

**State of California
Office of Administrative Law**

In re:
Air Resources Board

Regulatory Action:

Title 17, California Code of Regulations

Adopt sections:

Amend sections: 60003

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

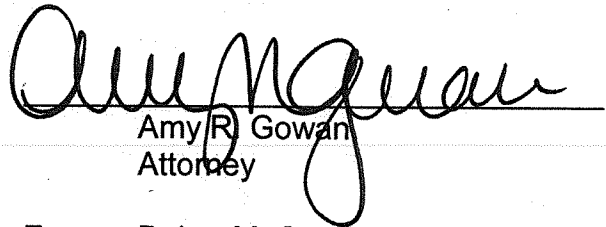
OAL Matter Number: 2017-1018-01

OAL Matter Type: Regular (S)

In this regular rulemaking the Air Resources Board amends the definition of quorum following the adoption of subdivision (i) to Health and Safety Code section 39510 which adds two Members of the Legislature to the Board as ex officio, nonvoting members.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 11/13/2017.

Date: November 13, 2017



Amy R. Gowan
Attorney

For: Debra M. Cornez
Director

Original: Richard W. Corey
Copy: Trini Balcazar

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2017-0815-01	REGULATORY ACTION NUMBER 2017-1018-01S	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only	
RECEIVED DATE AUG 15 '17	PUBLICATION DATE AUG 25 '17
2017 OCT 18 A 10:34	
OFFICE OF ADMINISTRATIVE LAW	
Office of Administrative Law	
NOTICE	REGULATIONS

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

NOV 13 2017

2:04pm

AGENCY WITH RULEMAKING AUTHORITY CALIFORNIA AIR RESOURCES BOARD	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Quorum Definition Regulation	TITLE(S) 17	FIRST SECTION AFFECTED 60003	2. REQUESTED PUBLICATION DATE August 25, 2017
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Trini Balcazar	TELEPHONE NUMBER 916 445-9564	FAX NUMBER (Optional) 916 322-3928
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2017, 34-2	PUBLICATION DATE 8/25/2017	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Quorum Definition Regulation	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ACTION ON PROPOSED NOTICE
	<input type="checkbox"/> ADOPT
	<input type="checkbox"/> AMEND 60003
TITLE(S) 17	<input type="checkbox"/> REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	


4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
N/A

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY		
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Trini Balcazar, Regulations Coordinator	TELEPHONE NUMBER 916 445-9564	FAX NUMBER (Optional) 916 322-3928	E-MAIL ADDRESS (Optional) trinidadbalcazar@arb.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 10/12/2017
TYPED NAME AND TITLE OF SIGNATORY Richard W. Corey, Executive Officer	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
NOV 13 2017
Office of Administrative Law

FINAL REGULATION ORDER

California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 1
Administrative Procedures, Article 1 Board Meetings and Hearings

(Note: Set forth below are the amendments to section 60003, title 17, of the California Code of Regulations. The text of the amendments are shown in underline to indicate additions, compared to the preexisting regulatory language).

Amend California Code of Regulations, title 17, section 60003 to read as follows:

§ 60003. Quorum.

The presence of a majority of the total appointed voting members of the state board shall constitute a quorum, and formal decisions shall be by vote of a majority of the quorum. No formal decision on any item shall be made in the absence of a quorum.

Note: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Section 39510, Health and Safety Code. FTC v. Flothill Products, 389 U.S. 179, 183 (1967); Vita Pharmacals v. Board of Pharmacy, 110 Cal.App.2d 826 (1952); Robert's Rules of Order.