



California Regulatory Notice Register

REGISTER 2014, NO. 4-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

JANUARY 24, 2014

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

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

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TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid Interior Quarantine as four separate emergency actions which were effective on September 20, September 30, October 14, and November 25, 2013. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 19, 2014.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to Lindsay.rains@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on March 10, 2014. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Lindsay Rains
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
lindsay.rains@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (FAC Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

Anticipated Benefits from This Regulatory Action

Existing law, FAC section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

Existing law, FAC section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nursery, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Most all of the commercial citrus

fruit and nursery stock production is located outside this proposed quarantine boundary area.

The California, national and international consumers of California citrus benefit by having high quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on to the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State. Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida IFAS Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar affect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency which can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

These proposed emergency actions added new quarantine areas for ACP in the Dinuba area of Tulare and Fresno counties, the Lemon Cove, Exeter, Porterville and Strathmore areas of Tulare County and the Wasco area of Kern County totaling approximately 710 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within these additional areas. The total area which would be under regulation is now approximately 46,323 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

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

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

Cost impacts on a representative private person or business: Most businesses will not be affected. There are 13 citrus production nurseries in the affected areas that will be impacted the most. They will need to apply approved treatments every ninety days to ship within the quarantine area or to ship to a non-citrus producing state. Treatment costs will range from \$2.24 per plant to \$9.46 per plant depending on whether the nursery conducts the treatments or hires an outside applicator. In order to ship outside of the quarantine area, the nurseries will need to grow the nursery stock within an USDA approved ACP Exclusionary facility and apply approved treatments only prior to shipment. The approximate cost of an exclusionary facility is \$148,754–\$180,000 per individual structure which covers one half to one acre. There are 15 retail nurseries in the affected areas. They will need to purchase pre-treated trees or apply the approved treatments. There are 1,019 citrus growers in the proposed areas. There is no additional cost to growers who take their fruit to a packinghouse inside the current quarantine area. Growers choosing a packinghouse outside the quarantine area have three options: 1. Conduct pre-harvest treatments with an approved pesticide while fruit is still on the trees; 2. Field clean the fruit to remove leaves and stems during harvest; 3. Send the fruit to a packinghouse within the quarantine area to be cleaned. Pre-harvest treatments cost growers approximately \$60 per acre and are required to be covered with a tarp while in transit. Tarps range in price from \$2,500–\$3,000 a piece. Field cleaning the fruit will cost the grower approximately \$150–\$320 per acre depending on the citrus variety. Field cleaned fruit do not require a tarp for transport and can be moved within or from the quarantined area. Cleaning at a packinghouse within the quarantine area will cost the grower approximately \$300–\$400 per acre and the fruit must remain within the quarantine area, although the loads do not need to be covered with a tarp.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA–National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State’s economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Lindsay Rains, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654–1017, FAX (916) 654–1018, E–mail: Lindsay.rains@cdfa.ca.gov. In her absence, you may contact Stephen Brown at (916) 654–1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (www.cdfa.ca.gov/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (hereinafter referred to as “Department”) is proposing to take the action described in the Informative Digest. A public hearing is not scheduled for this proposal. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the

close of the written comment period. Any person interested may present statements or arguments in writing relevant to the action proposed to the person designated in this Notice as the contact person **beginning January 24, 2014 and ending at 5:00 p.m., March 10, 2014.** Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 407, 24013, and 24011.6, Food and Agricultural Code, and to implement, interpret or make specific sections 24001, 24002, 24003, 24004, 24005, 24006, 24007, 24008, 24009, 24010, 24011, 24011.6, 24012, and 24015 of the Food and Agricultural Code, the Department is proposing to make various changes to Chapter 6, Division 2, of Title 3 of the California Code of Regulations, to read as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law, section 407 of the Food and Agricultural Code, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

Existing law, Chapter 8 (commencing with section 24000) of Division 11 of the Food and Agricultural Code authorizes the Department to implement the Equine Medication Monitoring Program (EMMP) to prevent the misuse of drugs and medications in equines. The EMMP monitors horses in public shows and sales through random sample collection for chemical analysis.

Existing law section 24001(e) defines a prohibited substance, which includes non-steroidal anti-inflammatory drugs (NSAIDs), within existing section 24011.5, permitting the use of some NSAIDs as specified.

Existing law, section 24006 of the Food and Agricultural Code states that administration of a prohibited substance is a violation of the chapter.

Existing law, section 24011.5 of the Food and Agricultural Code prohibits use of certain drugs or drug combinations, yet accommodates specific legitimate therapeutic use of medications within specified parameters. Prohibited substances are drugs or medications that affect the performance or disposition of the horse, mask or interfere with laboratory testing for chemicals, or are metabolites or derivatives of a prohibited substance.

Pursuant to AB 1388 (Stats. 2013, Ch. 116) Food and Agricultural Code section 24011.5 sunsets July 1, 2014, and will be replaced with section 24011.6, at which time the Department must have an approved therapeutic medications and drug list in regulation. The regulation will update the current list in Food and Agricultural Code section 24011.5, as is specified in this proposal under new regulation section 1280.8. The rulemaking changes are needed for the purpose of regulating the administration of therapeutic drugs and medicines and to describe the circumstances in which the administration of these substances shall be prohibited. The permissible list in Food and Agricultural Code section 24011.5 included NSAIDs only. This revision to the list of therapeutic drugs and medicines, as proposed, includes two drugs which are not NSAIDs yet may be prescribed by a veterinarian for therapeutic reasons to treat a veterinarian-diagnosed illness or injury.

Existing law, section 24013 of the Food and Agricultural Code authorizes the Department to adopt regulations necessary to carry out the provisions of the chapter. It also specifies that in making and adopting regulations, the Department is to first consult with the advisory committee appointed pursuant to section 24013.5.

On October 31, 2013, the EMMP advisory committee approved the initiation of an emergency rulemaking action to implement regulations for random testing and a list of approved therapeutic medications and maximum detectable plasma and urine levels for equines in public horse shows and sales. The Department was also seeking to implement the new national regulations set by the United States Equestrian Federation (USEF), General Rule (GR) 414 "Prohibited Practices." The USEF is the National Governing Body for Equestrian Sports. The new ruling specifies that no injectable substances may be administered to any horse or pony within 12 hours prior to competing, with exceptions, as specified. The EMMP emergency rulemaking action was approved by the Office of Administrative Law on December 5, 2013 and effective January 1, 2014.

In order to make the emergency regulations permanent in Title 3 of the California Code of Regulations, the Department is proceeding with a regular rulemaking action to adopt sections 1280, 1280.1, 1280.8 and 1280.10, and amend section 1280.7 of Article 1, Chapter 6, Division 2 of Title 3 of the California Code of Reg-

ulations to: (1) implement the provisions of AB 1388 (Stats. 2013, Ch. 116); (2) align the EMMP drug testing protocols with the national standards of the USEF; (3) codify existing requirements for the administration of the EMMP including adopting forms and incorporating them by reference pursuant to Government Code sections 11340.5(a) and 11340.9(c), and section 20 of Title 1 of the California Code of Regulations; and (4) adopt a section specifying fines and penalties for a violation of specified sections of the EMMP statutes or regulations.

Anticipated Benefits of the Proposal: The California horse industry produces goods and services valued at approximately \$4.1 billion and approximately 698,000 horses in California, over 70 percent of which are involved in showing, sales, and recreation. This proposal benefits the equine industry by promoting the safety of the horse and rider in competition and horses at public sales to prevent any potential misuse of drugs or medications that could fraudulently mask a disease, condition, or injury of the horse which could place its rider in jeopardy.

The EMMP monitors horses in public equine events and public sales through random blood or urine sample collection for chemical analysis. The intent is to ensure the integrity of public horse shows and sales through the control of performance and disposition enhancing drugs and permitting limited therapeutic use of drugs at horse shows and competitions. “Therapeutic drugs or medicines” means drugs or medicines prescribed by a licensed veterinarian for the treatment of a diagnosed illness or injury. Prohibited substances are therapeutic drugs or medicines used without a prescription by a licensed veterinarian for treatment of illness or injury; or any stimulant, depressant, tranquilizer, anesthetic, including local anesthetic, sedative, analgesic, corticosteroid excluding dexamethasone, anabolic steroid, or masking agent administered within 24 hours before public competition or 72 hours before public sale. The misuse of drugs and medicines in a performance horse can mask a serious injury, or respiratory problem, or other serious health issue which could place the rider of the horse in jeopardy.

This proposal serves to ensure the Department fulfills its mandate of the protection of both the horse and rider in public horse shows and sales in accordance with Food and Agricultural Code sections 24005, 24006, 24007, 24008, 24009, 24010, 24011, 24012, 24013, and 24015.

Consistency and Compatibility with Existing State Regulations: The Department has evaluated this proposal and believes that it is not inconsistent or incompatible with existing State regulations. The Department is the sole State authority over specified public equine events and sales pursuant to Chapter 8 (commencing

with section 24000) of Division 11 of the Food and Agricultural Code.

Documents Incorporated by Reference:

- Form 76-024A (Rev. 12/13) Application to Register Equine Event/Assessment Report for Registered Event/Event Copy for Managers
- Form 76-025 (Rev. 11/2013) Law Prohibiting Drugging of Horses/Saleyard Assessment Report
- Form 76-027 (Rev. 11/13) Official Form for Declaration of Drugs Administered

Technical, Theoretical, and Empirical Study, Report, or Similar Documents

- Minutes from the October 31, 2013 Equine Medication Monitoring Program Advisory Committee meeting.
- United States Equestrian Federation (USEF), general rule, “GR 414 Prohibited Practices” effective December 1, 2013.
- Clinical Guidelines for Veterinarians Treating the Non-Racing Performance Horse, dated July 2011.
- EMMP Brochure dated January 2013, “Equine Medication Monitoring Program—Drugs and Medication Guidelines”.
- EMMP spreadsheet showing some of the violations issued as evidence of the drugging of horses in the non-USEF competitions in California.
- Economic Impact Assessment
- Article regarding a petition, *Force Change*, “Commending Crackdown on Horse Drugging at Competitions”.
- Article from *Political News*, June 24, 2012, “Ann Romney’s Horse Lawsuit—Over Drugging a Lambe Horse to Sell It”.
- Article published in the *New York Times*, December 27, 2012 “Sudden Death of Show Pony Clouds Elite Pursuit”.
- Article published by the *New Jersey, Star-Ledger*, January 20, 2013 “USEF moving to control over-use of medications in show horses”.
- Article from the *Arabian News World*, online library, March 2013, “Putting the Horse First”.
- Article published by *The Horse*, October 15, 2013, “Badminton, Burghley Winner Produces Positive Drug Test”.
- <http://www.sfgate.com/bayarea/article/Parents-can-sue-over-equestrian-daughter-s-death-2478604.php>: Article concerning a 17-year-old that was killed while riding the cross country course at Galway Downs in Temecula, California, in 2006.

- <http://tracks.endurance.net/2013/07/distance-rider-dies-in-horse-accident.html>
<http://www.legacy.com/obituaries/omaha/obituary.aspx?pid=166063927>: Articles concerning an incident at an Endurance Ride through the Sierra-Nevada Mountains near Lake Tahoe, when a horse tripped causing the death of the rider.
- <http://horsetalk.co.nz/news/2009/08/022.shtml>
<http://www.auburnjournal.com/article/waitte-lead-tevis-cup-penyryn-womans-horse-euthanized>: Articles concerning two horse deaths associated with the 100-mile Tevis Cup Endurance Ride in California.

FISCAL IMPACT ESTIMATES

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact: The Department has made an initial determination that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the proposed regulation imposes no new fees or costs to the equine industry. The proposal benefits the industry and the public by codifying the requirements of the EMMP, including the establishment of a list of permissible drugs and medications for horses in public events and public horse sales in accordance with Chapter 8 (commencing with section 24000) of Division 11 of the Food and Agricultural Code.

Cost Impacts on Representative Private Persons or Businesses: The Department is not aware of any cost impacts that representative private persons or businesses would necessarily incur in reasonable compliance with the proposed action. California hosts approximately 1,800 registered horse events annually, ranging from small backyard schooling shows to internationally recognized endurance events, shows and other types of competition, as well as public horse sales. The proposed regulation does not impose any new fees or costs to persons or businesses. It codifies the requirements of the EMMP, including the establishment of a list of permissible drugs and medications for horses in

public events and public horse sales in accordance with Chapter 8 (commencing with section 24000) of Division 11 of the Food and Agricultural Code. The anticipated compliance requirements as a result of this proposal are as follows:

- Paperwork/Reporting requirement: There are no new fees or costs associated with the paperwork requirement. It codifies the forms used by the EMMP. The proposal affects any person participating in a public equine show or competition, or public horse sale. It affects any person designated as an event manager, who is responsible for registering the event with the Department. The event manager is required to register the event with the Department using Form 76-024A (Rev. 12/13) Application to Register Equine Event/Assessment Report for Registered Event/Event Copy for Managers. If a horse is consigned for sale Form 76-025 (Rev. 11/2013) Law Prohibiting Drugging of Horses/Saleyard Assessment Report must be completed and submitted to the Department. If any drugs are administered, Form 76-027 (Rev. 11/13) Official Form for Declaration of Drugs Administered, must be completed and sent to the Department.

Effect on Housing Costs: None.

Effect on Small Business: The Department's proposal may affect small businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Impact on Jobs/New Businesses: The Department has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in California.

The Department has made a determination that this regulatory proposal:

- Will have no significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states by making it more costly to produce goods or services, and that it will not create or eliminate jobs or occupations.
- Will not affect the creation of new businesses or the elimination of existing businesses within the State of California, and does not affect the expansion of businesses currently doing business within the State of California.
- Does not impact multiple industries.

- Benefits the industry and the public by codifying the requirements of the EMMP, including the establishment of a list of permissible drugs and medications for horses in public events and public horse sales in accordance with Chapter 8 (commencing with section 24000) of Division 11 of the Food and Agricultural Code.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the State's environment: The Department is not aware of any specific benefits this proposal will have on the health and welfare of California residents, worker safety, or the State's environment. The Department believes this proposal benefits the welfare of California residents by protecting the economic health of the affected equine industry. The California horse industry produces goods and services valued at approximately \$4.1 billion and approximately 698,000 horses in California, over 70 percent of which are involved in showing, sales, and recreation. This proposal further benefits the equine industry by promoting the safety of the horse and rider in competition and horses at public sales to prevent any potential misuse of drugs or medications that could fraudulently mask a disease, condition, or injury of the horse which could place its rider in jeopardy. This proposal serves to ensure the Department fulfills its mandate of the protection of both the horse and rider in public horse shows and sales in accordance with Food and Agricultural Code sections 24005, 24006, 24007, 24008, 24009, 24010, 24011, 24012, 24013, and 24015.

Occupations/Businesses Impacted: The Department has made an initial determination that this regulatory proposal will impact persons required to register with the Department any public horse shows and sales held in California, and affect persons participating in public horse shows and sales in accordance with Food and Agricultural Code sections 24001, 24012 and 24015.

Business Reporting Requirement: The regulation does require a report, which shall apply to businesses. The forms are provided by the Department, and incorporated by reference in this proposal. They are as follows:

- Form 76-024A (Rev. 12/13) Application to Register Equine Event/Assessment Report for Registered Event/Event Copy for Managers
- Form 76-025 (Rev. 11/2013) Law Prohibiting Drugging of Horses/Saleyard Assessment Report
- Form 76-027 (Rev. 11/13) Official Form for Declaration of Drugs Administered

Comparable Federal Regulations: This proposal does not duplicate or conflict with federal regulations because there are no federal regulations governing public equine events or sales. The Department of Food and Agriculture is the sole State authority over specified

public equine events and sales pursuant to Chapter 8 (commencing with section 24000) of Division 11 of the Food and Agricultural Code.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. This proposal serves to ensure the Department fulfills its mandate of the protection of both the horse and rider in public horse shows and sales in accordance with Food and Agricultural Code sections 24005, 24006, 24007, 24008, 24009, 24010, 24011, 24012, 24013, and 24015.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the hearing (if a hearing is requested) or during the written public comment period.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all the information upon which the proposal is based, may be obtained by contacting the persons named below or by accessing the Department's website as indicated below in this Notice.

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

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the persons named below.

Any person may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations, or any written comments concerning this proposal are to be addressed to the following:

Katie Flynn, BVMS, MRCVS
Equine Staff Veterinarian
Department of Food and Agriculture
Animal Health Branch/EMMP
1220 N Street,
Sacramento, CA 95814
Telephone: 916-900-5039
E-mail: katherine.flynn@cdfa.ca.gov

The backup contact person is:

Nancy Grillo, Associate Analyst
Department of Food and Agriculture
Animal Health & Food Safety Services
1220 N Street,
Sacramento, CA 95814
Telephone (916) 900-5033
E-mail: nancy.grillo@cdfa.ca.gov

Website Access: Materials regarding this proposal can be found by accessing the following Internet address: <http://www.cdfa.ca.gov/ahfss/regulations.html>

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED REGULATORY ACTION AND PUBLIC COMMENT PERIOD CONCERNING

REMOTE CALLER BINGO; COMMISSION AUTHORIZATION OF ELIGIBLE ORGANIZATIONS

CGCC-GCA-2014-01-R

NOTICE IS HEREBY GIVEN that the California Gambling Control Commission (Commission) is proposing to take the action described in the Informative Digest.

NO PUBLIC HEARING SCHEDULED

At this time, the Commission has not scheduled a public hearing. Any interested person, or his or her authorized representative, may request a hearing pursuant to Government Code section 11346.8. A request for a

hearing should be directed to the person(s) listed under Contact Persons and must be received no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period, which closes on March 10, 2014.

Written comments relevant to the proposed regulatory action, including those sent by mail, facsimile, or e-mail, may be submitted to the Commission at any time during the public comment period. To be eligible for the Commission's consideration, all written comments must be **received at its office no later than 5:00 p.m. on March 10, 2014**. Written comments should be directed to one of the individuals designated in this notice as a contact person. **Comments sent to persons and/or addresses other than those specified under Contact Persons, or received after the date and time specified above, will be included in the record of this proposed regulatory action, but will not be summarized or responded to regardless of the manner of transmission.**

ADOPTION OF PROPOSED ACTION

After the close of the public comment period, the Commission, upon its own motion or at the instance of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 19850.5 of the Business and Professions Code and section 326.3 of the Penal Code; and to implement, interpret or make specific section 326.3 of the Penal Code, the Commission is proposing to adopt the following changes to Chapter 8 of Division 18 of Title 4 of the California Code of Regulations:

INFORMATIVE DIGEST AND POLICY
STATEMENT OVERVIEW

INTRODUCTION:

The Commission is the state agency charged with the administration and implementation of the California Gambling Control Act (Act).¹ The Commission is authorized to adopt regulations governing the operation of remote caller bingo in California.² Specifically, the Commission is mandated by the Penal Code³ to authorize organizations that meet statutory requirements⁴ before those organizations may conduct a remote caller bingo game.

While a process to authorize organizations applying to conduct remote caller bingo games was previously established, the need to update this process has become apparent. As the program has progressed, the Commission and the Bureau of Gambling Control (Bureau)⁵ have recognized that the review of the annual submission of the Statement of Eligibility to Conduct Remote Caller Bingo, BGC-618, is an administrative activity that does not require Commission approval. The annual submission serves only as an update of information relating to a previously authorized organization, and approval of this information is unnecessary.

EFFECT OF REGULATORY ACTION:

In general, this proposed action has been drafted in an attempt to streamline and make more efficient remote caller bingo procedures to assist the Commission and the Bureau in meeting their regulatory responsibilities under the Act, while taking into account the opportunity to minimize burdens upon nonprofit organizations conducting remote caller bingo games.

ANTICIPATED BENEFITS OF PROPOSED REGULATION:

It is anticipated that the proposed regulation will benefit previously authorized organizations by reducing the burden of waiting for Commission approval for information that may not have changed. The proposed regulation will create a more streamlined and efficient process for processing the annual updates of the eligibility statements submitted by previously authorized organizations conducting or participating in remote caller bingo games.

¹ Business and Professions Code, Division 8, Chapter 4, section 19800 et seq.

² Business and Professions Code section 19850.5, Penal Code section 326.3.

³ Penal Code section 326.3(j).

⁴ Penal Code section 326.3(b).

⁵ In the Act and Penal Code section 326.3 “department” refers to the Department of Justice. While the Act and section 326.3 assign certain powers and authority to the department, in actual practice the responsibility for fulfilling the obligations imposed upon the department is delegated to the Bureau of Gambling Control, pursuant to Business and Professions Code section 19810.

EXISTING LAW:

Penal Code section 326.3, subdivision (b), provides the criteria an organization must meet to be eligible for authorization to conduct or participate in a remote caller bingo game. Penal Code section 326.3, subdivision (j), specifies that organizations shall be authorized by the Commission before conducting or participating in remote caller bingo games. Section 12505 of Title 4 of the California Code of Regulations sets forth the process by which an organization may apply to be authorized by the Commission.

SPECIFIC PROPOSAL:

This proposed action would make the following specific changes in Article 3 of Chapter 8 of Division 18 of Title 4 of the California Code of Regulations:

Amend Section 12505. Authorization of Organizations Conducting Remote Caller Bingo Games.

This proposed action would revise the current procedure of Section 12505 to continue the authorization of organizations at a noticed hearing upon an initial submission of the Statement of Eligibility to Conduct Remote Caller Bingo, BGC-618, but remove the requirement for the Commission to approve the purely administrative task of annual updates to an already authorized organization’s Statement of Eligibility to Conduct Remote Caller Bingo.

Subsection (b) would be changed with the insertion of the word “initial” before “authorization” to differentiate between the first request for authorization by the Commission and the subsequent annual updates to report any changes or confirm that there have been no changes from the previous authorization.

Subsection (c) would be changed to refer to “an organization” rather than “any organization,” and the word “A” would be inserted before “Statement” in paragraph (1), as purely grammatical changes.

Subsection (d) would be changed to specifically reference the initial statement submitted pursuant to subsection (b) in order to clearly differentiate between the initial and any subsequent submissions of a Statement of Eligibility to Conduct Remote Caller Bingo, BGC-618. Thus, the requirement for approval at a Commission meeting will be applicable only to the initial submission.

**CONSISTENCY OR COMPATIBILITY WITH
EXISTING STATE REGULATIONS**

The Commission has evaluated this regulatory action and determined that the proposed regulations are nei-

ther inconsistent nor incompatible with any other existing state regulations.

The Commission and the Bureau are vested with specific roles over remote caller bingo in California. The Commission authorizes organizations to conduct remote caller bingo and approves the licensing and work permits for various entities and individuals involved in conducting remote caller bingo games, or the manufacture or distribution of remote caller bingo equipment. The Bureau approves and regulates remote caller bingo equipment, the controls, methodology, and standards of game play, and the conduct of the remote caller bingo game. The Bureau is also responsible for the background investigations and audit submissions required for the licensure of individuals and the authorization of organizations. The scope and content of the Commission's remote caller bingo regulations is generally set forth in Penal Code section 326.3. As provided in paragraph (4) of subdivision (j) of section 326.3, an organization must be "authorized by the commission to conduct remote caller bingo games." Subdivision (b) provides the criteria used to authorize an organization. No other regulations have been identified that would be applicable to the authorization of an organization conducting remote caller bingo games.

While the Bureau has also been granted some authority to adopt regulations (Business and Professions Code section 19826), that authority is limited to the adoption of regulations reasonably related to its specified duties and responsibilities. The Bureau also has authority to adopt specified regulations pursuant to section 326.3, but this authority does not include the authorization of organizations to conduct remote caller bingo games. This proposed regulation is not inconsistent or incompatible with any Bureau regulation (Title 11, CCR, Division 3), nor does it fall within the Bureau's authority to adopt regulations.

COMPARABLE FEDERAL LAW

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

FISCAL IMPACT ESTIMATES

FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES OR COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE: None.

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

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

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

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

EFFECT ON HOUSING COSTS: None.

IMPACT ON BUSINESS:

The Commission has made an initial determination that the adoption of these regulations would have no significant statewide adverse economic impact directly affecting business (including affected non-profit organizations), including the ability of California businesses to compete with businesses in other states.

This proposed action imposes no additional mandatory requirement on businesses/organizations. This proposed action will simply eliminate the need for the Commission to approve subsequent submissions of annual eligibility statements after an organization has been initially authorized.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:

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

EFFECT ON SMALL BUSINESS:

The Commission has determined that the proposed regulatory action would not affect small businesses. This proposed action simply eliminates the need for subsequent submissions of eligibility statements to be approved by the Commission. This proposal creates a more efficient process for annual eligibility review.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

IMPACT ON JOBS/NEW BUSINESSES:

The Commission has determined that this regulatory proposal will not have a significant impact on the creation of new jobs or businesses, the elimination of jobs or existing businesses, or the expansion of businesses in California.

The basis for this determination is that this proposed action imposes no additional mandatory requirement on businesses or individuals. This proposed action simply provides a more efficient process to review annual eligibility submissions for previously authorized organizations.

BENEFITS OF PROPOSED REGULATION:

This proposed regulation will have the benefit of creating a more streamlined and efficient process for processing the annual updates of the eligibility state-

ments submitted by previously authorized organizations conducting or participating in remote caller bingo games.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

CONSIDERATION OF ALTERNATIVES

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

INITIAL STATEMENT OF REASONS, INFORMATION AND TEXT OF PROPOSAL

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

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

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

Upon its completion, the Final Statement of Reasons will also be available. A copy of the Final Statement of Reasons may be obtained, once it has been prepared, by making a written request to one of the contact persons named below or by accessing the Commission's Web site listed below.

CONTACT PERSONS

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

James B. Allen, Manager
Regulatory Actions Unit
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 220,
Sacramento, CA 95833-4231
Telephone: (916) 263-4024
Fax: (916) 263-0499
E-mail: Jallen@cgcc.ca.gov

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

Helen Geoffroy, Regulatory Actions Analyst
Regulatory Actions Unit
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 220,
Sacramento, CA 95833-4231
Telephone: (916) 274-4904
Fax: (916) 263-0499
E-mail: hgeoffroy@cgcc.ca.gov

WEB SITE ACCESS

Materials regarding this proposed action are also available on the Commission's Web site at www.cgcc.ca.gov.

TITLE 10. DEPARTMENT OF INSURANCE

REG-2014-00024

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN MANUAL

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to address the proposed amendments to Rule 25 and the Application of the California Automobile Assigned Risk Plan ("CAARP") Manual.

**AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE**

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code Section 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

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

**Date and Time: March 13, 2014
10:00 a.m.**

**Location: California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

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

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

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

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Summer Volkmer, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
volkmers@insurance.ca.gov
Telephone: (415) 538-4169
Facsimile: (415) 904-5490

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

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be received by the Insurance Commissioner at the address listed above no later than **5:00 p.m. on March 13, 2014**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

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

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

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

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

CA 13-05

Currently CAARP offers Extended Nonowned Auto Liability Coverage to private passenger risks. The current rating of this optional coverage includes the following complexities:

1. The exposure of furnished or available nonowned autos with no underlying insurance is rated at 50% of the premium that would be charged if the insured owned the auto. Determining, auditing, and programming this rating procedure is difficult.
2. A higher rate is charged if the insured is employed by a garage even though the coverage does not extend to garage business exposures.

Extended Nonowned Auto Liability Coverage extends liability coverage to the following nonowned auto exposures that are excluded from the unendorsed private passenger policy:

- Nonowned autos used as public or livery conveyances
- Nonowned commercial autos used in any business other than garage business, farming, and ranching
- Nonowned autos furnished or available for the regular use of the insured

CAARP proposes the following:

1. Simplifying the rating procedure for furnished or available autos with no underlying insurance by replacing the charge of 50% of the furnished auto rates with a charge of 64% of the base rates.
2. Eliminating the higher rating factor for garage employees.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

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

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

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

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

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

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

The Commissioner has initially determined that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has initially determined that the proposal will not have a cost impact on private persons or entities.

IMPACT ON HOUSING COSTS

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

IMPACT ON SMALL BUSINESS

The Insurance Commissioner has initially determined that the proposal will not impact small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Insurance Commissioner has initially determined that the proposal will not require specific technologies or equipment.

ALTERNATIVES

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

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

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

FINAL STATEMENT OF REASONS

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

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

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

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

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

TITLE 10. DEPARTMENT OF INSURANCE

REG-2014-00025

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to address the proposed amendments to Sections Definitions, 3, 14, 19, 20, 23, 27, 28, 41, 46, 60, 61 and Appendix Preface of the California Automobile Assigned Risk Plan (CAARP) Plan of Operations.

AUTHORITY TO ADOPT RULES AND PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code Section 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

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

Date and Time: **March 13, 2014**
10:00 a.m.

Location: **California Department of Insurance**

45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105

ADVOCACY OR WITNESS FEES

ACCESS TO HEARING ROOM

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

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

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538–4190

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

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

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538–4226
Facsimile: (415) 904–5490

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The backup agency contact person for this proceeding will be:

CA 12–01

Summer Volkmer, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
volkmers@insurance.ca.gov
Telephone: (415) 538–4169
Facsimile: (415) 904–5490

CAARP Advisory Committee members are elected to serve terms of one year. A review of the Plan of Operations found no mechanism to replace an Advisory Committee member who resigns mid-term. CAARP is proposing a change that will allow the elected member of the Advisory Committee to replace an insurer that resigns mid-term. Although this is not a current issue in California it has caused problem in other states. This led to voting issues that delayed changes to the Plan and rates. This change will avoid this problem.

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

In addition CAARP was made aware that producer representatives do not receive a per diem that the consumer representatives do. To remedy that, a per diem in the amount of \$250 is introduced for producer representatives who serve on the Advisory Committee. The \$250 amount is equal to the amount the consumer representatives receive.

DEADLINE FOR WRITTEN COMMENTS

CA 12–02

All written materials, unless submitted at the hearing, must be received by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on March 13, 2014**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

The CAARP Plan of Operations was filed in 1998. At that time how insurers groups were treated for assignments, assessments, and CAIP participation was not included.

CAARP proposes a provision to allow insurer groups under the same ownership the option to be considered as one insurer. The term “one insurer” will allow the voluntary base data for the individual insurer or groups of

insurers to be combined and recognized as a single unit. This will impact the assignment quotas, assessments, and CAIP participation.

This change is already reflected in the Low Cost Auto Plan of Operations.

CA-12-08

Since the implementation of the CAARP producer certification program in 1995, the Plan offered off-site instructor-led producer certification seminars throughout the state. In March 2008, CAARP launched its on-line producer certification course. The demand and popularity of the on-line courses have decreased participation in the off-site courses.

Due to the cost and lack of interest CAARP proposes the discontinuation of the off-site seminars. The change makes the on-line course the exclusive way to become and maintain being a certified producer.

CA-12-09

CAARP's current procedure does not provide for the immediate proof of insurance. This has led to confusion as applicants were unsure if they had coverage. This could be fixed utilizing the Electronic Application Submission Interface (EASi) CAARP's application submission mechanism. EASi has the ability to issue temporary insurance identification cards.

CAARP proposes to allow the issuance of a temporary insurance identification card for CAARP applicants. The temporary identification cards will serve as proof of financial responsibility for a period of 30 days from the effective date shown on the card. Consistent with the practice today in the voluntary market a permanent insurance identification card will be issued by the assigned insurer before the 30 days has expired.

CA-12-11

Certified Producers have the ability to download electronic forms in PDF format on Plan websites. This has led to a decline in the demand for hard-copy paper applications and forms. The Plan of Operations requires that CAARP maintain paper applications and forms in bulk. This requirement has led to an unnecessary cost of printing and storage.

CAARP proposes to eliminate the provision pertaining to the availability of hard-copy applications and forms to delete references to the purchase of plain paper applications and forms purchased through AIPSO — Mail Order Management. A producer will still be able to request the applications and forms from CAARP if necessary at no charge. However by eliminating the bulk requirement CAARP will decrease its overhead.

CA13-01

The Electronic Application Submission Interface ("EASi") was expanded to allow credit and debit card payments for the initial down payment. However the

current CAARP application was not amended to reflect the change.

A credit/debit payment authorization and receipt page has been developed as part of the EASi application. CAARP proposes to amend the EASi application for CAARP to reflect the new credit/debit payment authorization and receipt page.

CA13-02

Currently the Plan requires that a majority of insurers constitute a quorum for the annual Plan meeting. However, insurers often fail to complete and return their annual meeting proxies, making it difficult for Plan staff to collect the sufficient number of proxies to represent a majority of subscriber companies at the annual meeting. Multiple mailings of the meeting notice and proxy may be required, which is time consuming and costly to the Plan. In addition, the Plan must perform extensive follow-up with non-responding insurers until the Plan is certain the quorum requirement has been met.

CAARP proposes to change the definition of quorum. The current definition of a quorum will be deleted and replaced in its entirety. For the annual meeting a quorum will consist of those insurers represented in person and by proxy. However, for a quorum to exist, at least 33% of insurers must be represented. Consistent with current procedures, voting by proxy is permitted. However, no insurer may appoint more than one insurer in its class of insurers to exercise its proxy.

CA13-03

The Electronic Application Submission Interface ("EASi") was introduced to allow the submission of applications electronically. At the time of the introduction the internet was not as necessary to conduct business as it is today. Because of this the CDI required paper applications be made available and accepted by CAARP. As the internet grew and became integrated into the workplace submission of paper applications fell as the EASi applications increased.

CAARP proposes to make the EASi application the exclusive method for submission of CAARP applications. Alternate application submission procedures are still available if EASi is unavailable.

CA13-06

Licensed insurers are required to assume a percentage of the CAARP submissions equal to the percentage of the business it writes in the state. When the insurer discontinues writing insurance the insurer must dispose of the policies it has been assigned. This is normally done when the insurer enters into a Limited Assignment Distribution agreement where another insurer takes the policies for a fee. However there have been instances in other territories when the insurer cannot dispose of its obligations.

In these cases CAARP proposes to allow the insurer to buy out of its obligation. The formula for the buy-out takes into account the current year's obligation as well as the projected future quota years of obligation based on the private passenger nonfleet vehicles provided by the insurer. The procedure is only available as a last resort for insurers who are unable to dispose of the remaining quota. It only applies to insurers that are no longer licensed to do business in California. The insurer must submit a written request seeking approval of the buy-out. It will include the reason the buy-out is being sought. The Advisory Committee will vote and send its recommendation to the Insurance Commissioner for approval.

CA 13-08

The CAARP Electronic Application Submission Interface applications are currently sent to the San Francisco office. There they are scanned and forwarded to the home office in Rhode Island for processing.

CAARP proposes to eliminate this extra step. It looks to have the applications mailed directly to the home office in Rhode Island. This will cut overhead and allow CAARP to take advantage of the efficiencies for processing the application offered by the home office. These include forwarding the application, deposit check and supporting documentation to the assigned insurer. It would also provide a backup allowing the application to be processed if there was a business interruption.

CA 13-09

The Insurance Service Office ("ISO") has introduced revisions to the Commercial Auto Coverage Parts Program ("CACP") forms and endorsements. These revisions will replace the March 2006 edition.

The changes are substantive and editorial. The forms are needed to ensure that CAARP's Commercial Auto submissions have the proper endorsements. The revisions provide a broadening and restricting of coverage and the withdrawal of forms. A summary of the revisions and withdrawals is listed below.

CA 00 01 03 10 Business Auto Coverage Form
Replaces CA 00 01 03 06

1. **Section II — Liability Coverage**

a. Coverage Extensions

The Supplementary Payments provision is revised to clarify that supplementary payments apply to court costs taxed against the insured and not to the plaintiff's attorneys' fees or expenses taxed against the insured.

b. Exclusions

Exclusion 5, Fellow Employee, is revised to clarify that consequential

injury claims for damages brought by family members of employees injured by fellow employees are not covered.

2. **Section III — Physical Damage Coverage**

Note: California does not provide physical damage coverage on commercial policies. The changes to Section III have no effect on California insureds.

CA 00 12 03 06 Truckers Coverage Form

This form is withdrawn from use.

AP 10 03 09 13 Driver Training Programs—Rejection of Hired Auto And Non-owned Auto Coverage
Replaces AP 10 03 04 08

This form is retitled and revised to allow educational institutions with driver training programs to reject hired and nonowned auto coverage.

AP 40 31 09 13 California Uninsured Motorists Coverage — Property Damage
Replaces AP 40 31 01 10

This form is revised to delete reference to Truckers Coverage Form.

AP 62 15 09 12 Changes in Commercial Auto Coverage Form
Replaces AP 62 15 02 07

The Supplementary Payments provision is revised to clarify that supplementary payments apply to court costs taxed against the insured and not to the plaintiff's attorneys' fees or expenses taxed against the insured.

AP 70 14 05 08 Changes in Truckers Coverage Form—California

This form is withdrawn from use due to the elimination of the Truckers Coverage Form.

AP 70 27 09 12 Changes In Business Auto Coverage Form Declarations Hired Auto Coverage
Replaces AP 70 27 06 96

This form is revised to reflect the introduction of separate rating schedules for autos used and autos not used in the insured's motor carrier operations in the Business Auto Declarations.

AP 73 12 09 13 Hired And Non-owned Auto Coverage For Messenger/Courier Operations
Replaces AP 73 12 04 08

This form is revised to delete reference to Truckers Coverage Form.

AP 73 44 09 13 Drive-Away Contractors
Replaces CA 20 05 12 93

This form is revised to delete the schedule and coverage provisions for physical damage coverage since the California Plan does not provide physical damage coverage. The schedule is revised to include the estimated annual number of driveaways.

AP 73 45 09 13 Repossessed Autos
Replaces CA 20 19 07 97

This form is revised to delete the schedule and coverage provisions for physical damage coverage since the California Plan does not provide physical damage for repossessed autos. The schedule is revised to include the estimated annual number of repossessions for liability and uninsured motorists coverages.

The following endorsement forms are revised to delete reference to the Truckers Coverage Form in the lead-in.

AP 10 01 12 13 Declaration to Exclude Vehicle
Replaces AP 10 01 04 98

AP 10 02 12 13 Declaration to Exclude Inoperable Vehicle
Replaces AP 10 02 08 97

AP 21 03 12 13 California Changes—Common Policy Conditions
Replaces AP 21 03 03 04

AP 30 51 12 13 Named Driver Exclusion Endorsement
Replaces AP 30 51 12 02

AP 62 12 10 13 Out of State Coverage Extensions
Replaces AP 62 12 04 08

AP 90 46 05 13 Split Liability Limits
Replaces AP 90 46 04 08

AP 90 73 12 13 Person(s) or Organization(s) Identified as “Insured(s)”—California
Replaces AP 90 73 10 97

Truckers Coverage Form Reference

Forms designated with a CA prefix, included in this proposal will continue to reference the Truckers Coverage Form.

Countersignature Boxes and Schedules

The ISO forms are revised to delete the countersignature boxes and update the tables to accommodate automated systems.

CA 02 38 03 10 Reinstatement of Insurance
Replaces CA 02 38 12 93

This form is revised as follows:

1. A detailed schedule is included for the selection and entry of specific coverages to be reinstated and the description of vehicles for which coverage is to be reinstated.

2. A table is added to list the named insured and effective date of the endorsement.
3. Language is added that indicates that the coverages and autos in the Schedule will be reinstated as of the effective date of the endorsement.

CA 02 40 03 10 Suspension of Insurance
Replaces CA 02 40 10 01

This form is revised as follows:

1. The Schedule is revised to provide space for specifying additional coverages to be suspended.
2. An optional field is added to indicate the date when suspension will end.
3. Language is added to indicate that the coverages in the Schedule will remain suspended until the reinstatement effective date in the Schedule (if provided) or the end of the policy period.

CA 04 42 03 10 Exclusion of Federal Employees Using Autos in Government Business

This form is introduced to exclude coverage for the United States of America, any of its agencies, or any U.S. Government employee for bodily injury or property damage resulting from the operation of an auto if the bodily injury or property damage results while the employee is acting within the scope of duty and when Section 2679(c) of the Federal Tort Claims Act requires the U.S. Attorney General to defend the employee in any civil action or proceeding that may be brought for bodily injury or property damage.

CA 20 06 03 10 Driving Schools—Non-Owned Autos
Replaces CA 20 06 12 93

This form is retitled and revised to include a new column for the number of owned autos used for driver training in the Schedule.

CA 20 30 03 10 Emergency Services—Volunteer Firefighters’ and Workers’ Injuries Excluded
Replaces CA 20 30 12 93

This form is retitled and revised to clarify that (1) bodily injury coverage is afforded to a volunteer firefighter or worker while using or maintaining a covered auto but is excluded while such person is engaged in volunteer firefighting, rescue squad, or ambulance corps operations and (2) all emergency services activities that a volunteer worker is involved in are excluded, regardless of whether the volunteer is acting on behalf of the insured.

CA 23 20 03 10 Truckers Endorsement
Replaces CA 23 20 03 06

This form is revised as follows:

1. The Supplementary Payments provision is revised to clarify that supplementary payments apply to court costs taxed against the insured and not to the plaintiff's attorneys' fees or expenses taxed against the insured.
2. The Wear and Tear exclusion is revised for clarification and to track the corresponding Personal Auto Policy exclusion.
3. The Limit of Insurance and Deductible provision is revised to clarify that the full limit of insurance is available if the loss exceeds the sum of the deductible and the limit of insurance. The Schedule is revised to correspond with these changes.

CA 24 01 03 10 Transportation of Seasonal or Migrant Agricultural Workers
Replaces AP 90 52 04 08 and AP 90 53 04 08

This form is revised as follows:

1. The title is revised to reflect that the endorsement may be used by any entity that transports seasonal or migrant workers.
2. The language is revised to more closely reflect the provisions of the Migrant and Seasonal Agricultural Worker Protection Act.
3. The Limit of Insurance is revised to reflect a combined single-limit approach.

These Declarations and Schedules are advisory and are provided for informational purposes.

CADS 03 03 10 Business Auto Declarations
Replaces CADS 03 03 06

This declaration form is revised as follows:

1. Item Four — Schedule of Hired or Borrowed Covered Auto Coverage and Premium is revised to separate the cost of hire for mobile or farm equipment and other autos.
2. Item Five — Schedule for Non-Ownership Liability is revised to include a number of partner(s) rating basis for garage service operations and social service agencies and to incorporate minor editorial revisions.

3. Item Six — Schedule for Gross Receipts or Mileage Basis is revised to allow the user to indicate the type of risk (i.e., public auto or leasing or rental concerns) to which the information in the schedule applies. The schedule is also revised to allow for entry of premiums for physical damage coverage and various personal injury protection coverages.
4. The various tables are revised to emphasize the type of information that should be included and to remove non-essential rating information.

CADS 14 03 06 Truckers Declarations

This declaration form is withdrawn.

AIP-1359 Commercial Application Supplement — Farm Labor Contractors

This application form is withdrawn.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

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

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

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

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

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

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

The Commissioner has initially determined that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS
OR ENTITIES

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

IMPACT ON HOUSING COSTS

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

IMPACT ON SMALL BUSINESS

The Insurance Commissioner has initially determined that the proposal will not affect small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Insurance Commissioner has initially determined that specific technologies or equipment will be needed.

ALTERNATIVES

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

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

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

FINAL STATEMENT OF REASONS

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

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

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

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

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

AVAILABILITY OF MODIFIED TEXT
OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the

amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

**TITLE 10. DEPARTMENT
OF INSURANCE**

REG-2013-00023

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING
REVISIONS TO CALIFORNIA LOW COST
AUTOMOBILE PLAN OF OPERATIONS**

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to address the proposed amendments to the Introduction, Sections 1, 20, 23, 27, 28, 60, 61 Appendix Preface and the Application of the California Automobile Assigned Risk Plan (“CAARP”) Low Cost Automobile (“LCA”) Plan of Operations.

**AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE**

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner’s decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code Section 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

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

Date and Time: **March 13, 2014
10:00 a.m.**

Location: **California Department of
Insurance
45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105**

ACCESS TO HEARING ROOM

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

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

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

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Summer Volkmer, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
volkmers@insurance.ca.gov
Telephone: (415) 538-4169
Facsimile: (415) 904-5490

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

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be received by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on March 13, 2014**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regula-

tions, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538–4190

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

LC 12–06

LCA’s current procedure does not provide for the immediate proof of insurance. This has led to confusion as applicants were unsure if they had coverage. This could be fixed utilizing the Electronic Application Submission Interface (EASi) LCA’s application submission mechanism. EASi has the ability to issue temporary insurance identification cards.

CAARP proposes to allow the issuance of a temporary insurance identification card for eligible Low Cost Auto applicants. The temporary identification cards will serve as proof of financial responsibility for a period of 30 days from the effective date shown on the card. Consistent with the practice today in the voluntary market a permanent insurance identification card will be issued by the assigned insurer before the 30 days has expired.

LC 13–03

The Electronic Application Submission Interface (“EASi”) was expanded to allow credit and debit card payments for the initial down payment. However the current LCA application was not amended to reflect the change.

A credit/debit payment authorization and receipt page has been developed as part of the EASi application. CAARP proposes to amend the EASi application for Low Cost Auto to reflect the new credit/debit payment authorization and receipt page.

LC 13–04

The Electronic Application Submission Interface (“EASi”) was introduced to allow the submission of applications electronically. At the time of the introduction

the internet was not as necessary to conduct business as it is today. Because of this the CDI required paper applications be made available and accepted by CAARP. As the internet grew and became integrated into the workplace submission of paper applications fell as the EASi applications increased.

CAARP proposes to make the EASi application the exclusive method for submission of LCA applications. Alternate application submission procedures are still available if EASi is unavailable.

LC 13–05

To be eligible for an LCA policy an applicant must meet several requirements. One is any blood relative in the home must also be eligible for an LCA policy. The requirement, found in the definitions for “family” and “household,” became outdated in the current economic climate. This requirement made eligible applicants ineligible for coverage.

CAARP proposes to revise the definitions of “family” and “household.” The new definitions will take into account the blended household found resulting from the “new economy.” This will allow eligible applicants to purchase coverage without requiring all blood relatives also be eligible.

LC 13–06

Licensed insurers are required to assume a percentage of the Low Cost applications equal to the percentage of the business it writes in the state. When the insurer discontinues writing insurance the insurer must dispose of the policies it has been assigned. This is normally done when the insurer enters into a Limited Assignment Distribution agreement where another insurer takes the policies for a fee. However there have been instances in other territories when the insurer cannot dispose of its obligations.

In these cases CAARP proposes to allow the insurer to buy out of its obligation. The formula for the buy-out takes into account the current year’s obligation as well as the projected future quota years of obligation based on the private passenger nonfleet vehicles provided by the insurer. The procedure is available only as a last resort for insurers who are unable to dispose of the remaining quota. It only applies to insurers that are no longer licensed to do business in California. The insurer must submit a written request seeking approval of the buy-out. It will include the reason the buy-out is being sought. The Advisory Committee will vote and send its recommendation to the Insurance Commissioner for approval.

LC–13–07

The LCA Electronic Application Submission Interface applications are currently sent to the San Francisco office. There they are scanned and forwarded to the home office in Rhode Island for processing.

CAARP proposes to eliminate this extra step. It looks to have the applications mailed directly to the home office in Rhode Island. This will cut overhead and allow CAARP to take advantage of the efficiencies for processing the application offered by the home office. These include forwarding the application, deposit check and supporting documentation to the assigned insurer. It would also provide a backup allowing the application to be processed if there was a business interruption.

LC-13-08

To be eligible for a Low Cost policy the value of the vehicle cannot exceed \$20,000. This value was determined by the Vehicle Licensing Fee (“VLF”) code as determined by the Department of Motor Vehicles (“DMV”). At the time of purchase VLF determined the amount needed to register the vehicle. The VLF allowed for depreciation allowing the registration fee to be comparable to the vehicle current value.

The LCA Plan of Operations VLF did not include this depreciation mechanism. This allowed two cars that were both valued at \$25,000 new but purchased at different times to be treated differently. Vehicle 1 purchased new still had a VLF that valued it at \$25,000. Vehicle 2 purchased 10 years later received a VLF that employed the depreciation mechanism recognizing the current value. Even though the two cars have the same current value without depreciation the first car is still valued at \$25,000 and therefore ineligible.

CAARP proposes to use the DMV’s VLF. This VLF takes into consideration the current value of the auto rather than the value at purchase. This will allow vehicles to be considered at the current value for eligibility.

LC-13-09

The LCA Plan of Operations has three installment options to make payments for coverage. They vary in number of payments and deposit requirements. In some cases an insured would receive a renewal notice before the notice for the last payment was received. This led to confusion on the part of the certified producers and the applicants, leading to applications being non renewed or cancelled.

CAARP is proposing to streamline the process by offering only one installment option. It will require a 20% down payment and seven monthly installments. The policy will be paid four and one-half months prior to renewal. The change will eliminate the confusion found with the multiple installment options.

It is required that an applicant re-qualify annually for an LCA policy. Before the policy expired an insurer required that the insured submit a questionnaire. The questionnaire was mailed to them. If the questionnaire was not returned the policy was not renewed. This re-

quired a new application be submitted. This was contrary to the voluntary market.

CAARP is proposing to eliminate the annual requalification. In turn CAARP proposes to extend the term of the policy to three years. At the end of the three years and seventy-five days before the policy expires the insurer will require the policyholder submit a renewal questionnaire. If the policyholder is still eligible the insurer will make a renewal offer.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

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

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

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

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

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

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

The Commissioner has initially determined that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal will have no effect on the creation or elimination of jobs in California,

the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has initially determined the proposal will have no cost impact on private persons or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not impact housing costs.

IMPACT ON SMALL BUSINESS

The Insurance Commissioner has initially determined that the proposal will not impact small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Insurance Commissioner has initially determined that the proposal will require no specific technologies or equipment.

ALTERNATIVES

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

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the

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AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

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TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 215, 219, 220, 331, 332, 460, 1050, 1572, 3452, 3453, 4302, 4334, 4902 and 10502; reference sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 458, 459, 460, 713, 1050, 1570, 1571, 1572, 1575, 2005, 3452, 3453, 3950, 3951, 4302, 4334, 4902, 10500 and 10502, Fish and Game Code; proposes to Amend Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations (CCR), relating to Mammal Hunting Regulations for the 2014–2015 season.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Subsection 360(a)

Existing regulations provide for the number of license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over–winter adult survival, final tag quotas may fall below the proposed range into the “Low Kill” alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Deer: § 360(a) A, B, C, and D Zone Hunts Tag Allocations		
Zone	Current	Proposed
A	65,000	30,000-65,000
B	35,000	35,000-65,000
C	8,150	5,000-15,000
D3-5	33,000	30,000-40,000
D-6	10,000	6,000-16,000
D-7	9,000	4,000-10,000
D-8	8,000	5,000-10,000
D-9	2,000	1,000-2,500
D-10	700	400-800
D-11	5,500	2,500-6,000
D-12	950	100-1,500
D-13	4,000	2,000-5,000
D-14	3,000	2,000-3,500
D-15	1,500	500-2,000
D-16	3,000	1,000-3,500
D-17	500	100-800
D-19	1,500	500-2,000

A minor editorial correction to highway nomenclature was also made.

Subsection 360(b)

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over–winter adult survival, final tag quotas may fall below the proposed range into the “Low Kill” alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Deer: § 360(b) X-Zone Hunts Tag Allocations		
Zone	Current	Proposed
X-1	935	900-6,000
X-2	180	50-500
X-3a	295	100-1,200
X-3b	835	200-3,000
X-4	395	100-1,200
X-5a	75	25-200
X-5b	55	50-500
X-6a	320	100-1,200
X-6b	310	100-1,200
X-7a	220	50-500
X-7b	130	25-200
X-8	220	100-750
X-9a	650	100-1,200
X-9b	325	100-600
X-9c	325	100-600
X-10	400	100-600
X-12	680	100-1,200

Subsection 360(c)

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post–winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Due to this, the final recommended quotas may fall below the current proposed range into the “Low Kill” alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Existing regulations for Additional Hunts G–8 (Fort Hunter Liggett Antlerless Deer Hunt) and J–10 (Fort Hunter Liggett Apprentice Either–Sex Deer Hunt) provide for hunting to begin on October 5 and continue for two (2) consecutive days and reopen on October 12 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to ac-

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count for the annual calendar shift by changing the season opening dates to October 4 and October 11 (for 2

and 3 consecutive days) respectively, in order to, accommodate for Base operations.

Deer: § 360(c) Additional Hunts Tag Allocations		
Hunt Number (and Title)	Current	Proposed
G-1 (Late Season Buck Hunt for Zone C-4)	2,710	500-5,000
G-3 (Goodale Buck Hunt)	35	5-50
G-6 (Kern River Deer Herd Buck Hunt)	50	25-100
G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*
G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military and 10 Public)	20 Tags Total* (10 Military and 10 Public)
G-9 (Camp Roberts Antlerless Deer Hunt)	0	0-30 Tags Total* (Military and Public splits 15/15)
G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military*	400 Military*

Deer: § 360(c) Additional Hunts Tag Allocations		
Hunt Number (and Title)	Current	Proposed
G-11 (Vandenberg Either-Sex Deer Hunt)	500 Military*, DOD and as Authorized by the Installation Commander**	500 Military*, DOD and as Authorized by the Installation Commander**
G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50
G-13 (San Diego Antlerless Deer Hunt)	300	50-300
G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50
G-21 (Ventana Wilderness Buck Hunt)	25	25-100
G-37 (Anderson Flat Buck Hunt)	25	25-50
G-38 (X-10 Late Season Buck Hunt)	300	50-300
G-39 (Round Valley Late Season Buck Hunt)	5	5-150
M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75
M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50
M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	5-50
M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100
M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150
M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50
M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100
M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200
MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	20-150
MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150
J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25
J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30
J-4 Shasta-Trinity Apprentice Buck Hunt)	15	15-50
J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50
J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20
J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10
J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	85 Tags Total* (20 Military and 65 Public)	85 Tags Total* (20 Military and 65 Public)
J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50
J-12 (Round Valley Apprentice Buck Hunt)	10	10-20
J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100
J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75
J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30
J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75
J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25
J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75
J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40
J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20
J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80

* *Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.*

** *DOD = Department of Defense and eligible personnel as authorized by the Installation Commander.*

[*Subsection 360(d) remains unchanged*]

Section 361

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The

proposal changes the number of tags for existing hunts to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the “Low Kill” alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Minor editorial changes are necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

Archery Deer Hunting: § 361 Tag Allocations		
Hunt Number (and Title)	Current	Proposed
A-1 (C Zones Archery Only Hunt)	1,945	150-3,000
A-3 (Zone X-1 Archery Hunt)	135	50-1,000
A-4 (Zone X-2 Archery Hunt)	10	5-100
A-5 (Zone X-3a Archery Hunt)	25	10-300
A-6 (Zone X-3b Archery Hunt)	90	25-400
A-7 (Zone X-4 Archery Hunt)	110	25-400
A-8 (Zone X-5a Archery Hunt)	15	15-100
A-9 (Zone X-5b Archery Hunt)	5	5-100
A-11 (Zone X-6a Archery Hunt)	50	10-200
A-12 (Zone X-6b Archery Hunt)	100	10-200
A-13 (Zone X-7a Archery Hunt)	45	10-200
A-14 (Zone X-7b Archery Hunt)	25	5-100
A-15 (Zone X-8 Archery Hunt)	40	5-100
A-16 (Zone X-9a Archery Hunt)	140	50-500
A-17 (Zone X-9b Archery Hunt)	300	50-500
A-18 (Zone X-9c Archery Hunt)	350	50-500
A-19 (Zone X-10 Archery Hunt)	100	25-200
A-20 (Zone X-12 Archery Hunt)	100	50-500
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75
A-26 (Bass Hill Archery Buck Hunt)	30	10-100
A-27 (Devil's Garden Archery Buck Hunt)	5	5-75
A-30 (Covelo Archery Buck Hunt)	40	20-100
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300
A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	50 Tags Total* (25 Military and 25 Public)	50 Tags Total* (25 Military and 25 Public)

* *Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.*

Section 362

The existing regulation provides for limited hunting of 23 Nelson bighorn rams in specified areas of the State. The proposed change is intended to adjust the

number of tags based on Department’s annual estimate of the population in the management unit. The number of tags allocated for each of the nine hunt zones is based on the results of the Department’s 2013 estimate of the bighorn sheep population in each zone. Tags are proposed to ensure the take of no more than 15 percent of

the mature rams estimated in each zone. Final tag quota determinations will be completed by February of 2014 pending completion of analyses.

The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

HUNT ZONE	Current Tag Allocation	Proposed Tag Allocation
Zone 1 - Marble/Clipper Mountains	4	0-4
Zone 2 - Kelso Peak/Old Dad Mountains	3	0-4
Zone 3 - Clark/Kingston Mountain Ranges	2	0-2
Zone 4 - Orocopia Mountains	1	0-2
Zone 5 - San Geronio Wilderness	1	0-3
Zone 6 - Sheep Hole Mountains	1	0-2
Zone 7 - White Mountains	3	0-5
Zone 8 - South Bristol Mountains	2	0-3
Zone 9 - Cady Mountains	3	0-4
Open Zone Fund-raising Tag	1	0-1
Marble/Clipper/South Bristol Mountains Fund-raising Tag	1	0-1
Kelso Peak/Old Dad Mountains Fund-raising Tag	1	0-1
TOTAL	23	0-32

Section 363

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that

should be completed by March of 2014. The final tag quotas will provide for a biologically appropriate harvest of bucks and does in specific populations, while allowing for adequate hunting opportunities. The proposed 2014 tag allocation ranges for the hunt zones are as set forth below.

2014 Pronghorn Antelope Tag Allocation Ranges						
Hunt Area	Archery-Only Season		General Season			
	Buck	Doe	Period 1		Period 2	
	Buck	Doe	Buck	Doe	Buck	Doe
Zone 1 – Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 – Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 – Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 – Lassen	0-20	0-7	0-150	0-50	0-150	0-50
Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

Section 364

Existing regulations specify elk license tag quotas for each hunt. In order to maintain hunting quality in accordance with elk herd management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed amendment modifies elk tag numbers to ranges of tags to adjust for fluctuations in population

numbers. Final tag allocations will be made in accordance with elk management goals and objectives based on the results of survey data collected in January–March 2014.

Periodic quota changes are necessary to maintain hunting quality in accordance with management goals and objectives. The proposed quota ranges of elk tags for 2014 are as follows:

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
General Roosevelt Elk Hunts				
Siskiyou	0-30	0-30		
Big Lagoon	0-10	0-10		
Northwestern California			0-30	
Klamath	0-20	0-20		
Del Norte	0-15	0-20		
Marble Mountains	0-70	0-30		
General Rocky Mountain Elk Hunts				
Northeastern California	0-30	0-10		
General Roosevelt/Tule Elk Hunts				
Mendocino	0-4	0-4		
General Tule Elk Hunts				
Cache Creek	0-4	0-4		
La Panza Period 1	0-12	0-10		
La Panza Period 2	0-12	0-12		
Bishop Period 3	0-10	0-30		

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
Bishop Period 4	0-10	0-30		
Bishop Period 5	0-10	0-30		
Independence Period 2	0-10	0-30		
Independence Period 3	0-10	0-30		
Independence Period 4	0-10	0-30		
Independence Period 5	0-10	0-30		
Lone Pine Period 2	0-10	0-30		
Lone Pine Period 3	0-10	0-30		
Lone Pine Period 4	0-10	0-30		
Lone Pine Period 5	0-10	0-30		
Tinemaha Period 2	0-10	0-30		
Tinemaha Period 3	0-10	0-30		
Tinemaha Period 4	0-10	0-30		
Tinemaha Period 5	0-10	0-30		
West Tinemaha Period 1	0-10	0-30		
West Tinemaha Period 2	0-10	0-30		
West Tinemaha Period 3	0-10	0-30		
West Tinemaha Period 4	0-10	0-30		
West Tinemaha Period 5	0-10	0-30		
Tinemaha Mountain Period 1	0-8			
Tinemaha Mountain Period 2	0-8			
Tinemaha Mountain Period 3	0-8			
Tinemaha Mountain Period 4	0-8			
Tinemaha Mountain Period 5	0-8			
Whitney Period 2	0-4	0-10		
Whitney Period 3	0-4	0-10		
Whitney Period 4	0-4	0-10		
Whitney Period 5	0-4	0-10		
Grizzly Island Period 1	0-3	0-12		0-6
Grizzly Island Period 2	0-3	0-12		0-6
Grizzly Island Period 3	0-3	0-12		0-6
Grizzly Island Period 4	0-2	0-12		0-6
Grizzly Island Period 5	0-2	0-12		0-6
Fort Hunter Liggett Period 1		0-16		
Fort Hunter Liggett Period 2		0-14		
Fort Hunter Liggett Period 3	0-14			
East Park Reservoir	0-4	0-8		
San Luis Reservoir	0-10	0-10	0-10	
Bear Valley	0-4	0-2		
Lake Pillsbury	0-4	0-4		
Santa Clara	0-4			
Alameda	0-4			
Apprentice Hunts				
Marble Mountains			0-4	
Northeastern CA			0-4	
Cache Creek	0-2			
La Panza Period 1	0-2	0-2		
Bishop Period 2	0-10	0-30		
Grizzly Island Period 1		0-2		0-2
Grizzly Island Period 2				0-2

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
Fort Hunter Liggett Period 1		0-4		
Fort Hunter Liggett Period 2		0-4		
Fort Hunter Liggett Period 3	0-2			
Archery Only Hunts				
Northeastern California Archery Only			0-20	
Owens Valley Multiple Zone Archery Only	0-10	0-10		
Lone Pine Archery Only Period 1	0-10	0-30		
Tinemaha Archery Only Period 1	0-10	0-30		
Whitney Archery Only Period 1	0-10	0-30		
Fort Hunter Liggett Archery Only		0-10	0-6	
Muzzleloader Only Hunts				
Bishop Muzzleloader Only Period 1	0-10	0-30		
Independence Muzzleloader Only Period 1	0-10	0-10		
Fort Hunter Liggett Muzzleloader Only	0-6			
Muzzleloader/Archery Only Hunts				
Marble Mountains Muzzleloader/Archery Only			0-10	
Fund Raising Tags				
Multi-zone	1			
Grizzly Island	1			
Owens Valley	1			
Military Only Elk Tags				
Fort Hunter Liggett Military Early Season	0-2	0-2		
Fort Hunter Liggett Military Period 1		0-16		
Fort Hunter Liggett Military Period 2		0-14		
Fort Hunter Liggett Military Period 3	0-14			
Fort Hunter Liggett Military Apprentice Period 1		0-4		
Fort Hunter Liggett Military Apprentice Period 2		0-4		
Fort Hunter Liggett Military Apprentice Period 3	0-2			
Fort Hunter Liggett Military Archery Only		0-10	0-6	
Fort Hunter Liggett Military Muzzleloader Only	0-6			

Benefits of the Regulation

Hunting provides outdoor recreational opportunities for not only the hunters, but for family and friends who are non-hunting members of the group, and are able to participate in hiking, fishing and other outdoor activities.

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the state's wildlife under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local California hunting in harmony with federal law respecting the conservation of the living resources of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of reg-

ulating individual tag quotas to the quantity that is sufficient to provide satisfying hunting opportunities. Adoption of scientifically-based seasons, zones, and tag quotas provides for the maintenance of sufficient populations of big-game species to ensure their continued existence.

Adoption of scientifically-based seasons, zones and tag quotas provides for the maintenance of sufficient populations of big game to ensure their continued existence and future sport hunting opportunities. Under a normal season state big game hunters contribute about \$202,390,334 in direct revenues to the State's business sector. This is based on California Department of Fish and Wildlife data and the US Fish and Wildlife Service's 2011 national survey data on fishing, hunting, and wildlife associated recreation for California. Adding the indirect and induced effects of this initial revenue contribution and the total benefit to California's

economy is estimated to be \$263,702,757 per year. This is equivalent to about \$51,947,191 in total wage earnings to Californians, or as many as 1,170 jobs in the state.

Consistency and Compatibility with Existing State Regulations

After conducting a review for any related regulations, the agency has determined that these are the only regulations dealing with public use of California Department of Fish and Wildlife Lands. Therefore, the proposed regulations in this rulemaking action are neither inconsistent nor incompatible with existing state regulations. The primary purpose of the proposed regulations is an annual review of tag quotas in existing regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 5, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be at the Crowne Plaza Hotel, 450 E. Harbor Blvd. Ventura Beach, California, on Wednesday, April 16, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 4, 2014 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014 at the hearing in Ventura. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Wildlife Branch, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory lan-

guage, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made.

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of

California Residents, Worker Safety, and the State’s Environment:

The Commission anticipates benefits to the health and welfare of California residents. Hunting provides opportunities for multi-generational family activities and promotes respect for California’s environment by the future stewards of the State’s resources. The Commission anticipates benefits to the State’s environment in the sustainable management of natural resources.

Sections 360, 361 and 364: The proposed action will not have significant impacts on jobs or business within California. The proposed action adjusts tag quotas for existing hunts based on herd performance criteria. Given the number of tags historically available, the minimal adjustments in tag numbers that are anticipated for the 2014 hunting season, and the area over which they are distributed (entire State of California), these proposals are economically neutral to jobs or business within California.

Sections 362 and 363: It is unlikely that the proposed action will result in the creation or elimination of jobs within the state, cause the creation of new businesses or the elimination of existing businesses or result in the expansion of businesses in California because the overall number of tags issued is small and the resulting hunting effort is spread over a large geographic area.

- (c) Cost Impacts on Representative Private Persons/Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None
- (g) Costs Imposed on Any Local Agency or School District that are Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205(c), 220, 240, 1590, 1591, 2860, 2861, and 6750 of the Fish and Game Code; and sections 36725(a) and 36725(e) of the Public Resources Code, and to implement, interpret or make specific sections 200, 202, 205(c), 220, 240, 2861, 5521, 6653, 8420(e), and 8500 of the Fish and Game Code; and sections 36700(e), 36710(e), 36725(a) and 36725(e) of the Public Resources Code, proposes to amend Section 632, Title 14, California Code of Regulations, relating to marine protected areas.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Marine Life Protection Act (MLPA) (Fish and Game Code Sections 2850–2863) established a programmatic framework for designating Marine Protected Areas (MPAs) in the form of a statewide network. The Marine Managed Areas Improvement Act (MMAIA) (Public Resources Code Sections 36600–36620) standardized the designation of marine managed areas (MMAs), which include MPAs. The overriding goal of these acts is to ensure the conservation, sustainable use, and restoration of California’s marine resources. Unlike previous laws, which focused on individual species, the acts focus on maintaining the health of marine ecosystems and biodiversity in order to sustain resources.

Existing regulations in Section 632, Title 14, California Code of Regulations (CCR), provide general provisions, definitions, and site-specific area classification, boundary descriptions, commercial and recreational

take restrictions, and other restricted/allowed uses for MPAs, MMAs and special closures.

The proposed regulations will clarify take regulations and correct errors and inconsistencies.

Amendment to Subsection 632(a)

This subsection will be amended by moving the subsection header (a) General Rules and Regulations up to incorporate the Section 632 introductory paragraph.

Amend subsections 632(a)(1)(A), (B) and (C)

These subsections will be amended to correctly state and clarify that the Department (not the Commission) has the authority to issue scientific collecting permits.

Amend subsection 632(a)(3) and subsections 632(b)(98), (117), (120), (125), (129), (130), (138), and (144)

The definition of Pelagic Finfish will be amended to specifically add Pacific bonito and thereby clarify that this species is a pelagic finfish under the tuna family. As a result, references to Pacific bonito will be removed when pelagic finfish are allowed to be taken in the area-specific regulations. When Pacific bonito are an exception to take, the reference will remain.

Amend subsection 632(a)(8)

This subsection will be amended to clarify that spearfishermen may transit, with or without catch, through MPAs and other MMAs. The proposed regulation will specify that while transiting MPAs and MMAs that prohibit spearfishing or while in possession of species not identified as allowed for take in the MPA or MMA being transited, spearfishing gear shall be in an unloaded condition, not carried in hand, and the diver shall remain at the surface.

Amendments to subsection 632(b)

This subsection will be amended by stating that certain Fish and Game Code sections listed in subsection 632(b) are “superseded” rather than “made inoperative” as they apply to designations in Subsection 632(b).

Numerous references to “lobster” and “squid” will be changed to indicate the proper names “spiny lobster” and “market squid”. [Subsections 632(b)(68), (108), (112), (131), (133) and 136]]

Provisions will be added to establish a maximum five percent by weight allowance for the incidental take of non-target species landed or possessed on commercial vessels targeting market squid, pelagic finfish, or coastal pelagic species. [Subsections 632(b)(40), (66), (73), (74), (117), (120), (129), (130), (133), (136), and (147)]

Commercial methods of take for coastal pelagic species, which includes market squid, will be added to reflect actual fishing practices by allowing the use of brail gear and light boats. [Subsections 632(b)(117), (120), (129), (130), (133), and (136)]

The regulations for the Bodega Head State Marine Reserve (SMR) [subsection 632(b)(39)] will clarify that the director of the Bodega Marine Life Refuge may authorize certain activities and take, pursuant to sections 10502.7 and 10565 of the Fish and Game Code, only within the formerly-designated Bodega Marine Life Refuge, not the entire SMR. The regulation for this SMR will also clarify that pursuant to Section 10661 of the Fish and Game Code, regents, officers, employees and students of the University of California may take, for scientific purposes, any invertebrate or marine plant without a permit from the Department, only within the formerly-designated Bodega Marine Life Refuge, not the entire SMR.

The Lovers Point SMR [subsection 632(b)(76)] will be renamed the Lovers Point–Julia Platt SMR.

Commercial kelp harvesting regulations in the Naples SMCA [subsection (b)(98)] will be clarified and made consistent with Section 165, Title 14, CCR.

Blue Cavern (Catalina Island) SMCA [subsection 632(b)(124)] will be renamed Blue Cavern (Catalina Island) Onshore SMCA, and Bird Rock (Catalina Island) SMCA [subsection 632(b)(125)] will be renamed Blue Cavern (Catalina Island) Offshore SMCA.

The northern boundary of Lover’s Cove SMCA [subsection 632(b)(128)] will be moved to line up with the end of the Cabrillo Mole.

The limitation of take “below the mean lower low tide line” for recreational take in the Dana Point SMCA [subsection 632(b)(136)] will be removed. The commercial fishing regulations for this SMCA will clarify that trap gear is allowed for the commercial take of spiny lobster.

The western boundary of the San Dieguito Lagoon SMCA [subsection 632(b)(140)] will be specified by latitude and longitude coordinates, and take regulations for this SMCA will be modified to remove the fishing allowance from the Grand Avenue Bridge.

In addition, the following subsections under 632(b) will be amended for clarity and consistency:

- (30) Sea Lion Cove State Marine Conservation Area.
- (40) Bodega Head State Marine Conservation Area.
- (98) Naples State Marine Conservation Area.
- (109) Gull Island (Santa Cruz Island) State Marine Reserve.
- (117) Point Dume State Marine Conservation Area.
- (120) Abalone Cove State Marine Conservation Area.
- (124) Blue Cavern (Catalina Island) State Marine Conservation Area.

(129) Farnsworth (Catalina Island) Onshore State Marine Conservation Area.

(130) Farnsworth (Catalina Island) Offshore State Marine Conservation Area.

(138) Swami's State Marine Conservation Area.

Benefits of the Proposed Action

The proposed amendments will clarify the restrictions and allowable activities in these MPAs; provide greater ease of public understanding and enforceability; correct boundary descriptions; remove unnecessary regulations; and provide consistency in format.

Evaluation of Incompatibility With Existing Regulations

The proposed regulations are consistent with regulations concerning sport and commercial fishing and kelp harvest found in Title 14, CCR. The State Water Resources Control Board may designate State Water Quality Protection Areas and the State Park and Recreation Commission may designate State Marine Reserves, State Marine Conservation Areas, State Marine Recreational Management Areas, State Marine Parks and State Marine Cultural Preservation Areas; however, only the Fish and Game Commission has authority to regulate commercial and recreational fishing and any other taking of marine species in Marine Managed Areas. Commission staff has searched the California Code of Regulations and has found no other regulations pertaining to authorized activities in marine protected areas and therefore has determined that the proposed amendments are neither inconsistent nor incompatible with existing state regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building, First Floor Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 5, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Crowne Plaza Ventura Beach Hotel, 450 E. Harbor Blvd., Ventura, California, on Wednesday, April 16, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014, at the hearing in Ventura, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, includ-

ing environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Dr. Craig Shuman, Regional Manager of the Marine Region, Department of Fish and Wildlife, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the proposed amendments make clarification and consistency changes to the current regulations; make minor boundary adjustments; rename existing MPAs; and add specified methods of take and incidental take allowance consistent with commercial fishing practices.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission is not aware of any impacts the proposed action would have on creation or elimination of jobs or businesses in California or on the expansion of businesses in California.

The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

The existing regulations, and proposed amendments, benefit the environment by protecting habitat and biodiversity in MPAs.

- (c) Cost Impacts on a Representative Private Person or Business:
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that are Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

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

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the Department) proposes to amend Sections 3044, 3190, and 3315, of the California Code of Regulations (CCR), Title 15, Division 3, concerning Inmate Personal Property.

AUTHORITY

Penal Code Sections 5058 and 5058.3.

REFERENCE

Penal Code Section 5054.

PUBLIC HEARING:

Date and Time: Friday, March 21, 2014 — 10:00 a.m. to 11:00 a.m.

Place: Department of Corrections and Rehabilitation
Kern/Colorado Conference Room
1515 S Street — North Building
Sacramento, CA 95811

Purpose: To receive comments about this action.

WRITTEN COMMENT PERIOD:

The public comment period will close **March 21, 2014 at 5:00 p.m.** Any person may submit public comments in writing regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON:

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**S. Alarid
Regulation and Policy Management Branch
Telephone (916) 445-2269**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Joe Stein, Chief
Division of Adult Institutions,
Standardized Procedures Unit
Telephone (916) 323-2863**

INFORMATIVE DIGEST

Penal Code Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

Penal Code Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

Penal Code Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

Penal Code Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

Penal Code Section 5058.3 provides in part that no showing of emergency is necessary in order to adopt, amend, or repeal an emergency regulation if the director instead certifies, in a written statement filed with the Office of Administrative Law, that operational needs of the Department require adoption, amendment, or repeal of the regulation on an emergency basis.

I. Policy Statement Overview

In February 2008, Title 15 section 3190 established the Authorized Personal Property Schedule (APPS) consisting of five separate property schedules, one for each mission-based region of the Division of Adult Institutions. These five schedules are listed in sections 3190(b)(1)-(5), along with a list of each facility/institution that falls under them.

This proposed action reorganizes the APPS away from the mission-based model to one that is based on an inmate's security level and privilege group. The revised APPS clarifies allowable property inmates of a specific privilege group and security level are afforded regardless of which mission they are under and/or in which institution they are housed. The listing of facilities is also removed. This is a more efficient way to organize the APPS because it ensures that similarly situated inmates, those who are the same security level and privi-

lege group but housed at different institutions, do not have a large variance of restrictions on otherwise authorized personal property items.

This proposed regulatory action:

- Amends Section 3044 by replacing the language "Personal Property Packages" with "Inmate Packages" and adding references to specific regulatory sections which explain "special purchases."
- Amends Section 3190 to remove references to specific institutions and incorporate by reference a revised APPS dated 10/1/13.
- Amends Section 3315 to further clarify disposal or loss of entertainment appliances based on an inmate's conduct.
- Amends the APPS to include a separate property matrix for Privilege Group D inmates that includes Security Housing Units (SHU), Psychiatric Services Units (PSU), and Administrative Segregation Units (ASU).
- Expands the APPS by allowing some items that were previously restricted, and adding new products and technologies that have become available (e.g., clear case technology) thereby allowing the Department to permit a wider array of personal property items while also addressing safety and security needs.

II. The anticipated benefits of the proposed regulation

This proposed regulatory action will provide guidance and clarity to staff and inmates regarding allowable personal property and allow the Department to achieve further standardization of allowable property regardless of in which institution an inmate is housed. The authorized volume of property of six cubic feet aids staff in detecting contraband during a cell search, and also helps to reduce the amount of combustible property available if a cell fire occurs. These regulations will prevent discrimination, promote fairness and social equity, promote continued rehabilitation and positive programming, and contribute toward a safe environment for inmates, staff and the public.

III. Comparable Federal Regulation or Statute

None.

IV. Evaluation of whether the regulations are inconsistent or incompatible with existing State regulations.

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

INCORPORATION BY REFERENCE

The Authorized Personal Property Schedule (Rev. 10/1/13) is incorporated by reference and will be made available to the public along with the Notice of Proposed Regulations, Text of Proposed Regulations, and Initial Statement of Reasons.

LOCAL MANDATES

The Department has determined that these regulations do not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: none.
- Cost to any local agency or school district that is required to be reimbursed: none.
- Other nondiscretionary cost or savings imposed on local agencies: none.
- Cost or savings in federal funding to the State: none.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department has determined that the proposed regulation will not:

- Create or eliminate jobs within California.
- Create new businesses or eliminate existing businesses.
- Affect the expansion of businesses currently doing business within California.
- Affect the health of California residents.
- Affect the State’s environment.

These regulations will help protect the health and safety of California residents, worker safety, and the State’s environment by:

- Limiting the volume of property to six cubic feet aids staff in detecting contraband during a cell search, and helps to reduce the amount of combustible property available if a cell fire occurs.
- Providing property distinctions for specific custody levels and privilege groups to encourage constructive behavior and discourage disruptive behavior.
- Permitting a wider array of personal property items for inmates while addressing the security needs of the institution.

EFFECT ON SMALL BUSINESSES

The Department has determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of State prisons.

ALTERNATIVES DETERMINATION STATEMENT

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

Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text, all documents incorporated by reference,

and the Initial Statement of Reasons of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based, is available to the public upon request directed to the Department's contact person. The proposed text, Initial Statement of Reasons, documents incorporated by reference, and Notice of Proposed Regulations will also be made available on the Department's website at: http://www.cdcr.ca.gov/Regulations/Adult_Operations/index.html.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons will be available on the Department's website at http://www.cdcr.ca.gov/Regulations/Adult_Operations/index.html, and may also be obtained from the Department's contact person.

TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter "Board") is proposing to add regulations described in the Informative Digest below. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Chiropractic Examiners at its office no later than 5:00 p.m. on March 10, 2014.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office

no later than 15 days before the close of the written comment period.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 1000-4(b) and 1000-10 of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii), and section 901 of the Business and Professions Code and to implement, interpret or make specific sections 1000-4(b) and 1000-10, of the Business and Professions Code (Chiropractic Initiative Act of California Stats. 1923 p. 1xxxviii); sections 480 and 901 of the Business and Professions Code; section 11105 of the Penal Code; and, Title 16, California Code of Regulations sections 317 and 321.1, the board is considering changes to Title 16, Division 4, of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board currently regulates 13,394 doctors of chiropractic. The Board's highest priority is protection of the public when exercising its licensing, regulatory, and disciplinary functions. The primary methods by which the Board achieves this goal are: issuing licenses to eligible applicants; investigating complaints against licensees and disciplining licensees for violating the provisions of the laws, regulations and Chiropractic Initiative Act (Act) that govern the practice of chiropractic; and monitoring licensees whose license has been placed on probation.

The Chiropractic Initiative Act Section 1000-4(b) authorizes the board to adopt regulations as they may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public.

Business and Professions Code (BPC) section 901 provides an exemption for a health care practitioner, licensed or certified in another state, from the licensing and regulatory requirements of the applicable California healing arts board. To be exempted from California licensure requirements, a health care practitioner may

provide services at a sponsored healthcare event to uninsured or underinsured people on a short-term, voluntary basis. Section 901 requires the out-of-state health care provider to seek the regulatory framework for the approval of an out-of-state health care practitioner and a sponsoring entity to seek approval from the applicable healing arts boards. However, each individual healing arts board is responsible for promulgating regulations to prescribe the specific requirements for the approval of an out-of-state practitioner and a sponsoring entity.

The primary purpose of these proposed regulations is to implement, interpret and make specific the provisions of BPC section 901, as it pertains to licensed doctors of chiropractic, including the application and registration requirements, disciplinary actions, recordkeeping requirements and provisions for termination for the exemption of an out-of-state licensed doctor of chiropractic who wishes to participate in a sponsored free health care event. The Registration of Sponsoring Entity Under Business and Professions Code Section 901, Form 901-A (DCA/2011) and the Request for Authorization to Practice Without a License at a Registered Free Health Care Event, Form 901-B (BCE/2013) are incorporated by reference. This proposal is intended to implement BPC section 901 in a manner that is consistent with the Board's highest priority of providing protection to the public.

The Board is proposing the following changes:

1. Adopt Article 1.5. Sponsored Free Health Care Events — Requirements for Exemption.

This proposal would add a new Article 1.5 and title, designated specifically for placement of the proposed regulations regarding Sponsored Free Health Care Events.

2. Add Section 309. Definitions.

This section would define the terms, "community-based organization", "out-of-state practitioner" and "in good standing". These terms are either not currently defined in statute or require further clarification.

3. Add Section 309.1. Sponsoring Entity Registration and Recordkeeping Requirements.

This proposed section would establish the timeframe for submission of a sponsoring entity's registration form, which is 90 days prior to the sponsored health care event, prescribe the registration form to be used, "Registration of Sponsoring Entity Under Business and Professions Code Section 901", Form 901-A (DCA/2011), and incorporate this form by reference. The "Registration of Sponsoring Entity Under Business and Professions Code Section 901", Form 901-A (DCA/2011) would:

- Part 1 — Require the applicant to disclose the organization name, contact information, type of organization, tax identification number. This portion would also request the organization to disclose whether it is community-based, its mission, goals and activities.
- Part 2 — Require the applicant to provide a list of responsible organization officials, including their name(s), address(es), title(s), phone number(s), and email address(es).
- Part 3 — Require the applicant to disclose event details including the name of the event; date(s) of the event; location(s) of the event; description of the event; a list of all out-of-state health care practitioners the organization currently intends to apply for the event (name, profession, and state of licensure).
- Provide a notice regarding collection and use of personal information provided on the application.
- Provide notice regarding requirements for each out-of-state practitioner practicing at the event, including submission of the required authorization to participate to the applicable licensing board or committee in advance of the event.
- Provide notice of the requirements for the maintenance of records for 5 years in California and for filing a report with the Board within 15 calendar days of completion of the event.
- Require the applicant to certify their statements under penalty of perjury and attest that the individual is authorized to sign on behalf of the organization.
- Require the applicant to submit its application for registration to the Department of Consumer Affairs for processing.

This section would also allow the Board to, by resolution, delegate to the Department of Consumer Affairs ("delegatee") the authority to receive and process Form 901-A (DCA/2011) on behalf of the Board and specify that the Board shall inform the sponsoring entity within 15 days of receipt that the form is either complete and the entity is registered or that the form is deficient and what specific information or documentation is required to complete the form for approval of the registration. The proposed section allows the Board, or its delegatee, to reject the form if all of the identified deficiencies have not been corrected at least 30 days prior to the health care event. This proposed section implements and makes specific the recordkeeping requirements of sponsoring entities set forth in BPC section 901(g) and clarifies that authorization must be granted before a sponsoring entity may allow an out-of-state practitio-

ner to participate in a sponsored event. This section would also specify the information to be provided in the report required under BPC section 901(f).

4. Add Section 309.2. Out-of-State Practitioner Authorization to Participate in Sponsored Event.

This section would establish a timeframe for submission of an out-of-state practitioner’s request for authorization to participate in a sponsored free health care event, which is not less than 20 days prior to the start of the health care event, prescribes the form to be used for authorization to participate, “Request for Authorization to Practice Without a License at a Registered Free Health Care Event”, Form 901-B (BCE/2013), and incorporates the form by reference. The “Request for Authorization to Practice Without a License at a Registered Free Health Care Event” would:

- Part 1 — Require the applicant to provide a completed application accompanied by a \$59 processing fee (or \$108 if using “ink on cards” for fingerprint processing), a copy of each current and valid license authorizing the applicant to engage in the practice of chiropractic in another jurisdiction, any documents or statement requested on the application and fingerprints.
- Part 2 — Require the applicant to disclose their name, social security number, contact information, employer, employer’s contact information, and the name and location of the chiropractic college from which the applicant graduated.
- Part 3 — Require the applicant to respond regarding current, active and valid licensure in another state, district or territory of the United States; any pending investigations by any governmental entity; any past or pending charges against a doctor of chiropractic license; disciplinary action taken against any healing arts license; surrender of a chiropractic license; malpractice settlements or judgments; criminal convictions; current physical or mental impairment related to drugs or alcohol; and the name(s), date(s), locations and degrees earned of all chiropractic colleges attended.
- Part 4 — Require the applicant to provide the name of the non-profit or community-based organization hosting the event; the name, date(s) and location(s) of the event; the date(s) and location(s) the applicant will be performing healthcare services; the type of healthcare services provided by the applicant; and the name and phone number of the contact person with the sponsoring entity.

- Part 5 — Require the applicant to acknowledge and certify the following: (1) agree to comply with applicable practice requirements and regulations of the Board; (2) agree to practice only within the scope of practice of the applicant’s licensure; (3) agree to provide services only to uninsured or underinsured persons at no cost; (4) agree to provide services only in association with the sponsoring entity and the event(s); (5) the applicant has not committed any act or been convicted of any crime constituting grounds for denial of licensure by the Board; (6) the applicant is in good standing with the licensing authority of all jurisdictions in which they hold a license to practice chiropractic; (7) agree to be responsible for knowing and complying with all applicable practice requirements for doctors of chiropractic and all regulations of the Board; (8) agree to post written notice of out-of-state licensure pursuant to Cal. Code of Regs., Title 16, Section 309.4; (9) agree to be responsible for knowing and complying with California law and practice standards; (10) agree to permit the Board to notify the licensing authority of the applicant’s home jurisdiction of any potential grounds for discipline associated with the event; (11) acknowledge that practice without proper licensure may subject the applicant to administrative, civil and/or criminal penalties; and, (12) certify that the applicant has read the questions in the application and that all information is true and complete to the best of the applicant’s knowledge.
- Provide notification that completion and submission of the application grants permission to the Board to verify and investigate any information provided.
- Provide notification regarding collection and use of personal information provided on the application.
- Provide notification that the applicant’s signature on the application authorizes the National Practitioner Data Bank (NPDB) to release any and all information required by the Board.
- Provide notification that authorization will not be granted until clearance has been received from the California Department of Justice and the Federal Bureau of Investigation.

This section would also set forth the criteria under which the board must or may deny a request for authorization to participate and would provide an appeal process for an applicant who has had a request for authorization to participate denied by the Board.

5. Add Section 309.3. Termination of Authorization and Appeal.

This section would provide the grounds upon which the Board may terminate an out-of-state practitioner’s authorization to participate previously granted and specify that written notice of termination, including the basis for termination, shall be given to both the sponsoring entity and the out-of-state practitioner. If the written notice is provided during a sponsored health care event, this proposal would permit the Board to provide the written notice to any representative of the sponsored health care event on the premises. This provision would also set forth the consequences of a termination of authorization to participate and specify the manner in which the Board will report the termination to the NPDB and the applicable out-of-state licensing entity. Lastly, this section would provide the procedure for appealing denials of authorization and terminations of authorization to participate, including an informal hearing under the Administrative Procedure Act (APA) for appeals submitted by out-of-state practitioners.

6. Add Section 309.4. Additional Practice Requirements for Out-of-State Practitioners Authorized to Participate in Sponsored Free Health Care Events.

This section would specify that each out-of-state practitioner authorized to participate in a sponsored health care event must post a notice in a specified font, visible to patients or prospective patients at every station that patients will be seen, providing disclosure of the practitioner’s license and authority to participate in the health care event, and provide contact information for the Board.

POLICY STATEMENT
OVERVIEW/ANTICIPATED BENEFITS
OF PROPOSAL

The Board’s highest priority is protection of the public when exercising its licensing, regulatory and enforcement functions. This proposal is consistent with the Board’s highest priority and will enable chiropractic health care services to be provided at sponsored free health care events to uninsured or underinsured Californians who would not otherwise have the ability to obtain health care. This proposal would provide public protection through registration of sponsoring entities and authorization of out-of-state chiropractic volunteers through an application screening process. Additionally, this proposal complies with the provision of Business and Professions Code Section 901, as it sets forth minimum standards for compliance and practice at such events, including the application and registration requirements, disciplinary actions, recordkeeping

requirements and provisions for termination for the exemption of an out-of-state doctor of chiropractic who wishes to participate in a sponsored free health care event. This proposal will implement BPC Section 901 in a manner that will provide the greatest protection for the people of California.

DOCUMENTS INCORPORATED
BY REFERENCE

Registration of Sponsoring Entity Under Business and Professions Code Section 901, Form 901-A (DCA/2011).

Request for Authorization to Practice Without a License at a Registered Free Health Care Event, Form 901-B (BCE/2013).

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

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

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: It is unknown how many sponsors of free healthcare events and how many volunteer out-of-state practitioners may apply to the Board as a result of these regulations. However, the Board estimates that it will receive approximately 5 applications per year from out-of-state doctors of chiropractic seeking authorization to provide services at sponsored free health care events. The Board has determined that a non-refundable fee of \$59 should be charged to cover the cost of processing the applications for volunteer out-of-state practitioners or \$108 for out-of-state practitioners who submit fingerprints via the “ink on cards” format. The state will not incur any costs to implement this proposal as the fee proposed above will cover the Board’s cost to process the applications. Additionally, this proposal does not affect any federal or State agency or program; therefore, no fiscal impact exists for such entities.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant

statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed regulations will provide the Board with the means to implement, interpret, and make specific Business and Professions Code section 901, as it pertains to licensed doctors of chiropractic, including application and registration requirements, disciplinary actions, recordkeeping requirements and provisions for termination of authorization for out-of-state practitioners who wish to participate in a sponsored free health care event. The Board has estimated that this proposal will not have a significant economic impact on the private sector.

Sponsoring entities may incur nominal expenses associated with submission of the registration form to the Board, and compliance with the recordkeeping and reporting requirements. Sponsoring entities shall be responsible for submitting the registration form, "Registration of Sponsoring Entity Under Business and Professions Code Section 901", Form 901-A (DCA/2011) to the Department of Consumer Affairs (DCA). Expenses associated with submitting the registration form include printing and mailing; however, these expenses are minimal and should not have a significant fiscal impact upon sponsoring entities. Additionally, sponsoring entities shall be responsible for maintaining copies of all records required by BPC section 901(g) at the physical location of the sponsored event. Expenses associated with these recordkeeping requirements include storage and transportation of the required records. These expenses are nominal and would not have a significant impact upon sponsoring entities. Finally, the sponsoring entity shall be responsible for providing a report to the Board summarizing the details of the sponsored health care event within fifteen days after the event has concluded. The report may be provided to the Board in a format of the sponsored entity's choosing. Expenses associated with the reporting requirements may include printing and postage. These expenses are minimal and should not have a significant impact upon sponsoring entities.

Out-of-state doctors of chiropractic seeking authorization from the Board to participate in a sponsored free health care event would incur a \$59 application processing fee. Additionally, the applicant will incur costs associated with submission of fingerprints for purposes of allowing the Board to conduct a criminal history check, of which the fees would vary depending on the manner in which the fingerprints are submitted to the Board (i.e. Live Scan vs. "ink on cards"). These costs are necessary for the protection of the public and to provide staff time and resources for registration of sponsored events and volunteer out-of-state practitioners within the short timeframes set in statute.

Cost Impact on Representative Private Person or Business:

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

Sponsors of free health care events and out-of-state practitioners will incur minimal costs to apply and register with the DCA and Board in compliance with the statute and these regulations. Out-of-state doctors of chiropractic seeking authorization from the Board to participate in a sponsored event will incur a \$59 application processing fee. Additionally, applicants will incur costs associated with submission of fingerprints for purposes of a criminal history check. The average cost per applicant for fingerprinting via Live Scan is \$63 (\$17 FBI +\$32 DOJ + \$14 Avg. Live Scan vendor fee). Live Scan vendor fees range from \$5 to \$45, for an average fee of \$14; however, this process requires the applicant to visit a Live Scan facility in California. For applicants who are unable to submit their fingerprints via Live Scan in California, fingerprint "ink on cards" must be submitted to the Board with a \$49 processing fee (\$17 FBI +\$32 DOJ), which is a direct cost determined by and paid to the Department of Justice for conducting the criminal history check. These fees may be covered by sponsoring entities, who will also incur minor costs with respect to maintaining records for their volunteers, reporting to the board after the events and filing a registration.

Effect on Housing Costs: None.

Effect on Small Business:

The Board has determined that this regulatory proposal would not have a significant economic impact on small businesses because the impact of this rulemaking proposal is to offer free health care to uninsured or underinsured Californians through the use of volunteer health care practitioners coming from out of state to provide chiropractic services.

Business Reporting Requirement:

The Board finds it necessary for the health, safety, or welfare of the people of this state that the proposed regulations which require a report apply to businesses.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

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

The proposed regulations impact volunteer out-of-state licensed doctors of chiropractic who wish to par-

participate with community-based organizations to provide services at sponsored free health care events in California.

The proposed regulations would provide an opportunity for out-of-state licensed health care volunteers to participate in community-sponsored free health care events.

Benefits of Regulations:

This regulation would have a positive impact on the health of uninsured or underinsured Californians who are currently unable to receive health care due to lack of funding and resources. These regulations will benefit the health of Californians who attend sponsored events, in addition to providing public protection through registration of out-of-state volunteer doctors of chiropractic.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements in writing relevant to the above determinations to the address provided above.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all the information, upon which the proposal is based, may be obtained upon written request from:

Dixie Van Allen, Program Analyst
 901 P Street, Suite 142A
 Sacramento, California 95814
 (916) 263-5355 x 5329
 Fax (916) 327-0039
dixie.vanallen@dca.ca.gov

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

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site, www.chiro.ca.gov.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Name: Dixie Van Allen, Program Analyst
 Address: 901 P Street, Suite 142A
 Sacramento, California 95814
 Telephone: (916) 263-5355 x 5329
 Fax: (916) 327-0039
 E-mail: dixie.vanallen@dca.ca.gov

The backup contact person is:

Name: Robert Puleo, Executive Officer
 Address: 901 P Street, Suite 142A
 Sacramento, CA 95814
 Telephone: (916) 263-5355
 Fax: (916) 327-0039
 E-mail: chiro.info@dca.ca.gov

Web Site Address: Materials regarding this proposal can be found at www.chiro.ca.gov.

TITLE 19. OFFICE OF STATE FIRE MARSHAL

Smoke Alarms

The State Fire Marshal (SFM) is providing notice to adopt proposed regulations related to the approval and listing of smoke alarms only operated by a battery as described below, after considering all comments, objections, or recommendations regarding the proposed action.

WRITTEN COMMENT PERIOD

The SFM will accept written comments regarding this proposed regulatory action for at least 45 days beginning January 24, 2014 until 5:00 p.m. on March 10, 2014. Comments may be submitted to the SFM via:

- Email: diane.arend@fire.ca.gov; or

- Facsimile: (916) 445–8459; or
- US Mail (postmarked no later than March 10, 2014):

Office of the State Fire Marshal
P.O. Box 944246
Sacramento, CA 94244–2460
Attn: Diane Arend,
Senior Deputy State Fire Marshal

PUBLIC HEARING

The SFM has not scheduled a public hearing on this proposed action. However, the SFM will hold a public hearing to accept comments if a written request is received from any interested party or their authorized representative no later than 15 days prior to the end of the 45–day written comment period, pursuant to Government Code Section 11346.8.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the 45–day comment period, the SFM may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days before the SFM adopts, amends, or repeals the regulations as revised. The SFM will accept written comments on the modified regulations for 15 days after the date on which they are made available. To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modified regulations. Requests should be sent to the contact person at the address indicated above.

AUTHORITY & REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Section 13114 with reference to 13114, Health and Safety Code to control the quality of smoke alarms marketed, distributed, offered for sale, or sold in this state.

INFORMATIVE DIGEST — POLICY STATEMENT OVERVIEW

This regulatory proposal implements the new smoke alarm requirements mandated by Health and Safety Code Section 13114 and proposes the State Fire Marshal’s exceptions authorized by that section.

Summary of Existing Laws

Health and Safety Code Section 13114 mandates the State Fire Marshal to adopt regulations and standards as he or she may determine to be necessary to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state. No person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

With the passage of SB 1394, Chaptered September 21, 2012 and SB 745, Chaptered August 27, 2013, Section 13114 was amended to add specific requirements for smoke alarms in order for them to be approved and listed by the State Fire Marshal. The section was also amended to authorize the State Fire Marshal to create exceptions, through its regulatory process, to the new smoke alarm requirements.

Summary of Existing Regulations

Existing regulations establish the basic listing requirements for fire alarm devices.

With the amendments made to Health and Safety Code Section 13114 the State Fire Marshal is proposing to add California Code of Regulations (CCR), Title 19, Chapter 1.5, Sections 208(d), 208(d)(1), and 208(d)(2).

Summary of Effect

The effect of these changes will be to implement the mandated requirements for smoke alarm approval and listing and to codify the exemptions to smoke alarm requirements as deemed necessary by the State Fire Marshal.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Determination of Inconsistency/Incompatibility with Existing State Regulations

After conducting a review for any regulation that would relate to or affect this area, the OSFM concluded this is the only regulation that concerns the approval and listing of smoke alarms. The OSFM determined this proposed regulation is not inconsistent or incompatible with existing regulations.

OBJECTIVE AND ANTICIPATED BENEFITS

The broad objective of the proposed action is to relieve the consumers from having to annually replace the smoke alarm battery by requiring the manufacturers to provide a 10–year battery and to provide a hush feature to silence unnecessary alarms.

The specific benefit anticipated from the regulation is that it will consolidate all smoke alarm requirements in one location and that code officials and smoke alarm manufacturers will be able to access the smoke alarm requirements in a location with which they are familiar.

The proposed regulations were developed by the SFM in cooperation with the SFM Fire Alarm Advisory Committee. The SFM consulted with the committee for their recommendations and analysis of the proposed amendments and they concur with the proposal.

Further, the SFM sought the advice of the State Board of Fire Services on the amendments pursuant to Health and Safety Code Section 13114. The State Fire Marshal conferred with the Board at the Board's November 21, 2013 meeting. The Board had no comments regarding the proposed amendments.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

There are no other matters prescribed by statute applicable to the Office of the State Fire Marshal, or to any specific regulation or class of regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The State Fire Marshal has made the following initial determinations:

1. Mandate on local agencies and school districts: **None.**
2. Cost or savings to any other State agency: **None.**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Sections 17500–17630: **None.**
4. Other non–discretionary cost or savings imposed upon local agencies: **None.**
5. Cost or savings in federal funding to the State: **None.**
6. Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: **None.**
7. Significant effect on housing costs: **None.**

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

8. The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action are provided as follows: This regulatory proposal provides certain exemptions to the 10–year battery life, hush feature and labeling requirements, which will benefit the smoke alarm manufacturers by reducing cost without compromising consumer fire safety or reliability of the smoke alarms.

DECLARATION OF EVIDENCE

The OSFM has not relied on any other facts, evidence, documents, testimony or other evidence to make its initial determination of no statewide adverse economic impact.

SMALL BUSINESS EFFECTS

The State Fire Marshal has made the initial determination that the amendments to these regulations will have no “substantial” effect to small business and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small business. The proposed amendments are statutory mandates as set forth in Health and Safety Code, Section 13114.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Adoption of these regulations *will not*:

- a) Create or eliminate jobs within California;
- b) Create new businesses or eliminate existing businesses within California; or
- c) Affect the expansion of businesses currently doing business within California.

The State Fire Marshal has assessed that the exceptions being proposed in this regulatory proposal:

- d) Will benefit California residents and smoke alarm manufacturers by eliminating the unnecessary cost of the 10–year battery and labeling requirements for specific smoke alarm installation configurations, which by the nature of their installation will be supervised for low battery power.

The requirements set forth in this proposed rulemaking are statutorily mandated by Health and Safety Code, Section 13114.

Small Business Determination: The OSFM has determined that the proposed regulations will not affect

small business. During the crafting of the legislation, representatives of the fire alarm industry were consulted and the consensus of the representatives was that the technology and materials (10-year batteries, hush feature and labels) required by the new regulations are readily available to all smoke alarm manufacturers and that there would be no substantial impact upon the industry.

CONSIDERATION OF ALTERNATIVES

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

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

BUSINESS REPORT

This regulatory proposal does not mandate any new reporting or recordkeeping requirements, but will require 10-year battery life and labeling requirements for smoke alarms.

CONTACT PERSON

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations or other information upon which the rulemaking is based may be directed to:

- Office of the State Fire Marshal:
1131 'S' Street, Sacramento, CA 95814

Diane Arend, Senior Deputy SFM (RA),
Regulations Coordinator
(916) 324-9592
diane.arend@fire.ca.gov

James Parsegian, Supervising Deputy SFM
(916) 445-8415
James.parsegian@fire.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, shown above. As of the date this notice is published in the Notice Register the SFM's rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons for the proposed action. The full text of the regulations, along with the Final Statement of Reasons (FSOR) upon which the changes are based is available from the contact person as shown above. Copies may be obtained through the contact at the address or telephone number listed above.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons (FSOR) may be obtained by making a written request to the contact person at the above address or by accessing the website listed below.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statements of Reasons (ISOR) and the text of proposed regulations, highlighted in underline and strikeout may be accessed through the SFM web site at: <http://osfm.fire.ca.gov/codedevelopment/codedevelopment.php>.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD#0813-10

ITEM # 1 California Work Opportunity and Responsibility to Kids (CalWORKs) Overpayments

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held March 12, 2014, as follows:

Office Building # 8
744 P St., Room 103
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately

following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on March 12, 2014.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT

Office of Regulations Development
 California Department of Social Services
 744 P Street, MS 8-4-192
 Sacramento, California 95814
 TELEPHONE: (916) 657-2586
 FACSIMILE: (916) 654-3286
 E-MAIL: ord@dss.ca.gov

CHAPTERS

Manual of Policies and Procedures (MPP) Chapter 44-300.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Before the implementation of All County Letters (ACLs) 12-02, 12-23 and 12-66, it was possible for County Welfare Departments (CWDs) to establish and conduct overpayment (OP) recoupment processes against any members of an overpaid Assistance Unit (AU) at any time. This meant that if a child moved to a new AU from an overpaid AU, or had been in an overpaid AU as a child, he or she could be held liable for OPs incurred by the AU's parent or caretaker relative.

Hartley v. Lightbourne (Case No. RG11605702, 11/05/2012, Alameda Superior Court) challenged the Department's policy on OP recoupment against certain populations of persons, described above. In an attempt to proactively avoid prolonged litigation, the Department issued a series of ACLs addressing the opposing party's major concerns.

The release of ACLs 12-02, 12-23 and 12-66 reduced the population against whom OP recoupments shall be established. These ACLs mandated that, as of January 6, 2012, CWDs shall no longer collect OPs from the following: 1) adults or emancipated minors who were minors receiving cash aid in an AU when an OP occurred, and 2) any minor who becomes a member of a new AU when the OP occurred while the minor was a member of the previous AU.

ANTICIPATED BENEFITS

The Department anticipates that these proposed regulations will benefit needy and vulnerable adults and children who were receiving cash aid in a previous AU when an OP occurred by relieving them of the OP liability. Additionally, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross references as necessary.

The Department reviewed existing program regulations and determined that no other regulations clarify the requirements provided for by the litigation. These proposed regulations are not only consistent and compatible with existing state regulations but also with the intent of *Hartley v. Lightbourne*.

COST ESTIMATE

1. Costs or Savings to State Agencies: Overpayment collections are not included in the Department's budget; however, some portion of the outstanding balance of overpayment collections may not be collected resulting in loss of state revenue, though the impact is assumed to be minimal. Any automation or administration cost associated with

this change was determined absorbable within existing funds.

2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: Overpayment collections are not included in the Local Assistance budget. Any automation or administration cost associated with this change was determined absorbable within existing funds.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: Overpayment collections are not included in the Local Assistance budget. Any automation or administration cost associated with this change was determined absorbable within existing funds.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate on local agencies. If the Commission on State Mandates determines that these regulations contain reimbursable costs mandated by the state, reimbursement to local agencies for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because this regulatory action only affects CalWORKs program recipients.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

These regulations as set forth in All County Letters (ACLs) 12–02, 12–23 and 12–66 are only applicable to CalWORKs program recipients. The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed action does not have a cost impact on the private sector.

SMALL BUSINESS IMPACT STATEMENT

The CDSS has made an initial determination that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefit of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment is that it allows counties more effective utilization of limited resources for CalWORKs program services and provides counties additional flexibility to address funding constraints due to the continued reduction to the CalWORKs single allocation. The CDSS anticipates that these proposed regulations will benefit needy and vulnerable adults and children who were receiving cash aid in a previous AU when an OP occurred by relieving them of the OP liability. Additionally, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross references as necessary.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

The *Hartley v. Lightbourne* Settlement Agreement was reached after considerable negotiations between the CDSS and opposing counsel. The Settlement Agreement represents both parties’ consideration of alternatives and the compromise reached was considered best for the affected population.

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

ANTICIPATED BENEFITS

The CDSS anticipates that these proposed regulations will benefit needy and vulnerable adults and chil-

dren who were receiving cash aid in a previous AU when an OP occurred. Additionally, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross-references as necessary.

AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Sections 10553, 10554, and 11004(h), Welfare and Institutions Code. Subject regulations implement and make specific *Hartley v. Lightbourne* (Case No. RG11605702, 11/05/2012, Alameda Superior Court).

Contact Person: Kenneth Jennings
(916) 651-8862
Backup: Zaid Dominguez
(916) 657-2586

EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at a public hearing in accordance with Government Code Section 11346.4.

GENERAL PUBLIC INTEREST

OFFICE OF STATE FIRE MARSHAL

NOTICE OF CORRECTION

This amendment is to correct the misprinted term mentioned in the “Notice of Proposed Rulemaking” as published in the California Regulatory Notice Register 2013, No. 51-Z, December 20, 2013.

Although the Notice subject is correct and is also described in the Informative Digest as “Automatic Fire Extinguishing Systems”, the first paragraph underneath the heading (in the body of the notice) says “**Portable** Fire Extinguishers.” (Emphasis added.) The correct term should be “Automatic Fire Extinguishing Systems.”

Any inquiries regarding this correction should be made to Diane Arend, Regulations Coordinator, Office of the State Fire Marshal, 1131 ‘S’ Street, Sacramento, Ca 95814; telephone (916) 324-9592 or email diane.arend@fire.ca.gov.

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

**SPACE BANK MINI STORAGE FACILITY
FORMERLY THE NAVAL INFORMATION
RESEARCH FOUNDATION (NIRF) PROPOSED
CONSENT DECREE (SETTLEMENT
AGREEMENT)**

30-Day Public Comment Period: January 24 through February 24, 2014

Para información en español por favor comuníquese con Jesus Cruz al número (916) 255-3315

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (DTSC) proposes to enter into a (revised) Consent Decree as authorized by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), with Space Bank LTD, Robert Oltman and Margaret Schubert, regarding the Space Bank Mini Storage facility, located at 3202 East Foothill Boulevard in Pasadena, California (Site). This Site was formerly the location of the Naval Information Research Foundation (NIRF) Under Sea Center. In 2012, DTSC publicly noticed a previous version of the Consent Decree and in response to the comments received has made revisions. In addition to a number of clarifying edits, the revisions in the proposed 2013 Consent Decree will resolve Space Bank’s CERCLA liability for the releases of hazardous substances at the Site.

Investigations conducted at the Site have detected the presence of various metals; volatile organic compounds, including, but not limited to, tetrachloroethylene; and petroleum hydrocarbons. To date, no investigation of groundwater has been conducted.

WHY THIS NOTICE AND HOW YOU CAN PARTICIPATE: Copies of the proposed 2013 Consent Decree (including a markup showing changes from the 2012 version), a Community Notice/Fact Sheet, and other supporting information such as the Environmental Summary Report by Kennedy/Jenks are available by contacting Jennifer Rich at (714) 484-5415; or online at the DTSC EnviroStor website: http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=19970020 on the Community Involvement and Activities tabs.

WHERE TO SEND COMMENTS: Comments concerning the proposed 2013 Consent Decree may be submitted in writing to Jennifer Rich, Site Project Manager at DTSC, 5796 Corporate Avenue, Cypress CA 90630, or e-mail to jrich@dtsc.ca.gov. All comments must be postmarked or e-mailed by February 24, 2014. If a public meeting is deemed necessary regarding the

proposed 2013 Consent Decree, DTSC will hold a public meeting close to the Site.

For more information, please contact Jennifer Rich at (714) 484-5415 or Tim Chauvel, Public Participation Specialist at (714) 484-5487. For media inquiries, contact Sandy Nax, (916) 327-6114. For more information about DTSC, visit www.dtsc.ca.gov.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION

TITLE 27. CALIFORNIA CODE OF REGULATIONS PROPOSED AMENDMENT TO SECTION 25302, SCIENCE ADVISORY BOARD AND SECTION 25304, FINANCIAL DISCLOSURE

As required by Government Code section 11346.8(c), and Title 1, Section 44 of the California Code of Regulations, the Office of Environmental Health Hazard Assessment (OEHHA) is providing notice of a change made to the proposed regulations amending the required qualifications for appointment to the Developmental and Reproductive Toxicant (DART) Identification Committee.

This proposed regulation was originally the subject of a Notice of Proposed Rulemaking published on October 25, 2013, in the California Regulatory Notice Register (Register 2013, No. 43-Z), which initiated a public comment period. One written submission from the public was received during the comment period that ended December 9, 2013.

After review of the comments received, Section 25302(b)(2)(i) of the regulation has been amended to identify several sub-specialties of research experience that are particularly relevant. Although those sub-specialties were encompassed by the areas previously identified, concern was expressed by the commenter that their omission might be perceived as de-emphasizing these core areas of expertise. The new modifications are shown in double-underline below:

(b)(2) The DART Identification Committee shall be composed of no less than seven (7) members and no greater than eleven (11) members. Each member shall

be an expert who has; and shall include experts from among the following areas of specialization:

i) completed a doctoral degree and has research experience in an area of specialization among the following: epidemiology, developmental toxicology, reproductive toxicology, teratology, developmental toxicology, reproductive toxicology, teratology, medicine, public health, biostatistics, biology, toxicology, and related fields; and.

ii) demonstrated ongoing expertise in the conduct of advanced scientific work of relevance to the identification of chemicals that pose reproductive or developmental hazards using generally accepted and scientifically valid principles and methodologies.

These modifications are also presented on the OEHHA website at www.oehha.ca.gov, and may be requested from Monet Vela at the OEHHA Legal Office at (916) 323-2517.

OEHHA will accept written comments on these amendments to the proposed regulation between January 24 and February 10, 2014. Comments must be submitted no later than 5:00 p.m. on **February 10, 2014**. We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.comments@oehha.ca.gov. Please include "Committee Qualifications" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below. Mailed, faxed or hand-delivered comments should be addressed to:

Monet Vela
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010
Telephone: 916-323-2517
Fax: 916-323-2610
E-mail: P65Public.Comments@oehha.ca.gov

SUMMARY OF REGULATORY ACTIONS

EDITORIAL CORRECTION

In the January 3, 2014 Notice Register 2014, 1-Z, p. 40, there was an incorrect section listed for the Board of Equalization filing, OAL Regulatory Action No. 2013-1108-02, re: Roll Corrections. Among the sections amended for Title 18, one of the sections was incorrectly listed as 464.240. The correct section number should be 462.240. We regret the error.

**REGULATIONS FILED WITH
SECRETARY OF STATE**

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

File# 2013-1202-06
BOARD OF ACCOUNTANCY
Fees

The Board of Accountancy is amending section 70 of title 16 of the California Code of Regulations to reduce the amount of fees charged between July 1, 2014 and June 30, 2016.

Title 16
California Code of Regulations
AMEND: 70
Filed 01/13/2014
Effective 07/01/2014
Agency Contact: Matthew Stanley (916) 561-1792

File# 2013-1230-03
BOARD OF STATE AND COMMUNITY
CORRECTIONS
Construction Financing Program

This emergency re-submittal amends some sections and adopts some sections within Title 15 of the California Code of Regulations. The regulations add eligibility requirements, matching fund requirements, a proposal process and evaluation criteria for the construction financing program for adult local criminal justice facilities.

Title 15
California Code of Regulations
ADOPT: 1712.2, 1714.2, 1730.2, 1740.2
AMEND: 1700, 1706, 1712, 1712.1, 1714, 1714.1, 1730, 1730.1, 1731, 1747, 1747.1, 1747.5, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792
Filed 01/09/2014
Effective 01/09/2014
Agency Contact: Ginger Wolfe (916) 341-7325

File# 2013-1125-05
CALIFORNIA ENERGY COMMISSION
Geothermal Grant and Loan Program

The California Energy Commission is amending 6 sections and an appendix in Title 20 of the California Code of Regulations. The purpose of the amendments is

to simplify the application and review process for the Geothermal Grant and Loan Program. Previously it required a pre-application and an application. They have reduced that to one application. They have also simplified the process involved in the awarding of grants or loans. The rulemaking also establishes how private entity applicants can demonstrate compliance with statutory requirements. Additionally there are amendments made to update provisions to reflect changes made to the relevant statutes.

Title 20
California Code of Regulations
AMEND: 1660, 1661, 1662, 1663, 1664, 1665
Filed 01/08/2014
Effective 01/08/2014
Agency Contact: Deborah Dyer (916) 654-3870

File# 2013-1217-01
CALIFORNIA STATE LIBRARY
Conflict of Interest Code

This is an amendment to a Conflict of Interest Code that has been approved by the Fair Political Practices Commission on December 6, 2013 and is being submitted for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 2
California Code of Regulations
AMEND: 55300
Filed 01/13/2014
Effective 02/12/2014
Agency Contact: Victor Pong (916) 445-9595

File# 2014-0102-02
CENTRAL VALLEY FLOOD PROTECTION
BOARD
Title 23 Waters, Division 1, Central Valley Flood Protection Board

This regulatory action is a deemed emergency pursuant to Water Code section 8709. It establishes enforcement procedures for removal or modification of violating encroachments (those that are unpermitted or are not maintained in accordance with a permit) that may affect the Central Valley flood control system (primarily levees).

Title 23
California Code of Regulations
ADOPT: 13.2, 21, 22, 23, 24, 25, 27, 29
AMEND: 13, 13.1, 13.2 (renumbered to 13.3), 20, 21 (renumbered to 26), 26 (renumbered to 28), 28 (renumbered to 30) REPEAL: 23, 24, 25, 27
Filed 01/09/2014
Effective 01/09/2014
Agency Contact: Curt Taras (916) 709-0519

File# 2013-1203-03
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING
Amend Reimbursement for Training Presentation

This regulatory action expands the scope of training reimbursement Plan V to allow for training presentation costs to be paid to colleges, universities, private presenters, other public entities, and joint powers agencies, as well as the currently allowed agency presenters. Such reimbursement is to be monitored by the POST program manager.

Title 11
California Code of Regulations
AMEND: 1015(c)
Filed 01/14/2014
Effective 04/01/2014
Agency Contact: Patti Kaida (916) 227-4847

File# 2013-1125-04
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Various Non-Regulatory Changes

This filing amends several sections as a change without regulatory effect. Most of the changes reflect the change in the Department's name and the name of the Department's divisions as a result of the Governor's Reorganization Plan of 2005, as well as illustrating the new name for some other state agencies due to more recent legislation.

Title 15
California Code of Regulations
AMEND: 3000, 3006, 3084.7, 3165, 3176, 3177, 3294.5, 3310, 3315, 3352, 3376, 3376.1, 3377.1, 3379, 3426, 3430, 3434
Filed 01/08/2014
Agency Contact: Rosie Ruiz (916) 445-2309

File# 2013-1224-01
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
California Parole Supervision and Reintegration Model Pilot Program

This action repeals the California Parole Supervision and Reintegration Model Pilot Program originally adopted in 2010 (OAL file # 2010-0901-02).

Title 15
California Code of Regulations
REPEAL: 3999.9
Filed 01/15/2014
Agency Contact: Gail Long (916) 445-2276

File# 2013-1224-02
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Inmate Personal Property

The California Department of Corrections and Rehabilitation (CDCR) amended sections 3044, 3190, and 3315 in Title 15 of the California Code of Regulations. This emergency regulatory action submitted to the Office of Administrative Law (OAL) pursuant to Penal Code section 5058.3 as operationally necessary, amends the personal property regulations and incorporates by reference a slightly modified version of the authorized personal property schedules (APPS). The proposed amendments reorganize the APPS away from the mission-based model to one that is based on an inmate's security level and privilege group. The revised APPS clarifies allowable property an inmate of a specific privilege group and security level regardless of which mission-based region where they are housed. This ensures that similarly situated inmates do not have a large variance of restrictions on otherwise authorized personal property items.

Title 15
California Code of Regulations
AMEND: 3044, 3190, 3315
Filed 01/08/2014
Effective 01/08/2014
Agency Contact: Shelley Alarid (916) 445-2287

File# 2013-1125-02
DEPARTMENT OF FOOD AND AGRICULTURE
Diseased Animals

This re-submitted regulatory action amends and repeals various sections of the California Code of Regulations in title 3, division 2, chapter 7, which is entitled "Control of Diseased Animals." It updates terminologies, changes the requirements for obtaining a permit for transporting diseased animals into California, lists the available remedies for violations of these regulations, and modifies the period during which records should be maintained from six months to two years.

Title 3
California Code of Regulations
AMEND: 1300, 1300.1, 1300.3, 1300.11, 1300.12, 1300.13, 1300.14, 1300.15
REPEAL: 1300.2, 1300.4
Filed 01/09/2014
Effective 04/01/2014
Agency Contact: Thami Rodgers (916) 698-3276

File# 2014-0107-02
DEPARTMENT OF FOOD AND AGRICULTURE
Direct Marketing: Community-Supported Agriculture

This regulatory action establishes a \$75 annual registration fee to fund a community-supported agriculture

registration program. It is submitted as a file and print only pursuant to Food and Agriculture Code section 47062(e). Every producer of a single-farm or multi-farm community-sponsored agriculture program must pay the fee. It also establishes a \$25 fee for any registration amendments.

Title 3
 California Code of Regulations
 ADOPT: 1392.13
 Filed 01/14/2014
 Effective 01/01/2014
 Agency Contact: Steve Patton (916) 445-2180

File# 2013-1218-04
 DEPARTMENT OF REHABILITATION
 Section 100 Changes — Typographical Corrections

This action without regulatory effect amends three sections in Title 9 of the California Code of Regulations. The amendments correct typographical errors and correct the numbering of one section.

Title 9
 California Code of Regulations
 AMEND: 7214.1, 7220.7, 7227.2
 Filed 01/14/2014
 Agency Contact: Shelly Risbry (916) 445-4466

File# 2014-0102-01
 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
 Imported Empty Beverage Container Material

This emergency rulemaking action implements Assembly Bill 1933, Chapter 540, Statutes of 2012, by adding inspection, reporting, and record keeping requirements for importers and recipients of imported empty beverage container material so as to protect the California Beverage Container Recycling Fund from fraudulent refund value claims for beverage containers which contain a redemption value label but which were purchased outside of the state.

Title 14
 California Code of Regulations
 ADOPT: 2830, 2831, 2831.1, 2831.2, 2831.3, 2831.4, 2831.5, 2832, 2833, 2834, 2835
 AMEND: 2000, 2085, 2501
 Filed 01/13/2014
 Effective 01/13/2014
 Agency Contact: Adam Tauber (916) 327-0089

File# 2013-1205-01
 FISH AND GAME COMMISSION
 Commercial Harvest of Kelp

This rulemaking action amends two sections in Title 14 of the California Code of Regulations. The purpose

of these amendments is to improve management and enforceability of the commercial harvest of kelp. The amendments define kelp bed boundaries using spatially explicit latitude and longitude coordinates and remove references to antiquated kelp bed maps. The amendments also require a Fish and Game Commission (Commission) approved kelp harvest plan for the mechanical harvest of all kelp in all kelp beds. The amendments remove the requirement of a Commission-approved development plan and replaces it with the kelp harvest plan. The amendments to the regulations specify the required details in and frequency of harvest plans. The regulations also incorporate by reference a form, the Kelp Harvesting License Application.

Title 14
 California Code of Regulations
 AMEND: 165, 165.5
 Filed 01/14/2014
 Effective 04/01/2014
 Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2013-1121-02
 FRANCHISE TAX BOARD
 Intercompany Transactions

This regulatory action by the Franchise Tax Board amends CCR Title 18, Section 25106.5-1, to bring it to conformity with the most recent version of Treasury Regulation section 1.1502-13, to provide guidance with respect to the treatment of a Deferred Intercompany Stock Account (DISA) in circumstances involving mergers, subsequent capital contributions, intercompany transfers of stock, tiered excess distributions, and DISA reporting requirements. The amendments also clarify the definition of "treatment as a separate entity" as well as the simplifying rules for the proper apportionment treatment of intercompany transactions. They further add "redemption" as an occurrence that would trigger a DISA and they address the effective date of the above-mentioned amendments.

Title 18
 California Code of Regulations
 AMEND: 25106.5-1
 Filed 01/08/2014
 Effective 04/01/2014
 Agency Contact: Colleen Berwick (916) 845-3306

File# 2013-1122-05
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Airborne Contaminants, N-Methylpyrrolidone

This rulemaking action by the California Occupational Safety and Health Standards Board (Board) amends Title 8, Section 5155, of the California Code of Regulations, by adding N-Methylpyrrolidone with

specified exposure limits to the substances listed in Table AC–1 of Section 5155.

Title 8
California Code of Regulations
AMEND: 5155
Filed 01/09/2014
Effective 04/01/2014
Agency Contact: Marley Hart (916) 274–5721

File# 2013–1122–04
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Cranes and Derricks in Construction — Underground
and Demolition

This rulemaking action by the Occupational Safety and Health Standards Board modifies state standards for cranes and derricks used in demolition and underground construction work to conform to recently updated federal rules.

Title 8
California Code of Regulations
AMEND: 8495, 8496, 8497, 8500
Filed 01/09/2014
Effective 04/01/2014
Agency Contact: Marley Hart (916) 274–5721

File# 2013–1121–03
PUBLIC UTILITIES COMMISSION
Rules of Practice and Procedure

The California Public Utilities Commission amended sections 1.2, 1.5, 1.9, 1.10, 1.13, 2.4, 3.3, 3.6, 4.2, 8.3, 13.1, 13.8, 13.11, 13.13, 14.1, 14.2, 14.5, 14.6, 15.2, 16.6, and 18.1 of title 20 of the California Code of Regulations regarding rules of practice and procedure. This filing is subject to limited review by the Office of Administrative Law pursuant to Government Code section 11351 and Public Utilities Code section 311(h).

Title 20
California Code of Regulations
AMEND: 1.2, 1.5, 1.9, 1.10, 1.13, 2.4, 3.3, 3.6, 4.2, 8.3, 13.1, 13.8, 13.11, 13.13, 14.1, 14.2, 14.5, 14.6, 15.2, 16.6, 18.1
Filed 01/08/2014
Effective 04/01/2014
Agency Contact: Hallie Yacknin (415) 703–1675

File# 2013–1126–02
STATE MINING AND GEOLOGY BOARD
Surface Mining Ordinances

The State Mining and Geology Board adopted section 4000 in title 14 of the California Code of Regulations to require a lead agency to provide written notice to the State Mining and Geology Board of the complete

text of any new mining ordinance or amendment of an existing mining ordinance.

Title 14
California Code of Regulations
ADOPT: 4000
Filed 01/13/2014
Effective 04/01/2014
Agency Contact: Stephen M. Testa (916) 322–1082

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN August 14, 2013 TO
January 15, 2014**

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

Title 1
11/21/13 ADOPT: 2002(c)(4), 2002(c)(5), 2002(c)(8)
10/29/13 ADOPT: 2000, 2001, 2002, 2003, 2004

Title 2
01/13/14 AMEND: 55300
12/23/13 ADOPT: 18950.2 AMEND: 18942, 18944, 18950, 18950.1, 18950.4
REPEAL: 18727.5, 18950.3
12/23/13 AMEND: 18351
12/02/13 ADOPT: 18417
11/19/13 ADOPT: 21001.1, 21001.2, 21001.3
AMEND: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007 (re–numbered to 21004.5), 21008, 21009 (re–numbered to 21005.5)
11/04/13 AMEND: 1859.2, 1859.71, 1859.71.6, 1859.74.5, 1859.77.4, 1859.82, 1859.83
10/30/13 AMEND: 1859.76
10/25/13 ADOPT: 579.3, 579.21, 579.22, 579.25
AMEND: 579.2
10/03/13 AMEND: 18521.5
10/03/13 ADOPT: 18421.5
10/03/13 AMEND: 18239
10/03/13 AMEND: Amend and renumber sections: 7285.0 (11000), 7285.1 (11001), 7285.2 (11002), 7285.4 (11003), 7285.7 (11004), 7286.0 (11005), 7286.1 (11005.1), 7286.3 (11006), 7286.4 (11007), 7286.5 (11008), 7286.6 (11009), 7286.7(11010),

7286.8 (11011), 7287.0 (11013), 7287.1 (11014), 7287.2 (11015), 7287.3 (11016), 7287.4 (11017), 7287.6 (11019), 7287.7 (11020), 7287.8 (11021), 7287.9(11022), 7288.0 (11023), 7289.4 (11027), 7289.5 (11028), 7290.6 (11029), 7290.7 (11030), 7290.8 (11031), 7290.9 (11032), 7291.0 (11033), 7291.1 (11031), 7291.2 (11035), 7291.3 (11036), 7291.4 (11037), 7291.6 (11039), 7291.7 (11040), 7291.8 (11041), 7291.9 (11042), 7291.10 (11043), 7291.11 (11044), 7291.12 (11045), 7291.13 (11046), 7291.14 (11047), 7291.16 (11049), 7291.17 (11050), 7291.18 (11051), 7292.0 (11052), 7292.1 (11053), 7292.2 (11054), 7292.3 (11055), 7292.4 (11056), 7292.6 (11058), 7293.0 (11059), 7293.1 (11060), 7293.2 (11061), 7293.3(11062), 7293.4 (11063), 7293.5 (11064), 7293.6 (11065), 7293.7 (11066), 7293.8 (11067), 7293.9 (11068), 7294.0 (11069), 7294.1 (11070), 7294.2 (11071), 7295.0 (11074), 7295.1 (11075), 7295.2 (11076), 7295.3 (11077), 7295.4 (11078), 7295.5 (11079), 7295.6 (11080), 7295.7 (11081), 7295.8 (11082), 7295.9 (11083), 7296.0 (11084), 7296.1 (11085), 7296.2 (11086), 7297.0 (11087), 7297.1 (11088), 7297.2 (11089), 7297.3 (11090), 7297.4 (11091), 7297.5 (11092), 7297.6 (11093), 7297.7(11094), 7297.9 (11096), 7297.10 (11097), 7297.11 (11098), 8101 (11099), 8102 (11100), 8102.5 (11101), 8103 (11102), 8104 (11103), 8106 (11104), 8107 (11105), 8109 (11107), 8112 (11108), 8113 (11109), 8114 (11110), 8115 (11111), 8117 (11113), 8117.5 (11114), 8118 (11115), 8119 (11116), 8120 (11117), 8200 (11118), 8201 (11119), 8202 (11120), 8202.5 (11121), 8203 (11122), 8205 (11124), 8300 (11125), 8301 (11126), 8302 (11127), 8303 (11128), 8310 (11130), 8311 (11131), 8312 (11132), 8400 (11133), 8401 (11134), 8402 (11135), 8403 (11136), 8500 (11137), 8501 (11138), 8503 (11140), 8504 (11141); Renumber sections: 7287.5 (11018), 7288.1 (11024), 7288.2 (11025), 7288.3 (11026), 7291.5 (11038), 7292.5 (11057), 7294.3 (11072), 7294.4 (11073), 8108 (11106), 8116 (11112), 8204 (11123), 8304 (11129), 8502 (11139) REPEAL: 7285.3, 7285.5, 7285.6, 7286.9, 7291.15, 7297.8, 7400, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429, 7430, 7431, 7432, 7433, 7434, 7435, 7436, 7437, 7438	
	09/23/13 REPEAL: 58700
	09/23/13 REPEAL: 53200
	09/23/13 REPEAL: 53400
	09/23/13 REPEAL: 57100
	09/19/13 AMEND: 2970
	09/16/13 REPEAL: 56500
	09/16/13 REPEAL: 59580
	09/12/13 REPEAL: 56400
	09/12/13 REPEAL: 52700
	09/12/13 REPEAL: 54500
	09/09/13 AMEND: 649.56
	08/23/13 ADOPT: 1859.90.3 AMEND: 1859.2, 1859.51, 1859.61, 1859.90.2, 1859.90.4, 1859.104, 1859.164.2, 1859.184.1
	Title 3
	01/14/14 ADOPT: 1392.13
	01/09/14 AMEND: 1300, 1300.1, 1300.3, 1300.11, 1300.12, 1300.13, 1300.14, 1300.15 REPEAL: 1300.2, 1300.4
	12/16/13 AMEND: 3591.12(a) & (b)
	12/05/1 ADOPT: 1280, 1280.1, 1280.8, 1280.10 AMEND: 1280.73
	11/25/13 AMEND: 3435(b)
	11/13/13 AMEND: 3700(c)
	11/07/13 AMEND: 3591.20(a)
	11/07/13 AMEND: 6512, 6513
	11/06/13 ADOPT: 1180.3.3, 1180.3.4, 1180.3.5, 1180.3.6, 1180.3.7, 1180.3.8, 1180.3.9
	11/04/13 AMEND: 3591.6(a)
	10/21/13 AMEND: 1380.19(p)
	10/21/13 AMEND: 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7
	10/14/13 AMEND: 3435(b)
	10/07/13 AMEND: 3435(b)
	09/30/13 AMEND: 3435(b)
	09/20/13 AMEND: 3435(b)
	09/12/13 ADOPT: 2320.3, 2320.4(a), 2320.4(b), 2320.4(c), 2324, 2325 AMEND: 2302, 2304, 2304(b)(1), 2304(d), 2322, 2322.3
	09/12/13 ADOPT: 3591.11
	09/10/13 AMEND: 3434(b), 3434(c)
	09/06/13 AMEND: 3589(a)

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Title 4

12/26/13 ADOPT: 8034(d)
 12/24/13 AMEND: 8070, 8072
 12/23/13 AMEND: 5000, 5170, 5190, 5205, 5212, 5230, 5250
 12/19/13 AMEND: 10325
 12/04/13 AMEND: 12200.20, 12220.20, 12480, 12482, 12500, 12505, 12508 REPEAL: 12488
 11/21/13 ADOPT: 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129
 11/21/13 AMEND: 1101, 1126, 1373.2, 1374, 1374.2, 1374.3, 1383.2 REPEAL: 1370, 1374.1
 10/28/13 AMEND: 4001
 10/07/13 AMEND: 10030, 10031, 10032, 10033, 10034, 10035, 10036
 10/07/13 ADOPT: 8035.5
 09/27/13 ADOPT: 12014
 09/24/13 AMEND: 8035
 09/03/13 AMEND: 4180, 4181
 08/16/13 ADOPT: 10170.1, 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11, 10170.12, 10170.13, 10170.14, 10170.15

12/16/13 ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208, 10208.1 AMEND: 10205, 10205.12
 12/02/13 AMEND: 15600, 15605
 11/08/13 ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52
 11/06/13 AMEND: 1529, 1532, 1532.1, Appendix B of 1532.1, 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, Appendix A of 5192, 5194, Appendix A of 5194, Appendix B of 5194, Appendix C of 5194, Appendix D of 5194, Appendix E of 5194, Appendix F of 5194, Appendix G of 5194, 5198, Appendix B of 5198, 5200, 5201, 5202, Appendix A of 5202, 5206, 5207, 5208, Appendix J of 5208, 5209, 5210, 5211, 5212, Appendix B of 5212, 5213, 5214, 5217, Appendix A of 5217, 5218, 5220, 8358, Appendix K of 8358, 8359
 11/06/13 AMEND: 105

Title 5

12/04/13 AMEND: 15440, 15444, 15445, 15446, 15447, 15448, 15450, 15451, 15453, 15455, 15456, 15460, 15461, 15463, 15464, 15467, 15468, 15469, 15471, 15471.2, 15472, 15473, 15474, 15475, 15480, 15483, 15484, 15485, 15486, 15490, 15493
 10/23/13 ADOPT: 80691, 80692
 10/17/13 ADOPT: 19847 AMEND: 19816, 19816.1, 19818, 19824, 19829, 19837.3
 10/16/13 REPEAL: 3052
 09/25/13 AMEND: 11530, 11531, 11532
 09/25/13 AMEND: 20101, 20107, 20190 REPEAL: 20150, 20151, 20152, 20153, 20154, 20155, 20156, 20157
 09/25/13 AMEND: 11530, 11531, 11532
 09/17/13 AMEND: 4600, 4610, 4630, 4631, 4633, 4650, 4611, 4620, 4621, 4622, 4632, 4640
 09/16/13 AMEND: 80499
 09/05/13 AMEND: 19816, 19828.4

10/29/13 ADOPT: 344.76, 344.77
 10/03/13 ADOPT: 11770, 11771.1, 11771.3, 11772, 11773
 09/30/13 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15 AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795
 09/30/13 ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12
 09/30/13 ADOPT: 10205, 10205.12, 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208
 09/24/13 ADOPT: 9789.12.1, 9789.12.2, 9789.12.3, 9789.12.4, 9789.12.5, 9789.12.6, 9789.12.7, 9789.12.8, 9789.12.9, 9789.12.10, 9789.12.11, 9789.12.12, 9789.12.13, 9789.12.14, 9789.12.15, 9789.13.1, 9789.13.2, 9789.13.3, 9789.14, 9789.15.1, 9789.15.2, 9789.15.3, 9789.15.4, 9789.15.5, 9789.15.6, 9789.16.1, 9789.16.2, 9789.16.3, 9789.16.4,

Title 8

01/09/14 AMEND: 8495, 8496, 8497, 8500
 01/09/14 AMEND: 5155
 01/07/14 AMEND: 4297
 12/26/13 AMEND: 9789.12.2, 9789.12.3, 9789.12.4, 9789.12.8, 9789.19

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	9789.16.5, 9789.16.6, 9789.16.7,	11/26/13	ADOPT: 2598.1, 2598.2, 2598.3, 2598.4, 2598.5, 2598.6
	9789.16.8, 9789.17.1, 9789.17.2,	11/20/13	ADOPT: 2274.50, 2274.51, 2274.52, 2274.53, 2274.54, 2274.55, 2274.56, 2274.57, 2274.58, 2274.59, 2274.60
	9789.18.1, 9789.18.2, 9789.18.3,	11/20/13	ADOPT: 2562.1, 2562.2, 2562.3, 2562.4
	9789.18.4, 9789.18.5, 9789.18.6,	11/19/13	ADOPT: 10.190500, 10.190501
	9789.18.7, 9789.18.8, 9789.18.9,	11/13/13	AMEND: 2699.200, 2699.207
	9789.18.10, 9789.18.11, 9789.18.12,	11/13/13	AMEND: 2698.401
	9789.18.19	09/30/13	ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718
09/23/13	ADOPT: 10451.1, 10451.2, 10451.3, 10451.4, 10498, 10538, 10606.5, 10608.5, 10774.5, 10957, 10957.1, 10959 AMEND: 10250, 10260, 10300, 10301, 10408, 10450, 10582.5, 10606, 10608, 10622, 10770, 10770.1, 10770.5, 10770.6, 10845, 10886	09/30/13	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620 REPEAL: 6410
09/17/13	AMEND: 3650(b)(3)	09/30/13	ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538
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12/09/13	ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7	09/23/13	REPEAL: 3000
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