



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **June 18, 2015**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on June 16, 2015.**

BACKGROUND/OVERVIEW

Section 84214 of the Act requires committees and candidates to terminate their filing obligation pursuant to regulations adopted by the Commission. Regulation 18404.1, adopted in 2011, provides a mechanism by which the Commission itself can terminate a recipient committee² — an “administrative termination.” Since adoption of the regulation, the number of complaints and referrals of committees failing to file campaign statements has skyrocketed, primarily because the Secretary of State is referring more cases. This increase stems from the 2013 enactment of an annual \$50 registration fee for committees filing with the Secretary of State. Until then, non-filing committees were more difficult to identify. Now, with a system for tracking committees that fail to pay the fee, the Secretary of State can

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² A recipient committee is any person or combination of persons who directly or indirectly receive contributions totaling \$1,000 or more in a calendar year. (Section 82013(a).)

more easily spot committees that have failed to file campaign statements.

While it remains within the Commission’s prosecutorial discretion to proceed with an enforcement action for failure to file required campaign statements, inactive recipient committees that do not file for termination create an unnecessary burden on the Commission. In the case of local committees, the same burden falls on local filing officers. The proposed amendment would allow staff to more quickly and efficiently process administrative terminations for inactive committees. A committee that failed to pay the annual \$50 registration fee and file required campaign statements, that wishes to remain active may do so by sending a written objection to termination. In addition, a committee may be reinstated if it files a request for reinstatement with the Commission and files any statements due and pays any outstanding registration fees.

REGULATORY ACTION

Amend 2 Cal. Code Regs. Section 18404.2:

To lessen the burden on Commission resources of processing administrative terminations, staff is proposing to expand the circumstances under which the Commission may terminate a recipient committee and streamline the process.

As proposed, the amendment would permit the Chief of the Enforcement Division, (rather than the Executive Director under the current regulation), to terminate a recipient committee if the committee has failed to:

- 1) file a campaign statement in the previous 12 months and the last statement shows an ending cash balance of \$3,000 or less;
- 2) file a campaign statement in the previous 12 months and the last statement shows an ending cash balance of \$5,000 or less and a debt of \$2,000 or more to the controlling candidate;
- 3) file a campaign statement in the previous 48 months; or
- 4) respond to the Enforcement Division after it has made reasonable efforts to contact the committee regarding the committee’s failure to file campaign statements or pay fees.

Also, the amendment would shorten the period for notifying the committee of the proposed termination from 90 days to 45 days.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

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

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Section 84214.

CONTACT

Any inquiries should be made to Valentina Joyce, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5783 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

ADOPTION

MULTI-COUNTY: Methods School

AMENDMENT

MULTI-COUNTY: San Joaquin Valley Unified Air Pollution Control District
Access Services
Modesto Irrigation District

A written comment period has been established commencing on May 15, 2015, and closing on **June 29, 2015**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branan, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for her review, unless any interested person or his/her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **June 29, 2015**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 10. CALIFORNIA HEALTH
BENEFIT EXCHANGE**

**CALIFORNIA CODE OF REGULATIONS,
TITLE 10, CHAPTER 12, ARTICLE 6 ADOPT
SECTIONS 6540, 6542, 6544, 6546, 6548, 6550
AND 6552**

The California Health Benefit Exchange/Covered California (the Exchange) Board proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Exchange has not scheduled a public hearing on this proposed action. However, the Exchange will hold a hearing if it receives a written request for a public hearing for any interested person, or his or her authorized representative, no later than 15 days before 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 Exchange. The written comment period closes at **5:00 p.m. on June 29, 2015**. The Exchange will consider only comments received at the Exchange's office by that time. Submit written comments to:

Mandy Garcia, Regulations Analyst
California Health Benefit Exchange
(Covered California)
1601 Exposition Blvd.
Sacramento, CA 95815

Comments may also be submitted by facsimile (FAX) at 916-228-8321 or by e-mail to regulations@covered.ca.gov.

AUTHORITY AND REFERENCE

Government Code Section 100504(a)(6) authorizes the California Health Benefit Exchange/Covered California (the Exchange) Board to adopt rules and regulations, as necessary. The proposed regulations implement, interpret, and make specific Government Code Sections 100503, 100504 and 100506; and Title 45 of the Code of Federal Regulations, Section 155.740.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Documents to be incorporated by reference:

None.

Summary of Existing Laws

The federal Patient Protection and Affordable Care Act (ACA) required each state to establish an American Health Benefit Exchange that makes available qualified health plans (QHPs) to qualified individuals and small employers by January 1, 2014. In 2010, the legislature enacted the California Patient Protection and Affordable Care Act (California Government Code Section 100500 et seq.), which established the Exchange (AKA Covered California). Covered California is California's competitive marketplace where consumers and small

businesses can shop for and purchase affordable QHPs certified by the Exchange. Additionally, the Exchange is the only place where consumers and small employers can receive tax credits to lower the costs of health insurance, if eligible.

On December 3, 2013 The California Health Benefit Exchange (“Covered California” or “Exchange”) adopted emergency regulations found at Title 10, California Code of Regulations (CCR), Chapter 12, Article 6, Sections 6540, 6544, 6546, 6548, 6550, and 6552. These emergency regulations are in effect and established the Exchange’s policies regarding the Small Business Health Option Program’s (SHOP) appeals process.

The proposed regulations implement, interpret, and make specific the requirements in state and federal law. The proposed action is specifically in furtherance of California Government Code Section 100506 which instructs the Exchange to establish an appeals process for prospective and current enrollees of the Exchange that complies with federal law. Additionally, Title 45, Section 155.740 of the Code of Federal Regulations (CFR) requires states establishing a SHOP to provide an eligibility appeals process for the SHOP.

The Exchange is now proposing to make permanent those emergency regulations at 10 CCR §§ 6540–6552, with amendments.

Summary of the Effect of the Proposed Regulations

The proposed regulations make permanent previously readopted emergency regulations, with amendments, of the SHOP appeals process. The proposed regulatory action would permanently establish employee and employer rights and responsibilities with respect to SHOP appeals, establish obligations on the part of the SHOP and the appeals entity, and outline the appeals process, including informal appeals and expedited appeals, in order to promote and protect employer and employee rights, and thus, the public health and welfare.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

After an evaluation of current regulations, the Exchange has determined that these proposed regulations are not inconsistent or incompatible with any existing regulations. While several California statutes and regulations govern health insurance and notably include provisions affecting the Exchange in the Government Code, the Insurance Code, and the Health & Safety Code, the Exchange has determined these are the only regulations that concern the appeals process in the SHOP Exchange.

Anticipated Benefits of the Proposed Regulation

Anticipated benefits of the proposed action include nonmonetary benefits to the protection of public health and safety, worker safety, the environment, the preven-

tion of discrimination, or the promotion of fairness or social equity. This includes:

- Providing structure for the Exchange to give predictability and clear standards to the public and qualified health plan issuers now and into the future;
- Establishing an appeals process for prospective and current enrollees of the Exchange, thereby providing due process to applicants who have been denied health insurance;
- Establishing clear guidelines for the public to request and receive a fair hearing;
- Reducing error in eligibility determinations of SHOP coverage, thereby more accurately determining who is eligible for SHOP coverage;
- Minimizing the appeal entity’s workload and maximizing efficiency by establishing a process for informal resolution prior to a hearing;
- Promoting access to health insurance by establishing an expedited appeal process when there is an immediate need for health services;
- Aligning California’s regulations with the federal act and complying with state law;
- Providing increased health care access to the public in California; and
- Ultimately, helping to save lives and increase the health of the public in California

DISCLOSURES REGARDING THE PROPOSED ACTION

The Exchange has made the following initial determinations:

Matters Prescribed by Statute Applicable to the Agency or to Any Specific Regulation or Class of Regulations

None.

Mandate on Local Agencies and School Districts

None. The Executive Director of the California Health Benefit Exchange has determined that this proposed regulatory action does not impose a mandate on local agencies or school districts.

Cost To Any Local Agency or School District Which Must Be Reimbursed In Accordance With Government Code Sections 17500 Through 17630

None. This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

Costs Or Savings To State Agencies

The proposal results in additional costs to the California Health Benefit Exchange, which is currently funded

by a mix of sustainability funding and federal grant money. The Exchange will become financially self-sustaining in 2016. The proposal does not result in any costs or savings to any other state agency.

Costs or Savings in Federal Funding to the State

The proposal results in additional costs to the California Health Benefit Exchange, which is currently funded by a mix of federal grant money and self-sustainability dollars from QHP participation fees. The Exchange will become financially self-sustaining in 2016.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

None. This proposal does not impose other non-discretionary costs or savings on local agencies.

Significant Effect on Housing Costs

None.

Effect on Small Business

The proposal results in an effect on participating small businesses with 2–49 employees statewide by providing them with an appeal process in the small business marketplace to appeal eligibility determinations for health insurance through the Exchange. There are no jobs created or eliminated from this proposal.

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

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

Results of the Economic Impact Assessment/Analysis

The Exchange concludes regarding the proposed regulations that it is:

- (1) **unlikely** that the proposal will create or eliminate any jobs in the State;
- (2) **unlikely** that the proposal will create or eliminate businesses within the State;
- (3) **unlikely** that the proposal will impact the expansion of businesses currently doing business in California; and
- (4) **likely** that the health and welfare of consumers will benefit from the proposed regulation.

Benefits of the Proposed Action

Anticipated benefits including nonmonetary benefits to the protection of public health and safety, worker safety, the environment, the prevention of discrimination, or the promotion of fairness or social equity, from this proposed regulatory action are:

- Providing structure for the Exchange to give predictability and clear standards to the public and qualified health plan issuers now and into the future;
- Establishing an appeals process for prospective and current enrollees of the Exchange, thereby providing due process to applicants who have been denied health insurance;
- Establishing clear guidelines for the public to request and receive a fair hearing;
- Reducing error in eligibility determinations of SHOP coverage, thereby more accurately determining who is eligible for SHOP coverage;
- Minimizing the appeal entity’s workload and maximizing efficiency by establishing a process for informal resolution prior to a hearing;
- Promoting access to health insurance by establishing an expedited appeal process when there is an immediate need for health services;
- Aligning California’s regulations with the federal act and complying with state law;
- Providing increased health care access to the public in California; and
- Ultimately, helping to save lives and increase the health of the public in California.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Mandy Garcia
Regulations Analyst
California Health Benefit Exchange
(Covered California)
1601 Exposition Blvd.
Sacramento, CA 95815
Telephone: (916) 228-8432

The backup contact person for inquiries concerning the proposed administrative action is:

Brandon Ross
Assistant General Counsel
California Health Benefit Exchange
(Covered California)
1601 Exposition Blvd.
Sacramento, CA 95815
Telephone: (916) 228-8281

Please direct requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Mandy Garcia at the above contact information.

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

The Exchange will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date of this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation and the Initial Statement of Reasons. Copies may be obtained by contacting Mandy Garcia at the address or phone number listed above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After holding the hearing, if requested, and considering all timely and relevant comments received, the Exchange may adopt the proposed regulations substantially as described in this notice. If the Exchange makes modifications which are sufficiently related to the originally proposed text, it will make the modified text available to the public at least 15 days before the Exchange adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mandy Garcia at the address indicated above. The

Exchange will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

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

**AVAILABILITY OF DOCUMENTS ON
THE INTERNET**

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons and the proposed text of the regulations in underline can be accessed through our website at www.healthexchange.ca.gov/regulations.

**TITLE 10. DEPARTMENT OF
INSURANCE**

REG-2015-00008

April 30, 2015

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REGARDING
LOW COST AUTOMOBILE
INSURANCE RATES**

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to consider an adjustment to rates for the California Low Cost Automobile Insurance program.

Insurance Code Section 11629.72(c) provides that, annually, the California Automobile Assigned Risk Plan ("CAARP") shall submit to the Commissioner a proposed Low Cost Automobile rate and surcharge schedule for approval. Accordingly, CAARP submitted its 2015 rate recommendation, proposing an overall average rate increase of 20.7%. The Commissioner will consider the current rates and CAARP's rate proposal and hereby invites public input regarding CAARP's proposal. Premium rates are specified in the program's Plan of Operations, approved by the Commissioner. California Code of Regulations, Title 10, Chapter 5, Section 2498.6 references this plan.

**AUTHORITY TO ADOPT RATES
AND REFERENCE**

Authority for the promulgation of rates is vested in the Insurance Commissioner pursuant to California In-

Insurance Code Sections 11620, 11624, 11629.7, 11629.72, and 11629.79. Premium rates are referenced in Section 27 and Exhibit E of the Program's Plan of Operations. The proposed regulation implements, interprets, and makes specific Insurance Code sections 11629.72 and 11629.79. Government Code Section 11340.9(g) applies to this proceeding.

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

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

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 rates at the following date, time, and place:

Date and Time: July 9, 2015
11:00 a.m.

Location: 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 proposed rates prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Michael Riordan, Attorney
California Department of Insurance
Legal Division
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:

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 July 9, 2015**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail and facsimile transmission. Written comments shall be submitted by one method only.

ADVOCACY OR WITNESS FEES

Pursuant to *California Automobile Assigned Risk Plan v. Garamendi* (1991) 232 Cal.App.3d 904, persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

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

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California Insurance Code Sections 11629.7 through 11629.85 establish, within the California Automobile Assigned Risk Plan, established under Section 11620 of the Insurance Code, a statewide Low Cost Automobile Insurance Program.

Because the program is established and administered through the California Automobile Assigned Risk Plan (“CAARP”), CAARP procedures are applied where appropriate and consistent with the low cost automobile insurance statutes. Insurance Code Sections 11620 and 11624 require the Commissioner to hold a public hearing before amending assigned risk plan rates.

Section 11629.7 of the Insurance Code requires that, after a public hearing, the Commissioner shall approve or issue a reasonable plan for the equitable apportionment, among insurers, of eligible consumers. The plan also contains rules and rates. This plan, approved by the Commissioner, is referenced in Title 10, Section 2498.6 of the California Code of Regulations.

Under the program, the low-cost auto policy satisfies financial responsibility laws and provides coverage of \$10,000 for liability for bodily injury or death to one person, subject to a cumulative limit of \$20,000 for all persons in one accident, and \$3,000 for liability for damage to property. In addition to eligibility and other requirements, the statute sets forth the annual premium rates. In certain cases, surcharges are added to the base rate. The statute also provides procedures for adjusting the rates.

Insurance Code Section 11629.72(c) provides that, annually, CAARP shall submit to the Commissioner a proposed rate and surcharge for approval. Accordingly, CAARP has submitted a proposal to maintain current rates for the liability policy and optional coverages and further proposes to maintain the 25 percent surcharge rate and the 30 percent surcharge for drivers with less than three years driving experience. Further details appear in the application on file with the Commissioner, which is available for review as set forth below.

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.

COST OR SAVINGS TO STATE OR LOCAL AGENCIES/SCHOOL DISTRICTS/ FEDERAL FUNDING

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any state agency or 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 non-discretionary costs or savings to local agencies. Nor will the proposal affect federal funding to the state.

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

Because the proposal involves rates for private passenger automobiles, the Insurance 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 impact businesses, but will have a potential cost impact on private persons directly affected.

IMPACT ON HOUSING COSTS

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

EFFECT ON SMALL BUSINESSES

The Insurance Commissioner has initially determined that the proposal will have minimal, if any, effect on small businesses and invites comments.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

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

ALTERNATIVES

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

The agency invites interested persons to present statements or arguments with respect to the proposed rate, or other alternatives, at the scheduled hearing or during the written comment period.

PLAIN ENGLISH

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

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the rate proposal, in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, the text of regulations, and all the information upon which this proposal is based are available for inspection or copying, and will be provided at no charge upon request to a contact person listed above. Further details of CAARP’s rate application are on file with the Commissioner and available for review as set forth below.

QUESTIONS REGARDING REGULATIONS/
ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of the proposed rate application. **By prior appointment**, CAARP’s Low Cost Automobile rate application is available for inspection at the public viewing rooms at 45 Fremont Street, 22nd Floor, San Francisco, California 94105 by calling (415) 538–4300, and at the Ronald Reagan State Building, 300 South Spring Street, Los Angeles, CA 90013 by calling (213) 346–6707 between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday. Interested persons may direct questions about the proposed rate application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 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.

AVAILABILITY OF MODIFIED TEXT
OF REGULATION

In response to public comment, the Commissioner may determine that changes to the proposal are appropriate. If those changes are sufficiently related to the original text that the public had adequate notice of the proposal, as amended, copies of the amended text will

be sent to all persons who testified or presented comments at the public hearing or submitted written comments during the comment period, and to anyone who requested information regarding the proposal. Thereafter, the Commissioner will accept written comments, arguments, evidence and testimony, concerning the changes only, for a period of at least 15 days prior to adoption.

FINAL STATEMENT OF REASONS

Once prepared, the Final Statement of Reasons will be made available through the contact persons listed above.

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

WEBSITE POSTINGS

Documents concerning proposed regulations are available on the Department’s website at the following link:
www.insurance.ca.gov/0250-insurers/0500-legal-info/0200-regulations/proposed-regulations.cfm.

**TITLE 10. DEPARTMENT OF
INSURANCE**

REG–2015–00007

April 30, 2015

**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 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 Sec-

tion 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: July 9, 2015
11:00 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 July 9, 2015**. 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-15-03

The current Insurance Services Office 2006 edition of Truckers-Uniform Intermodal Interchange Endorsement Form UIIE-1 (CA 23 17) is being replaced by their 2013 edition of this endorsement. The new form

deletes the term Truckers Coverage Form and the need for a countersignature as it is no longer required in California.

CA-15-02

Due to the lack of Commercial Auto Service providers the Automobile Insurance Plan Service Office will be allowed to provide commercial auto insurance through a licensed insurance company. This will only become necessary if, after a search fails, no other insurer would be willing to become a commercial insurance provider.

CA-15-01

In recent years the residual market in several states has changed. The California Automobile Assigned Risk Plan is proposing revisions to the Plan of Operations to reflect the changes found in Section 15.

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 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.

GENERAL PUBLIC INTEREST

DEPARTMENT OF PUBLIC HEALTH

TITLE: PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT (PHHSBG) (STATE PLAN) FOR FEDERAL FISCAL YEAR (FFY) 2015

ACTION: NOTICE OF PUBLIC HEARING FOR THE FFY 2015 STATE PLAN

SUBJECT

The Centers for Disease Control and Prevention has made funds available to the California Department of Public Health (CDPH) for the development and implementation of programs and activities to decrease the morbidity and mortality that results from preventable disease and injury. The purpose of this hearing is to discuss and receive comments on the FFY 2015 State Plan, which identifies all program activities supported by these funds during State Fiscal Year 2015-16 (FFY 2015).

PUBLIC HEARING PROCESS

Notice is hereby given that CDPH will hold a Public Hearing commencing at 9:00 a.m. and ending at 11:00 a.m. on Thursday, June 4, 2015 in Room 74.553 (Cosumnes Room), located at 1616 Capitol Avenue, Sacramento, California, at which time any person may present statements or arguments orally or in writing relevant to the action described in this notice. If you plan to attend the Public Hearing, please bring identification so you can be admitted into the building by the security guard.

Webinar: Please register for the PHHSBG Public Hearing, scheduled on Thursday, June 4, 2015 from 9:00 a.m.-11:00 a.m. at <https://attendee.gototraining.com/r/6191896799454675713>.

After registering you will receive a confirmation e-mail containing information about joining the webinar.

The Chronic Disease Control Branch, CDPH, 1616 Capitol Avenue, MS 7208, P.O. Box 997377, Sacramento, CA, 95899-7377 must receive any written statements or arguments by 5:00 p.m., June 5, 2015 which is

hereby designated as the close of the written comment period. It is requested, but not required, that written statements or arguments be submitted in triplicate.

CONTACT

Inquiries concerning the action described in this notice may be directed to Mr. Hector Garcia, PHHSBG Coordinator, at (916) 445-7729 or Hector.Garcia@cdph.ca.gov or the Chronic Disease Control Branch at (916) 552-9900 or mail to: CDCB@cdph.ca.gov. In any such inquiries, please identify the action by using the Department Control letters "PHHSBG" in the Subject Line.

AVAILABILITY OF INFORMATION FOR REVIEW

The Agenda and the FFY 2015 State Plan will be available for review in the CDPH lobby located at 1616 Capitol Avenue, Sacramento, California from 8:00 a.m. to 5:00 p.m., May 20, 2015 through June 4, 2015.

The documents will also be available on the following website: [http://www.cdph.ca.gov/programs/cdcb/Pages/CaliforniaPreventiveHealthandHealthServicesBlockGrant\(PHHSBG\).aspx](http://www.cdph.ca.gov/programs/cdcb/Pages/CaliforniaPreventiveHealthandHealthServicesBlockGrant(PHHSBG).aspx) from 8:00 a.m. to 5:00 p.m., May 20, 2015 through June 4, 2015.

In addition, the notice will be made available in appropriate alternative formats, upon request by any person with a disability as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the applicable federal rules and regulations. Any request for such information must be received by the CDPH 7 days prior to June 4, 2015.

<p>SUMMARY OF REGULATORY ACTIONS</p>

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# 2015-0323-02
BOARD OF EQUALIZATION
 Sales to Common Carriers

These changes without regulatory effect by the Board of Equalization ("BOE") amend section 1621 in title 18 of the California Code of Regulations. Revenue and Taxation Code section 6385 was amended by Senate Bill No. 1243 (2011-2012 Reg. Sess.) to, inter alia, (1) replace the term "bunkered" with the term "transferred" in the definition of "first out-of-state destination" and (2) extend the sunset date of the statute from January 1, 2014, to January 1, 2024. Section 1621 is being amended to align subdivision (b)(3)(C) with these amendments to Revenue and Taxation Code section 6385. BOE is also moving the Authority and Reference citations so that they appear before the exemption certificates at the end of Section 1621. Lastly, Section 1621 provides five different exemption certificates, which subdivision (c) refers to as "appearing in the appendix" of the regulation. The certificates are currently formatted as part of the body of Section 1621. Therefore, an "Appendix" heading is being added to the beginning of the exemption certificates portion of Section 1621.

Title 18
 California Code of Regulations
 AMEND: 1621
 Filed 04/30/2015
 Agency Contact:
 Richard E. Bennion (916) 445-2130

File# 2015-0324-05
BOARD OF EQUALIZATION
 Diesel Fuel Used in Farming Activities or Food Processing

In this regulatory action, the Board is amending section 1533.2 of title 18 of the California Code of Regulations to update the definition of diesel fuel.

Title 18
 California Code of Regulations
 AMEND: 1533.2
 Filed 05/06/2015
 Effective 07/01/2015
 Agency Contact:
 Richard E. Bennion (916) 445-2130

File# 2015-0324-04
BOARD OF EQUALIZATION
 Diesel Fuel Prepayment Exemption

This action amends (1) the regulatory definition of diesel fuel to conform to amended statute; and (2) provisions clarifying the calculation of applicable diesel fuel sales and use taxes.

Title 18
 California Code of Regulations
 AMEND: 1598.1
 Filed 05/06/2015
 Effective 07/01/2015
 Agency Contact:
 Richard E. Bennion (916) 445-2130

File# 2015-0422-06
 CALIFORNIA POLLUTION CONTROL
 FINANCING AUTHORITY
 CPCFA Bond Program — Small Business Assistance
 Fund (SBAF) Fees

This action (1) temporarily extends the existing waiver of Small Business Assistance Fund (SBAF) fees for one year to June 30, 2016; and (2) waives half of the fee assessed on applicable bonds on all new financing transactions from July 1, 2016, to December 31, 2016.

Title 4
 California Code of Regulations
 AMEND: 8035(e)-(f)
 Filed 05/04/2015
 Effective 05/04/2015
 Agency Contact:
 Andrea Gonzalez (916) 651-7284

File# 2015-0318-03
 DEPARTMENT OF CORRECTIONS AND
 REHABILITATION
 Obscene Material and Contraband

This action amends regulations concerning obscene materials in institutions, disallowed from institutions as contraband. It eliminates disparity among institutions regarding processing and clarifies existing statutes on obscene materials in institutions. It amends the process for processing text-only publications by designating the Division of Adult Institutions (DAI) as the authority to place text-only publications on the Centralized List of Disapproved Publications. It adds language to prohibit materials and photographs indicating association with a Security Threat Group (STG).

Title 15
 California Code of Regulations
 AMEND: 3006, 3134.1, 3135
 Filed 04/30/2015
 Effective 04/30/2015
 Agency Contact: Rosie Ruiz (916) 445-2244

File# 2015-0428-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture (DFA) will expand the quaran-

tine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 106 square miles in San Benito County. The amendment provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare, and Ventura, and a portion of Fresno, Kern, Madera, Santa Clara, San Joaquin, and San Luis Obispo counties that are already under quarantine for the ACP.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 04/30/2015
 Effective 04/30/2015
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-0410-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance by the Department of Food and Agriculture makes permanent the prior emergency regulatory action (OAL File No. 2014-1013-05E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 35 square miles in the Bakersfield area of Kern County. This amendment provides authority for the state to perform quarantine activities against ACP within this additional area.

Title 3
 California Code of Regulations
 AMEND: 3435(b)
 Filed 05/06/2015
 Effective 05/06/2015
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-0319-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This action certifies emergency regulatory action 2014-1015-01E, which expands the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 99 square miles in Santa Clara County in the San Jose area. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura, and a portion of Fresno, Kern and Tulare counties that are already under quarantine for the ACP, totaling approximately 50,917 square miles.

Title 3
 California Code of Regulations
 AMEND: 3435
 Filed 04/30/2015
 Effective 04/30/2015
 Agency Contact: Stephen S. Brown (916) 654-1017

File# 2015-0403-03
 DEPARTMENT OF PESTICIDE REGULATION
 Designating Chlorpyrifos as a Restricted Material

This rulemaking action adds Chlorpyrifos to the list of Restricted Materials in section 6400(e) of title 3 of the California Code of Regulations when labeled for the production of an agricultural commodity.

Title 3
 California Code of Regulations
 AMEND: 6400
 Filed 05/06/2015
 Effective 07/01/2015
 Agency Contact:
 Linda Irokawa-Otani (916) 445-3991

File# 2015-0330-01
 DEPARTMENT OF SOCIAL SERVICES
 Child Fatality Reporting and Disclosure

This rulemaking by the California Department of Social Services amends MPP section 31-502, implementing SB 39, which added section 10850.4 to the Welfare and Institutions (W&I) Code. W&I Code section 10850.4 specifically requires the custodian of records for a county child welfare agency to release specified child fatality information to the public. Certain provisions of those regulations were successfully challenged in the case of *Butterfield v. Lightbourne* (Cal.Sup. Dec. 28, 2012, No 37-2011-00097858-CU-MC-CTL). This rulemaking amends the MPP to meet the conditions of the orders issued in the *Butterfield v. Lightbourne* case.

Title MPP
 California Code of Regulations
 AMEND: 31-502
 Filed 05/06/2015
 Effective 07/01/2015
 Agency Contact: Sylvia Sotelo (916) 657-1898

File# 2015-0318-01
 DIVISION OF WORKERS' COMPENSATION
 Copy Service Fee Schedule

The Division of Workers' Compensation (DWC) proposes to amend, adopt and repeal regulations in Title 8 of the California Code of Regulations. This action is

being taken to implement the provisions of Labor Code section 5307.9, of Senate Bill 863 (Chapter 363, stats. of 2012, effective January 1, 2013). Labor Code section 5307.9 mandates a Copy Service Fee Schedule for copy and related services and provides that the schedule shall specify the services allowed and shall require specificity in billing for these services. These proposed amendments provide for a maximum flat fee of \$180 for records up to 500 pages and includes associated services such as witness fees for delivery of records, and subpoena preparation. In excess of 500 pages, an additional per-page fee of ten cents is allowed. Certificates of no records would be payable at a maximum of \$75. The changes to regulations also include allowing DWC to bill \$85.00 an hour instead of \$40.00 for electronic requests made under the Public Records Act.

Title 8
 California Code of Regulations
 ADOPT: 9980, 9981, 9982, 9983 AMEND: 9990, 9992, 10208.7 REPEAL: 9994
 Filed 04/30/2015
 Effective 07/01/2015
 Agency Contact: Carol N. Finuliar (510) 286-0660

File# 2015-0427-02
 FISH AND GAME COMMISSION
 Ocean Salmon Sport Fishing May-November 2015

The Pacific Fishery Management Council ("PFMC") coordinates west coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone (three to 200 miles offshore) off California, Oregon, and Washington. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the National Marine Fisheries Service effective on May 1st of each year. Through this regular rulemaking, the Fish and Game Commission (the "Commission") amends section 27.80 in title 14 of the California Code of Regulations. Specifically, the Commission is amending Section 27.80 so that the ocean salmon recreational fishery in State waters (zero to three miles offshore) are consistent with federal fishery management goals. The Commission states that this is necessary to achieve optimum yield in California under the Federal Salmon Fishery Management Plan.

Title 14
 California Code of Regulations
 AMEND: 27.80
 Filed 05/01/2015
 Effective 05/01/2015
 Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2015-0319-05

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Stationary and Mobile Compaction Equipment and Balers

The Occupational Safety and Health Standards Board amended sections 4345, 4351, 4352, and 4354 of title 8 of the California Code of Regulations to revise the requirements for refuse and trash collection equipment, compaction equipment, and mobile compaction equipment.

Title 8

California Code of Regulations

AMEND: 4345, 4351, 4352, 4354

Filed 04/30/2015

Effective 07/01/2015

Agency Contact: Marley Hart (916) 274-5721

File# 2015-0319-06

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Cranes and Derricks in Construction Operator Certification Effective Dates and Phase-In

This File and Print submission by the Occupational Safety and Health Standards Board extends the state deadline for the certification of crane operators by type and capacity of crane to November 10, 2017. These changes will bring the California certification requirements into consistency with federal requirements. Pursuant to Labor Code section 142.3, this submission is exempt from OAL review.

Title 8

California Code of Regulations

AMEND: 1618.1(e)

Filed 04/30/2015

Effective 04/30/2015

Agency Contact: Marley Hart (916) 274-5721

File# 2015-0318-04

OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

Patient Data Section Updates — Expected Source of Payment

This change without regulatory effect by the Office of Statewide Health Planning and Development (“OSHPD”) amends section 97232 in title 22 of the California Code of Regulations (“CCR”). Health and Safety Code section 128735 enumerates the data elements that must be included in each patient record, one of which is the Expected Source of Payment. (Health & Saf. Code, § 128735, subd. (g)(19).) This data element is implemented in Section 97232, which consists of three parts: Payer Category, Type of Coverage, and, if a

Managed Care Knox-Keene health plan or a Medi-Cal County Organized Health System is reported, the Plan Code number identifying the plan must also be included. This change without regulatory effect adds three newly licensed plans and changes four existing plan names to newer licensed names. The list is also re-organized to maintain the alphabetical order of the listed plans.

Title 22

California Code of Regulations

AMEND: 97232

Filed 04/30/2015

Agency Contact:

Cristal Schoenfelder (916) 326-3930

File# 2015-0320-04

STATE ALLOCATION BOARD

Regulations Relating to Surplus School Property; AB 308 (Hagman)

This rulemaking action implements Education Code section 17462.3 (Assembly Bill 308, Chapter 496, Statutes of 2013) to establish the process, and applicable form, for the recovery by the State Allocation Board of state school facilities program funded purchases, modernizations, or improvements of real properties which are sold by local education agencies within 10 years of receipt of such funds.

Title 2

California Code of Regulations

ADOPT: 1701, 1702

AMEND: 1700

Filed 05/04/2015

Effective 07/01/2015

Agency Contact: Lisa Jones (916) 376-1753

File# 2015-0320-02

**STATE WATER RESOURCES CONTROL BOARD
LARWQCB, Marina del Rey Harbor Toxic Pollutants TMDL**

The State Water Resources Control Board submitted this Government Code section 11353 action to amend the Los Angeles Regional Water Quality Control Board basin plan containing total maximum daily loads for several toxic pollutants in the Marina del Rey Harbor, and to amend title 23, California Code of Regulations, section 3939.21, the concise summary of the basin plan amendment. The basin plan amendment extends the geographical area of the impaired waters in the Marina del Rey Harbor, addresses impairments of fish tissue, sediment quality, and water quality caused by metals and organic compounds, and includes an implementation schedule and various milestones for achieving water quality standards.

Title 23
 California Code of Regulations
 AMEND: 3939.21
 Filed 05/04/2015
 Effective 05/04/2015
 Agency Contact: Shana Rapoport (213) 576-6763

File# 2015-0320-03
STATE WATER RESOURCES CONTROL BOARD
 Regional Water Quality Control Board R4 Ballona
 TMDLs Revision

This regulatory action amends the total maximum daily load (TMDL) for Ballona Creek in the Los Angeles region to reduce metals for both dry weather and wet weather situations. This regulatory action also amends the TMDL for Toxic Pollutants in the Ballona Creek Estuary. This action revises allocations in the Ballona Creek metals TMDL based on adjusting the maximum daily flow in the creek from 40 cfs to 64 cfs and adjusting the dry- and wet-weather translators. The selenium numeric target and allocation is removed from the TMDL and there is additional flexibility provided to implement and demonstrate compliance with the TMDL. The TMDL for Toxic Pollutants in the Ballona Creek Estuary is amended to provide sediment targets for indirect effects and fish tissue, removing numeric targets and allocations for PAHs and revising sediment targets for direct effects consistent with the Water Quality Control Plan for Enclosed Bays and Estuaries — Part 1 Sediment Quality. This action also provides additional flexibility to implement and demonstrate compliance with the TMDL.

Title 23
 California Code of Regulations
 AMEND: 3939.18, 3939.20
 Filed 05/04/2015
 Effective 05/04/2015
 Agency Contact: Man Voong (213) 576-6690

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN December 3, 2014 TO
 May 6, 2015**

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 2
 05/04/15 ADOPT: 1701, 1702 AMEND: 1700
 04/27/15 AMEND: 18700, 18700.1, 18700.2, 18700.3, 18701, 18701.1, 18702, 18702.1, 18702.2, 18702.3, 18702.4, 18702.5, 18703.3, 18704, 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6, 18705, 18705.1, 18705.2, 18705.3, 18705.4, 18705.5, 18706, 18706.1, 18708, 18709
 04/09/15 AMEND: 57400
 04/08/15 AMEND: 212
 04/07/15 ADOPT: 59780
 04/02/15 AMEND: 18215
 04/02/15 AMEND: 18530.4, 18530.45
 03/24/15 AMEND: 1900
 03/23/15 AMEND: 1189.10
 03/23/15 AMEND: 59740
 03/17/15 AMEND: 549
 03/04/15 AMEND: 11087, 11088, 11089, 11090, 11091, 11092, 11093, 11094, 11095, 11096, 11097 REPEAL: 11098
 02/23/15 ADOPT: 59760
 02/23/15 ADOPT: 553, 553.1, 553.2, 553.3, 553.4, 553.5, 553.6, 599.100, 599.101, 599.102, 599.120, 599.121, 599.122, 599.123, 599.124, 599.140, 599.141, 599.142, 599.143, 599.144, 599.145, 599.146, 599.160, 599.161, 599.162, 599.163, 599.164
 02/09/15 AMEND: 1859.76
 02/02/15 AMEND: 18705, 18705.3, 18705.4, 18705.5 REPEAL: 18704, 18704.1, 18704.5
 02/02/15 AMEND: 18450.11
 02/02/15 AMEND: 18740
 01/22/15 AMEND: 54300
 12/31/14 ADOPT: 20620 AMEND: 20610, 20611, 20612, 20613, 20622 and renumber as 20621, 20623 and renumber as 20622, 20624 and renumber as 20623, 20625 and renumber as 20624, 20626 and renumber as 20625, 20627 and renumber as 20626, 20630, 20631, 20632, 20633, 20635 and renumber as 20634, 20636 and renumber as 20635, 20637 and renumber as 20636, 20638 and renumber as 20637, 20639 and renumber as 20638, 20640, 20641, 20642, 20645 and renumber as 20643, 20646 and renumber as 20644, 20650, 20651, 20652, 20653, 20654, 20660, 20661, 20662, 20663, 20670, 20672, 20680, 20681, 20682 REPEAL: 20620, 20621, 20671, Appendices A and B to Chapter 6

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12/16/14	ADOPT: 557	04/06/15	ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
12/15/14	AMEND: 18545, 18703.4, 18730, 18940.2	04/06/15	AMEND: 278
12/15/14	AMEND: 18704.1, 18705.1	03/30/15	ADOPT: 8078.3, 8078.4, 8078.5, 8078.6, 8078.7
12/15/14	AMEND: 18704	03/13/15	AMEND: 5205, 5230
12/10/14	ADOPT: 20700, 20701, 20702, 20703, 20704, 20705, 20706, 20707	03/10/15	ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24
12/03/14	AMEND: 51.7	03/09/15	ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
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05/06/15	AMEND: 6400	02/26/15	ADOPT: 24465-3
04/30/15	AMEND: 3435(b)	02/02/15	ADOPT: 12003, 12311, 12312, 12313, 12315, 12316 AMEND: 12002 REPEAL: 12400, 12401, 12402, 12403, 12404, 12405, 12406, 12410
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04/16/15	AMEND: 6512	01/13/15	ADOPT: 5600, 5610, 5620, 5630, 5640 AMEND: 5000, 5144, 5170, 5200, 5205, 5230, 5240, 5255, 5350, 5370
04/15/15	ADOPT: 6738.1, 6738.2, 6738.3, 6738.4 AMEND: 6000, 6702, 6720, 6724, 6738, 6739, 6764, 6771, 6793, 6795 REPEAL: 6486.7, 6736	01/13/15	AMEND: 1858
04/09/15	AMEND: 3435(b)	12/24/14	AMEND: 106(d)
04/08/15	AMEND: 3435(b)	12/15/14	AMEND: 10080, 10081, 10082, 10083, 10084, 10085, 10086
04/06/15	AMEND: 3	12/05/14	ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
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03/17/15	AMEND: 1428.6, 1428.7, 1428.8, 1428.10, 1428.12	03/12/15	AMEND: 19810
03/02/15	AMEND: 3435(b)	02/18/15	ADOPT: 58621 AMEND: 58601, 58612, 58620
02/25/15	AMEND: 2	01/30/15	ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150
02/18/15	AMEND: 4500	01/20/15	ADOPT: 80693, 80694
02/12/15	AMEND: 3435(b)	01/08/15	ADOPT: 15494, 15495, 15496, 15497, 15497.5
02/02/15	AMEND: 1392.8.1	12/04/14	AMEND: 76120
01/27/15	AMEND: 3591.13(a)	12/04/14	AMEND: 30040, 30042.5
01/26/15	AMEND: 3435(b)	Title 8	
01/21/15	AMEND: 300, 301	04/30/15	ADOPT: 9980, 9981, 9982, 9983 AMEND: 9990, 9992, 10208.7 REPEAL: 9994
01/16/15	AMEND: 3435	04/30/15	AMEND: 4345, 4351, 4352, 4354
01/02/15	AMEND: 3435(b)	04/30/15	AMEND: 1618.1(e)
12/23/14	AMEND: 1380.19, 1442.7	04/20/15	ADOPT: 9792.21.1, 9792.25.1 AMEND: 9792.20, 9792.21, 9792.23, 9792.24.1, 9792.24.3, 9792.25, 9792.26
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05/04/15	AMEND: 8035(e)-(f)		
04/27/15	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11		
04/21/15	AMEND: 150		
04/09/15	AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10187		

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 04/03/15 AMEND: 3395
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 02/12/15 AMEND: 333, 336
 02/04/15 AMEND: 9789.10, 9789.11, 9789.20,
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 04/13/15 ADOPT: 5508, 5509, 5510, 5511, 5512,
 5513, 5514, 5515, 5516
 03/25/15 AMEND: 2303, 2303.1, 2303.2, 2303.3,
 2303.4, 2303.5, 2303.6, 2303.7, 2303.8,
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 2303.13, 2303.14, 2303.16, 2303.17,
 2303.18, 2303.19, 2303.20, 2303.21,
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 03/16/15 ADOPT: 6426, 6434
 02/19/15 ADOPT: 6432
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 02/05/15 ADOPT: 6428, 6430
 02/02/15 AMEND: 3528
 01/30/15 ADOPT: 2240.15, 2240.16, 2240.6,
 2240.7 AMEND: 2240, 2240.1, 2240.4,
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 01/20/15 AMEND: 2695.85
 01/08/15 AMEND: 2500, 2501, 2502, 2503, 2504,
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 01/02/15 AMEND: 2698.95
 12/12/14 ADOPT: 6408, 6410, 6450, 6452, 6454,
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 12/12/14 ADOPT: 6657, 6658, 6660, 6664, 6670
 12/10/14 AMEND: 2498.4.9
 12/08/14 AMEND: 2498.6
 12/04/14 AMEND: 2717

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04/09/15 AMEND: 2620, 2621, 2622, 2623, 2624,
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 01/21/15 AMEND: 1159
 12/31/14 AMEND: 2025
 12/17/14 ADOPT: 2416, 2417, 2418, 2419,
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 04/28/15 AMEND: 28.20, 28.95
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 1275.01, 1275.10, 1275.15, 1276.00,
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 04/24/15 AMEND: 7.50
 04/20/15 ADOPT: 1760.1, 1779.1
 04/06/15 AMEND: 15411
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 04/01/15 AMEND: 1.73, 27.75, 27.80
 03/30/15 ADOPT: 3550.17
 03/10/15 AMEND: 1.91, 27.20, 27.25, 27.30,
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 28.26, 28.27, 28.28, 28.29, 28.48, 28.49,
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 01/29/15 AMEND: 1665.1, 1665.2, 1665.3,
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 01/28/15 AMEND: 4351.1 (renumbered as 4351),
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 12/29/14 AMEND: 1665.7
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 12/16/14 AMEND: 790, 791.6, 791.7, 795
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 04/16/15 ADOPT: 3410.1 AMEND: 3173.2
 03/17/15 ADOPT: 3410.2 AMEND: 3000, 3173.2, 3287, 3410.1
 03/16/15 ADOPT: 1830.1, 1840.1, 1847.1, 1848.5, 1849.1, 1850.1 AMEND: 1800, 1806, 1812, 1814, 1830, 1831, 1840, 1847, 1848, 1849, 1850, 1851 1852, 1853, 1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857
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 02/11/15 REPEAL: 3999.11
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 04/09/15 ADOPT: 1399.326, 1399.329, 1399.343, 1399.344, 1399.345, 1399.346 AMEND: 1399.301, 1399.350, 1399.351, 1399.352, 1399.395
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 04/01/15 ADOPT: 914.1, 914.2 AMEND: 918, 921, 921.1, 921.2
 03/26/15 ADOPT: 977, 980.4 AMEND: 978, 979, 980, 980.1, 980.2, 980.3, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994
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 12/30/14 ADOPT: 832.22, 833
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 05/06/15 AMEND: 1533.2
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