclamation 10).

HISTORY:

1. Repealer filed 6-9-76, effective thirtieth day thereafter (Register 76, No. 24). For prior history see Register 64, No. 10.

3259. Peach Yellows, Little Peach and Red Suture Diseases Exterior Quarantine (Quarantine Proclamation 11).

A quarantine is established against the following pests, their hosts, and possible carriers:

- (a) Pests. The pathogens which cause either peach yellows, little peach, or red suture diseases on peach. The pathogen that causes peach yellows disease is a mycoplasma-like organism. All three diseases are presently considered to be caused by strains of the same pathogen.

Sections Re-Used for Another Subject

Frequently section numbers are re-used for another subject. In the previous example the section was repealed but the number was not re-used. To avoid large numbers of blank sections, section numbers are frequently re-used for other regulations. When this is done a history note is provided to explain what has occurred.

In Register 84, No. 42, the history note for Section 553, Heenan Lake Wildlife Area describes this as a new section. It also directs the researcher to Register 76, No. 35 for the former history. Register 76, No. 35, shows that this section was formerly entitled Lower Sherman Island Wildlife Area, and the history is provided.

§ 553 FISH AND GAME COMMISSION TITLE 14
(p. 5252-8) (Register 84, No. 42—p. 20-64)

(D) Shooting permits for Petaluma Marsh Wildlife Area shall be issued at the offices of the Department of Fish and Game in Sacramento and Yountville and at designated license agents in Petaluma and Novato.

(4) The shooting fee for Napa Marthes, and Lower Sherman Island and Petaluma Marsh Wildlife Areas shall be \$3.00 per season for persons 16 years of age or older, and \$1.00 per season for minors to 16 years of age. There is no fee for permits issued for Clifton Court Forebay.

(5) Shooting days shall be every day of the legal waterfowl season, except that waterfowl hunting on Clifton Court Forebay shall be limited to Wednesdays, Saturdays, and Sundays of the legal waterfowl season. Clifton Court Forebay shall also be closed to all hunting on Thanksgiving Day, New Year's Day and Christmas.

(6) Boats may be used on Clifton Court Forebay under the provisions in Section 551(q)(1) of Chapter 8, Title 14.

NOTE: Authority cited Sections 1526, 1528, 1530 and 10504, Fish and Game Code, and the 1962 U.S. Statutes at Large, p. 238, and existing agreements with the United States relating to the administration of federally owned or leased areas.

HISTORY:

1. Amendment of subsection (c) filed 8-24-73, effective thirtieth day thereafter (Register 73, No. 34). For prior history, see Register 69, No. 31.
2. Amendment filed 8-27-76, effective thirtieth day thereafter (Register 76, No. 35).
3. Amendment filed 9-26-79, effective thirtieth day thereafter (Register 79, No. 39).
4. Amendment of subsection (a)(5) filed 10-5-81, effective thirtieth day thereafter (Register 81, No. 41).
5. Amendment of subsection (a)(3)(B) filed 8-18-82, effective upon filing pursuant to Government Code Section 11346.2(d) (Register 82, No. 34).
6. Amendment filed 8-16-83, effective thirtieth day thereafter (Register 83, No. 38).

§ 553. Heenan Lake Wildlife Area.

For the purpose of controlling public use during the fishing season, permits are required as follows:

(2) Permits shall be issued only to holders of a valid California sport fishing license for persons 16 years of age and older. Persons under 16 years of age shall be accompanied by an adult legally responsible for him or her and said adult shall list each minor on the permit.

(b) Fishing permits shall be issued at offices of the Department of Fish and Game in Redding, Sacramento, Rancho Cordova, Bishop, Yountville, Fresno, Long Beach and at designated license agents in Markleeville.

(c) A fee of \$2.00 shall be charged for each three-day weekend period for all persons 16 years of age or older.

(d) Only boats propelled by oars or electric motors may be used.

(e) Any portion of the Heenan Lake Wildlife Area may be closed to fishing or trespass by the Department by posting notice of the same.

NOTE: Authority cited Sections 1526, 1528 and 1530, Fish and Game Code. Reference: Sections 1526, 1528 and 1530, Fish and Game Code.

HISTORY:

1. New section filed 8-28-84, effective thirtieth day thereafter (Register 84, No. 39). For history of former section, see Registers 76, No. 35; 73, No. 34; 70, No. 35 and 68, No. 33.

5252 NATURAL RESOURCES TITLE 14
(Register 76, No. 35—p. 12-76)

(6) Boats may be used on Clifton Court Forebay under the provisions in Section 551(s)(1) of Chapter 8, Title 14.
NOTE: Authority cited Sections 1526 through 1530 and 10504, Fish and Game Code, and the 1962 U.S. Statutes at Large, p. 238, and existing agreements with the United States relating to the administration of federally owned or leased areas.

History: 1. Amendment of subsection (c) filed 8-24-73, effective thirtieth day thereafter (Register 73, No. 34). For prior history, see Register 69, No. 31.

2. Amendment filed 8-27-76, effective thirtieth day thereafter (Register 76, No. 35).

§ 553. Lower Sherman Island Wildlife Area.

NOTE: Authority cited Sections 1526 through 1530 and 10504, Fish and Game Code, and the 1962 U.S. Statutes at Large, p. 238, and existing agreements with the United States relating to the administration of federally owned or leased areas.

History: 1. New section filed 8-28-68, effective thirtieth day thereafter (Register 68, No. 33).

2. Amendment of subsection (i) filed 8-26-70, effective thirtieth day thereafter (Register 70, No. 33).

3. Amendment of subsection (e) filed 8-23-73, effective thirtieth day thereafter (Register 73, No. 34).

4. Repealer filed 8-27-75, effective thirtieth day thereafter (Register 75, No. 33).

553.1. Clifton Court Forebay Waterfowl Public Shooting Area.

NOTE: Authority cited Sections 1526-1530 and 10504, Fish and Game Code.

History: 1. New section filed 8-24-71, effective thirtieth day thereafter (Register 71, No. 33).

2. Corrective amendment of subsection (f) filed 9-15-71 (Register 71, No. 41).

3. Amendment of subsection (i) filed 8-25-74, effective thirtieth day thereafter (Register 74, No. 33).

4. Repealer filed 8-27-76, effective thirtieth day thereafter (Register 76, No. 35).

554. Co-operative Hunting Areas. (a) The word "landowner" as used herein means the owner or lessee, or the duly authorized agent of such owner or lessee or their successors in interest of such lands contracted by the department for co-operative hunting areas. The word "area" as used herein means co-operative hunting area.

(b) Generally. (1) On pheasant, deer, quail, or chukar areas at least 2,500 acres, or a minimum of fifty percent (50%) of the entire area under contract shall be known as the "open zone" and shall be open to controlled public shooting.

(2) On waterfowl areas at least 500 acres of the entire area under contract shall be known as the "open zone" and shall be open to controlled public shooting.

(3) On co-operative hunting areas for deer, quail, or chukars, which are over 20,000 acres in size, restricted zones may be increased to 30 percent, provided not over 10 percent of the area is in closed zones.

Getting Help

The Office of Administrative Law and the State Law Library both in Sacramento are the only sources known to maintain a comprehensive set of Registers. Persons who are interested in doing Code Research are welcome to use the Registers at either of these facilities. Should the instructions provided here not be adequate to solve a research problem, staff at both locations are available to provide assistance.

The State Law Library is located in the Library and Courts Building on the Circle between 9th and 10th Streets, directly across from the State Capitol Building in downtown Sacramento. The telephone number is (916) 322-4572.

The Office of Administrative Law is located at 1414 K Street, Suite 600, Sacramento, CA 95814. If you wish, OAL will do the research for a fee of \$43.50 per hour. Research usually takes one hour, but depends on the difficulty of the problem. It is done contingent on time being available. You may request the research to be done by phone (916) 323-6225, but a letter must be sent authorizing the charges for the research.

#3.

"Historical Summary of Regulation Codification": By Inez Burrow, Codification Officer, Office of Administrative Procedure, The Administrative Law Bulletin, No. 6, November - December, 1967. (Provided by Mike Ibold, OAL Law Librarian)

STATE OF CALIFORNIA



OFFICE OF ADMINISTRATIVE LAW

555 CAPITOL MALL, SUITE 1290

SACRAMENTO, CA 95814-4602

Telephone: (916) 323-6225 [CALNET 473-6225]

FAX: (916) 323-6826 [CALNET 473-6826]

FAX TRANSMITTAL COVER MEMO

Date: 10-16-97

To: Carolina Rose, Dir., Leg. Research Div.

FAX Number Sending To: 442-1529 Telephone Number: 442-7660

Total number of pages being sent, including cover memo: 5

From: Mike Ibold Law Lib.

Subject: CCR Research compilation for West Pac.

Message: _____

Article by Ines Burrow Collection Officer,
Off. of Admin. Proc.

☒

ORIGINAL WILL NOT FOLLOW

ORIGINAL WILL FOLLOW BY _____

If you did not receive ALL pages, or if you have questions,
please call: _____

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

THE ADMINISTRATIVE LAW BULLETIN

No. 6

November - December, 1967

HISTORICAL SUMMARY OF
REGULATION CODIFICATION

By: Inez Burrow, Codification Officer
Office of Administrative Procedure

O.A.L. LAW LIBRARY

Chapter 628, Statutes of 1941, was the first provision for filing with a public repository, i.e. the Secretary of State, by every state agency, of all regulations of each such agency then in effect. By the same act, a Codification Board was created to carry out provisions for publication of the regulations. Due to failure to then appropriate funds, the work was delayed until 1943 when (by Chapter 1060) \$70,000 was appropriated "for the compilation, codification, indexing, printing and publication of the California Administrative Register and the California Administrative Code." The California Administrative Registers contain periodic revisions to the Code. By Chapters 111 and 1334, Statutes of 1945, provisions for financing and publication were revised. Chapter 1175, Statutes of 1947, created the Division of Administrative Procedure in the Department of Professional and Vocational Standards, succeeding the Codification Board. The Administrative Procedure Act as such, was enacted by Chapter 1425, Statutes of 1947. The Division was designated Office of Administrative Procedure, in the Department of Finance, by Chapter 2048, Statutes of 1961; and upon creation of the Department of General Services, by Chapter 1786, Statutes of 1963, the Office was transferred to such Department of which it is presently a part.

The California Administrative Code and Registers were originally printed and sold at the State Printing Plant which determined the sales price by the cost of the printing. The State Printing Plant continues to be responsible for the printing, but the sales and distribution are now the responsibility of Documents Section, Office of Procurement, Department of General Services.

The California Administrative Code was originally issued piecemeal between 1945 and 1948, in looseleaf paper-back form, as 23 Titles loosely following the legislative codes in nomenclature. The cost of the complete code, determined by the cost of the separate Titles, was then \$23.00.

The use of looseleaf binders for the code was begun in 1948 when the code was assembled in six binders and sold for \$35.00, based on the cost of all Titles therein plus cost of binders. It was not until 1950 that the code was sold for a fixed price (\$85) assembled in eight binders. The present cost of the complete code, which now contains 24 Titles (Title 24, State Building Standards originally printed 9-16-59), is \$275.00 plus tax, assembled current to date of sale in 20 binders. The separate Titles of the Code may be purchased individually at various prices and separate portions of certain Titles may be purchased individually.

Originally the supplemental Registers were issued quarterly. In 1947 an annual subscription price of \$26.00 was fixed by the Printing Division for the Registers, then issued weekly. In 1949 the Register subscription, based on an estimated 24 Registers per year, was changed

THE ADMINISTRATIVE LAW BULLETIN

No. 6

November - December, 1967

to an advance \$20.00 deposit plan. Purchasers of separate Titles were not included in the subscription plan but were notified by postcard of revisions as to their specific Titles, with instructions to remit a certain sum if they desired such revisions. In 1954, the advance deposit subscription plan was also made available to purchasers of separate Titles. The advance deposit subscription plan was determined to be an inefficient operation and, effective January 1965, a fixed annual subscription plan was adopted for the complete code and also for each separate Title.

Records are no longer maintained in this office relative to the cost of printing and distribution of the Code and Registers, as this operation is now one of the functions of Documents Section.

Each County Clerk originally received a complete Code, and this office, as required by law, distributes one copy of each Register when issued to each County Clerk (or designated law librarian); Documents Section distributes the supplemental Registers to 350 subscribers to the complete Code, and processes 11,800 subscriptions to various separate Titles. The charge for the annual subscription for the complete Register service is \$100.00 and the annual charge for subscriptions to separate Titles varies from \$2.00 to \$17.00.

The volume of regulations printed has increased tremendously over the years, to wit:

<u>FISCAL YEAR</u>	<u>NUMBER OF AGENCIES SERVED</u>	<u>NUMBER OF FILINGS</u>	<u>NUMBER OF PAGES PRINTED</u>
1952/53	37	128	1623
1953/54	45	186	2280
1954/55	46	192	2398
1955/56	54	348	2695
1956/57	43	228	1713
1957/58	53	361	2915
1958/59	48	277	2561
1959/60	55	342	4039
1960/61	54	373	2860
1961/62	61	346	3466
1962/63	54	284	3411
1963/64	68	366	4850
1964/65	51	305	2485
1965/66	68	405	4222
1966/67	62	181	4157

Recent Developments:

Over the years a problem of considerable concern to this office was the lapse of time between the filing of regulations and the distribution of such regulations in printed Register form. Regulations (except those filed as procedural or as emergency) become effective on the thirtieth day after filing or at a later designated date. At times there would be a lapse of 60 to 80 days between the filing date and

THE ADMINISTRATIVE LAW BULLETIN

No. 6

November - December, 1967

printed release, i.e. the regulations would be in effect 30 to 50 days before they were in print and available to the public. In January 1966, the office adopted a system of issuing registers weekly (regardless of volume of regulations filed) and, with the cooperation of the State Printer, the elapsed time between presentation of copy to the printer (every Monday) and the receipt of the printed Registers has been shortened to an average of 31 days (varying from 17 to 98). This speed-up in availability of the regulations has met with approval and appreciation.

An additional problem encountered related to emergency regulations and the effect of Government Code Section 11422.1 which provided that an emergency regulation was repealed upon the expiration of 120 days from its effective date in the absence of the filing of a Certificate within that period to the effect that the notice and hearing procedure required by Government Code Sections 11423, 11424 and 11425 had been complied with. This raised questions, when no Certificate was filed, as to the authority of this office to delete the regulation from the Code, and, in the case of an emergency amendment of a regulation, as to whether the former regulation was revived and should be reprinted or whether there was no regulation effective after the lapse of the 120 days. The Legislature by Chapter 1375, Statutes of 1967, solved the problem by authorizing this office, after notice to the agency concerned, to delete the emergency regulation or, in the case of the emergency amendment, to reprint the regulation as it appeared prior to the emergency amendment.

Anticipated Developments:

New legislation usually increases the volume of regulations filed as agencies strive to implement and interpret the legislative policy and intent. In the 1967 session, for example, the Director of the Department of Social Welfare was directed to have the regulations relating to institutions for care of children and aged persons, boarding homes for aged persons, and supervision of life care contract organizations, filed in accordance with the Administrative Procedure Act and also printed in the California Administrative Code. These regulations are quite comprehensive and voluminous, and accordingly will substantially increase the size of the Code. It is probable that other Social Welfare regulations, though now excepted, will ultimately be printed in the Code.

The State Building Standards Commission is continuing to compile regulations for Title 24 of the Code, so that all building regulations of State agencies will ultimately appear therein and will constitute the state "building code". There are several fields not yet included. As new building methods and materials are developed, Title 24 will necessarily be amended accordingly.

Other agencies are in the process of revising regulations extensively as a result of recent legislation.

Additional Activities:

The office has participated in a series of lectures in management training courses offered by the State Personnel Board in Sacramento, San Francisco and Los Angeles, and before the Department

THE ADMINISTRATIVE LAW BULLETIN

No. 6

November - December, 1967

of Public Health, relating to the philosophy, legal requirements and procedure in preparation, drafting, adoption and publication of regulations.

For several years, with the approval and assistance of the California State Bar, this office has maintained a display during the State Bar Convention. These have stimulated considerable interest in the field of administrative law, and in the Code and Registers, as evidenced by inquiries and discussions with members of the bar, and have also stimulated an increase in the sales thereof.

The office has continued to assist state agencies upon request in the formulation of regulations and in giving counsel as to interpretation of the Administrative Procedure Act.

At intervals, when time permits, interviews are had with County Clerks and Law Librarians relative to assistance needed or requested in connection with maintenance and use of the Code and Registers.

Recommended Improvement:

The outstanding problem encountered by users of the California Administrative Code and which is a frequent criticism brought to the attention of this office is the absence of a general subject index to the complete code. The compilation of such an index would be of immeasurable benefit. Such a project has been started but due to lack of staff and time, progress has been negligible. It is the hope and desire of this office that we eventually may be able to include a satisfactory index to the complete code as a part thereof.

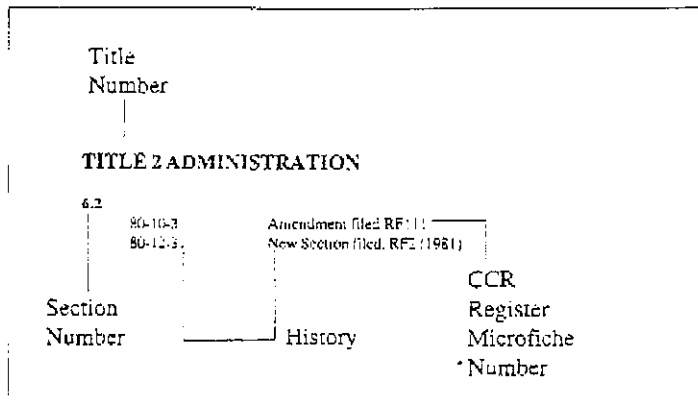
* * * * *

OFFICE OF ADMINISTRATIVE LAW
555 Capitol Mall, Suite 1290
Sacramento, CA 95814

#4.

Sample, UMI's History Table for CCR.

HISTORY TABLE



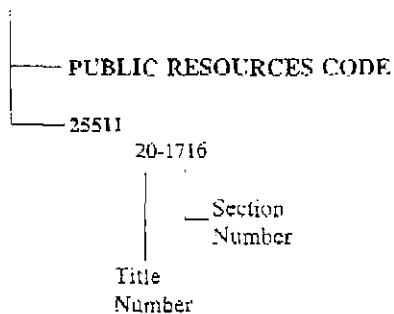
TITLE 1 GENERAL PROVISIONS

TITLE 1 GENERAL PROVISIONS				TITLE 1 GENERAL PROVISIONS			
				90-7-25	Change without regulatory effect amending sections filed. RF84	95-1-3	Change without regulatory effect. RF1
1				95-1-3	Change without regulatory effect. RF1	95-1-20	Editorial correction adding History 4. RF1
	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	17			46	
	81-2-6	Repealer of Chapter 1 filed. RF16		79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	86-1-2	New Section filed. RF3
	90-6-26	New Section filed. RF72		81-2-6	Repealer of Chapter 1 filed. RF16	89-1-5	Change without regulatory effect. RF5
	91-3-7	Change without regulatory effect amending section and Appendix A of Article 2 of Chapter 1 filed. RF55	18			89-3-25	Editorial correction of History Note No. 2. RF40
	92-3-25	Change without regulatory effect. RF72		79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	47	
	95-1-3	Change without regulatory effect. RF1		79-1-4	Amendment filed.	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.
2 - 3			19	81-2-6	Repealer of Chapter 1 filed. RF16	50 - 52	Repealer of Chapter 1 filed. RF16
	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.		79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.
	81-2-6	Repealer of Chapter 1 filed. RF16	20	81-2-6	Repealer of Chapter 1 filed. RF16	81-2-6	Repealer of Chapter 1 filed. RF16
4						55	
	94-6-22	New Section filed. RF80		86-1-2	New Section filed. RF3	56	
	95-1-3	Change without regulatory effect. RF1		89-1-5	Change without regulatory effect. RF5		
5				89-3-25	Editorial correction of History Note No. 2. RF40		
	90-6-26	Renumbering and amendment of former Section 120 as Section 3 filed. RF72		90-7-25	Change without regulatory effect amending sections filed. RF84	86-1-2	New Section filed. RF3
	90-7-25	Change without regulatory effect amending sections filed. RF84	21 - 35	95-1-3	Change without regulatory effect. RF1	89-1-5	Change without regulatory effect. RF5
	95-1-3	Change without regulatory effect. RF1		79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	89-3-25	Editorial correction of History Note No. 2. RF40
6			40	81-2-6	Repealer of Chapter 1 filed. RF16	90-7-25	Change without regulatory effect amending sections filed. RF84
	90-6-26	New Section filed. RF72				95-1-3	Change without regulatory effect. RF1
	95-1-3	Change without regulatory effect. RF1		79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.
7						81-2-6	Repealer of Chapter 1 filed. RF16
	90-6-26	New Section filed. RF72		81-2-6	Repealer of Chapter 1 filed. RF16	84	
10				86-1-2	New Section filed. RF3		
	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.		89-1-5	Change without regulatory effect. RF5	86-1-2	New Section filed. RF3
	81-2-6	Repealer of Chapter 1 filed. RF16		89-3-25	Editorial correction of History Note No. 2. RF40	89-1-5	Change without regulatory effect. RF5
	86-1-2	New Section filed. RF3	42			89-3-25	Editorial correction of History Note No. 2. RF40
	89-1-5	Change without regulatory effect. RF5		86-1-2	New Section filed. RF3	90-7-25	Change without regulatory effect amending sections filed. RF84
	89-3-25	Editorial correction of History Note No. 2. RF40		89-1-5	Change without regulatory effect. RF5	86	
	90-7-25	Change without regulatory effect amending sections filed. RF84	44	89-3-25	Editorial correction of History Note No. 2. RF40	89-1-5	Change without regulatory effect. RF5
	95-1-3	Change without regulatory effect. RF1				89-3-25	Editorial correction of History Note No. 2. RF40
11 - 12				86-1-2	New Section filed. RF3	90	
	86-1-2	New Section filed. RF3		89-1-5	Change without regulatory effect. RF5		
	89-1-5	Change without regulatory effect. RF5		89-3-25	Editorial correction of History Note No. 2. RF40	86-1-2	New Section filed. RF3
	89-3-25	Editorial correction of History Note No. 2. RF40		90-6-26	Amendment of Subsection (b) and adoption of new Subsections (c) and (d) filed. RF72	89-1-5	Change without regulatory effect. RF5
	95-1-3	Change without regulatory effect. RF1	45			89-3-25	Editorial correction of History Note No. 2. RF40
13				79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.	100	
	79-1-3	Repealer of Chapter 1 and New Chapter 1 filed.					
	81-2-6	Repealer of Chapter 1 filed. RF16		81-2-6	Repealer of Chapter 1 filed. RF16	86-1-2	New Section filed. RF3
14 - 16				86-1-2	New Section filed. RF3	89-1-5	Change without regulatory effect. RF5
	86-1-2	New Section filed. RF3		89-1-5	Change without regulatory effect. RF5	89-3-25	Editorial correction of History Note No. 2. RF40
	89-1-5	Change without regulatory effect. RF5		89-3-25	Editorial correction of History Note No. 2. RF40	90-7-25	Change without regulatory effect amending sections filed. RF84
	89-3-25	Editorial correction of History Note No. 2. RF40		90-7-2	Change without regulatory effect.	92-3-25	Change without regulatory effect amending sections filed. RF72
						94-5-18	Amendment filed. RF84

IV. Statutes to Regulations Table

A. Standard Entry Format:

Statutory Code and
Section Number



- B. The Constitution of the State of California is listed first, followed by the Codes in alphabetical order.
- C. The Code name appears in bold-faced caps.
- D. The statutes appear in bold-faced caps in numerical order by section. The following arrangements as defined in the Code of Regulations are indicated:
1. Section
 2. Section referenced
 3. Section ranges
 4. Section ranges referenced
 5. Section of sequence
 6. Section of sequence referenced

V. History Table

A. Standard Entry Format:

Title
Number

TITLE 10 INVESTMENT

147.6

77-7-13
80-12-31

Amendment filed.

Amendment filed. RF2(1981)

CCR
Register
Microfiche
Number

Section
Number

History

- B. Title number and name appear first in all bold-faced caps.
- C. Section numbers are nested in consecutive ranges.
- D. All applicable historical information appears beneath the cited Sections.
- E. This table is complete for the 20 year period covering January 1, 1975 through December 31, 1995.
- F. Unless otherwise noted, the date cited in the history note refers to the publication year of the microfiche edition of the Code.

The Comprehensive Index to the California Code of Regulations gives readers hierarchical descriptors to enable them to find appropriate regulations. UMI's editorial staff has attempted to index with both the lawyer and layman in mind. Descriptors, however, are inadequate to fully describe complex regulatory material. Therefore, the user is advised to consult the Code directly.

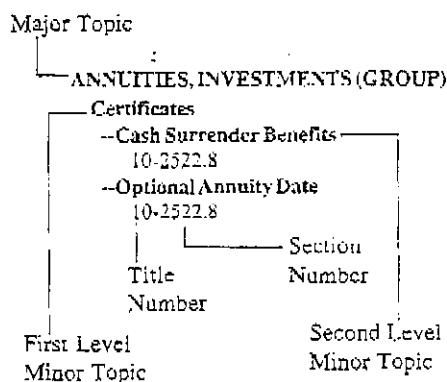
The tables in the back of the index provide valuable information to aid in construing the regulations. However, the abbreviated authority citations given by the State of California make the compilation of the tables a matter of judgment on the part of our staff. While every effort has been made to make the tables accurate, the reader is advised to refer directly to the California Code of Regulations.

USER'S GUIDE

- I. The CCR Index is divided into four sections: Subject Index; Regulations to Statutes Table; Statutes to Regulations Table; and History Table.

II. The Subject Index

A. Standard Entry Format:



- B. The Major Topic Descriptors are all bold-faced caps.
- C. The First Level Minor Topic Descriptors appearing in bold upper and lower case are indented.
- D. The Second Level Minor Descriptors are preceded by two dashes and are indented from the First Level Minor Topic Descriptors.
- E. Cross-references, "See" and "See Also", are used to direct the user to substitute or related terms:

"See" indicates the researcher must consult an alternative term.

"See Also" guides the researcher to related topics used in the Index.

"See" and "See Also" references appear under all topic levels acting as guides to both general and highly specific information entities.

- F. Agencies, Boards, Commissions, Departments, Divisions, and Offices are indexed under their proper titles.

- G. Titles and sections cited under a topic are arranged in numerical order by title.

- H. Inclusive section numbers are cited whenever possible. Sections with notes are listed individually.

- I. Tables, Illustrations, Forms, Charts, and other data accompanying a section are indicated by notes following the related section number.

III Regulations to Statutes Table

A. Standard Entry Format:

Title
Number

— TITLE 20 PUBLIC UTILITIES AND ENERGY

1401

PUBLIC RESOURCES CODE 25213, 25218(e),
25402(a) referenced

Section
Number

Statutory Code and
Section Number

- B. Title number and name appear first in all bold-faced caps. Titles are in numerical order.
- C. Section numbers are nested in consecutive ranges under each Title designation.
- D. Statutory information appears beneath the cited sections.
- E. Referenced statutes as well as enabling laws are cited.

CONTENTS

Preface	vii
User's Guide	ix
Subject Index	1
Regulations to Statutes Table	255
Statutes to Regulations Table	548
History Table	928



Comprehensive
INDEX

California Code of Regulations

1996

U·M·I

A Bell & Howell Company
300 North Zeeb Road, Ann Arbor, MI 48106-1346 USA

STATE OF CALIFORNIA



OFFICE OF ADMINISTRATIVE LAW

555 CAPITOL MALL, SUITE 1290

SACRAMENTO, CA 95814-4602

Telephone: (916) 323-6225 [CALNET 473-6225]

FAX: (916) 323-6826 [CALNET 473-6826]

FAX TRANSMITTAL COVER MEMO

Date: 10-16-97

To: Carolina Rose, Dir., Leg. Research Inc.

FAX Number Sending To: 442-1529 Telephone Number: 442-9660

Total number of pages being sent, including cover memo: 6

From: Mike Ibold Law Lib.

Subject: UMI's CCR Index a Hist. Table

Message: _____

UMI's Hist. Table to CCR

☒ ORIGINAL WILL NOT FOLLOW

ORIGINAL WILL FOLLOW BY _____

If you did not receive ALL pages, or if you have questions,
please call: _____

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

#5.

Excerpt, Register 62, No. 22 (1962). "Reference Tables (Tables of Agency Regulations by Title & Register)", pages xx - xxix

Reg. 62, No. 22
62, no.

REFERENCE TABLES

(Tables of Agency Regulations by Title and Register)

Use this table, together with the filed "discards" or unbroken registers, to trace the development of the regulations of the respective agencies from original publication through Register 61, No. 16 (August 12, 1961). Agencies are listed in the order in which they appear in the code.

Office of Administrative Procedure
(Formerly Division of Administrative Procedure)

Title 1: Reg. 10, No. 1; Reg. 14, No. 2; Reg. 20, No. 2; Reg. 21, No. 2; Reg. 53, No. 2; Reg. 54, No. 6; Reg. 55, No. 7; Reg. 57, No. 15; Reg. 57, No. 13, 16; Reg. 59, No. 15; Reg. 61, No. 16-A; Reg. 62, No. 22.

State Personnel Board

Title 2: Regs. 1, 2, 3, 6, 7, 9; Reg. 10, No. 8; Reg. 11, Nos. 2, 3; Reg. 12, Nos. 1, 6, 7, 9; Reg. 13, Nos. 3, 11; Reg. 14, Nos. 4, 8; Reg. 16, No. 5; Reg. 17, No. 3; Reg. 18, Nos. 5, 9; Reg. 19, No. 3; Reg. 21, No. 6; Reg. 22, Nos. 1, 2, 3; Reg. 23, Nos. 2, 4; Reg. 24, No. 4; Reg. 25, Nos. 1, 5; Reg. 26, Nos. 1, 5, 7; Reg. 53, Nos. 16, 19, 21, 22; Reg. 54, Nos. 8, 22; Reg. 55, Nos. 14, 15; Reg. 56, Nos. 12, 13, 17; Reg. 57, Nos. 8, 15, 20, 22; Reg. 58, Nos. 1-A, 3, 5, 7, 8, 20; Reg. 59, Nos. 3, 5-A, 7, 8, 9-A, 10, 13, 20-A; Reg. 60, Nos. 4, 5-A, 10, 20, 21; Reg. 61, Nos. 5, 9-A, 10, 19, 20, 23, 26-A; Reg. 62, Nos. 3, 9.

Board of Administration of State Employees' Retirement System

Title 2: Reg. 55, No. 10 (First Publication); Reg. 55, No. 16; Reg. 56, Nos. 7; Reg. 57, Nos. 7, 18; Reg. 59, Nos. 10, 13, 14, 18, 21; Reg. 60, No. 15; Reg. 61, Nos. 14, 19, 21, 25, 26-A; Reg. 62, Nos. 1-B, 3, 17.

State Board of Control

Title 2: Regs. 1, 2, 3, 4, 5, 6, 7, 8, 9; Reg. 10, Nos. 5, 7; Reg. 11, No. 8; Reg. 12, Nos. 2, 4, 10; Reg. 13, Nos. 2, 5; Reg. 14, Nos. 6, 8; Reg. 15, No. 6; Reg. 17, No. 3; Reg. 18, Nos. 1, 5; Reg. 19, No. 1; Reg. 21, Nos. 2, 5; Reg. 22, No. 1; Reg. 23, Nos. 5, 7; Reg. 24, Nos. 2, 3, 4, 5; Reg. 25, Nos. 1, 3, 4; Reg. 26, Nos. 1, 3, 5; Reg. 28, Nos. 2, 5; Reg. 29, Nos. 1, 6; Reg. 30, No. 3; Reg. 53, Nos. 1, 6, 10, 11, 18, 19, 20, 23; Reg. 54, Nos. 3, 6, 7, 10, 12, 22, 23, 27; Reg. 55, Nos. 1, 3, 9, 10, 12, 14, 16; Reg. 56, Nos. 1, 7, 8, 17, 19, 21; Reg. 57, Nos. 1, 3, 4, 8, 12, 15, 16, 20; Reg. 58, Nos. 5, 11, 19, 20, 22; Reg. 59, Nos. 8, 10, 12, 14, 17; Reg. 60, Nos. 2, 5, 12, 14, 15, 17-A, 18, 25; Reg. 61, Nos. 1, 2, 5, 10, 18-B, 23, 24, 26-A; Reg. 62, Nos. 6, 9, 12, 16, 22.

State Controller

Title 2: Reg. 60, No. 16 (First Publication); Reg. 61, No. 15.

Buildings and Grounds Division

Title 2: Regs. 1, 2, 3, 4, 6, 9; Reg. 17, No. 3; Reg. 26, No. 4; Reg. 28, Nos. 2, 7; Reg. 29, No. 1; Reg. 54, No. 14; Reg. 55, No. 14; Reg. 56, No. 22; Reg. 60, No. 25; Reg. 61, No. 22.

Fairs and Expositions Division

Title 2: Reg. 4; Reg. 10, No. 2; Reg. 18, No. 1; Reg. 20, No. 3; Reg. 23, Nos. 1, 2; Reg. 27, No. 4; Reg. 30, No. 5; Reg. 53, No. 22; Reg. 54, No. 26; Reg. 55, No. 17; Reg. 57, No. 1; Reg. 58, No. 1-A; Reg. 59, No. 2; Reg. 60, No. 25; Reg. 61, No. 24.

Local Allocation Division (State Allocation Board)

Title 2: Regs. 1, 2, 1; Reg. 10, Nos. 1, 3, 5; Reg. 12, Nos. 2, 10; Reg. 18, No. 3; Reg. 19, Nos. 1, 3, 6; Reg. 20, No. 1; Reg. 21, No. 5; Reg. 22, No. 1; Reg. 23, No. 2; Reg. 24, No. 3; Reg. 26, No. 4; Reg. 29, No. 2; Reg. 30, Nos. 4, 5; Reg. 53, Nos. 17, 21, 23; Reg. 54, Nos. 4, 9, 11, 14, 26; Reg. 55, Nos. 15, 17, 18; Reg. 57, Nos. 1, 6, 22; Reg. 58, Nos. 2, 5, 10, 12, 13, 16, 19, 22; Reg. 59, Nos. 7, 10; Reg. 62, No. 17.

Purchasing Division

Title 2: Reg. 55, No. 14 (First Publication).

State Lands Commission

Title 2: Regs. 1, 2; Reg. 10, No. 1; Reg. 12, No. 11; Reg. 17, No. 1; Reg. 25, No. 5; Reg. 55, No. 12; Reg. 56, No. 10; Reg. 57, No. 18; Reg. 58, No. 3; Reg. 59, No. 15; Reg. 60, Nos. 1, 2, 5, 14; Reg. 61, Nos. 9-A, 15.

Advisory Committee on Tax-Deeded Property

Title 2: Reg. 12, No. 10.

Sixth District Agricultural Association

Title 2: Reg. 61, Nos. 7 (First Publication), 15, 17-A, 20, 21; Reg. 61, Nos. 2, 8, 13.

Planning Advisory Committee

Title 2: Reg. 61, No. 26-A (First Publication).

Agriculture

Title 3: Regs. 2, 3, 4, 5, 6, 7, 8, 9; Reg. 10, Nos. 1, 5, 7, 8; Reg. 11, Nos. 2, 6, 8; Reg. 12, Nos. 1, 4, 5, 6, 7, 8, 9, 11; Reg. 13, Nos. 1, 3, 5, 6, 7; Reg. 14, Nos. 1, 2, 5, 6, 7; Reg. 15, Nos. 1, 2, 3, 4, 6; Reg. 16, No. 1; Reg. 17, No. 5; Reg. 18, Nos. 1, 2, 3, 5, 6, 7, 9; Reg. 19, Nos. 1, 2, 4, 5, 7; Reg. 20, Nos. 1, 3, 4, 6; Reg. 21, Nos. 1, 2, 4, 5, 6, 7; Reg. 22, Nos. 2, 3, 4; Reg. 23, Nos. 1, 2, 3, 4, 6, 7; Reg. 24, Nos. 1, 2, 3, 4, 5; Reg. 25, Nos. 1, 2, 3, 4, 5, 6; Reg. 26, Nos. 2, 3, 4, 5, 7; Reg. 27, Nos. 1, 3, 4, 5; Reg. 28, Nos. 1, 4, 6, 7; Reg. 29, Nos. 2, 3, 4, 5, 7; Reg. 30, Nos. 2, 3, 4, 5; Reg. 33, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 11, 15, 16, 18, 19, 22, 23; Reg. 34, Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23; Reg. 24, 25, 26, 27; Reg. 55, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18; Reg. 56, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26-A; Reg. 62, Nos. 1-B, 2, 3, 4, 5, 6-A, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22.

Alcoholic Beverages (Board of Equalization)

Title 4: Regs. 2, 3, 4, 6, 7, 8, 9; Reg. 10, Nos. 1, 3, 7; Reg. 11, No. 4; Reg. 12, Nos. 9, 11; Reg. 15, No. 1; Reg. 16, No. 2; Reg. 18, Nos. 1, 3; Reg. 19, No. 4; Reg. 20, No. 1; Reg. 22, No. 4; Reg. 23, Nos. 2, 5; Reg. 24, No. 5; Reg. 26, Nos. 1, 6; Reg. 27, No. 5; Reg. 29, Nos. 2, 6; Reg. 53, Nos. 5, 10, 17, 19; Reg. 54, Nos. 1, 5, 12, 15, 20, 27; Reg. 55, Nos. 2, 4.

Alcoholic Beverage Control, Department of

Title 4: Reg. 55, No. 9 (First Publication), Nos. 12, 13, 17; Reg. 56, Nos. 14, 19, 22; Reg. 57, Nos. 7, 15; Reg. 58, Nos. 2, 4, 6, 8, 13, 15, 16, 22; Reg. 59, Nos. 1, 2, 7, 9-A, 16, 18, 22; Reg. 60, Nos. 14, 16, 23, 24, 25; Reg. 61, Nos. 3, 5, 6-A, 11, 17, 18-B, 20; Reg. 62, Nos. 8, 14, 17, 21.

Alcoholic Beverage Control Appeals Board

Title 4: Reg. 55, No. 3 (First Publication).

Athletic Commission

Title 4: Reg. 8; Reg. 13, No. 6; Reg. 15, No. 2; Reg. 17, No. 1; Reg. 18, No. 4; Reg. 20, No. 6; Reg. 24, No. 3; Reg. 25, No. 6; Reg. 26, Nos. 4, 7; Reg. 30, No. 1; Reg. 53, No. 3; Reg. 54, Nos. 1, 3, 5, 23, 25, 27; Reg. 56, Nos. 16, 17; Reg. 56, Nos. 9, 13, 17; Reg. 59, Nos. 16, 21; Reg. 60, No. 26; Reg. 62, Nos. 1-B, 9, 22.

GENERAL PREFACE

XX.

Bureau of Furniture and Bedding Inspection

Title 4; Reg. 9; Reg. 10, Nos. 3, 8; Reg. 12, Nos. 3, 5; Reg. 20, Nos. 3, 6; Reg. 26; No. 1; Reg. 30, No. 5; Reg. 54, No. 9; Reg. 56, No. 15; Reg. 58, No. 6; Reg. 59, No. 7; Reg. 61, No. 2; Reg. 62, Nos. 6, 12.

California Horse Racing Board

Title 4; Reg. 4; Reg. 26, No. 6; Reg. 29, No. 2; Reg. 30, No. 4; Reg. 53, No. 13; Reg. 54, Nos. 1, 13, 17, 21; Reg. 55, Nos. 1, 11, 14, 18; Reg. 56, Nos. 3, 9, 12, 22; Reg. 57, Nos. 2, 7, 9, 10, 11, 17, 18; Reg. 58, Nos. 8, 10, 15; Reg. 59, Nos. 2, 12, 21; Reg. 60, Nos. 2, 5, 8, 20, 24, 25; Reg. 61, No. 16-A.

Outdoor Advertising (Dept. of Public Works)

Title 4; Regs. 7, 8, 9.

Trademarks (Secretary of State)

Title 4; Reg. 3.

Bureau of Weights and Measures (Dept. of Agriculture)

Title 4; Regs. 2, 3, 5, 7, 8; Reg. 10, Nos. 1, 2, 4; Reg. 12, Nos. 5, 11; Reg. 14, No. 3; Reg. 19, Nos. 2, 4, 6; Reg. 20, No. 3; Reg. 26, No. 7; Reg. 54, No. 11; Reg. 55, No. 18; Reg. 58, No. 16; Reg. 59, No. 2; Reg. 61, Nos. 1, 2, 7, 9-A, 12; Reg. 62, Nos. 1-B, 12.

Division of Aeronautics (formerly State Aeronautics Commission)

Reg. 10, No. 6 (First Published); Reg. 12, No. 5; Reg. 15, Nos. 3, 6; Reg. 54, No. 23; Reg. 56, No. 7.

Department of Education

Title 5; Regs. 3, 5, 6, 7, 8, 9; Reg. 10, No. 1; Reg. 11, Nos. 2, 5; Reg. 12, Nos. 1, 5; Reg. 13, Nos. 3, 5; Reg. 14, Nos. 2, 3; Reg. 15, Nos. 1, 2, 3, 5; Reg. 16, Nos. 1, 2; Reg. 17, Nos. 2, 3; Reg. 18, Nos. 2, 9; Reg. 19, Nos. 1, 3; Reg. 20, Nos. 2, 6; Reg. 21, Nos. 2, 6; Reg. 22, No. 1; Reg. 23, Nos. 2, 6; Reg. 24, Nos. 1, 2, 5; Reg. 25, Nos. 2, 3; Reg. 26, Nos. 3, 5, 6; Reg. 27, No. 1; Reg. 28, Nos. 2, 3, 4, 6; Reg. 29, No. 4; Reg. 30, No. 2; Reg. 53, Nos. 1, 7, 12-B, 13, 14, 17, 10, 20, 21; Reg. 54, Nos. 2, 5, 7, 11, 16, 17, 21; Reg. 55, Nos. 1, 5, 6, 8, 11, 14, 15, 17, 18; Reg. 56, Nos. 2, 3, 5, 8, 9, 10, 11, 13, 14, 16, 18, 20, 21; Reg. 57, Nos. 1, 5, 7, 8, 9, 10, 11, 14, 16, 18, 21, 22; Reg. 58, Nos. 1, 2, 3, 4, 5, 9, 13, 15, 17, 21; Reg. 59, Nos. 3, 4, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20-A, 21; Reg. 60, Nos. 3, 4, 6-B, 7, 11, 12, 13, 15, 16, 17-A, 19, 21, 22, 24, 25; Reg. 61, Nos. 2, 5, 7, 10, 12, 16-A, 18-C, 19, 22, 23, 24; Reg. 62, Nos. 1-B, 2, 5, 8, 10, 12, 14, 16, 18, 19.

Teachers Retirement Board

Title 5; Reg. 21, No. 6; Reg. 26, No. 3; Reg. 54, No. 18; Reg. 55, No. 15; Reg. 56, No. 10; Reg. 57, No. 16; Reg. 58, No. 1; Reg. 59, No. 18; Reg. 60, Nos. 6-B, 13.

State Scholarship Commission

Title 5; Reg. 59, No. 7 (First Publication); Reg. 60, No. 6-B; Reg. 61, No. 2.

California State Colleges

Title 5; Reg. 61, Nos. 18-C (First Publication), 24; Reg. 62, Nos. 3, 7, 17.

Harbors and Navigation

Title 7; Reg. 4; Reg. 12, No. 6; Reg. 13, Nos. 4, 6, 10; Reg. 15, No. 5; Reg. 26, No. 1; Reg. 28, Nos. 1, 6; Reg. 54, Nos. 10, 23; Reg. 57, Nos. 6, 11; Reg. 58, No. 2; Reg. 59, Nos. 5, 11; Reg. 60, Nos. 7, 15.

Division of Industrial Safety

Title 8; Regs. 2, 4, 5, 6, 7, 8; Reg. 11, No. 3; Reg. 12, No. 2; Reg. 13, No. 3; Reg. 14, No. 3; Reg. 15, No. 8; Reg. 19, Nos. 1, 4; Reg. 23, Nos. 1, 4, 6; Reg. 24, Nos. 6, 7; Reg. 27, No. 3; Reg. 28, Nos. 3, 5; Reg. 29, No. 6; Reg. 53, No. 4; Reg. 54, Nos. 18, 21; Reg. 55, Nos. 1, 2, 3, 12, 13; Reg. 56, Nos. 2, 3; Reg. 57, Nos. 13, 14; Reg. 58, Nos. 7, 18, 21; Reg. 59, No. 12; Reg. 60, No. 19; Reg. 61, Nos. 16-B, 26-A; Reg. 62, Nos. 1-B, 26.

Industrial Accident Commission

Title 8; Reg. 6; Reg. 10, No. 6; Reg. 13, Nos. 1, 6; Reg. 15, No. 6; Reg. 17, No. 5; Reg. 19, Nos. 3, 6; Reg. 21, Nos. 1, 7; Reg. 24, No. 4; Reg. 25, No. 6; Reg. 27, No. 2; Reg. 28, No. 4; Reg. 29, No. 2; Reg. 53, Nos. 2, 21, 23; Reg. 54, Nos. 9, 14; Reg. 55, Nos. 1, 11, 12; Reg. 57, No. 11; Reg. 58, No. 14; Reg. 59, Nos. 9-A, 21; Reg. 60, No. 18; Reg. 61, Nos. 9-A, 10, 12; Reg. 62, Nos. 7, 11, 21.

Division of Industrial Welfare

Title 8; Reg. 9; Reg. 13, No. 8; Reg. 16, No. 4; Reg. 18, No. 3; Reg. 28, No. 6; Reg. 29, No. 2; Reg. 50, No. 5; Reg. 57, Nos. 13, 19; Reg. 61, No. 10.

Division of Labor Law Enforcement--(Labor Commissioner)

Title 8; Reg. 19, No. 1; Reg. 13, No. 4; Reg. 16, No. 4; Reg. 26, No. 6; Reg. 54, No. 11; Reg. 58, No. 7; Reg. 59, Nos. 2, 9-A.

Division of Labor Statistics and Research

Title 8; Reg. 7 (First Published); Reg. 10, No. 1; Reg. 13, No. 4; Reg. 18, No. 7; Reg. 20, No. 6; Reg. 26, No. 5.

Office of the Director (Dept. of Industrial Relations)

Title 8; Reg. 16, No. 1 (First Published); Reg. 56, Nos. 8, 19; Reg. 58, Nos. 7, 18, 23; Reg. 61, Nos. 7, 10; Reg. 62, No. 16.

Division of Housing

Title 8; Reg. 10, No. 1; Reg. 23, No. 7; Reg. 27, No. 2; Reg. 53, No. 19; Reg. 54, Nos. 17, 22, 24; Reg. 56, No. 12; Reg. 57, No. 22; Reg. 58, Nos. 11, 13; Reg. 59, Nos. 4, 9-A, 15, 17; Reg. 60, Nos. 2, 17-A; Reg. 61, Nos. 20, 25, 26-B.

Division of Apprenticeship Standards

Title 8; Reg. 28, No. 6; Reg. 56, No. 3; Reg. 57, No. 7; Reg. 58, No. 11; Reg. 61, No. 25.

Division of Fair Employment Practices

Title 8; Reg. 60, No. 20 (First Publication).

Department of Mental Hygiene

Title 9; Reg. 13, No. 1; Reg. 21, No. 4; Reg. 54, No. 22; Reg. 57, No. 19; Reg. 61, No. 18-B; Reg. 62, Nos. 11, 20.

Savings and Loan Commissioner (Formerly Building and Loan Commissioner)

Title 10; Reg. 13, No. 1; Reg. 53, No. 2; Reg. 56, No. 8; Reg. 61, Nos. 16-A, 17; Reg. 62, Nos. 8, 20.

Commissioner of Corporations

Title 10; Regs. 3, 7, 8; Reg. 10, Nos. 1, 4; Reg. 11, No. 3; Reg. 12, No. 9; Reg. 13, Nos. 7, 8, 9, 10; Reg. 25, No. 1; Reg. 27, No. 5; Reg. 28, No. 1; Reg. 43, Nos. 2, 5; Reg. 54, Nos. 6, 26; Reg. 55, Nos. 3, 18; Reg. 56, Nos. 1, 8, 12, 19; Reg. 57, No. 10; Reg. 58, Nos. 19, 20, 21, 23; Reg. 59, Nos. 1, 8, 17; Reg. 60, Nos. 1, 4, 6-A, 8, 15; Reg. 61, Nos. 4, 8, 21, 22; Reg. 62, No. 2.

Districts Securities Commission

Title 10; Reg. 13, No. 9; Reg. 58, No. 16.

Insurance Commissioner

Title 10; Regs. 2, 8; Reg. 10, Nos. 5, 7; Reg. 12, No. 5; Reg. 13, Nos. 9, 10; Reg. 11, Nos. 5, 6; Reg. 15, No. 6; Reg. 18, No. 4; Reg. 19, Nos. 4, 6, 6; Reg. 20, No. 5; Reg. 21, No. 7; Reg. 22, Nos. 1, 2; Reg. 23, No. 1; Reg. 24, No. 4; Reg. 25, Nos. 4, 6; Reg. 26, Nos. 1, 2, 3; Reg. 27, No. 2; Reg. 29, Nos. 2, 3; Reg. 30, Nos. 2, 3; Reg. 53, Nos. 1, 5, 13, 14, 19, 22; Reg. 51, Nos. 16, 17, 18, 22, 23; Reg. 55, Nos. 4, 13, 15, 16; Reg. 56, Nos. 5, 6, 14, 16, 18, 19; Reg. 57, Nos. 10, 14, 18; Reg. 58, Nos. 4, 12, 13, 17, 20; Reg. 59, Nos. 2, 3, 13, 17, 18; Reg. 60, Nos. 4, 10, 15, 16, 19, 21; Reg. 61, Nos. 1, 6-A, 11, 15, 18-A, 23, 24; Reg. 62, Nos. 2, 3, 11, 12, 16.

Real Estate Commissioner

Title 10; Reg. 9; Reg. 13, No. 9; Reg. 16, No. 1; Reg. 17, Nos. 2, 4; Reg. 20, No. 4; Reg. 22, No. 4; Reg. 24, No. 1; Reg. 25, Nos. 3, 6; Reg. 28, No. 6; Reg. 53, No. 14; Reg. 54, Nos. 2, 10, 14, 17; Reg. 55, Nos. 5, 14, 18; Reg. 57, Nos. 4, 8, 16, 20, 22; Reg. 58, Nos. 2, 19, 23; Reg. 59, Nos. 6, 11, 12, 16, 17, 20-A, 21; Reg. 60, Nos. 1, 2, 4, 12, 16, 17-A, 21, 24; Reg. 61, Nos. 4, 6-A, 12, 13, 15, 16-A, 17, 20, 23; Reg. 62, Nos. 2, 7.

Attorney General

Title 11; Regs. 3, 4, 6, 8, 9; Reg. 10, Nos. 2, 3, 5, 6, 8; Reg. 11, No. 5; Reg. 13, Nos. 2, 4, 6; Reg. 14, No. 3; Reg. 15, No. 3; Reg. 18, Nos. 1, 2, 6; Reg. 19, Nos. 1, 2, 4; Reg. 21, Nos. 4, 5, 6; Reg. 25, No. 4; Reg. 26, Nos. 1, 4; Reg. 27, No. 5; Reg. 28, Nos. 1, 2; Reg. 29, Nos. 3, 5, 6; Reg. 30, No. 2; Reg. 53, Nos. 4, 11, 13, 16, 22; Reg. 55, Nos. 3, 6, 7, 11, 13, 16, 17; Reg. 56, Nos. 1, 2, 4, 7, 9, 12, 14, 15, 18; Reg. 57, Nos. 1, 2, 3, 5, 6, 13, 17, 18, 19, 21, 22; Reg. 58, Nos. 2, 9, 12, 14, 15, 23; Reg. 59, Nos. 2, 6, 8, 10, 14, 15, 16, 18, 19, 20-A, 22; Reg. 60, Nos. 2, 12, 13, 14; Reg. 61, Nos. 15, 17, 19, 20, 25; Reg. 62, Nos. 3, 5, 16.

Commission on Peace Officers Standards and Training

Title 11; Reg. 60, No. 20 (First Publication).

Department of Veterans Affairs

Title 12; Reg. 9; Reg. 17, No. 1; Reg. 20, No. 2; Reg. 28, No. 1; Reg. 54, No. 26; Reg. 55, Nos. 4, 17; Reg. 56, Nos. 3, 14, 17; Reg. 57, Nos. 1, 20, 21; Reg. 58, No. 14; Reg. 60, Nos. 5, 13.

Department of Motor Vehicles

Title 13; Reg. 13, No. 8; Reg. 16, No. 1; Reg. 17, Nos. 5; Reg. 18, No. 9; Reg. 53, No. 9; Reg. 54, Nos. 1, 2, 6, 13; Reg. 56, No. 17; Reg. 57, Nos. 1, 3; Reg. 58, No. 8; Reg. 62, No. 19.

California Highway Patrol

Title 13; Regs. 6, 7, 8; Reg. 13, No. 8; Reg. 15, No. 2; Reg. 21, No. 4; Reg. 23, No. 7; Reg. 25, Nos. 1, 3; Reg. 26, No. 2; Reg. 53, Nos. 2, 8; Reg. 54, No. 15; Reg. 55, Nos. 3, 16; Reg. 57, No. 16; Reg. 58, Nos. 12, 15; Reg. 59, Nos. 17, 19, 20-A; Reg. 60, Nos. 7, 10, 15, 21; Reg. 61, Nos. 1, 3, 7, 9-A; Reg. 62, Nos. 3, 1, 5, 6, 11, 12, 15, 16, 22.

Motor Vehicle Pollution Control Board

Title 13; Reg. 61, Nos. 11 (First Publication), 19, 23; Reg. 62, No. 4.

Department of Fish and Game

Title 14; Regs. 1, 2, 3, 4, 5, 6, 7, 8, 9; Reg. 10, Nos. 1, 5; Reg. 11, Nos. 2, 5, 6, 7, 8; Reg. 12, Nos. 1, 3, 4, 7, 8, 9, 10; Reg. 13, Nos. 1, 2, 3, 4, 6, 8; Reg. 14, Nos. 1, 2, 3, 5, 7, 8; Reg. 15, Nos. 1, 3, 4, 6; Reg. 16, Nos. 2, 3, 5; Reg. 17, Nos. 1, 2, 3, 4, 5; Reg. 18, Nos. 5, 7; Reg. 19, Nos. 1, 3, 4, 6; Reg. 20, Nos. 2, 6; Reg. 21, Nos. 4, 5, 6, 7; Reg. 22, Nos. 1, 4; Reg. 23, Nos. 3, 5; Reg. 24, Nos. 2, 4; Reg. 25, Nos. 1, 2, 3, 4; Reg. 26, Nos. 1, 7; Reg. 27, Nos. 1, 4; Reg. 28, Nos. 5, 6; Reg. 29, Nos. 3, 5, 7; Reg. 30, Nos. 3, 6, 9, 11, 12-13, 15, 16, 19, 20; Reg. 31, Nos. 2, 5, 6, 7, 10, 12, 13, 15, 18, 19, 21, 24, 27; Reg. 32, Nos. 2, 4, 5, 10, 12, 13, 14, 16; Reg. 33, Nos. 2, 4, 5, 11, 13, 16, 17, 19, 21; Reg. 34, Nos. 1, 2, 4, 6, 7, 9, 10, 12, 13, 14, 17, 20; Reg. 35, Nos. 1, 4, 5, 8, 10, 11, 12, 13, 14, 15, 18, 21, 23; Reg. 36, Nos. 5, 9-B, 10, 13, 14, 18, 21; Reg. 37, Nos. 1, 2, 3, 9, 10, 14, 17-A, 18, 19, 20, 21, 22, 24; Reg. 38, Nos. 2, 3, 4, 6-A, 12, 13, 14, 15, 16-A, 17, 18-B, 19, 20, 25, 26-C; Reg. 39, Nos. 2, 5, 7, 11, 12, 13, 14, 15, 18, 21.

Division of Forestry

Title 14; Reg. 9 (First Published); Reg. 13, No. 2; Reg. 14, No. 7; Reg. 15, No. 1; Reg. 21, Nos. 5, 7; Reg. 24, No. 5; Reg. 33, Nos. 7, 9; Reg. 34, No. 11; Reg. 35, Nos. 6, 9, 13; Reg. 36, Nos. 2, 10, 13, 14, 21; Reg. 37, Nos. 1, 19; Reg. 38, Nos. 2, 13, 16, 21, 22; Reg. 39, Nos. 1, 2, 9-B, 20-A, 22; Reg. 40, Nos. 5, 11, 20; Reg. 41, Nos. 12, 25; Reg. 42, No. 1-B.

Soil Conservation Commission

Title 14; Reg. 56, No. 20 (First Published); Reg. 59, No. 20-A.

Division of Beaches and Parks

Title 14; Reg. 2; Reg. 13, No. 5; Reg. 19, Nos. 2, 7; Reg. 23, No. 3; Reg. 54, No. 7; Reg. 55, No. 1; Reg. 56, No. 21; Reg. 58, Nos. 5, 8, 9, 11, 13; Reg. 59, No. 18; Reg. 60, Nos. 11, 18, 20, 25; Reg. 61, Nos. 19, 23; Reg. 62, Nos. 2, 6, 10, 13, 20.

Division of Small Craft Harbors

Title 14; Reg. 58, No. 5 (First Published) and No. 9; Reg. 59, No. 20-A; Reg. 60, Nos. 4, 7, 11, 13, 18, 22, 23; Reg. 61, Nos. 7, 8, 21; Reg. 62, Nos. 4, 11, 18.

Special Crime Study Commission on Organized Crime

Title 15; Reg. 26, No. 2 (First Published).

Youth Authority

Title 15; Reg. 26, No. 2.

State Board of Accountancy

Title 16; Reg. 10, Nos. 1, 5; Reg. 12, Nos. 2, 6, 9; Reg. 13, Nos. 1, 4; Reg. 17, Nos. 4, 5; Reg. 20, Nos. 3, 6; Reg. 36, Nos. 3, 13; Reg. 38, Nos. 1, 15; Reg. 39, Nos. 1, 21; Reg. 40, Nos. 3, 11, 22; Reg. 41, Nos. 22, 25; Reg. 42, Nos. 11, 22.

California State Board of Architectural Examiners

Title 16; Reg. 7; Reg. 12, No. 2; Reg. 17, No. 5; Reg. 19, No. 5; Reg. 54, No. 11; Reg. 56, Nos. 5, 22; Reg. 57, No. 13; Reg. 59, No. 2; Reg. 60, Nos. 10, 14; Reg. 61, Nos. 8, 12, 21; Reg. 62, No. 17.

State Board of Barber Examiners

Title 16; Reg. 11, No. 3; Reg. 12, Nos. 2, 4, 11; Reg. 14, Nos. 2, 3; Reg. 15, No. 2; Reg. 18, No. 5; Reg. 22, No. 4; Reg. 29, No. 5; Reg. 30, No. 2; Reg. 54, No. 2; Reg. 55, No. 14; Reg. 57, Nos. 15, 18; Reg. 60, No. 9; Reg. 61, No. 6-A.

State Board of Chiropractic Examiners

Title 16; Reg. 9; Reg. 12, No. 2; Reg. 15, No. 4; Reg. 18, No. 3; Reg. 23, No. 4, 5; Reg. 25, No. 4; Reg. 54, No. 10; Reg. 55, No. 10; Reg. 56, No. 6

State Board of Registration for Civil and Professional Engineers

Title 16; Regs. 7, 9; Reg. 12, No. 2; Reg. 13, Nos. 3, 6; Reg. 14, No. 3; Reg. 18, No. 3; Reg. 19, No. 1; Reg. 26, No. 1; Reg. 28, No. 7; Reg. 56, No. 18; Reg. 56, No. 22; Reg. 62, No. 8.

State Board of Dry Cleaners

Title 16; Regs. 7, 8; Reg. 10, No. 2; Reg. 11, Nos. 2, 7; Reg. 12, Nos. 2, 8; Reg. 13, Nos. 1, 7; Reg. 14, Nos. 2, 3, 8; Reg. 15, No. 6; Reg. 17, Nos. 4, 5; Reg. 18, Nos. 1, 3, 5; Reg. 19, No. 4; Reg. 21, No. 3; Reg. 22, No. 3; Reg. 23, Nos. 2, 5; Reg. 24, No. 4; Reg. 25, Nos. 2, 4, 6; Reg. 29, No. 5; Reg. 53, Nos. 4, 14; Reg. 54, No. 10; Reg. 55, Nos. 6, 15; Reg. 56, Nos. 7, 19; Reg. 57, Nos. 5, 17; Reg. 58, Nos. 5, 14, 16, 18; Reg. 59, Nos. 1, 16; Reg. 60, No. 3; Reg. 62, No. 8.

Collection Agency Licensing Bureau (Formerly under Secretary of State)

Title 16; Reg. 10, No. 4; Reg. 12, No. 3; Reg. 53, Nos. 6, 14; Reg. 54, No. 7; Reg. 55, No. 17; Reg. 59, No. 16; Reg. 61, Nos. 4, 22, 26-A.

Contractors' State License Board

Title 16; Regs. 7, 8, 9; Reg. 11, No. 1; Reg. 12, Nos. 3, 6; Reg. 14, No. 3; Reg. 15, No. 3; Reg. 16, No. 2; Reg. 18, No. 3; Reg. 19, Nos. 2, 4; Reg. 21, No. 4; Reg. 24, No. 4; Reg. 25, No. 2; Reg. 28, No. 3; Reg. 53, Nos. 4, 13; Reg. 55, Nos. 7, 11, 16; Reg. 56, No. 14; Reg. 57, Nos. 6, 11, 18; Reg. 61, Nos. 8, 10, 10, 23; Reg. 62, Nos. 1-B, 16, 22.

State Board of Cosmetology

Title 16; Reg. 9; Reg. 12, Nos. 1, 3, 9; Reg. 14, No. 6; Reg. 15, No. 6; Reg. 17, No. 1; Reg. 18, No. 1; Reg. 19, No. 1; Reg. 23, Nos. 1, 4, 6; Reg. 25, Nos. 1, 6; Reg. 26, No. 1; Reg. 29, No. 2; Reg. 53, Nos. 3, 18, 23; Reg. 55, Nos. 10, 12; Reg. 56, No. 18; Reg. 57, Nos. 4, 11; Reg. 59, No. 21; Reg. 60, No. 23; Reg. 61, No. 2.

Board of Dental Examiners

Title 16; Reg. 12, No. 6; Reg. 15, No. 5; Reg. 28, No. 1; Reg. 53, No. 3; Reg. 57, No. 18; Reg. 58, No. 16; Reg. 62, Nos. 1-P, 9, 17.

Bureau of Private Investigators and Adjusters

Title 16; Reg. 26, No. 3 (First Published); Reg. 28, No. 5; Reg. 59, No. 16; Reg. 60, No. 6-A; Reg. 62, Nos. 6, 8, 11, 13.

State Board of Funeral Directors and Embalmers

Title 16; Reg. 10, No. 2; Reg. 12, No. 7; Reg. 53, No. 13; Reg. 56, Nos. 4, 12; Reg. 57, No. 20; Reg. 62, No. 21.

Board of Medical Examiners

Title 16; Regs. 7, 8, 9; Reg. 10, Nos. 2, 3; Reg. 12, No. 7; Reg. 15, No. 6; Reg. 16, No. 1; Reg. 17, No. 2; Reg. 18, No. 6; Reg. 19, No. 7; Reg. 21, No. 2; Reg. 22, No. 2; Reg. 23, No. 3; Reg. 25, Nos. 1, 5; Reg. 28, No. 6; Reg. 30, No. 3; Reg. 53, Nos. 9, 10, 22; Reg. 54, Nos. 8, 24; Reg. 55, Nos. 11, 14, 18; Reg. 56, Nos. 13, 18; Reg. 57, Nos. 14, 22; Reg. 59, No. 15; Reg. 60, No. 19; Reg. 61, Nos. 13, 22; Reg. 62, No. 12, 11.

Psychology Examining Committee (Board of Medical Examiners)

Title 16; Reg. 61, Nos. 10 (First Publication), 23.

**California Board of Nursing Education and Nurse Registration
(Formerly Board of Nurse Examiners)**

Title 16; Reg. 10, Nos. 1, 3; Reg. 12, No. 7; Reg. 18, No. 6; Reg. 20, No. 1; Reg. 21, No. 5; Reg. 22, No. 3; Reg. 26, No. 4; Reg. 27, No. 5; Reg. 28, No. 6; Reg. 53, No. 18; Reg. 54, No. 8; Reg. 55, No. 4; Reg. 57, No. 15; Reg. 58, No. 3; Reg. 60, Nos. 7, 21; Reg. 61, Nos. 7, 13, 17, 21.

State Board of Optometry

Title 16; Reg. 12, No. 8.

Board of Osteopathic Examiners

Title 16; Reg. 12, No. 8; Reg. 16, No. 4; Reg. 20, No. 1; Reg. 27, No. 3; Reg. 53, Nos. 3, 10; Reg. 54, No. 16; Reg. 55, Nos. 3, 7; Reg. 56, No. 19; Reg. 57, No. 8; Reg. 58, No. 20; Reg. 61, No. 15; Reg. 62, No. 1-B.

California State Board of Pharmacy

Title 16; Regs. 8, 9; Reg. 10, No. 1; Reg. 11, No. 7; Reg. 12, No. 8; Reg. 15, No. 3; Reg. 18, No. 1; Reg. 19, Nos. 1, 5; Reg. 20, No. 5; Reg. 21, No. 7; Reg. 22, No. 3; Reg. 27, No. 8; Reg. 28, Nos. 4, 7; Reg. 54, No. 16; Reg. 55, No. 16; Reg. 56, Nos. 6, 9, 11; Reg. 58, No. 13; Reg. 59, Nos. 9-A, 18; Reg. 60, Nos. 18, 20; Reg. 61, Nos. 3, 17, 22; Reg. 62, Nos. 9, 19.

Board of Social Work Examiners

Title 16; Reg. 11, No. 8; Reg. 12, No. 7; Reg. 13, No. 5; Reg. 16, No. 4; Reg. 55, No. 18; Reg. 59, No. 17; Reg. 61, No. 26-A; Reg. 62, No. 4.

Structural Pest Control Board

Title 16; Reg. 12, Nos. 4, 10; Reg. 54, No. 19; Reg. 57, No. 20; Reg. 59, Nos. 16, 21; Reg. 60, No. 15.

Board of Examiners in Veterinary Medicine

Title 16; Reg. 12, No. 10; Reg. 21, No. 3; Reg. 53, Nos. 10, 23; Reg. 54, No. 25; Reg. 57, No. 19.

Yacht and Ship Brokers Commission

Title 16; Reg. 12, No. 10; Reg. 18, No. 6; Reg. 54, No. 4; Reg. 56, No. 5; Reg. 58, No. 1; Reg. 59, No. 4.

State Board of Guide Dogs for the Blind

Title 16; Reg. 11, No. 6 (First Published); Reg. 11, No. 8; Reg. 12, No. 10; Reg. 21, No. 1; Reg. 22, No. 1; Reg. 53, No. 7; Reg. 62, No. 11.

State Cemetery Board

Title 16; Reg. 19, No. 4 (First Published); Reg. 56, No. 2; Reg. 57, No. 17; Reg. 59, No. 7; Reg. 60, No. 23.

Certified Shorthand Reporters Board

Title 16; Reg. 58, No. 14 (First Published); Reg. 59, No. 2; Reg. 60, No. 5; Reg. 62, No. 11.

Board of Vocational Nurse Examiners

Title 16; Reg. 29, No. 2 (First Published); Reg. 29, No. 7; Reg. 30, No. 5; Reg. 53, No. 15; Reg. 54, Nos. 7, 14; Reg. 55, No. 18; Reg. 57, No. 9; Reg. 58, No. 4; Reg. 59, No. 9-A; Reg. 60, Nos. 2, 16; Reg. 61, Nos. 20, 26-A; Reg. 62, Nos. 5, 13, 20.

California State Board of Landscape Architects

Title 16; Reg. 54, No. 24 (First Published); Reg. 57, No. 4; Reg. 58, No. 22.

Public Health

Title 17; Regs. 3, 5, 6, 7, 8, 9; Reg. 10, Nos. 1, 3, 6, 8; Reg. 11, No. 4; Reg. 12, Nos. 4, 5, 6; Reg. 13, Nos. 1, 2; Reg. 14, Nos. 1, 4, 6; Reg. 16, Nos. 3, 4, 5; Reg. 17, No. 2; Reg. 18, Nos. 1, 4, 9; Reg. 19, No. 2; Reg. 20, Nos. 1, 6; Reg. 23, Nos. 3, 7; Reg. 24, No. 5; Reg. 25, Nos. 2, 6; Reg. 26, Nos. 3, 7; Reg. 27, No. 3; Reg. 28, Nos. 1, 5; Reg. 29, No. 6; Reg. 30, No. 4; Reg. 53, Nos. 2, 8, 9, 10; Reg. 54, Nos. 2, 16, 17; Reg. 55, Nos. 4, 8, 10, 11, 16, 18; Reg. 56, Nos. 2, 10, 12, 16, 18, 22; Reg. 57, Nos. 5, 11, 18, 22; Reg. 58, Nos. 3, 5, 10, 12, 16; Reg. 59, Nos. 3, 7, 12, 17; Reg. 60, Nos. 3, 6-A, 10, 15, 19, 21, 23; Reg. 61, Nos. 3, 7, 11, 21, 23, 25, 26-A; Reg. 62, Nos. 1-A, 2, 5, 8, 15, 16, 21.

Gift Tax (State Controller)

Title 18; Reg. 13, No. 10; Reg. 59, No. 20-B.

Inheritance Tax (State Controller)

Title 18; Reg. 13, No. 10; Reg. 59, No. 20-B.

Motor Vehicle Fuel License Tax (Board of Equalization)

Title 18; Reg. 11, No. 8 (First Published); Reg. 18, No. 4; Reg. 53, No. 12-B; Reg. 56, Nos. 2, 16; Reg. 58, No. 3; Reg. 59, No. 16; Reg. 60, No. 12; Reg. 61, No. 18-A; Reg. 62, Nos. 6, 10, 16.

Use Fuel Tax (Board of Equalization)

Title 18; Reg. 14, No. 6 (First Published); Reg. 57, Nos. 13, 16; Reg. 58, Nos. 1, 3, 11; Reg. 59, No. 16; Reg. 60, No. 10; Reg. 61, No. 18-A; Reg. 62, No. 4.

Motor Vehicle Transportation License Tax (Board of Equalization)

Title 18; Reg. 14, No. 6 (First Published); Reg. 56, No. 9; Reg. 57, No. 13; Reg. 58, Nos. 3, 5.

Sales and Use Tax (Board of Equalization)

Title 18; Regs. 2, 6, 9; Reg. 10, No. 3; Reg. 15, No. 4; Reg. 17, No. 3; Reg. 18, Nos. 3, 7; Reg. 22, No. 4; Reg. 24, No. 2; Reg. 25, Nos. 1, 3; Reg. 26, No. 6; Reg. 53, Nos. 10, 14, 21; Reg. 55, No. 14; Reg. 60, Nos. 6, 8, 14; Reg. 57, Nos. 12, 20; Reg. 58, No. 5; Reg. 59, Nos. 10, 16; Reg. 60, Nos. 2, 11; Reg. 61, Nos. 4, 5, 10, 11, 14, 18-A, 22; Reg. 62, Nos. 3, 10, 17.

Private Car Tax (Board of Equalization)

Title 18; Reg. 14, No. 6 (First Published).

Alcoholic Beverage Tax (Board of Equalization)

Title 18 (Formerly in Title 4 through Reg. 55, No. 4); Reg. 60, Nos. 17-A, 20.

Intercounty Equalization (Board of Equalization)

Title 18; Reg. 55, No. 10-B (First Published); Reg. 60, No. 12; Reg. 61, No. 14.

Taxable Property of County or Municipal Corporation (Board of Equalization)

Title 18; Reg. 57, No. 10 (First Published).

Cigarette Tax (Board of Equalization)

Title 18; Reg. 59, No. 10 (First Published) and No. 14; Reg. 60, Nos. 17-A, 20; Reg. 61, Nos. 18-A, 22.

Hearing Procedure (Board of Equalization)

Title 18; Reg. 60, No. 10 (First Published); Reg. 61, No. 14.

Franchise Tax Board (General Administration)

Title 18; Reg. 19, No. 1 (First Published).

Bank and Corporation Tax (Franchise Tax Board)

Title 18; Reg. 12, No. 1 (First Published); Reg. 19, No. 1; Reg. 20, No. 1; Reg. 53, No. 12-A; Reg. 55, No. 12-A; Reg. 56, Nos. 5, 11; Reg. 58, Nos. 1, 9; Reg. 60, Nos. 3, 25; Reg. 61, Nos. 9-B, 24.

Personal Income Tax (Franchise Tax Board)

Title 18; Regs. 7, 8, 9; Reg. 19, Nos. 1, 6; Reg. 20, Nos. 1, 6; Reg. 21, No. 3; Reg. 53, No. 12; Reg. 55, No. 12; Reg. 56, No. 11; Reg. 58, Nos. 1, 17; Reg. 60, Nos. 3, 25; Reg. 61, Nos. 9-B, 24; Reg. 62, No. 16.

State Fire Marshal

Title 19; Regs. 3, 4, 5, 6, 7; Reg. 10, Nos. 1, 3, 5; Reg. 12, No. 8; Reg. 18, No. 3; Reg. 21, Nos. 4, 5; Reg. 30, No. 1; Reg. 53, Nos. 6, 11; Reg. 56, No. 1; Reg. 57, No. 17; Reg. 58, No. 14; Reg. 59, No. 2; Reg. 60, Nos. 23, 25; Reg. 61, No. 6-A; Reg. 62, Nos. 4, 6, 14, 17, 18.

Registration of Subversives (Secretary of State)

Title 19; Reg. 10, No. 1 (First Published).

Public Utilities Commission (Formerly Railroad Commission)

Title 20; Reg. 13, No. 10; Reg. 20, No. 4; Reg. 26, No. 1; Reg. 28, No. 4; Reg. 53, No. 1; Reg. 59, Nos. 10, 22.

Division of Architecture

Title 21; Regs. 8, 4, 8; Reg. 13, No. 11; Reg. 53, Nos. 15, 18; Reg. 54, No. 24; Reg. 55, No. 12; Reg. 56, No. 10; Reg. 59, No. 14; Reg. 60, Nos. 8, 16; Reg. 61, No. 19.

Division of Highways

Title 21; Reg. 7; Reg. 56, No. 14; Reg. 57, No. 2; Reg. 58, Nos. 7, 15, 21, 22; Reg. 59, Nos. 1, 3.

California Highway Commission

Title 21; Reg. 61, No. 19 (First Published).

Director of Employment

Title 22; Regs. 3, 6, 7, 8; Reg. 10, No. 1; Reg. 11, No. 7; Reg. 12, No. 1; Reg. 13, No. 11; Reg. 14, No. 5; Reg. 18, Nos. 2, 6; Reg. 19, No. 7; Reg. 23, Nos. 4, 7; Reg. 25, No. 5; Reg. 26, Nos. 5, 6; Reg. 30, No. 3; Reg. 53, Nos. 1, 10, 11, 14, 17, 19, 21, 23; Reg. 54, Nos. 3, 7, 20; Reg. 55, No. 18; Reg. 57, No. 21; Reg. 59, Nos. 9-A, 22; Reg. 60, Nos. 8, 17-18, 25; Reg. 61, Nos. 6-A, 18-A, 26-A; Reg. 62, Nos. 11, 12.

California Unemployment Insurance Appeals Board

Title 22; Reg. 8; Reg. 10, No. 1; Reg. 18, No. 6; Reg. 23, No. 4; Reg. 26, No. 6; Reg. 51, Nos. 3, 11; Reg. 61, No. 21; Reg. 62, No. 7.

Department of Social Welfare

Title 22; Reg. 15, No. 1; Reg. 26, No. 6; Reg. 54, Nos. 12, 20-B.

Reclamation Board

Title 23; Reg. 57, No. 4; Reg. 59, No. 19.

Director of Water Resources (Formerly Division of Water Resources—State Engineer)

Title 23; Reg. 11, No. 4; Reg. 13, No. 11; Reg. 20, No. 2; Reg. 57, No. 4; Reg. 58, No. 7; Reg. 59, No. 19; Reg. 61, No. 26-A; Reg. 62, No. 1-B.

State Water Rights Board (Formerly Department of Public Works—State Engineer)

Title 23; Reg. 56, Nos. 12, 19; Reg. 57, No. 4; Reg. 58, No. 1; Reg. 59, Nos. 19, 20-A; Reg. 60, Nos. 5, 8.

#6.

Excerpt, Register 70, No. 9 (1970). "Title 5. Revision Information Cross Reference Table of Sections in Part I (New to Former Sections)", pages xxi-xxiv; and "Cross Reference Table of Title 5 Sections (Former to New Sections)", pages xxv-xxviii

TITLE 5. REVISION INFORMATION

CROSS REFERENCE TABLE OF SECTIONS IN PART I
(New to Former Sections)

New Section	Former Section	New Section	Former Section
1	None	1040	None
2	None	1050-1056	86.6
10	8 & 21	1300	430-436
20	73	1600	4200
21	3.6	1601	101.1
200	05.1	1602	None
201	95	1630	None
202	05	1631	102.2
800	62	1632	100
801	24	1633	87.3
802	64	1634	101
803	68	1635	99
804	21	1650	115.22
805	61	1651	None
806	20	8100	None
807	2	8110	None
850	25	8111	178.1
851	23	8120	178.2
852	21	8200-8250	193.1
853	22	8400	220-288
400-408	8-10.1	8401	None
420-424	11-13.2	8402	182
428	14, 14.1	8403	183
430	79	8404	None
431	79	8405	184
432	79	8406	185
435	80.1	8407	None
436	80	8408	185.1
437	80.2	8409	185.2
438	None	8410	186
440	103	8411	187
441	None	8412	188
450	8080	8440	185.8
550	17	8441	None
560	17.1	8442	187
570	165	8443	198
571	165 (e)	8444	199
572	167	8445	199.1
573	168	8446	199.2
574	169	8447	199.3
575	160	8448	199.4
576	161	8449	199
590	None	8450	180
591	08, 69.1	8461	180.1
592	69	8462	180.2
593	69.2	8463	180.3
620-624	None	8470	179
1020	86	8471	179.1
1021	85.1	8472	179.2
1022	85.3	8473	179.3
1023	85.4	8474	179.4
1024	85.5	8475	179.5
1040	86	8476	179.6
1041	86.1	8477	179.7
1042	86.2	8600	191.3
1043	86.3	8610	191.4
1044	86.4	8620	191.5
1045	86.5	8621	198.2

Register 70, No. 9

CROSS REFERENCE TABLE OF SECTIONS IN PART I—Continued

New Section	Former Section	New Section	Former Section
3030	194	9503	44.1
3031	194.1	9504	44.2
3032	194.2	9505	40 & 47
3033	194.4	9520	41
3040	195	9530	83
3041	195.1	9531	84
3042	195.2	9532	86
None	195.3	9533	86
3043	195.4	9534	87
3044	195.5	9535	88
3045	195.6	9536	89
3050	195.7	9550	45
3051	195.8	9551	915
3052	195.9	9560	900
3053	195.10	9561	903
3054	195.11	9562	905
3055	195.12	9563	911
3056	195.13	9564	913
3060	None	9565	915
3060-3067	None	9566	912
3080	193.3	9567	51
3080	181	9580	52
3091	181.1	9581	53
3092	181.2	9582	55
3093	181.3	9583	56
3098	179	10000	98
3740-3746	None	10001	102.1
8800	199.10	10020-10044	171-178
8820, 8821	199.11	10060	98
8822	None	10070-10078	115.20-115.26
8830-8851	199.12	11000-11010	107-115
8800-8862	199.13	11200-11221	400-415
5500	70	11220, 11221	440, 441
5501	70.2	11230-11237	450-456
5502	70.1	11300-11341	470-498
5503	78	11370-11375	200-205
5504	71	11400-11411	600-611
5530	24	11420-11422	620-622
5531	18	11440-11441	210-214
5550	15	11460	76.1
5551	15	11461	76.2
5552	18	11470-11474	116-117
5553	None	12025-12037	8000-8020
5554	17, 17.1	12050	199.65
5555	96, 51, 52	12050, 12061	199.63
5556	178	12051, 12052	199.62
5570	1	12060	199.60
5590	89	12065-12070	199.64
5600	26	12090-12092	199.67
5601	31	12093	199.68
5700-5706	77.1-77.7	12094	199.72
5710	400	12095	199.69
5711	401	12097	199.70
5712	462	12098	199.71
5750-5754	850-855	12099	199.73
5800	78.9	13050-13053	199.78
5801	78.10	14000-14045	2200-2222
5802	78.11	14200	1060
6000-6024	6000-6024	14201	1065-1069
9500	42	14202	1061
9501	43	14203	1063, 1064
9502	44	14204	1105

CROSS REFERENCE TABLE OF SECTIONS IN PART I—Continued

New Section	Former Section	New Section	Former Section
14205	1162	14311	1147
14206	1061	14312	1150
14207	1062	14313	1151
14209	1070	14314	1152
14221	1071	14315	1151
14222	1072	14316	1155
14223	1073	14317	1156
14224	1074	14318	1158
14225	1075	14319	1159
14240	1079	14320	1160
14241	1080	14321	1161
14242	1089	14340	1114
14243	1078	14341	1115
14244	1101	14342	1122
14245	1102	14343	1123
14246	1103	14344	1121
14247	1110	14345	1125
14248	1108	14346	1126
14249	1100	14347	1132
14250	1094	14348	1137
14251	1095	14349	1140
14252	1096	14351	1142
14253	1097	14352	1143
14254	1092	14353	1144
14261	1077	14354	1148
14262	1082	14355	1149
14263	1089	14356	1135, 1153
14265	1093	14357	1157
14266	1083	14358	1128
14267	1084	14381	1135
14268	1085	14382	1115
14269	1086	14383	1120
14270	1087	14384	1122
14271	1088	14385	1126
14272	1090	14386	1140
14273	1104, 1106, 1107	14387	1142
14274	1091	14388	1143
14275	1123	14389	1143
14276	1098	14390	1148
14290	1108-1110	14391	1149
14291	1110	14392	1153
14292	1111-1113	14393	1157
14293	1114	14394	1028
14294	1115	15000	190.8
14295	1117	15050-15052	3050-3052
14296	1118	15070-15077	3070-3077
14297	1119	15100-15103	4000-4004
14298	1120	15106	None
14299	1121	15110-15112	4010-4012
14300	1127	15240	1285
14301	1129	15240	1294
14302	1130	15241	1280
14303	1131	15243	1820
14304	1132	15240-15249	1295
14305	1134	15253	1270
14306	1136	15254	1269
14307	1138	15255	1268
14308	1139	15256	1260-1263
14309	1141, 1145	15257	1271
14310	1146	15260	1270

CROSS REFERENCE TABLE OF SECTIONS IN PART I—Continued

New Section	Former Section	New Section	Former Section
15261	1264-1267	17900-17918	7900-7918
15270	1272-1274.2	17930-17936	7930-7936
15271	1290.1	18100-18108	8100-8108
15273	1276	18120-18126	8120-8128
15274	1275.1	18120-18126	8120-8126
15281	1286	18520	2500
15282	1291	18521	2501
15283	1290, 1292, 1293, 1296-1297	18522	2502
15284	1295	18523	2503
15285	1314	18530	2400
15320	1303	18531	2401
15321	1304	18532	2402
15322	1315	18533	2403
15323	1298	18534	2404
15324	1299	18535	2405
15325	1299.1	18536	2406
15340-15343	1310-1313	18537	2407
16000	75	18538	2408
16001	76	18551	2476
16020-16030	3015-3019	18552	2477
17220	17.1	18553	2478
17221	129.30	18554	2479
17260-17262	1460-1462	18555	2480.1
17270-17278	1470-1479	18556	2480
17280-17283	1480-1483	18557	2482
17290-17292	1490-1493	18558	2483
17300-17308	1500-1508	18570-18574	133-135.4
17320-17322	1520-1522	19300, 19301	136.5, 136.6
17330-17347	1540-1547	19304	1400, 1401
17360-17363	1560-1564	19306, 19307	1406, 1407
17401-17404	3001-3005	19310-19313	1410-1413
17430-17434	1450-1453	19315-19318	1415-1418
17600-17608	6700-6707	19320-19331	1420-1431
17625-17629	6725-6729	19335-19343	1435-1443
17630-17634	6730-6734	19345	1445
17640-17642	6735-6737	19500-19507	84-84.6
17645-17649	6738-6741	20000-20401	20000-20401

CROSS REFERENCE TABLE OF TITLE 5 SECTIONS
(Former to New Sections)

Former Section	New Section	Former Section	New Section
1	5570	73	20
2	307	75	16000
3	10	76	16001
3.6	21	76.1	11460
8-10.1	400-408	76.2	11461
11-13.2	420-424	77.1-77.7	5700-5709
14, 14.1	428	78	5503
16	5550	78.9	5800
16	5551	78.10	5801
17	550, 555.1	78.11	5802
17.1	580, 555.1, 17220	79	480
18	5531	79	431
18	5552	79	432
20	306	80	436
21	10	80.1	435
21	304	80.2	437
21	352	84-84.6	19500-19507
22	353	85	1020
23	351	85.1	1021
24	301	85.3	1022
24	3530	85.4	1023
25	350	85.5	1024
26	6000	85.6	None
31	5601	86	1040
33	9530	86.1	1011
34	9531	86.2	1042
35	9532	86.3	1043
36	9533	86.4	1044
37	9534	86.6	1045
38	9535	86.6	1046
39	9536	87.3	1632
41	9520	89	5590
42	9500	95	201
43	9501	96	5556 and 10000
44	9502	98	10060
44.1	9503	99	1634
44.2	9504	100	1631
45	9550	101	1633
46	9505	101.1	1600
47	9506	102.1	10001
51	5555	102.2	1630
51	9580	103	440
52	5556	107-115	11000-11010
52	9581	115.20-116.20	10070-10078
53	9582	115.22	1635
55	9583	116-117	11470-11474
61	305	120.30	17221
62	300	133-135.4, 136.5,	
63	303	136.6	18570-18574
64	302	165	570
65	202	165(e)	571
65.1	200	167	572
68	591	168	573
69	592	169	574
69.1	591	169	575
69.2	593	161	576
70	5500	171-178	10020-10044
70.1	5502	178	5556
70.2	5501	178.1	3110
71	5504	178.2	3111

CROSS REFERENCE TABLE OF TITLE 5 SECTIONS—Continued

Former Section	New Section	Former Section	New Section
179	8470	199.3	8440
179.1	8471	199.4	8447
179.2	8472	199.8	15000
179.3	8473	199.10	8800
179.4	8474	199.11	8820, 8821
179.5	8475	None	8822
179.6	8476	199.12	8880-8881
179.7	8477	199.13	8880-8882
180	8480	199.40-199.51	None
180.1	8481	199.60	12060
180.2	8482	199.61	None
180.3	8483	199.62	12051, 12052
181	8600	199.63	12050, 12061
181.1	8601	199.64	12065-12070
181.2	8602	199.65	12050
181.3	8603	199.67	12090-12092
None	8608	199.68	12093
182	8400, 8401	199.69	12095
183	8402, 8403	199.70	12097
184	8404	199.71	12098
185	8405, 8406	199.72	12094
186.1	8407	199.73	12099
186.2	8408	199.78	13050-13053
186.3	8412	200-205	11370-11375
186	8409	210-214	11440-11441
187	8410	220-233	8200-8250
188	8411	350-355	5750-5754
191.1	1820	400-415	11200-11221
191.2	None	430-436	1070-1056
191.3	3600	440, 441	11220-11221
191.4	3610	450-456	11230-11237
191.5	3620	460	5710
193.1	3120	461	5711
193.2	3621	462	5712
193.3	3660	470-496	11300-11341
194	3630	600-611	11400-11411
194.1	3631	620-622	11420-11422
194.2	3632	800	9500
194.3	None	903	9561
194.4	3633	905	9562
195	3640	911	9563
195.1	3641	912	9566
195.2	3642	913	9564
195.3	None	915	9565
195.4	3643	915	9565
195.5	3644	1050	14200
195.6	3645	1061	14206
195.7	3650	1062	14207
195.8	3651	1063	14203
195.9	3652	1064	14203
195.10	3653	1065	14201
195.11	3654	1066	14201
195.12	3655	1067	14201
195.13	3656	1068	14201
None	8440	1069	14201
196	8448	1070	14220
197	8441	1071	14221
198	8442	1072	14222
199	8443	1073	14223
199.1	8444	1074	14221
199.2	8445	1075	14225

CROSS REFERENCE TABLE OF TITLE 5 SECTIONS—Continued

Former Section	New Section	Former Section	New Section
1076	None	1136	14306
1077	14261	1137	14348
1078	14243	1138	14307
1079	14240	1139	14308
1080	14241	1140	14349, 14386
1081	14202	1141	14309
1082	14262	1142	14351, 14387
1083	14266	1143	14352, 14388
1084	14267	1144	14353, 14389
1085	14268	1145	14309
1086	14269	1146	14310
1087	14270	1147	14311
1088	14271	1148	14354, 14390
1089	14263	1149	14355, 14391
1090	14272	1150	14312
1091	14274	1151	14313
1092	14254	1152	14314
1093	14265	1153	14356, 14392
1094	14250	1154	14315
1095	14251	1155	14316
1096	14252	1156	14317
1097	14253	1157	14357, 14393
1098	14276	1158	14318
1099	14242	1159	14319
1100	14249	1160	14320
1101	14244	1161	14321
1102	14245	1162	14205
1103	14246	1200	15256, 15261
1104	14273	1261-1263	15256
1105	14204	1264-1267	15261
1106	14273	1268	15255
1107	14273	1269	15254
1108	14290, 14248	1270	15253, 15260
1109	14290	1271	15257
1110	14291, 14247	1272-1274.2	15270
1111	14292	1275	None
1112	14292	1275.1	15274
1113	14292	1276	15278
1114	14293, 14340	1280	15241
1115	14294, 14341, 14382	1285	15240
1116	None	1286	15281
1117	14295	1290	15283
1118	14296	1290.1	15271
1119	14297	1291	15282
1120	14298, 14383	1292, 1293	15283
1121	14299	1294	15240
1122	14342, 14384	1295	15246-15249, 15284
1123	14343, 14275	1296-1297	15283
1124	14344	1298	15283
1125	14345	1299	15324
1126	14346, 14385	1299.1	15325
1127	14300	1300-1302	None
1128	14358, 14394	1303	15320
1129	14301	1304	15321
1130	14302	1305	None
1131	14303	1310-1313	15340-15343
1132	14304, 14347	1314	15285
1133	14305	1315	15322
1134	14305	1320	15243
1135	14356, 14381	1321	None

CROSS REFERENCE TABLE OF TITLE 5 SECTIONS--Continued

Former Section	New Section	Former Section	New Section
1400-1401	19300-19301	2480	18556
1404	19304	2480-1	18555
1406-1407	19306-19307	2482	18557
1410-1413	19310-19313	2483	18558
1415-1418	19315-19318	2500	18520
1420-1431	19320-19331	2501	18521
1435-1443	19335-19343	2502	18522
1445	19345	2503	18523
1450-1453	17430-17434	3001-3005	17401-17404
1460-1462	17260-17262	3015-3019	16020-16030
1470-1479	17270-17278	3030	450
1480-1483	17280-17283	3050-3052	15070-15052
1490-1493	17290-17292	3060	None
1500-1508	17300-17308	3070-3077	15070-15077
1520-1522	17320-17322	4000-4004	15100-15103
1540-1547	17340-17347	4010-4012	15110-15112
1560-1564	17360-17363	4200	1860
2000-2222	14000-14015	6000-6624	6000-6624
2480	18530	6700-6707	17600-17608
2461	18531	6725-6729	17625-17629
2462	18532	6730-6734	17630-17634
2463	18533	6735-6737	17640-17642
2464	18534	6738-6741	17645-17649
2465	18535	6775-6786	19200-19211
2466	18536	7000-7918	17900-17918
2467	18537	7930-7946	17930-17946
2468	18538	8000-8020	12025-12307
2476	18550	8100-8108	18100-18108
2477	18551	8120-8126	18120-18126
2478	18552		
2479	18553		
2470	18554	20000-20401	20000-20401

* PART 1. STATE DEPARTMENT OF EDUCATION

DIVISION 1. GENERAL PROVISIONS

- CHAPTER 1. CITATION AND DEFINITIONS (COMMENCING WITH SECTION 1)
- CHAPTER 2. SCHOOL SESSIONS (COMMENCING WITH SECTION 10)
- CHAPTER 3. FLAG OF THE UNITED STATES (COMMENCING WITH SECTION 20)

DIVISION 2. PUPILS

- CHAPTER 1. GENERAL PROVISIONS (COMMENCING WITH SECTION 200)
- CHAPTER 2. RECORDS OF PUPILS (COMMENCING WITH SECTION 400)
- CHAPTER 3. HEALTH AND SAFETY OF PUPILS (COMMENCING WITH SECTION 550)
- CHAPTER 4. STATEWIDE TESTING OF PUPILS AND EVALUATION PROCEDURES (COMMENCING WITH SECTION 1020)
- CHAPTER 5. (NO REGULATIONS FILED)
- CHAPTER 6. PUPIL ORGANIZATIONS (COMMENCING WITH SECTION 1360)
- CHAPTER 7. GRADUATION OF PUPILS FROM GRADE 12 AND CREDIT TOWARD GRADUATION (COMMENCING WITH SECTION 1600)

DIVISION 3. HANDICAPPED CHILDREN

- CHAPTER 1. GENERAL PROVISIONS AND MISCELLANEOUS PROVISIONS (COMMENCING WITH SECTION 3100)
- CHAPTER 2. EDUCATIONALLY HANDICAPPED PUPILS (COMMENCING WITH SECTION 3200)
- CHAPTER 3. MENTALLY RETARDED PUPILS (COMMENCING WITH SECTION 3400)
- CHAPTER 4. PHYSICALLY HANDICAPPED PUPILS (COMMENCING WITH SECTION 3600)

DIVISION 4. MENTALLY GIFTED PUPILS

- CHAPTER 1. GENERAL PROVISIONS (COMMENCING WITH SECTION 3800)
- CHAPTER 2. IDENTIFICATION OF MENTALLY GIFTED MINORS (COMMENCING WITH SECTION 3820)
- CHAPTER 3. MINIMUM STANDARDS FOR PROGRAMS (COMMENCING WITH SECTION 3830)
- CHAPTER 4. APPROVAL OF PROGRAMS (COMMENCING WITH SECTION 3860)

* Note: General authority cited for State Board of Education regulations in Part 1: Section 162, Education Code.

#7.

Excerpt, Register 72, No. 6 (1972). "Title 8. Division of Industrial Safety General Industry Safety Orders", pages 432.3-432.6

3208. Adoption of Part 2, Title 24, California Administrative Code. (a) The Industrial Safety Board has adopted portions of Part 2, Title 24, California Administrative Code, which adopts the Uniform Building Code, 1970 Edition, by reference, as a part of these Orders.
(b) For the purpose of clarity and continuity, the Division has incorporated the wording of the referenced material in the Uniform Building Code into these Orders.
(c) The Division has also incorporated the regulations contained in Subchapter 7, Part 6, T-24, CAC, as a part of these Orders.

Note: These regulations are identified by indentation.

History: 1. New section filed 2-1-72 as an emergency; designated effective 2-1-72 (Register 72, No. 6).

TITLE 8 DIVISION OF INDUSTRIAL SAFETY
GENERAL INDUSTRY SAFETY ORDERS
(Register 72, No. 6—2-5-72)

432.3
Introduction

Editorial Note: The revision and rearrangement of the General Industry Safety Orders that are also considered as building standards makes it necessary to rearrange and renumber all of the General Industry Safety Orders.

The following shows the old section number and the new section number:

Number Old Section	Number New Section	Number Old Section	Number New Section	Number Old Section	Number New Section
3210	3210	3294	3294	3310	3245, 3246
3211	3211	3295	3295	3311	3245, 3246
3212	3212	3296	3296	3312	3245, 3246
3213	3213	3297	3297	3313	3245, 3246
3214	3214	3298	3298	3314	3245, 3246
3215	3215	3299	3299	3315	3245, 3246
3216	3216	3300	3300	3316	3245, 3246
3217	3217	3301	3301	3317	3245, 3246
3218	3218	3302	3302	3318	3245, 3246
3219	3219	3303	3303	3319	3245, 3246
3220	3220	3304	3304	3320	3245, 3246
3221	3221	3305	3305	3321	3245, 3246
3222	3222	3306	3306	3322	3245, 3246
3223	3223	3307	3307	3323	3245, 3246
3224	3224	3308	3308	3324	3245, 3246
3225	3225	3309	3309	3325	3245, 3246
3226	3226	3310	3310	3326	3245, 3246
3227	3227	3311	3311	3327	3245, 3246
3228	3228	3312	3312	3328	3245, 3246
3229	3229	3313	3313	3329	3245, 3246
3230	3230	3314	3314	3330	3245, 3246
3231	3231	3315	3315	3331	3245, 3246
3232	3232	3316	3316	3332	3245, 3246
3233	3233	3317	3317	3333	3245, 3246
3234	3234	3318	3318	3334	3245, 3246
3235	3235	3319	3319	3335	3245, 3246
3236	3236	3320	3320	3336	3245, 3246
3237	3237	3321	3321	3337	3245, 3246
3238	3238	3322	3322	3338	3245, 3246
3239	3239	3323	3323	3339	3245, 3246
3240	3240	3324	3324	3340	3245, 3246
3241	3241	3325	3325	3341	3245, 3246
3242	3242	3326	3326	3342	3245, 3246
3243	3243	3327	3327	3343	3245, 3246
3244	3244	3328	3328	3344	3245, 3246
3245	3245	3329	3329	3345	3245, 3246
3246	3246	3330	3330	3346	3245, 3246
3247	3247	3331	3331	3347	3245, 3246
3248	3248	3332	3332	3348	3245, 3246
3249	3249	3333	3333	3349	3245, 3246
3250	3250	3334	3334	3350	3245, 3246
3251	3251	3335	3335	3351	3245, 3246
3252	3252	3336	3336	3352	3245, 3246
3253	3253	3337	3337	3353	3245, 3246
3254	3254	3338	3338	3354	3245, 3246
3255	3255	3339	3339	3355	3245, 3246
3256	3256	3340	3340	3356	3245, 3246
3257	3257	3341	3341	3357	3245, 3246
3258	3258	3342	3342	3358	3245, 3246
3259	3259	3343	3343	3359	3245, 3246
3260	3260	3344	3344	3360	3245, 3246
3261	3261	3345	3345	3361	3245, 3246
3262	3262	3346	3346	3362	3245, 3246
3263	3263	3347	3347	3363	3245, 3246
3264	3264	3348	3348	3364	3245, 3246
3265	3265	3349	3349	3365	3245, 3246
3266	3266	3350	3350	3366	3245, 3246
3267	3267	3351	3351	3367	3245, 3246
3268	3268	3352	3352	3368	3245, 3246
3269	3269	3353	3353	3369	3245, 3246
3270	3270	3354	3354	3370	3245, 3246
3271	3271	3355	3355	3371	3245, 3246
3272	3272	3356	3356	3372	3245, 3246
3273	3273	3357	3357	3373	3245, 3246
3274	3274	3358	3358	3374	3245, 3246
3275	3275	3359	3359	3375	3245, 3246
3276	3276	3360	3360	3376	3245, 3246
3277	3277	3361	3361	3377	3245, 3246
3278	3278	3362	3362	3378	3245, 3246
3279	3279	3363	3363	3379	3245, 3246
3280	3280	3364	3364	3380	3245, 3246
3281	3281	3365	3365	3381	3245, 3246
3282	3282	3366	3366	3382	3245, 3246
3283	3283	3367	3367	3383	3245, 3246
3284	3284	3368	3368	3384	3245, 3246
3285	3285	3369	3369	3385	3245, 3246
3286	3286	3370	3370	3386	3245, 3246
3287	3287	3371	3371	3387	3245, 3246
3288	3288	3372	3372	3388	3245, 3246
3289	3289	3373	3373	3389	3245, 3246
3290	3290	3374	3374	3390	3245, 3246
3291	3291	3375	3375	3391	3245, 3246
3292	3292	3376	3376	3392	3245, 3246
3293	3293	3377	3377	3393	3245, 3246
3294	3294	3378	3378	3394	3245, 3246
3295	3295	3379	3379	3395	3245, 3246
3296	3296	3380	3380	3396	3245, 3246
3297	3297	3381	3381	3397	3245, 3246
3298	3298	3382	3382	3398	3245, 3246
3299	3299	3383	3383	3399	3245, 3246
3300	3300	3384	3384	3400	3245, 3246
3301	3301	3385	3385	3401	3245, 3246
3302	3302	3386	3386	3402	3245, 3246
3303	3303	3387	3387	3403	3245, 3246
3304	3304	3388	3388	3404	3245, 3246
3305	3305	3389	3389	3405	3245, 3246
3306	3306	3390	3390	3406	3245, 3246
3307	3307	3391	3391	3407	3245, 3246
3308	3308	3392	3392	3408	3245, 3246
3309	3309	3393	3393	3409	3245, 3246
3310	3310	3394	3394	3410	3245, 3246
3311	3311	3395	3395	3411	3245, 3246
3312	3312	3396	3396	3412	3245, 3246
3313	3313	3397	3397	3413	3245, 3246
3314	3314	3398	3398	3414	3245, 3246
3315	3315	3399	3399	3415	3245, 3246
3316	3316	3400	3400	3416	3245, 3246
3317	3317	3401	3401	3417	3245, 3246
3318	3318	3402	3402	3418	3245, 3246
3319	3319	3403	3403	3419	3245, 3246
3320	3320	3404	3404	3420	3245, 3246
3321	3321	3405	3405	3421	3245, 3246
3322	3322	3406	3406	3422	3245, 3246
3323	3323	3407	3407	3423	3245, 3246
3324	3324	3408	3408	3424	3245, 3246
3325	3325	3409	3409	3425	3245, 3246
3326	3326	3410	3410	3426	3245, 3246
3327	3327	3411	3411	3427	3245, 3246
3328	3328	3412	3412	3428	3245, 3246
3329	3329	3413	3413	3429	3245, 3246
3330	3330	3414	3414	3430	3245, 3246
3331	3331	3415	3415	3431	3245, 3246
3332	3332	3416	3416	3432	3245, 3246
3333	3333	3417	3417	3433	3245, 3246
3334	3334	3418	3418	3434	3245, 3246
3335	3335	3419	3419	3435	3245, 3246
3336	3336	3420	3420	3436	3245, 3246
3337	3337	3421	3421	3437	3245, 3246
3338	3338	3422	3422	3438	3245, 3246
3339	3339	3423	3423	3439	3245, 3246
3340	3340	3424	3424	3440	3245, 3246
3341	3341	3425	3425	3441	3245, 3246
3342	3342	3426	3426	3442	3245, 3246
3343	3343	3427	3427	3443	3245, 3246
3344	3344	3428	3428	3444	3245, 3246
3345	3345	3429	3429	3445	3245, 3246
3346	3346	3430	3430	3446	3245, 3246
3347	3347	3431	3431	3447	3245, 3246
3348	3348	3432	3432	3448	3245, 3246
3349	3349	3433	3433	3449	3245, 3246
3350	3350	3434	3434	3450	3245, 3246
3351	3351	3435	3435	3451	3245, 3246
3352	3352	3436	3436	3452	3245, 3246
3353	3353	3437	3437	3453	3245, 3246
3354	3354	3438	3438	3454	3245, 3246
3355	3355	3439	3439	3455	3245, 3246
3356	3356	3440	3440	3456	3245, 3246
3357	3357	3441	3441	3457	3245, 3246
3358	3358	3442	3442	3458	3245, 3246
3359	3359	3443	3443	3459	3245, 3246
3360	3360	3444	3444	3460	3245, 3246
3361	3361	3445	3445	3461	3245, 3246
3362	3362	3446	3446	3462	3245, 3246
3363	3363	3447	3447	3463	3245, 3246
3364	3364	3448	3448	3464	3245, 3246
3365	3365	3449	3449	3465	3245, 3246
3366	3366	3450	3450	3466	3245, 3246
3367	3367	3451	3451	3467	3245, 3246
3368	3368	3452	3452	3468	3245, 3246
3369	3369	3453	3453	3469	3245, 3246
3370	3370	3454	3454	3470	3245, 3246
3371	3371	3455	3455	3471	3245, 3246
3372	3372	3456	3456	3472	3245, 3246
3373	3373	3457	3457	3473	3245, 3246
3374	3374	3458	3458	3474	3245, 3246
3375	3375	3459	3459	3475	3245, 3246
3376	3376	3460	3460	3476	3245, 3246
3377	3377	3461	3461	3477	3245, 3246
3378	3378	3462	3462	3478	3245, 3246
3379	3379	3463	3463	3479	3245, 3246
3380	3380	3464	3464	3480	3245, 3246
3381	3381	3465	3465	3481	3245, 3246
3382	3382	3466	3466	3482	3245, 3246
3383	3383	3467	3467	3483	3245, 3246
3384	3384	3468	3468	3484	3245, 3246
3385	3385	3469	3469	3485	3245, 3246
3386	3386	3470	3470	3486	3245, 3246
3387	3387	3471	3471	3487	3245, 3246
3388	3388	3472	3472	3488	3245,

4 Introduction

INDUSTRIAL RELATIONS

TITLE
(Register 72, No. 6-2-5-1)

Number Old Section	Number New Section	Number Old Section	Number New Section	Number Old Section	Number New Section
3380	3546	3451	3820	3600	4185
3381	3547	3452	3821	3601	4186
3382	3548	3453	3822	3602	4187
3383	3549	3454	3823	3603	4225
3384	3550	3455	3824	3604	4226
3385	3551	3456	3825	3605	4227
3386	3552	3457	3826	3606	4228
3387	3553	3458	3827	3607	4229
3388	3554	3459	3828	3608	4230
3389	3555	3460	3829	3609	4231
3390	3556	3461	3830	3610	4232
3391	3557	3462	3831	3611	4233
3392	3558	3463	3832	3612	4234
3393	3559	3464	3833	3613	4235
3394	3560	3465	3834	3614	4236
3395	3561	3466	3835	3615	4237
3396	3562	3467	3836	3616	4238
3397	3563	3468	3837	3617	4239
3398	3564	3469	3838	3618	4240
3399	3565	3470	3839	3619	4241
3400	3566	3471	3840	3620	4242
3401	3567	3472	3841	3621	4243
3402	3568	3473	3842	3622	4244
3403	3569	3474	3843	3623	4245
3404	3570	3475	3844	3624	4246
3405	3571	3476	3845	3625	4247
3406	3572	3477	3846	3626	4248
3407	3573	3478	3847	3627	4249
3408	3574	3479	3848	3628	4250
3409	3575	3480	3849	3629	4251
3410	3576	3481	3850	3630	4252
3411	3577	3482	3851	3631	4253
3412	3578	3483	3852	3632	4254
3413	3579	3484	3853	3633	4255
3414	3580	3485	3854	3634	4256
3415	3581	3486	3855	3635	4257
3416	3582	3487	3856	3636	4258
3417	3583	3488	3857	3637	4259
3418	3584	3489	3858	3638	4260
3419	3585	3490	3859	3639	4261
3420	3586	3491	3860	3640	4262
3421	3587	3492	3861	3641	4263
3422	3588	3493	3862	3642	4264
3423	3589	3494	3863	3643	4265
3424	3590	3495	3864	3644	4266
3425	3591	3496	3865	3645	4267
3426	3592	3497	3866	3646	4268
3427	3593	3498	3867	3647	4269
3428	3594	3499	3868	3648	4270
3429	3595	3500	3869	3649	4271
3430	3596	3501	3870	3650	4272
3431	3597	3502	3871	3651	4273
3432	3598	3503	3872	3652	4274
3433	3599	3504	3873	3653	4275
3434	3600	3505	3874	3654	4276
3435	3601	3506	3875	3655	4277
3436	3602	3507	3876	3656	4278
3437	3603	3508	3877	3657	4279
3438	3604	3509	3878	3658	4280
3439	3605	3510	3879	3659	4281
3440	3606	3511	3880	3660	4282
3441	3607	3512	3881	3661	4283
3442	3608	3513	3882	3662	4284
3443	3609	3514	3883	3663	4285
3444	3610	3515	3884	3664	4286
3445	3611	3516	3885	3665	4287
3446	3612	3517	3886	3666	4288
3447	3613	3518	3887	3667	4289
3448	3614	3519	3888	3668	4290

TITLE 8
(Register 72, No. 6-2-5-72)

432.5

DIVISION OF INDUSTRIAL SAFETY
GENERAL INDUSTRY SAFETY ORDERS

Introduction

Number Old Section	Number New Section	Number Old Section	Number New Section	Number Old Section	Number New Section
3664	4440	3739	4565	3934	4895
3665	4441	3740	4566	3935	4896
3666	4442	3741	4567	3936	4897
3667	4443	3742	4568	3937	4898
3668	4444	3743	4569	3938	4899
3669	4445	3744	4570	3939	4900
3670	4446	3745	4571	3940	4901
3671	4447	3746	4572	3941	4902
3672	4448	3747	4573	3942	4903
3673	4449	3748	4574	3943	4904
3674	4450	3749	4575	3944	4905
3675	4451	3750	4576	3945	4906
3676	4452	3751	4577	3946	4907
3677	4453	3752	4578	3947	4908
3678	4454	3753	4579	3948	4909
3679	4455	3754	4580	3949	4910
3680	4456	3755	4581	3950	4911
3681	4457	3756	4582	3951	4912
3682	4458	3757	4583	3952	4913
3683	4459	3758	4584	3953	4914
3684	4460	3759	4585	3954	4915
3685	4461	3760	4586	3955	4916
3686	4462	3761	4587	3956	4917
3687	4463	3762	4588	3957	4918
3688	4464	3763	4589	3958	4919
3689	4465	3764	4590	3959	4920
3690	4466	3765	4591	3960	4921
3691	4467	3766	4592	3961	4922
3692	4468	3767	4593	3962	4923
3693	4469	3768	4594	3963	4924
3694	4470	3769	4595	3964	4925
3695	4471	3770	4596	3965	4926
3696	4472	3771	4597	3966	4927
3697	4473	3772	4598	3967	4928
3698	4474	3773	4599	3968	4929
3699	4475	3774	4600	3969	4930
3700	4476	3775	4601	3970	4931
3701	4477	3776	4602	3971	4932
3702	4478	3777	4603	3972	4933
3703	4479	3778	4604	3973	4934
3704	4480	3779	4605	3974	4935
3705	4481	3780	4606	3975	4936
3706	4482	3781	4607	3976	4937
3707	4483	3782	4608	3977	4938
3708	4484	3783	4609	3978	4939
3709	4485	3784	4610	3979	4940
3710	4486	3785	4611	3980	4941
3711	4487	3786	4612	3981	4942
3712	4488	3787	4613	3982	4943
3713	4489	3788	4614	3983	4944
3714	4490	3789	4615	3984	4945
3715	4491	3790	4616	3985	4946
3716	4492	3791	4617	3986	4947
3717	4493	3792	4618	3987	4948
3718	4494	3793	4619	3988	4949
3719	4495	3794	4620	3989	4950
3720	4496	3795	4621	3990	4951
3721	4497	3796	4622	3991	4952
3722	4498	3797	4623	3992	4953
3723	4499	3798	4624	3993	4954
3724	4500	3799	4625	3994	4955
3725	4501	3800	4626	3995	4956
3726	4502	3801	4627	3996	4957
3727	4503	3802	4628	3997	4958
3728	4504	3803	4629	3998	4959
3729	4505	3804	4630	3999	4960
3730	4506	3805	4631	4000	4961
3731	4507	3806	4632	4001	4962
3732	4508	3807	4633	4002	4963
3733	4509	3808	4634	4003	4964
3734	4510	3809	4635	4004	4965
3735	4511	3810	4636	4005	4966
3736	4512	3811	4637	4006	4967
3737	4513	3812	4638	4007	4968
3738	4514	3813	4639	4008	4969
3739	4515	3814	4640	4009	4970
3740	4516	3815	4641	4010	4971
3741	4517	3816	4642	4011	4972
3742	4518	3817	4643	4012	4973
3743	4519	3818	4644	4013	4974
3744	4520	3819	4645	4014	4975
3745	4521	3820	4646	4015	4976
3746	4522	3821	4647	4016	4977
3747	4523	3822	4648	4017	4978
3748	4524	3823	4649	4018	4979
3749	4525	3824	4650	4019	4980
3750	4526	3825	4651	4020	4981
3751	4527	3826	4652	4021	4982
3752	4528	3827	4653	4022	4983
3753	4529	3828	4654	4023	4984
3754	4530	3829	4655	4024	4985
3755	4531	3830	4656	4025	4986
3756	4532	3831	4657	4026	4987
3757	4533	3832	4658	4027	4988
3758	4534	3833	4659	4028	4989
3759	4535	3834	4660	4029	4990
3760	4536	3835	4661	4030	4991
3761	4537	3836	4662	4031	4992
3762	4538	3837	4663	4032	4993
3763	4539	3838	4664	4033	4994
3764	4540	3839	4665	4034	4995
3765	4541	3840	4666	4035	4996
3766	4542	3841	4667	4036	4997
3767	4543	3842	4668	4037	4998
3768	4544	3843	4669	4038	4999
3769	4545	3844	4670	4039	5000
3770	4546	3845	4671	4040	5001
3771	4547	3846	4672	4041	5002
3772	4548	3847	4673	4042	5003
3773	4549	3848	4674	4043	5004
3774	4550	3849	4675	4044	5005
3775	4551	3850	4676	4045	5006
3776	4552	3851	4677	4046	5007
3777	4553	3852	4678	4047	5008
3778	4554	3853	4679	4048	5009
3779	4555	3854	4680	4049	5010
3780	4556	3855	4681	4050	5011
3781	4557	3856	4682	4051	5012
3782	4558	3857	4683	4052	5013
3783	4559	3858	4684	4053	5014
3784	4560	3859	4685	4054	5015

4. Introduction

INDUSTRIAL RELATIONS

TITLE 8 (Register 72, No. 6-2-5-72)

TITLE 8 DIVISION OF INDUSTRIAL SAFETY GENERAL INDUSTRY SAFETY ORDERS (Register 72, No. 6-2-5-72) Article 1. Definitions

Number	Old Section	Number	New Section	Number	Old Section	Number	New Section
4016	4113.2	4795	5253	4133	4133	5348	5348
4020	4113.3	4797	5254	4135	4135	5355	5355
4021	4113.4	4798	5255	4135.1	4135.1	5356	5356
4022	4113.5	4799	5256	4135.2	4135.2	5357	5357
4026	4113.6	4803	5257	4135.3	4135.3	5358	5358
4027	4113.7	4804	5258	4136	4136	5370	5370
4028	4114	4805	5262	4140	4140	5160	5160
4029	4114.1	4806	5263	4141	4141	5161	5161
4030	4114.2	4807	5264	4142	4142	5162	5162
4031	4114.3	4808	5265	4143	4143	5163	5163
4032	4114.4	4809	5266	4144	4144	5164	5164
4033	4114.5	4810	5267	4145	4145	5165	5165
4034	4114.6	4811	5268	4146	4146	5166	5166
4035	4114.7	4812	5269	4147	4147	5167	5167
4040	4116	4815	5276	4148	4148	5168	5168
4041	4116.1	4816	5277	4149	4149	5169	5169
4046	4116.2	4818	5278	4150	4150	5170	5170
4047	4116.3	4819	5279	4151	4151	5171	5171
4053	4116.4	4822	5280	4152	4152	5172	5172
4054	4116.5	4823	5291	4153	4153	5173	5173
4055	4116.6	4824	5292	4154	4154	5174	5174
4056	4116.7	4825	5293	4155	4155	5175	5175
4057	4117	4826	5294	4156	4156	5176	5176
4058	4118	4827	5295	4157	4157	5177	5177
4059	4118.1	4828	5296	4158	4158	5178	5178
4060	4118.2	4829	5297	4159	4159	5179	5179
4061	4118.3	4830	5298	4160	4160	5180	5180
4065	4119	4831	5299	4161	4161	5181	5181
4066	4119.1	4835	5300	4162	4162	5182	5182
4067	4119.2	4836	5301	4163	4163	5183	5183
4068	4119.3	4837	5302	4164	4164	5184	5184
4069	4119.4	4838	5304	4172	4172	5196	5196
4070	4119.5	4839	5305	4173	4173	5197	5197
4080	4119.6	4845	5306	4174	4174	5198	5198
4100	4120	5139	5311	4175	4175	5199	5199
4101	4120.1	5140	5312	4176	4176	5200	5200
4102	4120.2	5141	5313	4177	4177	5201	5201
4103	4120.3	5142	5314	4178	4178	5202	5202
4104	4122	5143	5320	4179	4179	5203	5203
4105	4122.1	5144	5321	4180	4180	5204	5204
4106	4122.2	5145	5322	4181	4181	5205	5205
4106.1	4122.3	5146	5323	4182	4182	5215	5215
4107	4122.4	5147	5324	4183	4183	5216	5216
4108	4122.5	5148	5325	4184	4184	5217	5217
4109	4123	5149	5326	4185	4185	5218	5218
Appendix A	4123.1	5155	5327	4186	4186	5219	5219
4110	4124	5236	5328	4187	4187	5220	5220
4111	4125	5237	5329	4188	4188	5221	5221
4112	4126	5238	5330	4189	4189	5222	5222
4112.1	4127	5239	5331	4190	4190	5223	5223
4112.2	4130	5240	5310	4201	4201	5225	5225
4112.3	4130.1	5241	5311	4202	4202	5226	5226
4112.4	4130.2	5242	5312	4203	4203	5227	5227
4112.5	4130.3	5243	5313	4204	4204	5228	5228
4112.6	4130.4	5244	5314	4205	4205	5229	5229
4112.7	4131	5245	5315	4206	4206	5230	5230
4112.8	4132	5246	5316	4207	4207	5231	5231
4113	4133	5251	5347				
4113.1		5252					

GROUP 1. GENERAL PHYSICAL CONDITIONS AND STRUCTURES

Article

1. Definitions

2. Standard Specifications

Article 1. Definitions

3210. Definitions. A portion of the definitions contained in Chapter B4 and the definitions contained in Subchapter 7, Part 6, are incorporated herein as a part of these regulations.

(a) The following terms are defined for general use in these regulations; specialized definitions appear in individual articles. (See Definitions in the Index)

(1) **Access.** A means of reaching a work space or a work area.

(2) **Accessible.** Within reach from a work space or work area.

(3) **Accessible Location.** A location which can be reached by an employee standing on the floor, platform, runway, or other permanent working area.

(4) **Agricultural Building.** A building located on agricultural property and used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation, and which is not used by the public.

(5) **ANSI.** American National Standards Institute.

(6) **Assembly Building.** A building or portion of a building:

(A) Used or intended to be used for the gathering together of 50 or more persons for such purposes of amusement, entertainment, instruction, deliberation, worship, drinking, or dining, awaiting transportation or education, or;

(B) Any building or structure or portion thereof used or intended to be used for the showing of motion pictures when an admission fee is charged and when such buildings or structure is open to the public and has a capacity of 10 or more persons.

(7) **Attic Story.** Any story situated wholly or partly in the roof, so designated, arranged, or built as to be used for business, storage, or habitation.

(8) **Basement.** That portion of a building between floor and ceiling, which is partly below and partly above grade but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. (See "Story.")

(9) **Boiler Room.** Any room containing a steam or hot water boiler.

#8.

Draft, unpublished Title 22 Cross Reference Table:

Provided by the Department of Health Services to the State Law Library, dated 06/17/91. Acknowledgements are in order for Walt Pontynen, Associate Director of Legislative Research Inc., who ran across this table for a research project he worked on, and to Elizabeth (Beth) Owens, Senior State Law Librarian, who lead Walt to the document.

TO: Distribution

DATE: 06/17/91

FROM: Mike Horner

SUBJECT: Use of Title 22 Division 4 to 4.5 Translator

DRAFT

As you have heard, our existing hazardous waste control regulations, Title 22, CCR, Division 4, Chapter 30, are entirely repealed as of July 1, 1991. They are replaced by newly adopted Title 22, Division 4.5, "Environmental Health Standards for the Management of Hazardous Waste." On July 1, 1991 and thereafter, all Departmental documents and actions must refer to and be based on the new regulations.

Attached you will find a document detailing the fate of our existing regulations. This document lists existing regulatory provisions in numerical order, gives a code explaining the fate of that existing provision, and gives a new citation for that regulatory provision.

This document was prepared on an expedited basis to serve as an initial guide in renumbering permits, enforcement documents, guidances, etc. and must be used properly to ensure that citations to the new regulations are correct. Many of the provisions listed as replacing the old regulatory provisions have been changed by the marriage of the State and Federal regulations. In addition, this document probably contains some omissions and errors. Therefore, this document is only intended to be a guide to the person translating old citations to new citations. The user must use this document to help find equivalent provisions in the new regulations and then the user must determine if the citation given in the translator is appropriate to replace the citation to the old regulations.

Under no circumstances should the user of this document merely replace old numbers with the new citations given herein; the user is responsible for reading the new citation and determining if it is an appropriate replacement for the old citation.

The codes given in the middle column give the fate of the old title 22 provision:

d = Deleted and not replaced
t = transferred to the new regulations
r = replaced with the equivalent 40 CFR provision
m = modified in the new regulations*

*The code "m" used with other codes indicates that the provision as found in the new regulations differs from the previous provision in a substantive way.

TITLE 22 CROSS REFERENCE

Page 1

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66001	t	66260.10
66001.5	t	66260.10
66002	t	66260.10
66004	t	66260.10
66005	t	66260.10
66006	t	66260.10
66007	t	66260.10
66008	t	66260.10
66010	t	66260.10
66011	d	NONE
66011.1	r	66260.10
66011.2	t	66260.10
66011.3	d	66260.10
66012	t	66260.10
66013	t	66260.10
66015	t	66260.10
66015.5	r	66260.10
66016	t	66260.10
66020	t	66260.10
66024	t	66260.10
66026	t	66260.10
66027	r	66260.10
66027.6	t	66260.10
66027.8	r	66260.10
66027.9	m	66260.10
66028	m	66260.10
66031	m	66264.147(h)
66032	t	66260.10
66033	r	66260.10
66036	t	66260.10
66038	t	66260.10
66038.2	t	66260.10
66038.4	t	66260.10
66038.6	t	66260.10
66038.9	t	66260.10
66040	r	66260.10
66041	r	66260.10
66042	r	66260.10
66044	r	66260.10
66048	r	66260.10
66049	t	66260.10
66050	r	66260.10
66056	m	66260.10
66058	m	66260.10
66060	t	66260.10
66070	d	NONE
66071	t	66260.10
66074	r	66260.10

TITLE 22 CROSS REFERENCE

Page 2

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66076	d	NONE
66078(a) (2)	m	66261.22(a) (2)
66078	r	66260.10
66079	r	66260.10
66080	t	66260.10
66084	t	66260.10
66096	d	NONE
66099	d	NONE
66106	t	66260.10
66108	r	66260.10
66109	r	66260.10
66110	r	66260.10
66111	r	66260.10
66112	t	66260.10
66113	r	66260.10
66114	r	66260.10
66115	t	66260.10
66116	r	66260.10
66122	t	66260.10
66123	d	NONE
66124	r	66260.10
66125	t	66260.10
66126	r	66260.10
66127	t	66260.10
66128	t	66260.10
66129	r	66260.10
66129.5	t	66260.10
66130	r	66260.10
66131	r	66260.10
66131.4	r	66260.10
66133	r	66260.10
66134	t	66260.10
66134.5	t	66260.10
66134.8	r	66260.10
66135	t	66260.10
66140	t	66260.10
66142	r	66260.10
66144	r	66260.10
66146	r	66260.10
66150	t	66260.10
66151	t	66260.10
66151.1	t	66260.10
66152	r	66260.10
66154	t	66260.10
66156	t	66260.10
66158	r	66260.10

TITLE 22 CROSS REFERENCE

Page 3

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
-------------	------	-------------

66160	r	66260.10
66162	r	66260.10
66163	t	66260.10
66164	d	NONE
66165	t	66260.108
66166	r	66260.10
66168	t	66260.10
66176	t	66260.10
66178	r	66260.10
66180	t	66260.10
66181	t	66260.10
66186	r	66260.10
66187	r	66260.10
66189	r	66260.10
66189.5	t	66260.10
66190	t	66260.10
66190.2	t	66260.10
66190.4	t	66260.10
66190.6	t	66260.10
66191	t	66260.10
66193	r	66260.10
66194	r	66260.10
66195	r	66260.10
66196	r	66260.10
66199	r	66260.10

66200	r	66260.10
66201	t	66260.10
66202	t	66260.10
66203	r	66260.10
66204	r	66260.10
66206	t	66260.10
66208	r	66260.10
66210	t	66260.10
66212	d	NONE
66213	r	66260.10
66213.5	r	66260.10
66214	r	66260.10
66216	r	66260.10
66218	r	66260.10
66222	t	66260.10
66224	r	66260.10
66225	r	66260.10
66225.5	r	66260.10
66226	t	66260.10
66228	t	66260.10
66230	t	66260.10

TITLE 22 CROSS REFERENCE

Page 4

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66232	r	66260.10
66234	r	66260.10
66236	t	66260.10
66238	r	66260.10
66240	r	66246.1
66300(a)	r	66263.10
66300(a)	r	66262.10
66300(a)	r	66261.3
66300(a)	r	66261.2
66300(a)	r	66261.3(a)&(d)
66300(a) (1)	d	NONE
66300(a) (2)	t	66261.3(f) (1)
66300(a) (3)	t	66261.3(f) (2)
66300(a) (4)	d	NONE
66300(b)	r	66261.4(a) (2)
66300(c)	m	66261.4(b) (2)
66300(d)	r	66261.4
66300(e)	r	66261.4
66300(e) (1)	r	66261.4
66300(e) (2)	r	66261.4
66300(e) (3)	r	66265.1(e)
66300(e) (3)	r	66264.1(e)
66300(e) (4)	r	66264.1(G) (3) (d)
66300(e) (5)	r	66265.1(d) (8)
66300(e) (5)	r	66264.1(g) (4)
66300(e) (6)	r	66265.1(d) (11)
66300(e) (6)	r	66264.1(g) (8)
66300(e) (7)	r	66265.1(d) (12)
66300(e) (7)	d	NONE
66300(e) (8)	r	66265.1(d) (13)
66300(e) (8)	d	NONE
66300(f)	d	NONE
66300(g)	m	66261.4(b) (β) Z
66305	m	66260.200
66310(a)	m	66260.210
66310(b)	m	66260.210
66310(c)	m	66260.210
66310(d)	m	66260.210
66310(e)	m	66260.21
66310(f)	m	66260.21
66310(g)	m	66260.21
66310(h)	m	66260.21
66310(i)	m	66260.210(e)
66310(i)	m	66260.21(e)
66315	d	NONE
66316(a)	m	66271.2(c)

TITLE 22 CROSS REFERENCE

Page 5

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66316(b)	m	66271.2(a)(2) &
66316.1(a)	r	66271.2(c)
66316.1(a)(1)	m	66271.2(c)
66316.1(a)(2)	m	66263.11(c)
66316.1(b)	m	66271.2(c)
66316.1(c)	r	66271.2(f)
66316.2(a)	r	66271.14(a)
66316.2(a)(1)	m	66271.14(c)
66316.2(a)(2)	m	66263.11(d)
66316.3	d	NONE
66320	d	NONE
66328	m	66272.1
66336	d	NONE
66344	d	NONE
66352	d	NONE
66360	t	66272.10
66362(a)	m	66272.20(a)
66362(b)	d	NONE
66362(c)	m	66272.20(b)
66362(d)	d	NONE
66362(e)	d	NONE
66362(f)	d	NONE
66362(g)	m	66272.20(c)
66364	t	66272.30
66371(a)	m	66270.1(c)
66371(b)(1)	m	66270.1(c)(1)
66371(b)(2)	t	66270.1(c)(1)
66371(b)(3)	t	66270.1(c)(1)
66371(c)(1)	r	66270.1(c)(2)
66371(c)(2)	t	66270.1(c)(2)
66371(c)(3)	r	66270.1(c)(3)
66371(d)	t	66270.1(d)
66371(e)	t	66270.1(e)
66372(a)	t	66270.10(a)
66372(b)	t	66270.10(b)
66372(c)	t	66270.10(c)
66372(d)	d	NONE
66373(a)	r	66270.11(a)
66373(b)	r	66270.11(b)
66373(c)	t	66270.11(c)
66373(d)	t	66270.11(d)
66374(a)	r	66270.30(a)
66374(b)	t	66270.30(b)
66374(c)	t	66270.30(c)
66374(d)	t	66270.30(d)
66374(e)	t	66270.30(e)

TITLE 22 CROSS REFERENCE

Page 6

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66374(f)	t	66270.30(f)
66374(g)	t	66270.30(g)
66374(h)	t	66270.30(h)
66374(j)(1)	t	66270.30(h)(1)
66374(j)(2)	t	66270.30(h)(2)
66374(j)(3)	t	66270.30(h)(3)
66374(k)	t	66270.30(k)
66374(l)(1)-(1)(6)	t	66270.30(l)(1)-
66374(l)(7)	t	66270.30(l)(10)
66374(l)(8)	t	66270.30(l)(11)
66374(m)	t	66270.30(l)(2)
66374(n)	t	66270.30(l)(6)
66374(o)	d	NONE
66374(o)(1)	t	66270.30(l)(7)
66374(o)(2)	t	66270.30(l)(8)
66374(o)(3)	t	66270.30(l)(9)
66374	t	66270.30
66376(a)	t	66270.32(a)
66376(b)(1)	t	66270.32(b)(2)
66376(b)(2)	t	66270.32(d)
66376(c)	t	66270.32(e)
66377(a)	t	66270.50(a)
66377(b)	r	66270.50(b)
66377(c)	t	66270.50(c)
66378(a)	t	66270.33(a)
66378(b)	t	66270.33(a)(1)
66378(c)	t	66270.33(a)(2)
66378(c)	t	66270.33(a)(2)
66378(c)(1)	t	66270.33(a)(2)
66378(c)(2)	t	66270.33(a)(3)
66378(c)(3)	t	66270.31
66379	t	66270.40
66381	t	66270.41
66382(a)	t	66270.41(a)(1)
66382(a)(1)	t	66270.41(a)(2)
66382(a)(2)	t	66270.41(a)(3)
66382(a)(3)	t	66270.41(a)(3)
66382(a)(3)(A)	m	66270.41(a)(3)
66382(a)(3)(B)	m	66270.41(a)(4)
66382(a)(4)	t	66270.41(a)(5)
66382(a)(5)	t	66270.41(a)(5)
66382(a)(5)(A)	t	66270.41(a)(5)
66382(a)(5)(B)	t	66270.41(a)(5)
66382(a)(5)(C)	r	66270.41(a)(5)

TITLE 22 CROSS REFERENCE

Page 7

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66382(a)(5)(D)	t	66270.41(a)(5)
66382(a)(5)(E)	t	66270.41(a)(5)
66382(a)(5)(F)	t	66270.41(a)(5)
66382(a)(5)(G)	t	66270.41(a)(5)
66382(a)(5)(H)	r	66270.41(b)
66382(b)	t	66270.41(c)
66382(c)	t	66270.43(a)
66382	r	66270.41(a)
66383(a)	r	66270.43(a)(1)
66383(a)(1)	t	66270.43(a)(2)
66383(a)(2)	t	66270.43(a)(3)
66383(a)(3)	t	66270.43(b)
66383(b)	t	66270.43(c)
66383(c)	t	66271.4(a)
66384(a)	t	66271.4(c)(1)
66384(b)(1)	r	66271.4(c)(2)
66384(b)(2)	t	66271.4(c)(3)
66384(b)(3)	t	66271.4(d)
66384(c)	r	66270.42
66385(a)	t	66270.42(b)
66385(b)	t	66270.42(c)
66385(c)	m	66270.42(d)
66385(d)	t	66270.42(e)
66385(e)	t	66270.42(f)
66385(f)	t	66270.42(g)
66385(g)	t	66270.42(h)
66385(h)	t	66270.42(i)
66385(i)	t	66270.42(j)
66385(j)	t	66270.42(j)
66385(k)	t	66270.42(k)
66385	r	66270.42(a)
66387	t	66270.12(b)
66388(a)(1)	r	66270.10(e)(2)
66388(a)(2)	t	66270.10(e)(3)
66388(b)(1)	r	66270.10(f)(1)
66388(b)(2)	r	66270.10(f)(2)
66388(c)	t	66270.10(h)
66389(a)	r	66270.70(a)
66389(a)(1)	r	66270.70(a)(1)
66389(a)(2)	m	66270.70(b)
66389(b)(1)	m	66270.72(a)
66389(b)(2)	m	66270.72(b)
66389(b)(3)	m	66270.72(c)
66389(b)(3)(A)	t	66270.72(c)(1)
66389(b)(3)(B)	t	66270.72(c)(2)
66389(b)(4)	r	66270.72(d)
66389(b)(5)	r	66270.72(e)
66389(c)	t	66270.71(b)

TITLE 22 CROSS REFERENCE

Page 8

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66389(d) (1)	t	66270.73(a)
66390(a)	r	66270.13
66390(a) (1)	t	66270.13(b)
66390(a) (2)	t	66270.13(e)
66390(a) (3)	r	66270.13(m)
66390(a) (4)	t	66270.13(g)
66390(a) (5)	t	66270.13(i)
66390(a) (6)	t	66270.13(j)
66390(a) (7)	r	66270.13(l)
66390(a) (8) & (9)	t	66270.13(h)
66390(b) (1)	t	66270.13(a)
66390(b) (2)	t	66270.13(b)
66390(b) (3)	t	66270.13(c)
66390(b) (4)	t	66270.13(d)
66390(b) (5)	t	66270.13(f)
66391(a) (1)	t	66270.14(b) (1)
66391(a) (10)	t	66270.14(b) (10)
66391(a) (11) (A) (1)	t	66270.14(b) (11)
66391(a) (11) (A) (2)	t	66270.14(b) (11)
66391(a) (11) (B)	t	66270.14(b) (11)
66391(a) (11) (C)	t	66270.14(b) (11)
66391(a) (11) (D)	t	66270.14(b) (11)
66391(a) (11) (E)	t	66270.14(b) (11)
66391(a) (12)	t	66270.14(b) (12)
66391(a) (13)	t	66270.14(b) (13)
66391(a) (14)	m	66270.14(b) (14)
66391(a) (15)	m	66270.14(b) (15)
66391(a) (16)	m	66270.14(b) (16)
66391(a) (17)	m	66270.14(b) (17)
66391(a) (18)	t	66270.14(b) (18)
66391(a) (19)	t	66270.14(b) (19)
66391(a) (2)	t	66270.14(b) (2)
66391(a) (3)	t	66270.14(b) (3)
66391(a) (4)	t	66270.14(b) (4)
66391(a) (5)	t	66270.14(b) (5)
66391(a) (6)	t	66270.14(b) (6)
66391(a) (7)	t	66270.14(b) (7)
66391(a) (8)	t	66270.14(b) (8)
66391(a) (9)	t	66270.14(b) (9)
66391(b)	r	66270.14(c)
66391(b) (1) (A)	t	66270.15(a)
66391(b) (1) (B)	d	NONE
66391(b) (1) (C)	t	66270.15(b)
66391(b) (1) (D)	t	66270.15(c)

TITLE 22 CROSS REFERENCE

Page 9

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
-------------	------	-------------

66391(b) (2)	t	66270.16
66391(b) (2) (A)	t	66270.16(k)
66391(b) (2) (B)	t	66270.16(1)
66391(b) (2) (C)	t	66270.16(b)
66391(b) (2) (D)	t	66270.16(d)
66391(b) (2) (E)	t	66270.16(c)
66391(b) (2) (F)	r	66270.16(j)
66391(b) (3)	r	66270.17
66391(b) (3) (A)	t	66270.17(a)
66391(b) (3) (B)	t	66270.17(b)
66391(b) (3) (C)	t	66270.17(c)
66391(b) (3) (D)	t	66270.17(d)
66391(b) (3) (E)	t	66270.17(e)
66391(b) (3) (F)	t	66270.17(f)
66391(b) (3) (G)	r	66270.17(g)
66391(b) (3) (H)	t	66270.17(h)
66391(b) (3) (I)	t	66270.17(i)
66391(b) (4)	r	66270.18
66391(b) (4)	r	66270.18
66391(b) (4) (A)	t	66270.18(a)
66391(b) (4) (B)	d	NONE
66391(b) (4) (C)	t	66270.18(b)
66391(b) (4) (D)	t	66270.18(c)
66391(b) (4) (E)	t	66270.18(d)
66391(b) (4) (F)	t	66270.18(e)
66391(b) (4) (G)	t	66270.18(f)
66391(b) (4) (H)	t	66270.18(g)
66391(b) (4) (I)	t	66270.18(h)
66391(b) (5)	r	66270.19
66391(b) (5) (A)	t	66270.19(a)
66391(b) (5) (B)	t	66270.19(b)
66391(b) (5) (C)	r	66270.19(c)
66391(b) (5) (D)	t	66270.19(d)
66391(b) (6)	r	66270.20
66391(b) (6) (A)	t	66270.20(a)
66391(b) (6) (B)	t	66270.20(b)
66391(b) (6) (C)	t	66270.20(c)
66391(b) (6) (D)	t	66270.20(d)
66391(b) (6) (E)	t	66270.20(e)
66391(b) (6) (F)	t	66270.20(f)
66391(b) (7)	r	66270.21
66391(b) (7) (A)	t	66270.21(a)
66391(b) (7) (B)	t	66270.21(b)
66391(b) (7) (C)	t	66270.21(c)
66391(b) (7) (D)	t	66270.21(d)
66391(b) (7) (E)	t	66270.21(e)
66391(b) (7) (F)	t	66270.21(f)
66391(b) (7) (G)	t	66270.21(g)

TITLE 22 CROSS REFERENCE

Page 10

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66391(b) (7) (H)	d	NONE
66391(b) (7) (I)	t	66270.21(h)
66391(c)	r	66270.14(c)
66391(c) (1)	t	66270.14(c) (1)
66391(c) (2)	r	66270.14(c) (2)
66391(c) (3)	t	66270.14(c) (3)
66391(c) (4)	r	66270.14(c) (4)
66391(c) (5)	t	66270.14(c) (5)
66391(c) (6)	t	66270.14(c) (6)
66391(c) (7)	r	66270.14(c) (7)
66391(c) (8)	t	66270.14(c) (8)
66391(d)	d	NONE
66391(d) (1)	d	NONE
66391(d) (2)	d	NONE
66391(d) (3)	d	NONE
66391(d) (4)	d	NONE
66391(d) (5)	d	NONE
66391(d) (6)	d	NONE
66391(e)	d	NONE
66391(f)	d	NONE
66391(g)	d	NONE
66391(h)	d	NONE
66391(i)	d	NONE
66391(j)	d	NONE
66391	r	66270.14(a)
66392(a) (1)	t	66270.60(b) (1)
66392(a) (2)	t	66270.60(b) (2)
66392(a) (3)	t	66270.60(b) (3)
66392(a) (4)	t	66270.60(b) (4)
66392(a) (5)	t	66270.60(b) (5)
66392(b)	d	NONE
66392(c)	t	66270.60(a)
66392(c) (1)	r	66270.60(a) (1)
66392(c) (2)	t	66270.60(a) (2)
66392(c) (3)	r	66270.60(a) (3)
66392	t	66270.60
66393(a)	r	66270.61(a)
66393(a) (1)	t	66270.61(b) (1)
66393(a) (2)	t	66270.61(b) (2)
66393(a) (3)	t	66270.61(b) (3)
66393(a) (4)	t	66270.61(b) (4)
66393(a) (5)	t	66270.61(b) (5)
66393(a) (6)	t	66270.61(b) (6)
66393(b) (1)	t	66270.62(a)
66393(b) (1) (A)	t	66270.62(a) (1)
66393(b) (1) (B)	t	66270.62(a) (2)
66393(b) (2)	t	66270.62(b)

TITLE 22 CROSS REFERENCE

Page 11

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66393(b) (2) (A)	t	66270.62(b) (1)
66393(b) (2) (B) (1)	t	66270.62(b) (2)
66393(b) (2) (B) (2)	t	66270.62(b) (2)
66393(b) (2) (B) (3)	t	66270.62(b) (2)
66393(b) (2) (B) (4)	t	66270.62(b) (2)
66393(b) (2) (B) (5)	t	66270.62(b) (2)
66393(b) (2) (B) (6)	t	66270.62(b) (2)
66393(b) (2) (B) (7)	t	66270.62(b) (2)
66393(b) (2) (B) (8)	t	66270.62(b) (2)
66393(b) (2) (C)	t	66270.62(b) (3)
66393(b) (2) (D)	t	66270.62(b) (4)
66393(b) (2) (E)	t	66270.62(b) (5)
66393(b) (2) (F)	t	66270.62(b) (6)
66393(b) (2) (G)	t	66270.62(b) (7)
66393(b) (2) (H)	t	66270.62(b) (8)
66393(b) (2) (I)	t	66270.62(b) (9)
66393(b) (2) (J)	t	66270.62(b) (10)
66393(b) (3)	t	66270.62(c)
66393(b) (3) (A)	t	66270.62(c) (1)
66393(b) (3) (B)	t	66270.62(c) (2)
66393(b) (4)	t	66270.62(d)
66393(c) (1)	t	66270.63(a)
66393(c) (2)	r	66270.63(b)
66393(c) (3)	t	66270.63(c)
66393(c) (4)	t	66270.63(d)
66394(a)	r	66271.5(a)
66394(b)	r	66271.5(b)
66394(c)	r	66271.5(c)
66395(a)	t	66271.7(a)
66395(b)	t	66271.7(b)
66396(a) (1) (A)	t	66271.9(a) (1)
66396(a) (1) (B)	t	66271.9(a) (1)
66396(a) (1) (C)	t	66271.9(a) (1)
66396(b) (1)	r	66271.9(b) (1)
66396(b) (2)	r	66271.9(b) (2)
66396(c) (1)	t	66271.9(c) (1)
66396(c) (1) (A)	t	66271.9(c) (1)
66396(c) (1) (B)	r	66271.9(c) (1)
66396(c) (1) (C)	t	66271.9(c) (1)
66396(c) (1) (D)	t	66271.9(c) (1)
66396(c) (1) (E) (1)	r	66271.9(c) (1)
66396(c) (1) (E) (2)	t	66271.9(c) (1)
66396(c) (1) (E) (3)	d	NONE
66396(c) (1) (E) (4)	d	NONE
66396(d) (1)	t	66271.9(d) (1)
66396(d) (1) (A)	t	66271.9(d) (1)

TITLE 22 CROSS REFERENCE

Page 12

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66396(d) (1) (B)	t	66271.9(d) (1)
66396(d) (1) (C)	t	66271.9(d) (1)
66396(d) (1) (D)	t	66271.9(d) (1)
66396(d) (1) (E)	t	66271.9(d) (1)
66396(d) (1) (F)	t	66271.9(d) (1)
66396(d) (2)	t	66271.9(d) (2)
66396(e)	r	66271.9(e)
66397	t	66271.10
66398	t	66271.11
66399	t	66271.16
66428	m	66263.11
66432	t	66263.12
66434	m	66263.13
66448	t	66263.14
66450	t	66263.15
66465	t	66263.16
66470(a)	m	66262.10(a)
66470(b)	m	66262.10(c)
66470(c)	r	66262.10(e)
66470(d)	r	66262.10(f)
66470(e)	r	66262.10(h)
66471 intro	r	66262.11 Intro
66471(a)	r	66262.11(a)
66471(b)	r	66262.11(b)
66471(b) (1)	t	66262.11(b) (1)
66471(b) (2)	t	66262.11(b) (2)
66472(a)	r	66262.12(b)
66472(b)	r	66262.12(b)
66472(c)	r	66262.12(c)
66472(d)	r	66262.12(a)
66475	d	NONE
66475	m	66262.11(c) (2)
66480(a)	r	66262.20(a)
66480(b)	r	66262.20(b)
66480(c)	r	66262.20(c)
66480(d)	r	66262.20(d)
66481(a)	d	66262.20(a)+(b)
66481(b)	r	66262.999 AppendixtoCh12
66482(a)	r	66262.999 AppendixtoCh12
66482(a) (1)	r	66262.999 AppendixtoCh12
66482(a) (2)	r	66262.999 AppendixtoCh12
66482(a) (3)	r	66262.999 AppendixtoCh12
66482(a) (4)	r	66262.999 AppendixtoCh12
66482(a) (5)	r	66262.999 AppendixtoCh12
66482(a) (6)	r	66262.999 AppendixtoCh12
66482(b)	r	66262.999 AppendixtoCh12
66484(a)	t	66262.23(a)
66484(a) (1)	t	66262.23(a) (1)

TITLE 22 CROSS REFERENCE

Page 13

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66484 (a) (2)	r	66262.23 (a) (2)
66484 (a) (3)	r	66262.23 (a) (3)
66484 (b)	r	66262.23 (b)
66484 (c)	r	66262.23 (c)
66484 (d)	r	66262.23 (d)
66484 (d) (1)	r	66262.23 (d) (1)
66484 (d) (2)	r	66262.23 (d) (2)
66484 (d) (3)	r	66262.23 (d) (3)
66484 (e)	d	NONE
66484 (f)	m	66262.23 (a) (4)
66484 (g)	r	66262.23 (a) & (b)
66484 (g) (1)	r	66262.23 (b) (1)
66484 (g) (2)	r	66262.23 (b) (2)
66485	d	NONE
66490	d	NONE
66492	r	66262.40
66493 (a)	r	66262.41 (a)
66493 (a) (1)	r	66262.41 (a) (1)
66493 (a) (2)	r	66262.41 (a) (2)
66493 (a) (3)	r	66262.41 (a) (3)
66493 (a) (4)	r	66262.41 (a) (4)
66493 (a) (5)	m	66262.41 (a) (5)
66493 (a) (6)	r	66262.41 (a) (8)
66493 (b)	r	66262.43
66495	d	NONE
66500	d	NONE
66504 (a)	r	66262.30
66504 (b)	r	66262.31
66504 (c)	r	66262.32
66505	d	NONE
66508 (a)	m	66262.34 (a)
66508 (a) (1)	r	66262.34 (a) (1)
66508 (a) (2)	m	66262.34 (a) (2)
66508 (a) (3)	m	66262.34 (a) (2)
66508 (a) (4)	t	66262.34 (a) (3)
66508 (b)	t	66262.34 (c)
66508 (c)	m	66262.34 (f) (3)
66508 (c) (1)	t	66262.34 (f) (3)
66508 (c) (2)	t	66262.34 (f) (3)
66508 (c) (3)	t	66262.34 (f) (3)
66515 (a)	r	66262.50
66515 (b)	mr	66262.53
66515 (c)	r	66262.55
66515 (d)	m	66262.60 (b)
66530 (a)	m	66263.10 (#)
66530 (b)	r	66263.10 (b)
66530 (c)	m	66263.10 (c)
66531 (a)	t	66263.17 (a)

TITLE 22 CROSS REFERENCE

Page 14

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66531(b)	mt	66263.17(b)
66532(a)	m	66263.18(a)&(b)
66532(b)	m	66263.18(a)
66541(a)	r	66263.20(a)
66541(b)	m	66263.20(b)
66541(c)	t	66263.20(d)
66541(d)	t	66263.20(e)
66541(e)	t	66263.20(f)
66541(f)	t	66263.20(g)
66541(g)	t	66263.20(h)
66541(h)	t	66263.20(i)
66541(i)	t	66263.20(j)
66543(a)	t	66263.21(a)
66543(b)	t	66263.21(b)
66544(a)	t	66263.22(a)
66544(b)	t	66263.22(b)
66544(c)	m	66263.22(c)
66544(d)	t	66263.22(d)
66544(e)	t	66263.22(e)
66545	t	66263.23
66563(a)	t	66263.30(a)
66563(b)	t	66263.30(b)
66563(c)	m	66263.30(c)
66563(d)	t	66263.30(d)
66564	t	66263.31
66565	m	66263.40
66565	m	66236.41
66566	m	66263.42
66567	m	66263.43
66568	m	66263.44
66569	m	66263.45
66569.5	m	66263.46
66570	t	67430.1
66595	t	67430.2
66620	t	67430.3
66645	t	67430.4
66670	d	NONE
66672	d	NONE
66676	d	NONE
66680(a)	t	66261.999 app 10
66680(b)	t	66261.999 app 10
66680(c)	t	66261.999 app 10
66680(d)	t	66261.999 app 10
66680(e)	t	66261.999 app 10
66693	m	66261.20(a)
66694	m	66261.20(c)
66696(a) (1)	t	66261.24(a) (3)
66696(a) (2)	t	66261.24(a) (4)

TITLE 22 CROSS REFERENCE

Page 15

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66696(a) (3)	t	66261.24(a) (5)
66696(a) (4)	t	66261.24(a) (6)
66696(a) (5) (A) - (P)	t	66261.24(a) (7)
66696(a) (6)	t	66261.24(a) (8)
66696(a) (7) (A)	r	66261.31
66696(a) (7) (B)	r	66261.32
66696(a) (7) (C)	r	66261.33(e)
66696(a) (7) (D)	r	66261.33(f)
66696(b)	t	66261.24(b)
66696(c)	t	66261.24(c)
66699(a) (1)	m	66261.24(a) (2)
66699(a) (2)	m	66261.24(a) (2)
66699(b)	m	66261.24(a) (2)
66700(a)	t	66261.999 app 2
66700(b)	t	66261.999 app 2
66700(b) (1)	t	66261.999 app 2
66700(b) (1) (A)	t	66261.999 app 2
66700(b) (1) (B)	t	66261.999 app 2
66700(b) (2)	m	66261.999 app 2
66700(b) (2) (A) - (O)	m	66261.999 app 2
66700(b) (3) (A) - (H)	m	66261.999 app 2
66700(b) (4) (A) & (B)	m	66261.999 app 2
66700(b) (5)	m	66261.999 app 2
66700(c)	t	66261.0
66700(c) (1)	t	66261.999 app 2
66700(c) (2)	t	66261.999 app 2
66700(c) (3)	t	66261.999 app 2
66700(c) (4)	t	66261.999 app 2
66700(d)	t	66261.999 app 2
66700(e)	t	66261.999 app 2
66700(f) (1) - (3)	t	66261.999 app 2
66700(g) (1) & (2)	t	66261.999 app 2
66702(a)	m	66261.21(a)
66702(a) (1)	m	66261.21(a) (1)
66702(a) (2)	t	66261.21(a) (2)
66702(a) (3)	m	66261.21(a) (3)
66705(a)	m	66261.23(a)
66705(a) (1) - (7)	t	66261.23(a)
66708(a)	m	66261.22(a)
66708(a) (1)	m	66261.22(a) (1)
66717	t	66261.102
66720(b)	t	66261.103(b)
66720(a) (1) - (a) (6)	t	66261.103(a)
66723(a)	t	66261.104(a)
66723(b)	t	66261.104(b)
66740(a) (1) - (a) (14)	t	66261.105(a)
66742(a) (1)	t	66261.106(a) (1)
66742(a) (2) (A)	t	66261.106(a) (2)

TITLE 22 CROSS REFERENCE

Page 16

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66742 (a) (2) (A) 1.	t	66261.106 (a) (2)
66742 (a) (2) (A) 2.	t	66261.106 (a) (2)
66742 (b)	t	66261.106 (b)
66742 (b) (1) (A) - (b) (1) (D)	t	66261.106 (b) (1) (A)
66742 (b) (2) (A) - (b) (2) (D)	t	66261.106 (b) (2) (A)
66742 (b) (3)	t	66261.106 (b) (3)
66744 (a)	0	66261.107 (a)
66744 (a) (1) - (a) (4)	t	66261.107
66744 (b)	t	66261.107 (b)
66746 (a)	t	66261.108 (a)
66746 (a) (1)	t	66261.108 (a) (1)
66746 (a) (2)	t	66261.108 (a) (2)
66746 (b)	t	66261.108 (b)
66746 (c)	t	66261.108 (c)
66746 (d)	t	66261.108 (d)
66746 (e)	t	66261.108 (e)
66746 (f)	t	66261.108 (f)
66746 (g)	m	66261.108 (g)
66763	t	66266.1
66796	t	66266.2
66798	t	66266.3
66800	t	66266.4
66802	t	66266.5
66804 (a) (1)	t	66266.6 (a) (1)
66804 (a) (2)	t	66261.6 (a) (3) (B)
66804 (a) (3)	t	66266.6 (a) (2)
66804 (a) (4)	d	
66806	t	66266.7
66808	t	66266.8
66810	t	66266.9
66812	t	66266.10
66814	t	66266.11
66816	t	66266.110
66818	t	66266.111
66820	t	66266.112
66822 (a)	t	66266.80
66822 (a) (1) - (a) (9) (b) (c) (d)	t	66266.81
66823	t	66266.120
66824	r	66261.4 (d)
66826	t	66261.6 (a) (5)
66828	n/a	New Reg: Oil Filters
66835 (a)	t	67420.10 (a)
66835 (b)	t	67420.10 (b)
66835 (c)	t	67420.20 (b)
66840 (a)	t	67420.20 (a)
66840 (b)	t	67420.20 (b)
66840 (c)	t	67420.20 (c)
66840 (d)	t	67420.20 (d)

TITLE 22 CROSS REFERENCE

Page 17

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66840(e)	t	67420.20(e)
66840(f)	t	67420.20(f)
66840(g)	t	67420.20(g)
66840(h)	t	67420.20(h)
66840(i)	t	67420.20(i)
66840(j)	t	67420.20(j)
66840(k)	t	67420.20(k)
66840(l)	t	67420.20(l)
66840(m)	t	67420.20(m)
66845(a)	t	67420.30(a)
66845(b)	t	67420.30(b)
66845(c)	t	67420.30(c)
66845(d)	t	67420.30(d)
66845(e)	t	67420.30(e)
66845(f)	t	67420.30(f)
66845(g)	t	67420.30(g)
66845(h)	t	67420.30(h)
66850(a)	t	67420.40(a)
66850(b)	t	67420.40(b)
66850(c)	t	67420.40(c)
66850(d)	t	67420.40(d)
66850(e)	t	67420.40(e)
66850(f)	t	67420.40(f)
66850(g)	t	67420.40(g)
66850(h)	t	67420.40(h)
66855(a)	t	67420.50(a)
66855(b)	t	67420.50(b)
66855(c)	t	67420.50(c)
66855(d)	t	67420.50(d)
66860	t	67420.60
66865	t	67420.70
66900(a)	t	66268.32(a)(4)
66900(b)	t	66268.32(a)(5)
66900(c)	r	66268.32(a)(1)
66900(d)	r	66268.32(a)(2)
66900(e)	r	66268.32(e)(2)
66905(a)(1),(2),(3),(4)	mt	66268.32(a)(3),(4)
66905(b),(c),(d)	d	NONE
66910(a)	mt	66268.32(l)
66910(b)	mt	66268.32(n)
66915	d	NONE
66920	d	NONE
66925(a),(b)	mt	66268.32(n),(o)
66930	d	NONE
66935	d	NONE
66940	t	66268.120
66941	t	66268.121
66942	t	66268.122

TITLE 22 CROSS REFERENCE

Page 18

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
66944	t	66268.124
67001(b) (1)	t	66264.140(b) (2)
67001(c) (1)	m	66264.140(c) (1)
67001(c) (1)	r	66264.141
67001	m	66264.140
67002	m	66264.142
67003	m	66264.143
67003	m	66264.148
67004(c) (1)	t	66264.143(a) (3)
67004	m	66264.143(a)
67005(b)	t	66264.143(b) (2)
67005	m	66264.143(b)
67006(b)	t	66264.143(c) (2)
67006	m	66264.143(c)
67007	m	66264.143(d)
67008(b)	t	66264.143(e) (2)
67008	m	66264.143(e)
67009(c) (2)	d	NONE
67009(e)	t	66264.143(f) (6)
67009(j)	t	66264.143(f)
67009	t	66264.143(f) (3)
67009	m	66264.143(f)
67010	t	66264.143(g)
67011	m	66264.143(h)
67012	m	66264.143(i)
67013	t	66264.143(j) (2)
67013	m	66264.143(j)
67013	m	66264.143(b)
67014	m	66264.144
67015	m	66264.145
67016(b)	t	66264.145(a) (2)
67016(c)	t	66264.145(a) (3)
67016(c) (1)	t	66264.145(a) (3)
67016(j)	t	66264.145(a)
67016	m	66264.145(a)
67017(b)	t	66264.145(b) (2)
67017	m	66264.145(b)
67018(b)	t	66264.145(c) (2)
67018(e)	t	66264.145(c) (5)
67018	m	66264.145(c)
67019(b)	t	66264.145(d) (2)
67019	m	66264.145(d)
67020(b)	t	66264.145(e) (2)
67020	m	66264.145(e)
67021(c) (1)	t	66264.145(f) (3)
67021(c) (2)	d	NONE
67021(f)	t	66264.145(f) (6)
67021(k)	t	66264.145(f)

TITLE 22 CROSS REFERENCE

Page 19

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67021	m	66264.145(f)
67022	t	66264.145(g)
67023	m	66264.145(h)
67024	m	66264.145(i)
67025	t	66264.145(j) (2)
67025	m	66264.145(j)
67026	m	66264.146
67027	t	66264.147(a)
67028	t	66264.147(b)
67029	t	66264.147(c)
67029	m	66264.147(d)
67029	m	66264.147(e)
67030(c) (1) (A)	t	66264.147(g) (3)
67030(f)	t	66264.147(g) (6)
67030(g)	t	66264.147(g) (7)
67030(i)	t	66264.147(g) (9)
67030	m	66264.147(g)
67031	t	66264.147(i)
67032	m	66264.147(f)
67100	t	66265.11
67100	t	66264.12
67101	t	66265.12
67101	t	66264.13
67102(a)	t	NONE
67102(b) (1)	t	66265.13(b) (1)
67102(b) (2)	t	66265.13(b) (2)
67102(b) (3)	m	66265.13(b) (3)
67102(b) (4)	t	66265.13(b) (4)
67102(b) (5)	t	66265.13(b) (5)
67102(b) (6)	t	66265.13(b) (6)
67102(c)	t	66265.13(c)
67102	m	66265.13(a)
67103(a)	t	66265.14(a)
67103(b)	t	66265.14(b)
67103(c)	t	66265.14(c)
67103	t	66264.14
67104	t	66264.15
67104	m	66265.15
67105	t	66264.16
67105	t	66265.16
67106(a)	t	66265.17(a)
67106(b)	r	66265.17(b)
67106(c)	t	66265.17(c)
67106	t	66264.17
67108(a)	t	66265.25(a)
67108(b)	m	66265.25(b)
67108	t	66264.25
67120(a)	t	66264.31

TITLE 22 CROSS REFERENCE

Page 20

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67120(a)	m	66265.31
67120(b)	t	66264.18(b)
67120(b)	t	66265.18(b)
67121	t	66264.32
67121	t	66265.32
67122	t	66264.33
67122	t	66265.33
67123	t	66264.34
67123	t	66265.34
67124	t	66264.35
67124	t	66265.35
67126	t	66264.37
67126	t	66265.37
67140	t	66264.51
67140	t	66265.51
67141	r	66264.52
67141	m	66265.52
67142	t	66264.53
67142	t	66265.53
67143	t	66264.54
67143	m	66265.54
67144	t	66264.55
67144	t	66265.55
67145	t	66264.56
67145	t	66264.56
67145	t	66265.56
67160	r	66264.70
67160	r	66265.70
67161(a)	r	66265.71(a)
67161(a) (1)	r	66265.71(a) (1)
67161(a) (2)	r	66265.71(a) (2)
67161(a) (3)	r	66265.71(a) (3)
67161(a) (4)	r	66265.71(a) (4)
67161(a) (5)	r	66265.71(a) (6)
67161(b)	r	66265.71(b)
67161(b) (1)	r	66265.71(b) (1)
67161(b) (2)	r	66265.71(b) (2)
67161(b) (3)	r	66265.71(b) (3)
67161(b) (4)	r	66265.71(b) (5)
67161(b) (5)	r	66265.71(b) (6)
67161(a)	r	66264.71(a)
67161(a) (1)	r	66264.71(a) (1)
67161(a) (2)	r	66264.71(a) (2)
67161(a) (3)	r	66264.71(a) (3)
67161(a) (4)	r	66264.71(a) (5)
67161(a) (5)	r	66264.71(a) (6)
67161(b)	r	66264.71(b)
67161(b) (1)	r	66264.71(b) (1)

TITLE 22 CROSS REFERENCE

Page 21

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67161(b) (2)	r	66264.71(b) (2)
67161(b) (3)	r	66264.71(b) (3)
67161(b) (4)	r	66264.71(b) (5)
67161(b) (5)	r	66264.71(b) (6)
67162(a)	r	66265.72(a)
67162(a) (1)	r	66265.72(a) (1)
67162(a) (2)	r	66265.72(a) (2)
67162(b)	r	66265.72(b)
67162(a)	r	66264.72(a)
67162(a) (1)	r	66264.72(a) (1)
67162(a) (2)	r	66264.72(a) (2)
67162(b)	r	66264.72(b)
67163(a)	r	66265.73(a)
67163(b)	r	66265.73(b)
67163(b) (1)	r	66265.73(b) (1)
67163(b) (2)	r	66265.73(b) (2)
67163(b) (3)	r	66265.73(b) (3)
67163(b) (4)	r	66265.73(b) (4)
67163(b) (5)	r	66265.73(b) (5)
67163(b) (6)	r	66265.73(b) (6)
67163(b) (7)	r	66265.73(b) (7)
67163(b) (8)	r	66265.73(b) (8)
67163(a)	r	66264.73(a)
67163(b)	r	66264.73(b)
67163(b) (1)	r	66264.73(b) (1)
67163(b) (2)	r	66264.73(b) (2)
67163(b) (3)	r	66264.73(b) (3)
67163(b) (4)	r	66264.73(b) (4)
67163(b) (5)	r	66264.73(b) (5)
67163(b) (6)	r	66264.73(b) (6)
67163(b) (7)	r	66264.73(b) (7)
67163(b) (8)	r	66264.73(b) (8)
67164	r	66264.74
67164	r	66265.74
67165	r	66264.75
67165	r	66265.75
67166	r	66264.76
67166	r	66265.76
67167	r	66264.77
67167	r	66265.77
67168	d	NONE
67169	d	NONE
67180(a)	r	66264.98(k) (7)
67180(a)	r	66264.90(a)
67180(a)	r	66264.99(f)
67180(a)	m	66264.700(a)
67180(b)	m	66264.700(b)
67180(c)	d	NONE

TITLE 22 CROSS REFERENCE

Page 22

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67180(d)	d	NONE
67180(d)	t	66264.700(c)
67180(e)	r	66264.90(c)
67180(e)	m	66264.700(d)
67181(a)	m	66264.91(a)
67181(a)	m	66264.707(a)
67181(b)	m	66264.91(b)
67181(b)	t	66264.701(b)
67182(a)	m	66264.702(a)
67182(a)	r	66264.92
67182(b)	r	66264.92
67182(b)	m	66264.702(b)
67183(a)	m	66264.93
67183(a)	m	66264.703(a)
67183(b)	m	66264.703(b)
67183(c)	d	NONE
67184(a)	m	66264.704(a)
67184(a)	r	66264.94(a), (b)
67184(b)	m	66264.704(e)
67184(b)	r	66264.94(c)
67184(c)	r	66264.94(a) through (j)
67184(d)	r	66264.94(a) through (j)
67184(e)	n/a	(soil)
67184(e)	m	66264.704(b), (e)
67184(f)	r	66264.94(a) through (j)
67184(g)	n/a	(air)
67184(g)	m	66264.704(c) & (e)
67184(h)	n/a	(soil vapor)
67184(h)	m	66264.704(d) & (e)
67185	r	66264.95(a) & (b)
67185	m	66264.705
67186(a)	m	66264.96(a) & (b)
67186(b)	d	NONE
67186(c)	r	66264.96(c)
67187	r	Chapter 14, Article 6
67188intro	r	66264.98(intro)
67188intro	m	66264.706(intro)
67188(a)	r	66264.98(e) & (f)
67188(b)	r	66264.98(l)
67188(b)	m	66264.706(f)
67188(c)	t	66264.706(a)
67188(d)	r	66264.98
67188(e)	r	66264.97(d)
67188(f)	r	66264.98(e) & (f)
67188(g)	r	66264.97(c) (16)
67188(h)	r	66264.97(e) (11)
67188(n)	r	66264.97(e) (14) & 66264.98(h)
67188(o)	r	66264.97(e) (4)

TITLE 22 CROSS REFERENCE

Page 23

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67188(p)	r	66264.98(f), (g) & (i)
67188(q)	r	66264.98(j), (k)
67188(q)	m	66264.706(d)
67188(r)	m	66264.706(e)
67188(r)	r	66264.98(k) (7)
67188(s)	d	NONE
67188(t)	m	66264.706(b)
67188(t)	n/a	(air and soil vapor)
67188(u)	n/a	(air and soil vapor)
67188(u)	m	66264.706(c)
67189 intro	r	66264.99(a)
67189 intro	t	66264.707 intro
67189(a)	m	66264.707(a)
67189(a)	r	66264.99(b) & (d)
67189(b)	r	66264.99
67189(b)	t	66264.707(b)
67189(c)	m	66264.707(c)
67189(c)	r	66264.99(c) & (d)
67189(d)	m	66264.707(d)
67189(d)	r	66264.99(f)
67189(e)	r	66264.99(h)
67189(e)	t	66264.707(e)
67189(f)	t	66264.707(f)
67189(g)	r	66264.99(g)
67189(g)	m	66264.707(g)
67190 intro	r	66264.100(a)
67190 intro	t	66264.708 intro
67190(a)	r	66264.100(b)
67190(a)	m	66264.708(a)
67190(b)	r	66264.100(c)
67190(b)	m	66264.708(b)
67190(c)	r	66264.100(e)
67190(c)	t	66264.708(c)
67190(d)	r	66264.100(d)
67190(d)	t	66264.708(d)
67190(e)	r	66264.100(c), (e) & (f)
67190(e)	t	66264.708(e)
67190(f)	r	66264.100(f), (g)
67190(f)	m	66264.708(f)
67190(g)	r	66264.100(h)
67190(g)	t	66264.708(g)
67190(h)	r	66264.100(i)
67190(h)	t	66264.708(h)
67191(a)	t	66265.710(a)
67191(b)	m	66265.710(b)
67191(c)	d	(ground water)
67192(a)	d	(ground water)
67192(b)	d	(soil-poor liquid)

TITLE 22 CROSS REFERENCE

Page 24

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67192(c)	m	66265.711
67193(a)	d	(ground water)
67193(b)	d	(soil-poor liquid)
67193(c)	d	(soil-poor liquid)
67193(d)	d	(soil-poor liquid)
67193(e)	d	(soil-poor liquid)
67193(f)	m	66265.712 (a)&(b)
67194(a)	m	66265.713 (a)
67194(b)	d	(soil-poor liquid)
67194(c)	d	(soil-poor liquid)
67194(d)	m	66265.713 (b) through (g)
67194(e)	m	66265.713 (h)
67195(a)	r	66265.714 (a)
67195(b)	r	66265.714 (b)
67210	m	66264.110
67210	m	66265.110
67211	r	66264.111
67211	m	66265.111
67212(a)	t	66264.112(a) (1)
67212(a)	t	66265.112(a)
67212(a) (1)	t	66264.112(a) (2)
67212(a) (2)	r	66265.112(a)
67212(b)	t	66264.112(a) (2)
67212(b)	t	66265.112(a) &
67212(b) (1)	m	66264.112(b) (2)
67212(b) (1)	m	66265.112(b) (1)
67212(b) (1) (B)	d	NONE
67212(b) (2)	r	66264.112(b) (3)
67212(b) (2)	m	66265.112(b) (3)
67212(b) (3)	r	66264.112(b) (4)
67212(b) (3)	m	66265.112(b) (4)
67212(b) (4)	t	66264.112(b) (7)
67212(b) (4)	m	66265.112(b) (6)
67212(c)	r	66264.112(c)
67212(c)	r	66265.112(c)
67212(d)	t	66264.112(d) (1)
67212(e)	m	66265.112(d) (1)
67212(f)	m	66265.112(d) (4)
67213(a)	m	66264.113(a)
67213(b)	m	66264.113(b)
67213	r	66265.113
67214	r	66264.114
67214	r	66265.114
67215	r	66264.115
67215	r	66265.115
67217(a)	t	66264.117(a)
67217(a)	t	66265.117
67217(b) (1)	m	66264.117(b) (1)

TITLE 22 CROSS REFERENCE

Page 25

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67217(b)(1)	r	66265.117(b)(1)
67217(b)(1)(B)	r	66265.117(b)(1)
67217(b)(2)	r	66264.117(b)(2)
67217(c)	m	66264.117(c)
67217(c)	t	66265.117(c)
67217(d)	t	66264.117(d)
67217(d)	t	66265.117(d)
67217(e)	t	66264.117(e)
67217(f)	t	66264.117(f)
67218(a)(1)&(a)(2)	m	66264.118(a)
67218(a)(1)&(a)(2)	m	66265.118(a)
67218(a)(3)	m	66264.118(b)&
67218(a)(3)	m	66265.118(b)&
67218(b)	r	66264.118(d)
67218(b)&(c)	r	66265.118(d)
67218(c)	r	66264.118(d)
67218(d)	m	66264.118(d)(4)
67218(d)	r	66265.118(f)
67218(d)	m	66271.4
67218(e)	r	66265.118(e)&
67219	r	66265.119(a)
67220	m	66265.119(b)
67240(a)	t	66264.170
67240(b)	d	NONE
67240	m	66264.170
67241	t	66264.171
67241	t	66265.171
67242	t	66264.172
67242	t	66265.172
67243	t	66264.173
67243	t	66265.173
67244	t	66264.174
67244	t	66265.174
67245(a)	t	66264.175(a)
67245(b)(1)-(b)(3)	t	66264.175(b)(1)
67245(b)(4)	m	66264.175(b)(4)
67245(b)(5)	t	66264.175(b)(5)
67245(c)	t	66264.175(c)
67246	t	66264.176
67246	t	66265.176
67247	t	66264.177
67247	t	66265.177
67248	t	66264.178
67250(a)	r	66264.190
67250(a)	r	66265.190
67250(b)	d	NONE
67250(b)	d	NONE
67250(c)	d	NONE

TITLE 22 CROSS REFERENCE

Page 26

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
67250(c)	d	NONE
67250(d)	d	NONE
67250(d)	d	NONE
67251(a)	t	66264.192(a)
67251(a)	t	66264.191(a)
67251(b) (1)	m	66264.193(c)
67251(b) (2)	m	66264.193(c)
67251(b) (3)	m	66264.190(a)
67251(b) (3)	m	66264.193(e) (3)
67251(b) (3)	m	66264.193(e) (1)
67251(b) (3)	m	66264.193(e) (2)
67251(b) (4)	m	66264.190(e) (1)
67251(b) (4)	m	66264.190(e) (2)
67251(b) (4)	m	66264.190(e) (2)
67251(b) (5)	m	66264.193(b) (3)
67251(b) (5)	m	66264.193(c) (4)
67251(c)	m	66264.191(f)
67251(c)	m	66264.192(b)
67252(a)	r	66264.194(a)
67252(b)	r	66264.194(b)
67254(a) & (a) (1)	r	66264.195(a)
67254(a) (2)	r	66264.195(b)
67254(a) (3)	r	66264.195(b) (4)
67254(a) (4) & (5)	m	66264.195(b) (3)
67254(b)	t	66264.195(e)
67254(c)	t	66264.196(a)
67257	m	66265.194
67258	r	66265.200
67260	m	66264.197
67260	r	66265.197
67261	m	66264.198
67261	t	66265.198
67262	m	66264.199
67262	t	66265.199
67280(a), (b)	r	66264.220
67280(a), (c)	r	66265.220
67281	mr	66265.221
67286	r	66264.226
67287	r	66264.227
67288	mr	66264.228
67310	r	66265.222
67311	r	66265.223
67312	r	66265.225
67314	r	66265.226
67316	m	66265.228
67317	r	66264.229
67317	r	66265.229
67318	r	66265.230

TITLE 22 CROSS REFERENCE

Page 27

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
-------------	------	-------------

67318	r	66264.230
67340	m	66264.250
67340	m	66265.250
67341	mr	66264.251
67342	t	66264.251(k)
67344	r	66264.254
67346	r	66265.251
67347	r	66265.252
67348	r	66265.253
67349	r	66264.256
67349	r	66265.256
67350	r	66264.257
67350	r	66265.257
67351	r	66264.258
67351	r	66265.258
67360(a), (b)	r	66264.270
67360(a), (c)	r	66265.270
67361	r	66264.271
67362	r	66264.272
67363	mr	66264.273
67368	mr	66264.278
67369	r	66264.280
67371	mr	66265.272
67372	r	66265.273
67377	mr	66265.278
67378	r	66265.280
67379	r	66264.279
67379	r	66265.279
67381	t	66264.281
67381	t	66265.281
67382	r	66264.282
67382	r	66265.282
67400(a), (b)	r	66264.300
67400(a), (c)	r	66265.300
67401	mr	66264.301
67403	r	66264.303
67409	mr	66264.310
67411	r	66265.302
67418	mr	66265.310
67419	r	66264.309
67419	r	66265.309
67420	r	66264.312
67420	r	66265.312
67421	r	66264.313
67421	r	66265.313
67422	mr	66264.314
67422	mr	66265.314
67423	r	66264.315

TITLE 22 CROSS REFERENCE

Page 28

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
-------------	------	-------------

67423	r	66265.315
67424	r	66264.316
67424	r	66265.316
67425		
67450	mr	66264.340
67450	mr	66265.340
67451	r	66264.341
67452	r	66264.342
67453	r	66264.343
67454	r	66264.344
67455	r	66264.345
67457	r	66264.347
67461	r	66265.341
67462	r	66265.345
67464	r	66265.347
67468	r	66264.351
67468	r	66265.351
67490	r	66265.370
67493	r	66265.373
67495	r	66265.375
67497	r	66265.377
67520	r	66265.400
67521	r	66265.401
67522	r	66265.402
67523	r	66265.403
67524	mr	66265.404
67525	r	66265.405
67526	r	66265.406
67600	t	67440.1
67601	mt	67440.2
67602	t	67440.3
67603	t	67440.4
67604	t	67440.5
67605	t	67440.6
67606	t	67440.7
67650	d	NONE
67651	mt	67390.2
67700(a), (b), (c)	t	66268.1(a), (b), (c)
67700(d)	t	66260.10
67702	t	66268.29
67706	t	66268.1(f), (g), (h)
67710	t	66268.30
67711	t	66268.31
67715	t	66268.100
67720	t	66268.3
67721	t	66268.50
67732	t	66268.5
67750(a), (b)	r	66268.40

TITLE 22 CROSS REFERENCE

Page 29

Fate: d = deleted, m = transferred and modified, r = replaced,
t = transferred

DRAFT

OLD SECTION	FATE	NEW SECTION
-------------	------	-------------

67750(d), (e), (f)	t	66268.105
67750(c)	t	66260.10
67755(a)	r	66268.41
67755(b)	t	66268.106
67760(a)	r	66268.43
67760(b)	t	66268.107
67770	t	66268.44
67780	t	66268.110
67785	t	66268.112
67786	t	66268.113

#9.

**Rulemaking By California State Agencies and the
Role of the Office of Administrative Law, 1996-1997**

RULEMAKING BY CALIFORNIA STATE AGENCIES

AND THE ROLE OF THE

OFFICE OF ADMINISTRATIVE LAW



1996-1997

State of California
Office of Administrative Law
John D. Smith, Director
555 Capitol Mall, Suite 1290
Sacramento, CA 95814-4602

(916) 323-6225
FAX (916) 323-6826
Reference Attorney Service: (916) 323-6815
website: www.oal.ca.gov

TABLE OF CONTENTS

THE OFFICE OF ADMINISTRATIVE LAW	1
Overview	1
Office Functions	1
An Information Resource	2
Who To Contact	2
Publications--Access Tools	2
Key Terms	3
OAL Goals	4
"THE RULEMAKING PROCESS" GRAPHIC	5
"OAL REVIEW" GRAPHIC	6
EXECUTIVE BRANCH RULEMAKING	7
MEANING OF "APA"; RENUMBERING	7
WHAT MUST BE ADOPTED PURSUANT TO THE APA?	8
"Regulation" Defined For APA Purposes	8
Underground Regulations Prohibited	8

PETITION TO BEGIN RULEMAKING	9
EMERGENCY REGULATIONS	10
Initial OAL Review Of Emergency Regulations	10
Effective Period Of Approved Emergency Regulations	10
OAL Review Of Emergency Regulations And Record	10
SPECIAL CONSIDERATIONS IN RULEMAKING	11
PUBLIC INPUT	14
REVIEW STANDARDS FOR REGULATIONS	15
AUTHORITY, REFERENCE AND CONSISTENCY	15, 16
CLARITY	17
NONDUPLICATION	18
NECESSITY	19
FILING AND PUBLICATION OF REGULATIONS	20
THE CALIFORNIA CODE OF REGULATIONS	21
THE CALIFORNIA REGULATORY NOTICE REGISTER	23
THE RULEMAKING CALENDAR	23
ENDNOTES	24

OFFICE OF ADMINISTRATIVE LAW

OVERVIEW

The Office of Administrative Law (OAL) was created by the Legislature in 1979 to ensure that state agency regulations are authorized by statute, consistent with other law, and written in a comprehensible manner, as provided in the rulemaking part of the Administrative Procedure Act (APA). Problems leading to the creation of OAL included regulations that were inconsistent with statute, an unprecedented growth in number of regulations adopted by state agencies, and the tendency of state agencies to implement "house rules," sometimes called "underground regulations," unfettered by outside constraints.

OAL is an independent agency within the executive branch; however, in establishing OAL, the Legislature stated its intent that OAL work closely with, and upon request report directly to, the Legislature in order to accomplish regulatory reform in California.

OAL has a 22 member staff that includes 13 attorneys highly experienced in the review of administrative rulemaking, and three paralegals. The office is located in Sacramento at 555 Capitol Mall, Suite 1290.

OFFICE FUNCTIONS

REGULATION REVIEW: State agencies each year propose thousands of regulations which, when adopted, affect almost all economic activities and virtually every man, woman and child in California. The volume of this regulatory activity is directly driven by the enactment of new statutes and the amendment of laws on the books. OAL reviews each proposed regulation and approves a regulation only if the rulemaking agency has adequately considered public input and if the regulation is easily understood, necessary, authorized, and consistent with law. When approved and filed with the Secretary of State, a regulation has the force of law.

OAL review benefits not only those affected by state agency regulations, but the agencies themselves. OAL estimates that indirect savings to the state ranging from \$500,000 to \$2 million per year result from OAL review and assistance to agencies in avoiding lawsuits.

REGULATION PUBLICATION: OAL arranges for and is the gateway to the publication of all approved regulations in the California Code of Regulations (CCR), the recognized source of administrative law in California.

EDUCATION AND TRAINING: OAL promotes *public participation* in APA rulemaking by conducting public seminars on *effective* participation and providing ongoing training to state agency staff on *efficient* rulemaking.

"DETERMINATIONS" REGARDING "UNDERGROUND REGULATIONS":

OAL, on request and as resources permit, determines whether or not state agency rules challenged by the public as "underground regulations" must be adopted according to APA procedures, including public comment and OAL review, in order to be legally valid.

OAL IS A RESOURCE FOR:

- * Locating regulations on a particular topic;
- * Determining *which* agency is responsible for a particular issue;
- * Determining whether draft legislative language will require the adoption of regulations;
- * Drafting statutory language concerning the adoption of regulations or granting an exemption from APA rulemaking requirements;
- * Making an informed decision on the cost/benefit of granting a statutory exemption from the APA that eliminates public participation;
- * Preparing effective comments concerning a proposed agency regulation and taking part in ongoing agency rulemaking efforts;
- * Understanding APA requirements and the APA process;
- * Determining the quickest way to administratively implement a new program or policy;
- * Determining whether an uncodified agency rule is an "underground regulation";
- * Other related rulemaking topics.

WHO TO CONTACT

OAL REFERENCE ATTORNEY

(916) 323-6815

PUBLICATIONS--ACCESS TOOLS

California Rulemaking Law--annual OAL booklet containing the rulemaking part of the APA, OAL regulations implementing the act, and a helpful index.

California Code of Regulations--compilation of all existing regulations formally adopted by state agencies. Also available on legal research services (LEXIS and WESTLAW).

California Regulatory Notice Register--weekly publication containing a summary of all new regulations, agency rulemaking notices, "determinations," summaries of OAL decisions disapproving proposed regulations (full text available in the *California Code of Regulations Decisions* published monthly) and more.

Regulatory Determinations--OAL legal opinions issued in response to public complaints that uncodified agency rules are illegal because they were not adopted in compliance with the APA. (Available at OAL, in the Notice Register, at Legislative Counsel, Sacramento County Law Library and State Library.) *Determinations Order Form* lists agency and topic of each determination.

Determinations Indexes--list agencies, programs, statutes, court cases, and rules involved in regulatory determinations.

KEY TERMS

REGULATION--"Every rule, regulation, order, or standard of general application...adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure." Government Code section 11342. A legally adopted regulation has the force of law.

UNDERGROUND REGULATION--An agency regulation that should have been, but was not, adopted following procedures set forth in the rulemaking part of the Administrative Procedure Act (commencing with Government Code section 11340) and, consequently, is invalid.

OFFICE OF ADMINISTRATIVE LAW ("OAL")--The independent executive branch agency charged with reviewing state agency rulemaking and regulations for compliance with procedures and standards set forth in the rulemaking part of the Administrative Procedure Act.

ADMINISTRATIVE PROCEDURE ACT ("APA")--Statute containing required procedures for: 1) rulemaking; and 2) administrative hearings. (Chapters 3.5, 4, and 5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.)

DELEGATED AUTHORITY--Power granted by the Legislature to a state agency to implement or enforce a statute, including the power to adopt regulations.

CALIFORNIA CODE OF REGULATIONS ("CCR")--The official compilation of regulations legally adopted by state agencies and filed with the Secretary of State--the recognized source of California administrative law.

APA RULEMAKING PROCEDURES--Procedures set forth in the Administrative Procedure Act that generally require state agencies, when adopting regulations, to give public notice, receive and consider public comments, submit their regulations and supporting rulemaking files to the Office of Administrative Law for review, and have the regulations published in the California Code of Regulations, the recognized source of California administrative law.

QUASI-LEGISLATIVE--Term applied to the action or discretion of public administrative officers or agencies to make law, primarily through rulemaking.

RULEMAKING--The exercise of power granted by the Legislature to a state agency to adopt regulations to implement, interpret, or make specific the law enforced or administered by it, or to govern agency procedure.

"EXEMPT FROM THE APA"--A statutory provision exempting a state agency or its regulations from compliance with **all** standards and procedures set forth in the Administrative Procedure Act.

"EXEMPT FROM REVIEW BY THE OFFICE OF ADMINISTRATIVE LAW"--A statutory provision that exempts a state agency **only** from the requirement in the Administrative Procedure Act to submit proposed regulations and supporting rulemaking file to the Office of Administrative Law for review; other APA requirements **apply**.

OFFICE OF ADMINISTRATIVE LAW

GOALS

OAL's enforcement of the Administrative Procedure Act is intended to advance the following goals:

- Public access to all regulations used by state agencies
- Meaningful public participation in state agency rulemaking
- Complete records of rulemaking proceedings
- Legally valid, clear regulations based in reason
- Control of underground regulations (state agency "house rules")

THE RULEMAKING PROCESS*

THE CONSTITUTION GIVES THE
LAWMAKING POWER OF THE
STATE TO THE LEGISLATURE.

THE LEGISLATURE GIVES
LIMITED LAWMAKING
POWER TO A STATE
AGENCY WHEN THE
LEGISLATURE, BY
STATUTE, GIVES THE
AGENCY A TASK.

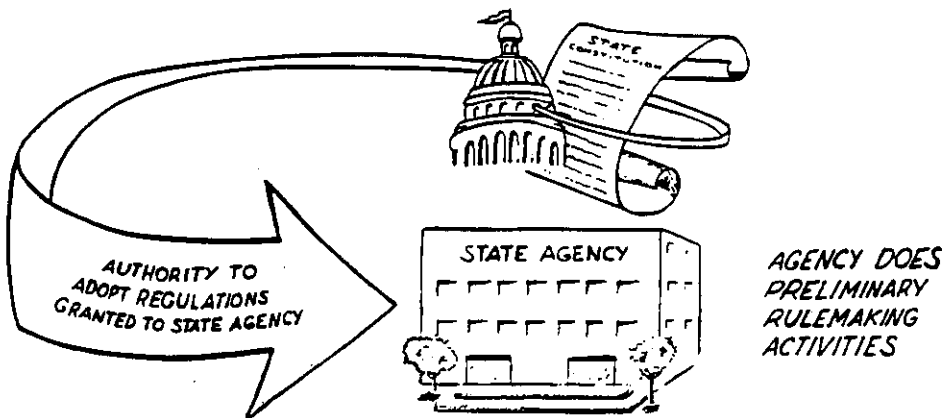
THE AGENCY'S PUBLIC NOTICE
MUST EXPLAIN THE REASON FOR
THE REGULATION, THE COSTS TO
STATE AND LOCAL GOVERNMENT
AND THE IMPACT ON BUSINESS.

MINIMUM
45 DAY
Public
Comment
Period

THE PUBLIC GETS
A MEANINGFUL
OPPORTUNITY TO
PARTICIPATE IN
STATE AGENCY
LAWMAKING.

THE STATE AGENCY MUST
CONSIDER PUBLIC INPUT AND
FIND THAT THE REGULATION IS
THE LEAST BURDENSOME
ALTERNATIVE.

THE STATE AGENCY
MUST MAKE A
PERMANENT PUBLIC
RECORD OF THE
RULEMAKING
PROCEEDING.



AGENCY PUBLISHES NOTICE / RULEMAKING RECORD OPEN

- Notice of proposed rulemaking published & mailed
- Text of proposed regulations available to the public
- Statements of reasons available to the public

MAJOR CHANGES
(Not sufficiently related) =
NEW NOTICE

Agency Holds
Public hearing as scheduled
Or by request

Agency
Considers
Comments

"SUFFICIENTLY RELATED"
CHANGES

NON-SUBSTANTIAL OR NO CHANGES

AGENCY PROPOSES
CHANGES

NOTICE OF PROPOSED CHANGES
IS MAILED

15 DAY
PUBLIC COMMENT PERIOD

AGENCY
CONSIDERS
COMMENTS

AGENCY PREPARES FINAL STATEMENT OF REASONS
& "ADOPTS REGULATION"

SUMMARY AND RESPONSE TO COMMENTS
a) CHANGED TO ACCOMMODATE
b) REASON FOR REJECTION

RULEMAKING RECORD CLOSED

RULEMAKING RECORD MUST BE SUBMITTED TO O.A.L. WITHIN ONE YEAR OF PUBLICATION OF NOTICE

*A TEMPORARY, EMERGENCY REGULATION CAN BECOME EFFECTIVE IMMEDIATELY, BEFORE THE
AGENCY STARTS THE PROCESS.

O.A.L. REVIEW

OAL HAS 30 DAYS TO REVIEW A REGULATION.

DOES THE REGULATION SATISFY...

REVIEW IS LIMITED TO THE RULEMAKING RECORD.

OAL DOES NOT REVIEW THE WISDOM OF THE REGULATION.

- Authority
- Reference
- Consistency
- Clarity
- Non-duplication
- Necessity

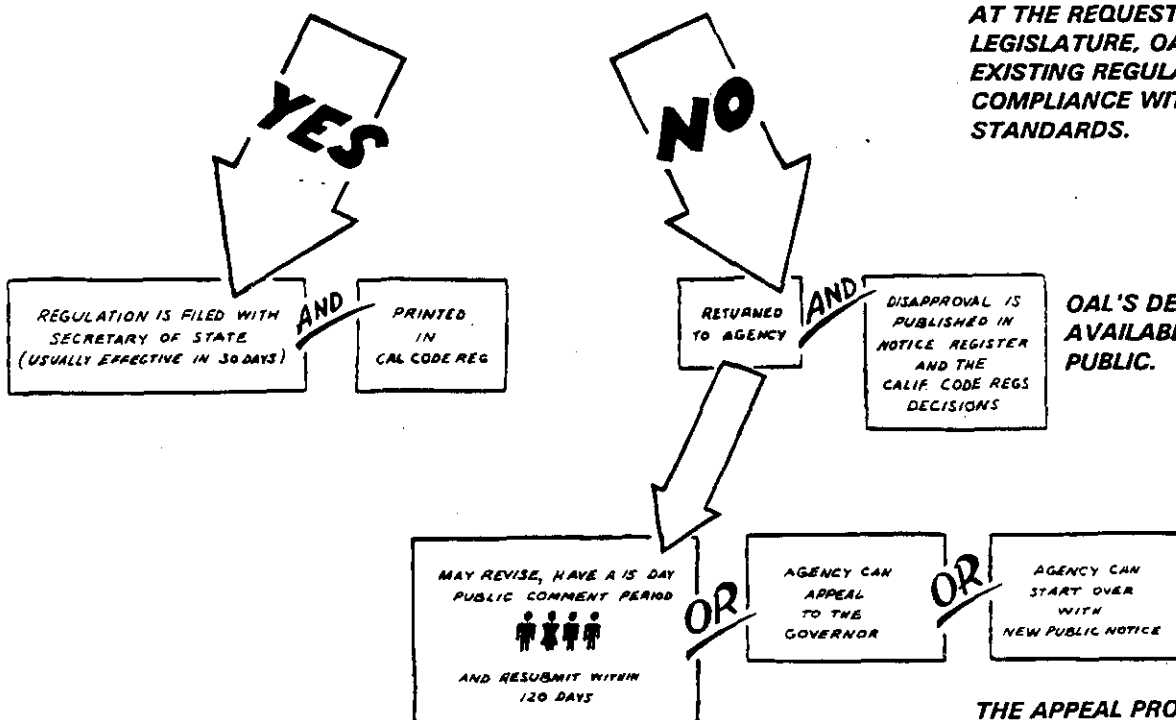


Have the required procedures been followed ?

WHEN POSSIBLE, OAL WORKS WITH THE RULEMAKING AGENCY TO IRON OUT WRINKLES THAT DO NOT INVOLVE THE PUBLIC.

AT THE REQUEST OF THE LEGISLATURE, OAL REVIEWS ANY EXISTING REGULATION FOR COMPLIANCE WITH APA STANDARDS.

OAL'S DECISIONS ARE AVAILABLE TO THE PUBLIC.



THE APPEAL PROCEDURE IS SET BY STATUTE.

OAL ENSURES THAT ALL REGULATIONS ARE IN PRINT AND AVAILABLE TO THE PUBLIC.

EXECUTIVE BRANCH RULEMAKING

A state agency¹ is a "creature of statute" (except for one created by the Constitution),² deriving its powers and duties, indeed its very existence from statute.³ (Endnotes start on page 24.) Thus the fundamental duty of a state agency is to carry out the legislative will as expressed by statute.

Soon after California became a state in 1850, the Legislature started creating agencies in the executive branch of state government to enforce and administer various statutes. Within a few years, the Legislature, with increasing frequency, began to include a potent power in these enabling statutes: a delegation of the power to adopt rules and regulations having the force of law.⁴

Though the Legislature has been delegating rulemaking power to state agencies for more than a century, it wasn't until around fifty years ago that it established procedures to apply generally to all state agency rulemaking. Before then, procedural requirements were hit or miss. If the Legislature did specify rulemaking procedures, it did so in a specific statute delegating specific rulemaking authority to a specific agency. Thus, in the early days there were no general procedural requirements even for such fundamental matters as notice, public hearings, or filing and publication of adopted rules and regulations.

In 1941, the Legislature took the first step to reform this impossible situation by requiring all state agencies to file all regulations with the Secretary of State and to publish them in an administrative code (then called the "California Administrative Code," now called the "California Code of Regulations").^{5,6} The original titles of the administrative code were first published in 1945.

The requirements for centralized filing and publication of regulations continue to this day to ensure ready public access to regulations used by state agencies.

In 1947 the Legislature enacted general notice and hearing requirements to provide for public participation in rulemaking conducted by all state agencies.⁷

NOTE: In these materials, the "Administrative Procedure Act" or "the APA" refers to the part of the Administrative Procedure Act governing rulemaking by state agencies, found in Government Code Sections 11340 through 11359. Statutes 1994, chapter 1039 (AB 2531) significantly reorganized and renumbered the provisions of the Administrative Procedure Act effective January 1, 1995.

WHAT MUST BE ADOPTED PURSUANT TO THE APA?

Every "regulation" is subject to the rulemaking procedures of the APA unless expressly exempted by statute.

Government Code Section 11346

Compliance with the APA is mandatory.⁸ All state agency regulations are subject to the APA, unless expressly exempted by statute.⁹ A nonexempt "regulation" that has not been adopted pursuant to the APA is invalid and has no legal effect.¹⁰ If an agency rule looks like a regulation, reads like a regulation, and acts like a regulation, it will be treated by the courts as a regulation whether or not the issuing agency labeled it as one.¹¹ Any doubt as to the applicability of APA rulemaking requirements should be resolved in favor of the APA.¹²

"REGULATION" DEFINED FOR APA PURPOSES

"Regulation" means every rule, regulation, order or standard of general application or the amendment, supplement or revision of any such rule, regulation, order or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

Government Code Section 11342(g)

This broad definition includes all policies and procedures of general application that implement, interpret or make specific the law enforced or administered by an agency. It requires notice and comment for many classes of rules that would be exempt from notice and comment under the federal Administrative Procedure Act.¹³ However, an interpretation of a statute or regulation that is the "only legally tenable interpretation" is not itself a regulation subject to the requirements of the APA.¹⁴

UNDERGROUND REGULATIONS PROHIBITED

No state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a "regulation" under the APA unless it has been adopted as a regulation pursuant to the APA and filed with the Secretary of State.

Government Code Section 11340.5

PETITION TO BEGIN RULEMAKING

Any interested person may petition a state agency to adopt, amend or repeal a regulation.

"Except where the right to petition for adoption of a regulation is restricted by statute to a designated group or where the form of procedure for such a petition is otherwise prescribed by statute, any interested person may petition a state agency requesting the adoption, amendment, or repeal of a regulation as provided in Article 5 (commencing with Section 11346). Such petition shall state clearly and concisely:

- (a) The substance or nature of the regulation, amendment, or repeal requested;
 - (b) The reason for the request;
 - (c) Reference to the authority of the state agency to take the action requested."
- Government Code Section 11340.6.

"(a) Upon receipt of a petition requesting the adoption, amendment, or repeal of a regulation pursuant to Article 5 (commencing with Section 11346), a state agency shall notify the petitioner in writing of the receipt and shall within 30 days deny the petition indicating why the agency has reached its decision on the merits of the petition in writing or schedule the matter for public hearing in accordance with the notice and hearing requirements of that article.

"(b) A state agency may grant or deny such a petition in part, and may grant any other relief or take any other action as it may determine to be warranted by the petition and shall notify the petitioner in writing of this action.

"(c) Any interested person may request a reconsideration of any part or all of a decision of any agency on any petition submitted. The request shall be submitted in accordance with Section 11340.6 and include the reason or reasons why an agency should reconsider its previous decision no later than 60 days after the date of the decision involved. The agency's reconsideration of any matter relating to a petition shall be subject to the provisions of subdivision (a).

"(d) Any decision of a state agency denying in whole or in part or granting in whole or in part a petition requesting the adoption, amendment, or repeal of a regulation pursuant to Article 5 (commencing with Section 11346) shall be in writing and shall be transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register at the earliest practicable date. The decision shall identify the agency, the party submitting the petition, the provisions of the California Code of Regulations requested to be affected, reference to authority to take the action requested, the reasons supporting the agency determination, an agency contact person, and the right of interested persons to obtain a copy of the petition from the agency."

Government Code Section 11340.7.

EMERGENCY REGULATIONS

An emergency must be supported by specific facts showing the need for immediate action.¹⁵
The enactment of an urgency statute shall not, itself, constitute a need for immediate action.¹⁶

If the adoption of a regulation is an emergency, i.e., the regulation is necessary for the immediate preservation of public peace, health and safety, or general welfare, the regulation may become effective before any public notice and hearing.

INITIAL OAL REVIEW OF EMERGENCY REGULATIONS

Day 0	Agency submits emergency regulation to OAL; OAL reviews: (1) whether emergency exists; (2) whether regulation complies with the Authority, Reference, Consistency, Clarity, Nonduplication and Necessity standards; and (3) whether emergency materials are complete. ¹⁷ Public may comment directly to OAL on emergency regulations. ¹⁸ Such comments must satisfy the procedural requirements of section 55 of Title 1 of the California Code of Regulations. ¹⁹
Day 5	Public comment period ends. ²⁰
Day 8	Agency response due. ²¹ (Saturdays, Sundays and holidays may change due date.)
Day 10	OAL review ends. ²² (Maximum Time.)

EFFECTIVE PERIOD OF APPROVED EMERGENCY REGULATION

Day 0	Emergency regulation usually effective when filed with the Secretary of State. ²³
Day 120	Emergency regulation lapses by operation of law unless the agency files a completed rulemaking action with OAL <i>or</i> OAL approves a readoption of the emergency regulation. ²⁴ A completed rulemaking action includes the proposed permanent regulation, the rulemaking record, and a statement that the agency has complied with all regular rulemaking procedures (a "certificate of compliance"). An emergency regulation stays in effect during OAL review of the completed rulemaking action. ²⁵ ²⁶

After the notice and comment process has been completed, OAL reviews the proposed permanent regulation for compliance with the Authority, Reference, Consistency, Clarity, Nonduplication and Necessity standards, and reviews record of rulemaking for compliance with regular rulemaking requirements.²⁷

SPECIAL CONSIDERATIONS IN RULEMAKING

(Cites are to the Government Code, unless specified as CCR)

LEAST BURDENSOME ALTERNATIVE

A rulemaking agency must find that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation.

- Notice that finding required (in notice): 11346.5(a)(12)
- Finding with supporting information (in final statement of reasons): 11346.9(a)(4)

ADVERSE ECONOMIC IMPACT

A rulemaking agency must assess the impact of proposed regulatory actions on California business enterprises and individuals.

- Assessment re adverse economic impact, including ability to compete with business in other states: 11346.3(a)
- Notice content if regs "may have" significant adverse economic impact: 11346.5(a)(7)
- Notice content if regs "will not have" significant adverse economic impact: 11346.5(a)(8)
- Evidence for "will not have" finding: 11346.5(a)(8)
- Statement of potential cost impact (in notice): 11346.5(a)(9)
- Ground for declaring regulation invalid: 11350(b)(2)
- Assessment re creation/elimination of jobs and businesses (in notice): 11346.5(a)(10)

BUSINESS REPORTING REQUIREMENTS

No administrative regulation which requires a report shall apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses. Finding required (in rulemaking record): 11346.3(c)

PRESCRIPTIVE V. PERFORMANCE STANDARDS

A rulemaking agency must consider the substitution of performance standards for prescriptive standards.

- Legislative finding: 11340(d)
- Use of performance standards to reduce burden: 11340.1
- Defined: 11342(d) and (f)
- When consideration of performance standards required: 11346.2(b)(4)(A)
- Alternatives considered, reasons for rejection, (in initial statement of reasons): 11346.2(b)(4)(A); least burdensome alternative (in notice): 11346.5(a)(12).

REGULATIONS AFFECTING SMALL BUSINESS

"The complexity and lack of clarity in many regulations put small businesses, which do not have the resources to hire experts to assist them, at a distinct disadvantage." 11340(g)

A rulemaking agency must draft a regulation that affects small businesses in plain English, or must (if the regulation is too technical) prepare and make available a plain English summary of the regulation (in plain English). In addition, the agency must include a policy statement of objectives (in plain English) in the notice of proposed rulemaking and must mail the notice to small businesses or their representatives.

- Plain English drafting requirement for text or summary: 11346.2(a)(1)
 - Copy to OAL with the notice: 1 CCR 4(b)(2)
 - Statement re feasibility of drafting text in Plain English (in rulemaking record): 1 CCR 4(d)
- Definitions: "affects small businesses": 1 CCR 4(a); "small business": 11342(h); "plain English": 11342(e)
- Notice contents:
 - Determination whether action affects small businesses: 1 CCR 4(a)
 - Reasons for negative determination : 1 CCR 4(c)
 - Policy statement of objectives: 1 CCR 4(b)(1)(A)
 - Statement re availability of plain English text or summary: 1 CCR 4(b)(1)(B)
- Mailing of notice to small businesses: 11346.4(a)(3)
- Description of any alternatives identified by the agency to lessen *adverse economic impact* (in initial statement of reasons): 11346.2(b)(4)(B)
- Reasons for rejecting alternatives that lessen impact on small business (in final statement of reasons): 11346.9(a)(5)

FEDERAL CONFORMITY

An agency must describe in the notice any significant differences between a proposed regulation and a comparable federal statute or regulation: 11346.5(a)(3).

If a proposed regulation is the same as a mandated federal regulation, reference in notice to reasons for federal regulation serves as initial (11346.2(c)) and final statement of reasons. 11346.9(c).

An agency within either Cal-EPA or the Resources Agency, and the State Fire Marshal must make a finding to justify adoption of a regulation that is different from a regulation in the Code of Federal Regulations and must include a description of its efforts to avoid unnecessary duplication or conflict: 11346.2(b)(6).

HOUSING COSTS

If an agency determines that a proposed regulation would have a significant effect on housing costs, the agency must include a statement to that effect in the notice of proposed action: 11346.5(a)(11).

PUBLIC INPUT

A state agency must consider all relevant material presented to it before adopting, amending or repealing any regulation and must demonstrate on the record that it considered the input it received.

Government Code sections 11346.8(a) and 11346.9(a)(3)

45 DAY OPPORTUNITY TO COMMENT

An agency must give the public at least 45 days to submit written comments on a regulatory action as initially proposed. This comment period begins on the date a notice of proposed rulemaking is published in the California Regulatory Notice Register and mailed to those who have filed a request for notice with the state agency.²⁸ It ends on the date set for the closure of the comment period in the notice of proposed rulemaking, unless the comment period is extended by the rulemaking agency.²⁹

PUBLIC HEARING

The public may submit written and/or oral comments at the public hearing, if one is scheduled. A rulemaking agency must hold a public hearing if one is requested.³⁰

15 DAY OPPORTUNITY TO COMMENT

If the rulemaking agency proposes *substantial modifications*,³¹ *sufficiently related* to the text of a regulation as originally proposed, the agency must provide the public with a 15 day opportunity to comment on the proposal.³² (Nonsubstantial modifications may be made without further opportunity for comment.) *Substantial modifications* that are *not sufficiently related* to the original proposal require a new 45 day opportunity to comment.³³

For each comment received during a public comment period and specifically directed at either the proposed action or the rulemaking procedures followed, the final statement of reasons shall contain:

- (1) a summary of the comment; and
- (2) (a) an explanation of how the proposed action has been changed to accommodate the comment; or
(b) an explanation of the reason for making no change.

Government Code Section 11346.9(a)(3).

REVIEW STANDARDS FOR REGULATIONS

**AUTHORITY
REFERENCE
CONSISTENCY
CLARITY
NONDUPLICATION
NECESSITY**

"AUTHORITY" DEFINED

"Authority" means the provision of law which permits or obligates an agency to adopt, amend or repeal a regulation.

Government Code Section 11349(b).

SCOPE OF RULEMAKING AUTHORITY

Each regulation adopted, to be effective, shall be within the scope of authority conferred and in accordance with standards prescribed by other provisions of law.

Government Code Section 11342.1.

"REFERENCE" DEFINED

"Reference" means the statute, court decision or other provision of law which an agency implements, interprets, or makes specific by adopting, amending or repealing a regulation.

Government Code Section 11349(e).

"CONSISTENCY" DEFINED

"Consistency" means being in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law.

Government Code Section 11349(d).

REGULATION MUST BE CONSISTENT WITH STATUTE

Whenever by the express or implied terms of any statute a state agency has authority to adopt regulations to implement, interpret, make specific or otherwise carry out the provisions of the statute, no regulation adopted is valid or effective unless consistent and not in conflict with the statute and reasonably necessary to effectuate the propose of the statute.

Government Code Section 11342.2.

"CLARITY" DEFINED

"Clarity" means written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them.

Government Code Section 11349(c).

Situations in which a regulation may be presumed unclear³⁴:

- The regulation has more than one meaning and the meanings cannot be harmonized by rules of construction;
- The language of the regulation conflicts with the description of its effect;
- The regulation uses an undefined term which does not have a meaning generally familiar to those who are "directly affected";
- The regulation uses language incorrectly, including incorrect spelling, grammar or punctuation;
- The regulation presents information in a format not readily understandable;
- The regulation does not use citations that clearly identify published material cited in the regulation.

DIRECTLY AFFECTED PERSONS

Persons presumed to be "directly affected" are those who:

- must comply with the regulation; or
- must enforce the regulation; or
- derive a benefit from the enforcement of the regulation that is not common to the public in general; or
- incur from the enforcement of the regulation a detriment that is not common to the public in general.

"NONDUPLICATION" DEFINED

"Nonduplication" means a regulation does not serve the same purpose as a state or federal statute or another regulation.

(From Government Code Section 11349(f))

A regulation that repeats or rephrases a statute or regulation "serves the same purpose" as that statute or regulation.

Any overlapped or duplicated statute or regulation must be identified and the overlap or duplication must be justified.

(Government Code Section 11349(f))

1. *General rule:*

Citing the overlapped or duplicated statute or regulation in the authority or reference note satisfies the identification requirement.³⁵

"Overlap or duplication is justified if information in the rulemaking record establishes that the overlap or duplication is necessary to satisfy the Clarity standard."³⁶

2. *Rule for duplication of federally mandated regulations:*

The Nonduplication standard is satisfied for federally mandated regulations if the notice states that a federally mandated regulation is being proposed and cites where an explanation of the provisions of the regulation can be found.³⁷

3. *Rule for duplication mandated or authorized by law:*

The Nonduplication standard is satisfied for a duplication that is mandated or authorized by law if a statement in the rulemaking record identifies the statute or regulation overlapped or duplicated and identifies the provision of law mandating or authorizing the overlap or duplication.³⁸

"NECESSITY" DEFINED

"Necessity" means the record of the rulemaking proceeding demonstrates by substantial evidence the need for a regulation.

Government Code Section 11349(a)

A regulation must not be arbitrary or capricious.³⁹ Each provision of a regulation⁴⁰ must be based in reason.

An action is arbitrary when it is based upon no more than the will or desire of the decision-maker and not supported by a fair or substantial reason.

[*California Ass'n of Nursing Homes, Etc. v. Williams* (1970) 4 Cal.App.3d 800, 810, footnote 10, 84 Cal.Rptr. 590.]

To satisfy the Necessity standard, the rulemaking record must contain "substantial evidence" supporting the rulemaking agency's determination that the regulation is necessary.

"Substantial evidence" is commonly defined to mean: "Such evidence that a reasonable mind might accept as adequate to support a conclusion." *Black's Law Dictionary* (Fifth edition, 1968) p.1281.

Sources of evidence include, but are not limited to, facts, studies, or expert opinion.⁴¹ However, policies, conclusions, speculation or conjecture alone does not constitute "substantial evidence."⁴²

The initial statement of reasons contains the initial demonstration of the necessity for the regulatory changes the agency proposes to make and identifies the material it relies upon in proposing those changes. Other information relevant to the demonstration of necessity may be found in the statutes cited in the Authority and Reference note for a regulation, in material relied upon by the agency, in public comments included in the record and in the *final statement of reasons*.

OAL recognizes that the Legislature has conferred rulemaking discretion on the rulemaking agency, not on OAL. OAL does not weigh the evidence to determine whether the rulemaking agency made the "best" decision.⁴³ In reviewing for compliance with the Necessity standard, OAL simply determines whether the record contains substantial evidence to support the regulation adopted by the agency.

FILING AND PUBLICATION OF REGULATIONS

Most regulations adopted by California state agencies can be found published in the California Code of Regulations (CCR). A certified paper copy of each regulation is also maintained permanently by the Secretary of State for public inspection. Building standards⁴⁴ and some Social Services regulations⁴⁵ must be published in other publications. The CCR also contains a summary of water quality control policies, plans and guidelines adopted after June 1, 1992.⁴⁶ The text of a document that is incorporated by reference into a regulation is not published in the California Code of Regulations.

Generally, after a state agency adopts (or amends or repeals) a regulation, the agency must submit the regulation⁴⁷ to OAL for review and filing with the Secretary of State^{48,49} and publication in the California Code of Regulations,⁵⁰ unless the regulation is expressly exempted by statute from these requirements.⁵¹ A regulation cannot become effective until it has been filed with the Secretary of State.⁵²

REGULATIONS EXEMPT FROM FILING AND PUBLICATION

The Administrative Procedure Act itself exempts the following regulations from its filing and publication requirements:⁵³

- Instructions from the Department of Finance to any state or local agency for the preparation, development, or administration of the state budget, including those in the State Administrative Manual;⁵⁴
- Regulations that establish or fix rates, prices, or tariffs;⁵⁵
- Regulations that concern traffic signs, signals and control devices;⁵⁶
- Regulations directed to a specifically named person or group of persons and that do not apply generally throughout the state;⁵⁷
- Building standards;⁵⁸
- Regulations that relate only to the internal management of the state agency;⁵⁹
- Regulations of the Public Utilities Commission, the Division of Workers' Compensation,⁶⁰ and the Workers' Compensation Appeals Board that are not rules of procedure;⁶¹ and,
- Regulations adopted by the State Water Resources Control Board as *state policy for water quality control* and *water quality control plans and guidelines* (except those determined by a court to be subject to the Administrative Procedure Act).⁶²

- Effective January 1, 1996, regulations adopted prior to January 1, 1996 by the San Francisco Bay Conservation and Development Commission as policy, plans or guidelines.⁶³

In addition, other statutes may expressly exempt particular agencies, particular programs or particular regulations from Administrative Procedure Act filing and publication requirements. However, OAL may upon request file exempt regulations with the Secretary of State and publish them in the California Code of Regulations.⁶⁴

THE CALIFORNIA CODE OF REGULATIONS

TITLES. The California Code of Regulations (CCR) is published as a loose-leaf set, divided into the following 27 titles:

1. General Provisions
2. Administration
3. Food and Agriculture
4. Business Regulations
5. Education
6. Governor
7. Harbors and Navigation
8. Industrial Relations
9. Rehabilitative and Developmental Services
10. Investment
11. Law
12. Military and Veterans Affairs
13. Motor Vehicles
14. Natural Resources
15. Crime Prevention and Correction
16. Professional and Vocational Regulations
17. Public Health
18. Public Revenues
19. Public Safety
20. Public Utilities and Energy
21. Public Works
22. Social Security
23. Waters
24. [formerly building standards]
25. Housing and Community Development
26. Toxics [reprints from other titles]
27. Environmental Protection

ORGANIZATION OF THE CODE. Each title of the CCR is divided into sequentially numbered regulation sections (for instance, section 150 of title 10). (Section numbers do not repeat within a title, i.e., there is only one section 150 in each title.) Rulemaking agencies have blocks of section numbers called divisions assigned to them by OAL. Most divisions are subdivided into chapters. Some chapters are subdivided into articles. Most regulation sections

are subdivided into subsections (for instance, section 150(a)).⁶⁵

AUTHORITY AND REFERENCE CITATIONS. An authority and reference note follows the text of each regulation printed in the CCR. The information in these notes are essential to an understanding of the statutory basis for the regulation. These notes, which are prepared by the rulemaking agency and reviewed by OAL, identify the statutory authority for the particular regulation and identify (in the reference note) the statutes implemented, interpreted, or made specific by the regulation.⁶⁶ The rulemaking agency responsible for the regulation is always identified in one or more of the statutes cited in the authority note.

HISTORY NOTES. A history note or series of history notes also follow the text of each regulation section printed in the CCR. These notes are prepared by the publisher, not by the rulemaking agency. Each history note specifies the nature of the action regarding the section, the date the action was filed with the Secretary of State, the operative date of the action, and the number of the register in which the action was published as an update to the CCR. The history notes are used to research earlier versions of particular regulation sections. Upon request OAL performs this type of research for a fee.

UPDATING THE CODE. OAL approves and files approved regulations with the Secretary of State almost daily. The regulations filed in each calendar week make up a weekly "register," which is published as the weekly California Regulatory Code Supplement to update the California Code of Regulations.⁶⁷ The weekly registers are numbered by year and week, e.g., Register 92, No. 14. Several weeks may elapse between the date a regulation is filed with the Secretary of State and the date it appears in print in the CCR. The text changes must be printed, mailed out to subscribers and inserted in the right place before they actually can be found in the CCR.

CITING THE CODE. "It is normally sufficient to cite a regulation simply by its title and section number, but it may be appropriate (such as for a new or amended regulation or for a repeal) to add the register cross reference."⁶⁸ It is not necessary to list the division, chapter, or article to be able to find the section cited.

JUDICIAL NOTICE OF PUBLISHED REGULATIONS. "The courts shall take judicial notice of the contents of each regulation which is printed or which is incorporated by appropriate reference into the California Code of Regulations as compiled by [OAL]."⁶⁹

THE CALIFORNIA REGULATORY NOTICE REGISTER

RULEMAKING NOTICES. The California Regulatory Notice Register, commonly called the Notice Register (oldtimers call it the "Z Register"), is a weekly OAL publication containing notices and other information about rulemaking by state agencies. Notices of proposed rulemaking actions must be published in it. The Notice Register comes out every Friday.^{70,71} Also included are notices of general public interest, an open-ended category which may include: notices of investigative hearings, notices of variances, notices of intent to list chemicals under Proposition 65, etc.

ADMINISTRATIVE DECISIONS. OAL must publish certain administrative decisions in the Notice Register: decisions by rulemaking agencies in response to petitions for rulemaking;⁷² all OAL disapproval decisions;⁷³ decisions by the Governor reviewing OAL decisions;⁷⁴ and OAL determinations regarding underground regulations.⁷⁵

SECTIONS RECENTLY AFFECTED. The Notice Register also provides information about new regulations and recent changes to existing regulations. Each edition includes a summary of regulatory actions approved by OAL and filed with the Secretary of State the previous week: listing the rulemaking agency, the topic and a brief description of the action, the sections affected, the filing and effective dates, and the name and phone number of the rulemaking agency contact person for the action. Each edition also includes a cumulative listing of California Code of Regulation sections affected by filings in the previous several months.⁷⁶

THE RULEMAKING CALENDAR. OAL publishes an annual Rulemaking Calendar listing rulemaking actions that will be conducted by state agencies and status information about ongoing rulemaking actions. The Calendar includes projected timetables for rulemaking necessary to implement statutes enacted during the previous year and projected timetables for all other rulemaking that will be initiated during the calendar cycle (January 30 -- January 30). The Calendar also includes the name and phone number of the rulemaking agency contact person for each rulemaking action and a report on the status of all uncompleted rulemaking described on previous calendars. The failure to list a rulemaking on the Calendar does not preclude the adoption of an unanticipated regulation.⁷⁷

ENDNOTES

1. Several statutory provisions define the term "state agency." Government Code Section 11342(a) provides that for purposes of the part of the Administrative Procedure Act on rulemaking "'state agency' and 'agency' does not include an agency in the judicial or legislative departments of the state government." Government Code Section 11000 provides that as used in the part of the Government Code on the government of the state of California, "'state agency' includes every state office, officer, department, division, bureau, board, and commission."
2. For a discussion of the applicability of the Administrative Procedure Act to an agency that is a creature of the California Constitution, see *Englemann v. State Bd. of Educ.* (1991) 2 Cal.App.4th 47, 53-56, 3 Cal.Rptr.2d 264.
3. A statute is a legislatively created law. "This word is used to designate the legislatively created laws in contradistinction to court decided or unwritten laws." *Black's Law Dictionary* (5th ed., 1979), col.1, p. 1265.
4. "The powers of state government are legislative, executive and judicial. Persons charged with the exercise of one power may not exercise either of the others except as permitted by this constitution." Constitution, Article 3, Section 3."

Although the California Constitution assigns the *legislative power* of the State of California to the Legislature and reserves to the People the power of initiative (Constitution, Article 4.1.), both may delegate by statute *quasi-legislative power* to state agencies. (See *Ex Parte McManus* (1907) 151 Cal. 331, 335, *Clean Air Constituency v. California St. Air Res. Bd.* (1974) 11 Cal.3d 801, 816-819, 114 Cal.Rptr. 183 regarding delegation by Legislature; See *Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805, 824, 258 Cal.Rptr. 161 for example of delegation by initiative statute.) Such delegations authorize state agencies to adopt administrative regulations having the force of law (*First Industrial Loan Co. v. Daugherty* (1946) 26 Cal.2d 545, 549, 159 P.2d 921, *Agriculture Labor Relations Board v. Superior Court* (1976) 16 Cal.3d 392, 401, 128 Cal.Rptr. 183.). A statute may even provide that a regulation shall render a legislative act inoperative. *Salmon Trollers Marketing Ass'n, Inc. v. Fullerton* (1981) 124 Cal.App.3d 291, 301-302, 177 Cal.Rptr. 360.

Although a statute may not confer unlimited legislative power upon a state agency (Constitution, Article 3, section 3), discretion necessary for the fulfillment of the legislative purpose may be delegated, so long as the exercise of the power by the agency is controlled and guided by adequate standards. *Clean Air Constituency v. California St. Air Res. Bd.*, *supra* 11 Cal.3d 801, 818. Minutely designed standards are not required. *Louis Stores, Inc. v. Department of Alcoholic Beverage Control* (1962) 57 Cal.2d 749, 760, 22 Cal.Rptr. 14. Ascertainable standards may be expressly

stated, or may be implied by the general purposes of a statute and the reasons leading to its adoption. *Id.* at 760. In addition, "[a provision in the Administrative Procedure Act, now Government Code Section 11342.2,] adequately establishes a legislative standard sufficient to escape the charge of unconstitutional delegation." *Imperial Termite Control v. Structural Pest Control Bd.* (1969) 275 Cal.App.2d 685, 689, 80 Cal.Rptr. 156 cited in *Clean Air Constituency v. California St. Air Res. Bd.* (1974) 11 Cal.3d 801, 816-817, 114 Cal.Rptr. 577.

In its review of regulations, OAL presumes that a statute delegating rulemaking power to a state agency is constitutional, unless an appellate court has made a determination that it is unconstitutional. Constitution, Article 3, Section 3.5, California Code of Regulations, Title 1, Section 14(c)(2).

5. Statutes 1941, Chapter 628.
6. Until 1987 the name of this code was the California Administrative Code. It was renamed the California Code of Regulations in 1987. Statutes 1987, Chapter 1375, Section 3.5.
7. Statutes 1947, Chapter 1425.
8. Government Code sections 11346 and 11342 and *Armistead v. State Personnel Board* (1978) 22 Cal.3d 198, 149 Cal.Rptr. 1 ("Personnel Transactions Manual" rule governing withdrawal of state employees' resignations not internal management).
9. *Engelmann v. State Board of Education* (1991) 2 Cal.App.4th 47; *State Water Resources Control Board v. OAL* (1993) 12 Cal.App.4th 697, 703 -- 706.
10. *Armistead v. State Personnel Bd.* (1978) 22 Cal.3d 198.
11. *State Water Resources Control Board v. OAL* (1993) 12 Cal.App.4th 697, 702.
12. *Grier v. Kizer* (1990) 219 Cal.App.3d 422.
13. For example, under the federal scheme, "interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice" are exempt from notice and comment requirements. 5 U.S.C. section 553(b)(A).
14. See *Grier v. Kizer* (1990) 219 Cal.App.3d 422, 438-39, 268 Cal.Rptr. 244, 254.
15. Government Code Section 11346.1. Notice and/or opportunity for a hearing prior to the submission of an emergency regulation to OAL may be required by a statute specific to a particular agency or regulation. See, for example, Fish and Game Code Section 240 and Insurance Code Section 12921.7.
16. Government Code Section 11346.1(b).
17. Government Code Section 11349.6.
18. Government Code Section 11349.6(c).

19. Comments on emergency regulations must be in writing, must be received before OAL makes its decision and within 5 days of the receipt of the regulations by OAL, must indicate they are submitted in connection with an emergency regulation and identify the topic of the emergency regulation to which they relate, must be accompanied by a written statement confirming that a copy has been transmitted to the rulemaking agency's contact person for the emergency filing. In this regard, California Code of Regulations, Title 1, Section 55 provides:

"(a) In reviewing emergency regulations pursuant to Government Code Section 11349.6(b), OAL shall consider comments received from the public concerning the proposed emergency adoption, amendment, or repeal, including comments regarding the finding of emergency, when all of the following conditions are met:

"(1) The comments are submitted to OAL in writing;

"(2) The comments are received by OAL prior to the time OAL makes its decision regarding the approval or disapproval of the regulations and within five calendar days after the receipt of the regulations by OAL;

"(3) The comments contain a notation that they are submitted to OAL for consideration in connection with an emergency regulation review and identify the topic of the emergency regulations to which they relate; and

"(4) A written statement accompanying the comments submitted to OAL confirms that a copy of the comments has been transmitted to the rulemaking agency's contact person for the emergency regulation filing, as designated by the rulemaking agency on the Form 400.

"(b) OAL shall not consider comments concerning emergency regulations unless the comments meet all of the conditions specified in subsections (a)(1) through (4). When OAL receives comments concerning emergency regulations which do not meet all of these conditions, OAL shall return the comments to the commenter without considering the comments.

"(c) Any person who submits comments concerning emergency regulations to OAL shall first transmit a complete copy of the comments to the rulemaking agency's contact person for the emergency regulation filing as designated by the rulemaking agency on the Form 400.

"(d) OAL shall provide any person interested in submitting comments concerning emergency regulations with the name, address, and telephone number of the rulemaking agency's contact person for the emergency regulation filing as designated by the rulemaking agency on the Form 400.

"(e) When OAL receives comments concerning emergency regulations which meet the conditions for consideration set forth in subsections (a)(1) through (4), OAL shall telephone the rulemaking agency within one working day after the receipt of the comments to confirm that the comments are being considered by OAL. OAL shall

inform the rulemaking agency at that time that the agency has the opportunity to rebut or otherwise respond to the comments.

"(f) Except as provided in subsection (g) of this section, OAL shall consider rulemaking agency rebuttals or responses to comments if, and only if, they are submitted to OAL in writing and are received by OAL within eight calendar days after the receipt of the regulations.

"(g)(1) If the eighth calendar day falls on a Saturday, then the agency rebuttal or response is due on the seventh calendar day.

"(2) If there are one or more state holidays between the fifth calendar day and the eighth calendar day after the regulations were filed with OAL, then the agency rebuttal or response is due on the ninth day. However, if that ninth calendar day falls on a Saturday, Sunday, or a state holiday, the agency's rebuttal or response is due by 10:00 a.m. of the last day the regulation must be reviewed by OAL in accordance with Government Code section 11349.6(b).

"(h) This section applies only to comments pertaining to emergency regulations reviewed by OAL under Government Code Section 11349.6(b). OAL shall consider comments submitted directly to OAL by the public only in connection with these emergency regulation reviews. OAL shall not consider comments submitted directly to OAL by the public when OAL is reviewing

"(1) certificate of compliance regulation filings under Government Code Sections 11346.1(e) and 11349.6(d), or

"(2) non-emergency regulation filings under Government Code Section 11349.3."

20. California Code of Regulations, Title 1, Section 55.
21. California Code of Regulations, Title 1, Section 55(c).
22. Government Code Section 11349.6(b).
23. Government Code Section 11346.1(d).
24. Government Code Section 11346.1(e).
25. Government Code Section 11346.1(f) and (g).
26. Government Code Section 11346.1(h).
27. Government Code Section 11349.6(d).
28. Government Code Section 11346.4.
29. Government Code Section 11346.5.
30. Government Code Section 11346.8(a).

31. A change is *nonsubstantial* if it clarifies without materially altering the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. California Code of Regulations, Title 1, Section 40.
32. A proposed change is *sufficiently related* to the original proposal if a reasonable member of the directly affected public could have determined from the notice that the proposed change could have resulted. Government Code Section 11346.8(c), California Code of Regulations, Title 1, Section 42.
33. Government Code Section 11346.8(c).
34. California Code of Regulations, Title 1, Section 16(a).
35. California Code of Regulations, Title 1, Section 12.
36. *Ibid.*
37. *Ibid.*
38. *Ibid.*
39. See *Ass'n of Psychology Providers v. Rank* (1990) 51 Cal.3d 1, 11, 270 Cal.Rptr. 796.
40. California Code of Regulations, Title 1, Section 10(b).
41. California Code of Regulations, Title 1, Section 10(b)(2).
42. Such evidence must be accompanied by supporting facts, studies, expert opinion, or other information. California Code of Regulations, Title 1, Section 10(b)(2).
43. California Code of Regulations, Title 1, Section 10(a).
44. The State Building Standards Commission publishes building standards and administrative regulations that apply directly to the implementation or enforcement of building standards in the triennial edition of the California Building Standards Code or one of its supplements, instead of in the California Code of Regulations. Health and Safety Code Section 18942. However, building standards adopted by the Occupational Safety and Health Standards Board may also be published in Title 8 of the California Code of Regulations. Health and Safety Code Section 18943.
45. The Department of Social Services publishes in its Manual of Policies and Procedures rules and regulations relating to the government of the department and to any form of public assistance for which state aid is granted to the counties or over the administration of which the department has supervision. Welfare and Institutions Code Section 10606.
46. See Government Code Section 11353.

47. The head of the state agency or his or her designee must certify in writing that the version submitted to OAL is a true and correct copy of the regulation adopted by the agency. Government Code Section 11343(f). This certification is done on the STD. 400 form for Notice Publication/Regulations Submission.
48. Government Code Section 11343.
49. Filing with the Secretary of State raises a number of rebuttable presumptions including the presumption that all the requirements of the APA and the OAL regulations have been satisfied. Government Code Section 11343.6.
50. Government Code Section 11344.
51. Government Code Section 11346.
52. Government Code Section 11343.4.
53. The procedural requirements set out in Article 5 of the Administrative Procedure Act, commencing with Government Code Section 11346, do not apply to any regulation not required by the act to be filed with the Secretary of State. Government Code Section 11346.1(a). Generally, regulations not required to be adopted pursuant to Article 5 and submitted to OAL for filing and publication are exempt from review by OAL. Government Code Section 11349.1(a).
54. Government Code Section 11357.
55. Government Code Section 11343(a)(1).
56. Government Code Section 11343(a)(2).
57. Government Code Section 11343(a)(3).
58. Government Code Section 11343(a)(4).
59. Government Code Section 11342(g).
60. See Labor Code Section 110.
61. Government Code Section 11351(a).
62. However, the State Water Resources Control Board must transmit to OAL a *summary* of regulatory provisions in any policy, plan, or guideline, or any revision thereof adopted or that a court determines is subject to the APA, after June 1, 1992 for filing and publication. Such regulatory provisions are themselves subject to review by OAL. Government Code Section 11353.
63. Government Code Section 11354.1 added by Stats. 1995,ch. 951.

64. Government Code Section 11343.8.
65. Subsection numbering typically uses the following hierarchy:
- (a)
 - (1)
 - (A)
 - 1.
 - A.
 - (b)
66. Government Code Sections 11343.1, 11344(d).
67. Government Code Section 11344.
68. *California Style Manual*, A Handbook of Legal Style for California Courts and Lawyers (1989 sup. to 3d Ed.) p. 5.
69. Government Code Section 11344.6.
70. The Office of State Printing prints the Notice register, which is available by subscription for \$162.00 per year. For further information on subscriptions, call (916) 322-0417--FAX (916) 322-2497.
71. A rulemaking agency must submit a notice (and accompanying material) to OAL for publication no later than ten days prior to the intended publication date. California Code of Regulations, Title 1, Section 5(b).
72. Government Code Section 11340.7(d).
73. Government Code Section 11344.1(a)(3). OAL prints summaries of its disapproval decisions in the Notice Register. OAL prints the full text of each OAL disapproval decision in the California Code of Regulations Decisions, which OAL will make available without charge to Notice Register subscribers. Copies of a particular disapproval decision may be obtained by contacting Mike Ibold, Law Librarian, the Office of Administrative Law, 555 Capitol Mall, Suite 1290, Sacramento, CA 94814--4602, (916) 323-8906--FAX (916) 323-6826. Please request by OAL file number.
74. Government Code Section 11344.1(a)(4).
75. California Code of Regulations, Title 1, Section 127(a)(2).
76. This listing is current through the second Wednesday prior to the publication date of each notice Register. Information on sections affected by filings after that cutoff date may be obtained from the OAL Reference Attorney Service (916) 323-6815.
77. Government Code Section 11017.6.

#10.

Excerpts from The California Public Records Act (PRA). Government Code Sections 6253 (the broad right of public access) and 6253.7 (exemptions). An index of the PRA's sections is also provided. Other sections to review covering agency compliance deadlines, etc. are not excerpted in this compendium . However, those sections can be easily identified from the index.

West's
ANNOTATED
CALIFORNIA CODES



GOVERNMENT CODE
Sections 4000 to 7999

Volume 32A
Part 2

2003
Cumulative Pocket Part

Replacing 2002 Pocket Part supplementing 1995 main volume.
Pocket Part will be supplemented by Interim Annotation Service Pamphlets
No. 1 and No. 2 in 2003.

**Includes all laws through the 2002 portion of the 2001-2002
Regular Session and First through Third Extraordinary
Sessions and the November 5, 2002 election**

THOMSON

WEST

Mat #40102247

104

other person. Nothing in this section shall limit the ability of elected members or officers to access public records permitted by law in the administration of their duties.

This section does not constitute a change in, but is declaratory of, existing law.

(Added by Stats.1998, c. 620 (S.B.143), § 3.)

§ 6253. Public records open to inspection; agency duties; time limits

(a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

(b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

(4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(d) Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.

(e) Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.

(Added by Stats.1998, c. 620 (S.B.143), § 5. Amended by Stats.1999, c. 83 (S.B.966), § 64; Stats.2000, c. 982 (A.B.2799), § 1; Stats.2001, c. 355 (A.B.1014), § 2.)

Historical and Statutory Notes

1998 Legislation

Former § 6253 was renumbered § 6253.4 and amended by Stats.1998, c. 620 (S.B.143), § 4.

Some of the provisions of this section were formerly contained in former § 6253, renumbered § 6253.4.

1999 Legislation

Subordination of legislation by Stats.1999, c. 83 (S.B. 966), to other 1999 legislation, see Historical and Statutory Notes under Business and Professions Code § 2530.2.

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

2000 Legislation

Stats.2000, c. 982, in subd. (b), deleted the last sentence which provided, "Computer data shall be provided in a

form determined by the agency"; in subd. (c), added par. (4) relating to computer programming or report to extract data; and in subd. (d), inserted "delay or" prior to "obstruct the inspection", substituted "The notification" for "Any notification", and inserted "required by section 6255" following "any request for records".

2001 Legislation

Stats.2001, c. 355 (A.B.1014), in subd. (c), inserted the fourth sentence relating to a statement by the agency of the estimated date and time records will be made available.

Section 1 of Stats.2001, c. 355 (A.B.1014), provides:

"The Legislature finds and declares that this act, which requires state and local agencies to assist in a specified

Additions or changes indicated by underline; deletions by asterisks * * *

manner members of the public in making requests for public records, will further the purposes of the California Public Records Act and will result in more efficient use of public resources."

Derivation: Former § 6253.1, added by Stats.1981, c. 968, § 2.

Former § 6256, added by Stats.1968, c. 1473, § 39, amended by Stats.1970, c. 575, § 3; Stats.1981, c. 968, § 3.1.

Former § 6256.1, added by Stats.1981, c. 968, § 3.2.

Former § 6256.2, added by Stats.1981, c. 968, § 3.3.

Former § 6257, added by Stats.1981, c. 968, § 3.5.

Cross References

Cities and counties, meetings, agendas and other writings distributed for discussion or consideration at public meetings, see Government Code § 54957.5.

Code of Regulations References

Department of child support services, complaint resolution, examination of records and issuance of subpoenas, see 22 Cal. Code of Regs. § 120208.

Law Review and Journal Commentaries

Haynie v. Superior Court. 31 Sw.U.L.Rev. 473 (2002).

Obtaining government records under the Public Records Act. Jonathan H. Ansell, 25 L.A.Law 21 (July/August 2002).

Library References

ALR Library

State freedom of information act requests: right to receive information in particular medium or format. 86 ALR4th 786.

What are 'records' of agency which must be made available under state freedom of information act. 27 ALR4th 680.

What constitutes an agency subject to application of state freedom of information act. 27 ALR4th 742.

Legal Jurisprudences

Cal Jur 3d Abstr § 3; Recds §§ 6, 7, 8; Wills § 235.

Treatises and Practice Aids

Witkin, Summary (9th ed) Work Comp § 20.

Witkin, Procedure (4th ed) Admin Proc § 4.

Witkin, Evidence (3d ed) §§ 1252, 1260.

Notes of Decisions

Better-than-required access 13.8

Direct cost 13.9

Fees 30.5

Form of request 6.1

Governor's correspondence 14.5

Identifiable public record 6.5

Indigents 31.5

Impracticability 13.2

Judicial records 62-66

Public policy, judicial records 62.5

Nonprofit corporations 39.5

Open meeting requirements 77.5

Public policy, judicial records, judicial records 62.5

Reasonableness of request 6.2

Rights of subject of record 75.1

Time of disclosure 13.6

into it FOIA language that the CPRA itself does not contain. *California State University v. Superior Court* (App. 5 Dist. 2001) 108 Cal.Rptr.2d 870, 90 Cal.App.4th 810, rehearing denied.

Under California Public Records Act (CPRA), members of media do not have greater right of access to information than that enjoyed by any member of public. *City of Hemet v. Superior Court* (App. 4 Dist. 1995) 44 Cal. Rptr.2d 532, 37 Cal.App.4th 1411, modified on denial of rehearing, review denied.

3. Public policy

California Public Records Act (CPRA) embodies a strong policy in favor of disclosure of public records, and any refusal to disclose public information must be based on a specific exception to that policy. *California State University v. Superior Court* (App. 5 Dist. 2001) 108 Cal.Rptr.2d 870, 90 Cal.App.4th 810, rehearing denied.

4. Common law

The public has no First Amendment right of access to search warrant-related documents; public access could frustrate the warrant process by creating an opportunity for the subject of the warrant to discover the status and direction of the criminal investigation and destroy evidence, public would have access to inadmissible hearsay, incomplete information and/or inaccurate facts that play no significant role in advancing an understanding of the functioning of the warrant process or activities of the government and, in any event, other mechanisms—sup-

1. Construction and application

California Public Records Act (CPRA) provides for the inspection of public records maintained by state and local agencies. *California State University v. Superior Court* (App. 5 Dist. 2001) 108 Cal.Rptr.2d 870, 90 Cal.App.4th 810, rehearing denied.

Because California Public Records Act (CPRA) was modeled upon Freedom of Information Act (FOIA), and the two have a common purpose, federal legislative history and judicial construction of FOIA may be used in construing CPRA; however, CPRA may not be construed to read

Additions or changes indicated by underline; deletions by asterisks * * *

pression motions and the like—exist to further public awareness of the judicial process and curb governmental abuse. *Westerfield v. Superior Court* (App. 4 Dist. 2002) 119 Cal.Rptr.2d 588, 98 Cal.App.4th 145.

The common law right of access to judicial records is not absolute. *KNSD Channels 7/39 v. Superior Court* (App. 4 Dist. 1998) 74 Cal.Rptr.2d 595, 68 Cal.App.4th 1200.

6. Public records, generally

Pursuant to the Public Records Act (PRA), all public records are subject to disclosure unless the Legislature has expressly provided to the contrary. *Haynie v. Superior Court* (2001) 112 Cal.Rptr.2d 80, 26 Cal.4th 1061, 31 P.3d 760.

Extent of coverage of California Public Records Act (CPRA) is a matter to be developed by the courts on a case-by-case basis. *California State University v. Superior Court* (App. 5 Dist. 2001) 108 Cal.Rptr.2d 870, 90 Cal.App.4th 810, rehearing denied.

Written traffic accident reports prepared and retained by California highway patrol during the year 1976 were "public records" under Public Records Act (§ 6250 et seq.). *Vallejos v. California Highway Patrol* (App. 2 Dist. 1979) 152 Cal.Rptr. 846, 89 Cal.App.3d 781.

6.1. Form of request

Request under Public Records Act must describe public records clearly enough to permit agency to determine whether writings of type described in request are under its control, but request may describe writings by their content without precise identification of documents sought. *California First Amendment Coalition v. Superior Court* (App. 3 Dist. 1998) 78 Cal.Rptr.2d 847, 67 Cal.App.4th 159, review denied.

6.2. Reasonableness of request

Clearly framed request under Public Records Act which requires an agency to search an enormous volume of data for the "needle in the haystack" or, conversely, a request which compels the production of a huge volume of material may be objectionable as unduly burdensome; however, agency is obliged to comply so long as record can be located with reasonable effort. *California First Amendment Coalition v. Superior Court* (App. 3 Dist. 1998) 78 Cal.Rptr.2d 847, 67 Cal.App.4th 159, review denied.

Request under Public Records Act for "any document containing the names of those who have applied for the position" which, reasonably construed, sought production of all documents containing information about applicants for vacant position on local board of supervisors, was neither excessively vague nor overbroad. *California First Amendment Coalition v. Superior Court* (App. 3 Dist. 1998) 78 Cal.Rptr.2d 847, 67 Cal.App.4th 159, review denied.

6.5. Identifiable public record

Public Records Act's identification requirement may not be used by government agency as method of withholding records or refusing to provide requesting party with means by which he may reasonably describe identifiable document. *State Bd. of Equalization v. Superior Court* (App. 3 Dist. 1992) 13 Cal.Rptr.2d 342, 10 Cal.App.4th 1177, review denied.

Size of request for disclosure of public records is not measure of whether request reasonably describes identifiable record; issue is whether records can be located with reasonable effort. *State Bd. of Equalization v. Superior Court* (App. 3 Dist. 1992) 13 Cal.Rptr.2d 342, 10 Cal.App.4th 1177, review denied.

"Benefit Determination Guide" and the amendments thereto and "Unemployment Insurance Notices" main-

tained by department of human resources development were "identifiable" within meaning of this section providing that any person may receive a copy of any identifiable public record. *Rosenthal v. Hansen* (App. 3 Dist. 1973) 110 Cal.Rptr. 257, 34 Cal.App.3d 754.

7. Privileged or confidential communications, generally

Exemptions contained in the Public Records Act do not apply to the issue whether records are privileged in pending litigation so as to defeat a party's right to discovery. *Marylander v. Superior Court* (App. 2 Dist. 2000) 97 Cal.Rptr.2d 439, 81 Cal.App.4th 1119.

8. Inspections—In general

The exemptions in the Public Records Act are in the context that, unless exempted, all public records may be examined by any member of the public, often the press, but conceivably any person with no greater interest than idle curiosity. *Marylander v. Superior Court* (App. 2 Dist. 2000) 97 Cal.Rptr.2d 439, 81 Cal.App.4th 1119.

13.2. Impracticability

Word "impracticable" in this section providing that any person may receive a copy of any identifiable public record and that an exact copy shall be provided unless impracticable to do so modifies the words "exact copy" and does not apply to question of furnishing any copies at all. *Rosenthal v. Hansen* (App. 3 Dist. 1973) 110 Cal.Rptr. 257, 34 Cal.App.3d 754.

County legal aid society director was not entitled to receive copies of "Benefit Determination Guide" and its amendments thereto and "Unemployment Insurance Notices" from department of human resources development, where copies of requested documents were available for inspection at department's office, such documents involved approximately 80,000 pages of material and the cost of printing and shipping guide and its amendments would be approximately \$156 and the cost of printing and shipping the other documents would be \$190. *Rosenthal v. Hansen* (App. 3 Dist. 1973) 110 Cal.Rptr. 257, 34 Cal.App.3d 754.

13.6. Time of disclosure

City disclosed all requested nonexempt documents in reasonably timely manner, for purposes of California Public Records Act, where records that had not been in city's possession or could not be found were promptly disclosed when they became available. *Rogers v. Superior Court* (App. 2 Dist. 1993) 23 Cal.Rptr.2d 412, 19 Cal.App.4th 469, as modified.

13.8. Better-than-required access

State statute allowing local agencies to permit greater access to records than offered by California Public Records Act (CPRA) does not authorize local board of supervisors to violate state statute prohibiting county board of supervisors from obstructing investigatory and prosecutorial functions of district attorney. *Rivero v. Superior Court* (App. 1 Dist. 1997) 63 Cal.Rptr.2d 213, 54 Cal.App.4th 1048, rehearing denied, review denied.

Trial court's determination that agency was not obligated under Public Records Act to waive copy fee had to be reversed, where agency declined to exercise discretion to reduce copying fee based on erroneous contention that it had no discretion. *North County Parents Organization v. Department of Education* (App. 4 Dist. 1994) 23 Cal.Rptr.2d 359, 23 Cal.App.4th 144, rehearing denied, review denied.

Public Records Act provision allowing agency to adopt requirements allowing greater access to records than minimum required standards permits agency to reduce copy fee. *North County Parents Organization v. Depart-*

Additions or changes indicated by underline; deletions by asterisks * * *

§ 6253

Note 13.8

ment of Education (App. 4 Dist. 1994) 28 Cal.Rptr.2d 359, 23 Cal.App.4th 144, rehearing denied, review denied.

13.9. Direct cost

Public Records Act provision allowing agency to charge fee covering "direct costs of duplication" only allows agency to recover costs of copying documents, and "direct cost" does not include ancillary tasks necessarily associated with retrieval, inspection, and handling of file from which copy is extracted. North County Parents Organization v. Department of Education (App. 4 Dist. 1994) 28 Cal.Rptr.2d 359, 23 Cal.App.4th 144, rehearing denied, review denied.

14.5. Governor's correspondence

Exemption for correspondence to and from the Governor or employees of the Governor's office under the California Public Records Act was inapplicable in determining whether agency memoranda sent to Governor by Office of Statewide Health Planning and Development (OSHPD) was discoverable in pending civil litigation. Marylander v. Superior Court (App. 2 Dist. 2000) 97 Cal.Rptr.2d 439, 81 Cal.App.4th 1119.

30.5. Fees

Trial court's determination that agency was not obligated under Public Records Act to waive copy fee had to be reversed, where agency declined to exercise discretion to reduce copying fee based on erroneous contention that it had no discretion. North County Parents Organization v. Department of Education (App. 4 Dist. 1994) 28 Cal.Rptr.2d 359, 23 Cal.App.4th 144, rehearing denied, review denied.

Court of Appeal would not grant specific relief under Public Records Act to nonprofit organization seeking relief from Department of Education's requirement that it pay all costs of copying, other than determining that Department could recover only direct costs of copying and that Department could waive fee; amount to be refunded, costs at trial and appellate level, and attorney fee award would best be determined by trial court. North County Parents Organization v. Department of Education (App. 4 Dist. 1994) 28 Cal.Rptr.2d 359, 23 Cal.App.4th 144, rehearing denied, review denied.

Fee charged by the Department of Motor Vehicles under Veh.C. § 1811 providing that the Department may sell copies of all or any part of its records and that its charge be sufficient to pay at least entire actual cost to the Department of copies is a "statutory fee" under Gov.C. § 6257 allowing for statutory fee to be charged for copies of records; thus, the Department could charge a fee in excess of the actual costs of making the copies plaintiffs sought. Shippen v. Department of Motor Vehicles (App. 3 Dist. 1984) 208 Cal.Rptr. 13, 161 Cal.App.3d 1119.

31.5. Indigents

The Warren-Alquist State Energy Resources Conservation and Development Act (Pub.Res.C. § 25000 et seq.) as well as this section and the common law doctrine allowing indigents to proceed in forma pauperis do not authorize the commission to lower the "threshold" or to waive certain participation costs for an interested party who, by affidavit, establishes indigency. 59 Ops.Atty.Gen. 226, 3-31-76.

37. Public safety department investigation reports

In undertaking review of order stating that police department internal investigation report was discoverable under California Public Records Act (CPR), Court of Appeal performs plenary review of ruling on merits; review is independent on issues of law, and follows substantial evidence test with respect to any issues of fact. City

GOVERNMENT CODE

of Hemet v. Superior Court (App. 4 Dist. 1995) 44 Cal.Rptr.2d 532, 37 Cal.App.4th 1411, modified on denial of rehearing, review denied.

39.5. Nonprofit corporations

The open meeting requirements of the Ralph M. Brown Act, and the records disclosure requirements of the Public Records Act apply to private, nonprofit corporations and the meetings of the governing board of such corporations formed for the purpose of providing programming for a cable television channel set aside for educational use by a cable operator pursuant to its franchise agreement with a city and subsequently designated by the city to provide the programming services. Op.Atty.Gen. No. 01-401 (March 14, 2002).

53. — Transactions, colleges and universities

Documents in possession of state university which revealed identities of individuals and/or companies that had purchased luxury suites in multi-purpose arena being built on university campus were "public records" subject to disclosure under California Public Records Act (CPRA); documents were used and/or retained by university, and related to conduct of public business. California State University v. Superior Court (App. 5 Dist. 2001) 108 Cal.Rptr.2d 870, 90 Cal.App.4th 810, rehearing denied.

62. Judicial records—In general

Accessibility to judicial records in criminal cases is presumed, although trial courts may withhold access. Westerfield v. Superior Court (App. 4 Dist. 2002) 119 Cal.Rptr.2d 588, 98 Cal.App.4th 145.

For purposes of public's right to inspect public records, the right to inspect such records must be freely allowed where there is no contrary statute or countervailing public policy. Westerfield v. Superior Court (App. 4 Dist. 2002) 119 Cal.Rptr.2d 588, 98 Cal.App.4th 145.

Records from judicial proceedings, including evidence introduced at such proceedings, are subject to a public right of access that exists not by virtue of the First Amendment, but rather as continuation of common law right to inspect and copy judicial records. KNSD Channels 7/39 v. Superior Court (App. 4 Dist. 1998) 74 Cal.Rptr.2d 595, 63 Cal.App.4th 1200.

There is presumption of public access to judicial records in criminal cases, which allows trial court only limited authority to preclude such access. KNSD Channels 7/39 v. Superior Court (App. 4 Dist. 1998) 74 Cal.Rptr.2d 595, 63 Cal.App.4th 1200.

Absent a showing that providing access would create a significant risk of impairment of the integrity of the evidence, the court in a criminal case must make evidence previously presented to a jury in open court reasonably available to the public. KNSD Channels 7/39 v. Superior Court (App. 4 Dist. 1998) 74 Cal.Rptr.2d 595, 63 Cal.App.4th 1200.

Where the prosecution has electronically recorded a witness's statement, hired a certified shorthand reporter to report the statement, and furnished to the defense a copy of the electronic recording, the prosecution may have a duty to order a transcript of the statement from the reporter for inspection by the defense; the prosecution does not have to furnish copies of discoverable materials to the defense, and may not be reimbursed for the cost of copying any materials that are provided to the defense. Furnishing copies of discoverable materials by the prosecution to the defense without charge not does constitute an improper gift of public funds. Op.Atty.Gen. No. 01-609 (June 10, 2002).

Additions or changes indicated by underline; deletions by asterisks * * *

62.5. — Public policy, judicial records

For purposes of public's right to inspect public records where there is no countervailing public policy, the term 'public policy' means anything which tends to undermine that sense of security for individual rights, whether of personal liberty or private property, which any citizen ought to feel has a tendency to be injurious to the public or the public good. *Westerveld v. Superior Court* (App. 4 Dist. 2002) 119 Cal.Rptr.2d 588, 98 Cal.App.4th 145.

75.1. Rights of subject of record

If record is a public record all persons have access thereto as permitted by the Public Records Act (§ 6250 et seq.) and a person who may be the subject of particular record sought does not, because he is personally affected, have any greater right than any person to examine record and, conversely subject person has no right to prevent disclosure of record to any other person. *Los Angeles Police Dept. v. Superior Court for County of Los Angeles* (App. 2 Dist. 1977) 135 Cal.Rptr. 575, 65 Cal.App.3d 661.

77.5. Open meeting requirements

The meetings of the Clinical Advisory Panel within the Department of Managed Health Care are subject to the

requirements of the Bagley-Keene Open Meetings Act, and are not allowed to meet in closed session when it obtains and reviews information and findings arising from the independent medical review system. *Op.Atty.Gen. No. 01-1101* (August 6, 2002).

78. Review

State Medical Board's interpretation of its statutory authority and duty to provide public access to address information of its licensees is entitled to great weight and respect from the Court of Appeal. *Lorig v. Medical Board* (App. 1 Dist. 2000) 92 Cal.Rptr.2d 862, 78 Cal.App.4th 462.

To extent that issue of news media's right to access to audiotape presented in criminal trial was mooted by conclusion of trial, issue would nonetheless be reviewed because of importance of question involved, possibility of its recurrence, and fact that orders denying access to such evidence might otherwise evade review. *KNSD Channels 7/39 v. Superior Court* (App. 4 Dist. 1998) 74 Cal.Rptr.2d 595, 63 Cal.App.4th 1200.

§ 6253.1. Assistance to members of the public regarding requests to inspect a public record or obtain a copy; duties of the public agency

(a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances:

(1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.

(2) Describe the information technology and physical location in which the records exist.

(3) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

(b) The requirements of paragraph (1) of subdivision (a) shall be deemed to have been satisfied if the public agency is unable to identify the requested information after making a reasonable effort to elicit additional clarifying information from the requester that will help identify the record or records.

(c) The requirements of subdivision (a) are in addition to any action required of a public agency by Section 6253.

(d) This section shall not apply to a request for public records if any of the following applies:

(1) The public agency makes available the requested records pursuant to Section 6253.

(2) The public agency determines that the request should be denied and bases that determination solely on an exemption listed in Section 6254.

(3) The public agency makes available an index of its records.

(Added by Stats.2001, c. 355 (A.B.1014), § 3.)

Historical and Statutory Notes**1998 Legislation**

Former § 6253.1, added by Stats.1981, c. 968, § 2, relating to greater access to records, was repealed by Stats.1998, c. 620 (S.B.143), § 6. See Government Code § 6253.

2001 Legislation

Section 1 of Stats.2001, c. 355, provides:

"The Legislature finds and declares that this act, which requires state and local agencies to assist in a specified manner members of the public in making requests for public records, will further the purposes of the California Public Records Act and will result in more efficient use of public resources."

§ 6253.2. In-home supportive services; personal care services

(a) Notwithstanding any other provision of this chapter to the contrary, information regarding persons paid by the state to provide in-home supportive services pursuant to Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code or personal care services

Additions or changes indicated by underline; deletions by asterisks * * *

GOVERNMENT CODE

§ 6253.7
Repealed

Department of General Services
Department of Veterans Affairs
Public Utilities Commission
California Coastal Commission
State Water Resources Control Board
San Francisco Bay Area Rapid Transit District
All regional water quality control boards
Los Angeles County Air Pollution Control District
Bay Area Air Pollution Control District
Golden Gate Bridge, Highway and Transportation District
Department of Toxic Substances Control
Office of Environmental Health Hazard Assessment

(b) Guidelines and regulations adopted pursuant to this section shall be consistent with all other sections of this chapter and shall reflect the intention of the Legislature to make the records accessible to the public. The guidelines and regulations adopted pursuant to this section shall not operate to limit the hours public records are open for inspection as prescribed in Section 6253.

(Formerly § 6253, added by Stats.1968, c. 1473, p. 2946, § 39. Amended by Stats.1973, c. 664, p. 1215, § 1; Stats.1974, c. 544, § 7; Stats.1975, c. 957, § 6; Stats.1977, c. 1252, § 96, operative July 1, 1978; Stats.1979, c. 373, § 120; Stats.1983, c. 826, § 1; Stats.1988, c. 409, § 1; Gov.Reorg.Plan No. 1 of 1991, § 70, eff. July 17, 1991. Renumbered § 6253.4 and amended by Stats. 1998, c. 620 (S.B.143), § 4. Amended by Stats.1999, c. 525 (A.B.78), § 11; Stats.2000, c. 857 (A.B.2903), § 9.)

Historical and Statutory Notes

1998 Legislation

Stats.1998, c. 620, in addition to renumbering the section, deleted the first sentence of subd. (a), which read: "Public records are open to inspection at all times during the office hours of the state or local agency and every person has the right to inspect any public record, except as hereafter provided." See Government Code § 6253. Chapter 620 also, in subd. (a), substituted "State Water Resources Control Board" for "State Water Quality Control Board" and "Bay Area Air Pollution Control District" for "Bay Area Quality Management District"; and, in subd. (b), substituted reference to Section 6253 for reference to subd. (a).

1999 Legislation

Stats.1999, c. 525 (A.B.78), established the Department of Managed Care, and amended provisions of this section to conform to the establishment of that department and the transfer of responsibilities to it.

Legislative findings, declarations, and intent, and operative date, of Stats.1999, c. 525 (A.B.78), see Historical and Statutory Notes under Health and Safety Code § 1317.2a.

2000 Legislation

Stats.2000, c. 857 (A.B.2903), changed a statutory reference from the Department of Managed Care to the Department of Managed Health Care.

Subordination of legislation by Stats.2000, c. 857 (A.B.2903), to other 2000 legislation, see Historical and Statutory Notes under Business and Professions Code § 1618.5.

Changes in statutory references from the Department of Managed Care to the Department of Managed Health Care, from the Advisory Committee on Managed Care to the Advisory Committee on Managed Health Care, and from the Managed Care Fund to the Managed Health Care Fund by Stats.2000, c. 857 (A.B.2903), see Historical and Statutory Notes under Business and Professions Code § 1618.5.

Law Review and Journal Commentaries

California's managed care reform moves to a new level.
Alexander S. Wylie, 31 McGeorge L.Rev. 534 (2000).

Library References

Legal Jurisprudences

Cal Jur 3d Abstr § 3; Recds § 6.

§ 6253.7. Repealed by Stats.1996, c. 8 (A.B.1095), § 2, operative Jan. 1, 2001

Historical and Statutory Notes

The repealed section, added by Stats.1996, c. 8 (A.B.1095), § 2, related to contracts for gas transmission and storage.

Section 1 of Stats.1996, c. 8 (A.B.1095), provides:

"The Legislature finds and declares all of the following:

"(a) The California Public Utilities Commissions is required to keep open for public inspection rates, tolls, charges and other related information.

Additions or changes indicated by underline; deletions by asterisks * * *

**§ 6253.7
Repealed**

GOVERNMENT CODE

"(b) The evolving deregulation of the gas industry is forcing gas utilities to offer special contract terms in competitive markets, as recognized by the commission, in order to compete for these customers. Regulated gas

utilities are placed at a competitive disadvantage if their contracts or trade secrets are open to public inspection by their competitors, upon whom that burden is not placed."

§ 6253.8. Enforcement orders; Internet website

(a) Every final enforcement order issued by an agency listed in subdivision (b) under any provision of law that is administered by an entity listed in subdivision (b), shall be displayed on the entity's Internet website, if the final enforcement order is a public record that is not exempt from disclosure pursuant to this chapter.

(b) This section applies to the California Environmental Protection Agency and to all of the following entities within the agency:

- (1) The State Air Resources Board.
- (2) The California Integrated Waste Management Board.
- (3) The State Water Resources Control Board, and each California regional water quality control board.
- (4) The Department of Pesticide Regulation.
- (5) The Department of Toxic Substances Control.

(c)(1) Except as provided in paragraph (2), for purposes of this section, an enforcement order is final when the time for judicial review has expired on or after January 1, 2001, or when all means of judicial review have been exhausted on or after January 1, 2001.

(2) In addition to the requirements of paragraph (1), with regard to a final enforcement order issued by the State Water Resources Control Board or a California regional water quality control board, this section shall apply only to a final enforcement order adopted by that board or a regional board at a public meeting.

(d) An order posted pursuant to this section shall be posted for not less than one year.

(e) The California Environmental Protection Agency shall oversee the implementation of this section.

(f) This section shall become operative April 1, 2001.

(Added by Stats.2000, c. 783 (A.B.2282), § 1, operative April 1, 2001.)

§ 6253.9. Information in an electronic format; costs; application; availability

(a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this chapter that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the following:

(1) The agency shall make the information available in any electronic format in which it holds the information.

(2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. The cost of duplication shall be limited to the direct cost of producing a copy of a record in an electronic format.

(b) Notwithstanding paragraph (2) of subdivision (a), the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies:

(1) In order to comply with the provisions of subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals.

(2) The request would require data compilation, extraction, or programming to produce the record.

(c) Nothing in this section shall be construed to require the public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format.

(d) If the request is for information in other than electronic format, and the information also is in electronic format, the agency may inform the requester that the information is available in electronic format.

Additions or changes indicated by underline; deletions by asterisks * * *

#11.

Excerpt from the Administrative Procedures Act (APA) dealing with the content of rulemaking files after 1980. Government Code Section 11347.3.

West's
ANNOTATED
CALIFORNIA CODES



GOVERNMENT CODE

Sections 9400 to 12299

Volume 32C

2003

Cumulative Pocket Part

Replacing 2002 Pocket Part supplementing 1992 main volume.
Pocket Part will be supplemented by Interim Annotation Service Pamphlets
No. 1 and No. 2 in 2003.

**Includes all laws through the 2002 portion of the 2001-2002
Regular Session and First through Third Extraordinary
Sessions and the November 5, 2002 election**

THOMSON

WEST

Mat #40102249

106

§ 11347.3. File of rulemaking proceeding

(a) Every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. Commencing no later than the date that the notice of the proposed action is published in the California Regulatory Notice Register, and during all subsequent periods of time that the file is in the agency's possession, the agency shall make the file available to the public for inspection and copying during regular business hours.

(b) The rulemaking file shall include:

(1) Copies of any petitions received from interested persons proposing the adoption, amendment, or repeal of the regulation, and a copy of any decision provided for by subdivision (d) of Section 11340.7, which grants a petition in whole or in part.

(2) All published notices of proposed adoption, amendment, or repeal of the regulation, and an updated informative digest, the initial statement of reasons, and the final statement of reasons.

(3) The determination, together with the supporting data required by paragraph (5) of subdivision (a) of Section 11346.5.

(4) The determination, together with the supporting data required by paragraph (8) of subdivision (a) of Section 11346.5.

(5) The estimate, together with the supporting data and calculations, required by paragraph (6) of subdivision (a) of Section 11346.5.

(6) All data and other factual information, any studies or reports, and written comments submitted to the agency in connection with the adoption, amendment, or repeal of the regulation.

(7) All data and other factual information, technical, theoretical, and empirical studies or reports, if any, on which the agency is relying in the adoption, amendment, or repeal of a regulation, including any cost impact estimates as required by Section 11346.3.

(8) A transcript, recording, or minutes of any public hearing connected with the adoption, amendment, or repeal of the regulation.

(9) The date on which the agency made the full text of the proposed regulation available to the public for 15 days prior to the adoption, amendment, or repeal of the regulation* * *, if required to do so by subdivision (c) of Section 11346.8* * *.

(10) The text of regulations as originally proposed and the modified text of regulations, if any, that were made available to the public prior to adoption.

(11) Any other information, statement, report, or data that the agency is required by law to consider or prepare in connection with the adoption, amendment, or repeal of a regulation.

(12) An index or table of contents that identifies each item contained in the rulemaking file. The index or table of contents shall include an affidavit or a declaration under penalty of perjury in the form specified by Section 2015.5 of the Code of Civil Procedure by the agency official who has compiled the rulemaking file, specifying the date upon which the record was closed, and that the file or the copy, if submitted, is complete.

(c) Every agency shall submit to the office with the adopted regulation, the rulemaking file or a complete copy of the rulemaking file.

(d) The rulemaking file shall be made available by the agency to the public, and to the courts in connection with the review of the regulation.

(e) Upon filing a regulation with the Secretary of State pursuant to Section 11349.3, the office shall return the related rulemaking file to the agency, after which no item contained in the file shall be removed, altered, or destroyed or otherwise disposed of. The agency shall maintain the file unless it elects to transmit the file to the State Archives pursuant to subdivision (f).

(f) The agency may transmit the rulemaking file to the State Archives. The file shall include instructions that the Secretary of State shall not remove, alter, or destroy or otherwise dispose of any item contained in the file. Pursuant to Section 12223.5, the Secretary of State may designate a time for the delivery of the rulemaking file to the State Archives in consideration of document processing or storage limitations.

(Amended by Stats.1994, c. 1039 (A.B.2531), § 36; Stats.1996, c. 928 (S.B.1507), § 3; Stats.2000, c. 1060 (A.B.1822), § 30.)

Additions or changes indicated by underline; deletions by asterisks * * *

Law Revision Commission Comments

2000 Amendment

Subdivision (a) of Section 11347.3 is amended to make clear that the rulemaking file is available to the public throughout the rulemaking process. The amendment is not intended to affect agency practice regarding where the agency makes the record available to the public. If an

agency properly limits the locations at which the rulemaking file may be inspected, it may continue to do so.

Subdivision (b)(9) is amended to improve its clarity, without affecting its substance. [30 Cal.L.Rev.Comm.Reports 725 (2000)].

Historical and Statutory Notes

1994 Legislation

Legislative findings and declarations relating to Stats. 1994, c. 1039 (A.B.2531), see Historical and Statutory Notes under Government Code § 11340.

1996 Legislation

Section 6 of Stats.1996, c. 928 (S.B.1507), provides:

"(a) State agency rulemaking files provide evidence of the adopting agency's intent that may be important in the subsequent interpretation of rules and regulations adopted by state agencies pursuant to specific statutory authority. Furthermore, the preservation of rulemaking files by state agencies has been problematic, resulting in the sporadic loss or destruction, in whole or part, of those files.

"(b) Under Section 11347.3 of the Government Code, state agencies are currently required to make the rulemaking file available to the public, and to the courts in connection with the review of the regulation. Furthermore, specific authority is not granted to permit the destruction of any rulemaking file in derogation of the requirement under 11347.3 to make those files available to the public and to the courts.

"(c) As such, amendments to Section 11347.3 made by this act do not constitute a change in, but are declaratory of, existing law insofar as they restate and reaffirm the state's existing obligation to make rulemaking files permanently available to the public and the courts.

"(d) Under Government Code Section 14755, state agencies may not destroy or otherwise dispose of any state record which has legal value unless so authorized by the Director of General Services after the Secretary of State has determined that the record is appropriate for

preservation in the State Archives. Section 14755 is silent with regard to the state's obligation to permanently retain rulemaking files pursuant to Section 11347.3. Neither does Section 14755 specifically conflict with the requirements of Section 11347.3. In this regard, Section 14755 is vague with regard to its interaction with Section 11347.3, and does not provide clear guidance to state agencies with regard to their duties to permanently preserve rulemaking files under Section 11347.3.

"(e) As such, the amendment to Section 14755 made by this act is necessary in order to avoid the continuous loss or destruction of rulemaking files contrary to Section 11347.3, and does not constitute a change in, but is declaratory of, existing law insofar as it conforms Section 14755 to the requirements and intent of Section 11347.3 to make rulemaking files permanently available to the public and the courts."

2000 Legislation

Stats.2000, c. 1060 (A.B.1822), in subd. (a), added "Commencing no later than the date that the notice of the proposed action is published in the California Regulatory Notice Register, and during all subsequent periods of time that the file is in the agency's possession, the agency shall make the file available to the public for inspection and copying, during regular business hours."; and rewrote subd. (b)(9), which read:

"(9) The date on which the agency made available to the public for 15 days prior to the adoption, amendment, or repeal of the regulation the full text as required by subdivision (c) of Section 11346.8 if the agency made changes to the regulation noticed to the public."

Library References

Legal Jurisprudences

Cal Jur 3d Recds § 11.

Am Jur 2d Administrative Law §§ 285, 286.

Treatises and Practice Aids

Witkin, Procedure (4th ed) Admin Proc § 39.

Notes of Decisions

Exemption form CEQA 2

2. Exemption form CEQA

In determining whether initiative measure generated by city council, rather than by voter petition, was exempted from requirements of California Environmental Quality Act (CEQA), court would take judicial notice of document from 1982 rulemaking file of California Resources Agency entitled "Summary of and Response to Comments, State

CEQA Guidelines"; that document was relevant to scope of Guidelines section exempting "submittal of proposals to a vote of the people of...a particular community," and because agency's responses to comments received in rulemaking process must be included in its statement of reasons stating its intent in adopting regulation, such responses were part of official statement of regulatory intent. Friends of Sierra Madre v. City of Sierra Madre (2001) 105 Cal.Rptr.2d 214, 25 Cal.4th 165, 19 P.3d 567, as modified.



LRI

