



California Regulatory Notice Register

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JULY 8, 2016

PROPOSED ACTION ON REGULATIONS

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Amendment

Multi-County: Modoc County Office of Education
Orange Cove Irrigation District
Paratransit, Inc.

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***Time-
Dated
Material***

SUMMARY OF REGULATORY ACTIONS

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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, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Modoc County Office of Education
Orange Cove Irrigation District
Paratransit, Inc.

A written comment period has been established commencing on July 8, 2016, and closing on August 22, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 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 or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed 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.

The Executive Director of the Commission, upon her or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than August 22, 2016. 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 re-

spective 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 2. STATE PERSONNEL BOARD

Notice is hereby given that the State Personnel Board (Board) proposes to adopt the regulatory changes described below. The Board will consider any and all comments, objections, or recommendations that may be submitted regarding this proposed action.

PUBLIC HEARING

A public hearing regarding the proposed regulatory action will be held on August 24, 2016, at 10:00 a.m. in Room 150 at 801 Capitol Mall, Sacramento, California.

WRITTEN COMMENT PERIOD

Any interested party, or his or her duly authorized representative, may submit written comments relevant to the proposed regulatory action to the contact person listed below.

Jeanne R. Wolfe
Senior Attorney
State Personnel Board
801 Capitol Mall, MS 53
Sacramento, CA 95814
Fax: (916) 653-1280
Email: jeanne.wolfe@spb.ca.gov

The written comment period closes on August 22, 2016, at 5:00 p.m. Only written comments received by that time shall be reviewed and considered by the Board before it adopts, amends, or repeals a regulation.

AUTHORITY AND REFERENCE

The Board proposes to adopt the proposed action under the authority granted by the California Constitution, article VII, sections 3 and 5, and Government Code sections 18502, 18660, 18701, 18804, 19240, and 19241 in order to implement, interpret, and make specific the provisions of the California Constitution, article VII, section 5, and Government Code sections 18500, 18523, 18525.3, 18702, 18800, 18802, 18900, 18903, 18930, 18931, 18932, 18933, 18934, 18936, 18937, 18951, 19050, 19050.3, 19050.5, 19818.6, 19818.14, 19889, 19889.2, and 19889.3.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

A. Summary of Existing Laws and Regulations Related to the Proposed Action

The Board is a constitutional body responsible for enforcing California's civil service statutes. (Cal. Const., art. VII, § 3.) In addition, the Board, by majority vote of all its members, prescribes probationary periods and classifications, adopts other rules authorized by statute, and reviews disciplinary actions imposed against state employees. (*Ibid.*) The Board also establishes rules implementing and enforcing the merit principle in the state civil service system. (Gov. Code, § 18660; see Cal. Const., art. VII, § 1, subd. (b).) Consistent with the merit principle, the Board promulgates rules to govern classifications, examinations, probationary periods, disciplinary actions, Career Executive Assignments (CEAs), and other matters related to its authority under Article VII of the California Constitution. (Gov. Code, §§ 18502, subd. (b) & 19889.)

Regulations adopted by the Board are exempt from the Administrative Procedure Act (APA), except as expressly specified. (Gov. Code, §§ 18211, 18215, & 18216.) The Board's regulations concerning selection, examinations, and classification may be adopted by the Board without public notice or comment; however, regulations related to selection and examinations shall be reasonably available to all interested parties. (Gov. Code, § 18213.) The rulemaking procedures set forth in Government Code section 18214 apply to the adoption of Board regulations concerning other matters.

In this instance, the subject matter of the proposed regulations relates to classifications, examinations, and selection. These regulations are thus exempt from the APA process; however, the Board finds that a public comment period would be appropriate for this regulatory package.

B. Comparable Federal Regulations or Statutes

The Board has conducted a review of federal regulations and statutes and determined there are no comparable federal regulations or statutes.

C. Policy Statement Overview

The proposed regulatory action will benefit civil service by ensuring that the Board's Classification Plan is periodically and routinely reviewed and revised when necessary. This regulatory action also protects any incumbents in a classification that is abolished. The proposed changes modernize and update the Board regulations to cover online and web-based examinations and job announcements that are posted on websites or by other electronic means. Calculating part-time equivalent experience and the method for counting time for temporary appointments are simplified. Qualified applicant pools will be expanded by establishing a defini-

tion of minimum qualifications that is clear, required, and doesn't create artificial barriers to employment. The retention and devotion to state civil service is promoted by clarifying when appointing powers may promote employees in place. The proposed regulatory action will also improve the civil service selection process by setting reasonable time frames for the hiring process. In addition, the examination and selection process related to CEAs is updated and improved to allow limited-score examinations. CEA examination announcements are simplified by conforming the requirements to those of other civil service examinations.

D. Evaluation of Consistency and Compatibility with Existing State Regulations

In reviewing other state regulations, the Board found that the instant regulatory proposal is consistent and compatible with existing state regulations.

DETERMINATION OF FISCAL IMPACT ON PUBLIC AGENCIES

The Board has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Cost or savings to any State agency: This proposed regulatory package updates the Board's regulations for consistency with advances in technology and conforms certain rules to conform with changes in statutory law. This proposed action also conforms certain long-standing Board policies into regulation. Therefore, the Board expects that any costs or savings to State agencies will be minimal, if any.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the State: None.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

ECONOMIC IMPACT ON BUSINESS

- Significant, statewide adverse economic impact directly affecting businesses including the ability

of California businesses to compete with businesses in other states: None.

- Effect on small business: The proposed regulations only set standards related to state civil service classifications, examinations, and selection procedures. Accordingly, it has been determined that the adoption of the proposed regulations would not affect small businesses in any way.

DESCRIPTION OF COST IMPACT

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 ECONOMIC IMPACT ASSESSMENT

Adoption of these regulations will not:

1. Create or eliminate jobs within California.
2. Create new businesses or eliminate existing businesses within California.
3. Affect the expansion of businesses currently doing business within California.
4. Affect worker safety or the state's environment.

It is expected that the adoption of this regulatory package will have a positive impact on the general health and welfare of California residents in that the benefits of this proposed regulatory action include simplifying, streamlining, and modernizing state civil service classification, examination, and selection procedures.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered or that is otherwise identified and brought to its attention 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.

CONTACT PERSONS

Inquiries concerning the proposed regulatory action, including questions regarding procedure, comments, or the substance of the proposal, may be directed to:

Jeanne R. Wolfe
Senior Attorney
State Personnel Board
801 Capitol Mall, MS 53
Sacramento, CA 95814
Phone: (916) 651-0924
Fax: (916) 653-1280
Email: jeanne.wolfe@spb.ca.gov

In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Lori Gillihan
Chief, Policy and Compliance Review Division
State Personnel Board
801 Capitol Mall, MS 53
Sacramento, CA 95814
Phone: (916) 651-0924
lori.gillihan@spb.ca.gov

Please direct requests for copies of the proposed text of the regulations, the initial statement of reasons, or other information upon which the rulemaking is based to Senior Attorney Wolfe at the above address.

AVAILABILITY OF RULEMAKING FILE

The Board is maintaining a rulemaking file for the proposed regulatory action, which as of the date of this notice contains the following:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout and underline;
2. A copy of this notice and statement of reasons for the proposed adoption; and
3. Any factual information upon which the proposed rulemaking is based.

If written comments, data or other factual information, studies or reports are received, they will be added to the rulemaking file. The file is available for public inspection during normal working hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814, Fax: (916) 653-1280. Items 1 through 3 are also available on the Board's website at www.spb.ca.gov under "What's New?" Copies may be obtained by contacting the person via the address, email, or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications that 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 Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the person at the address indicated above. The Board will accept written comments only on the modified regulations for 15 days after the date on which they are made available to the public.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

It is anticipated that the proposed regulations will be filed with the Office of Administrative Law and shall include a Final Statement of Reasons. Copies of the Final Statement of Reasons may be obtained from the contact person when it becomes available.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed on the Board's website at www.spb.ca.gov under "What's New?"

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on March 10, 2016. 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 September 6, 2016.

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 Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on August 22, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid
 Department of Food and Agriculture
 Plant Health and Pest Prevention Services
 1220 N Street
 Sacramento, CA 95814
Sara.Khalid@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, 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 (Food and Agricultural Code (FAC) 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she 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 that 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 that 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 (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Almost all of the commercial citrus fruit and nursery stock production is located outside this proposed quarantine boundary area.

The 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 that 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 Institute of Food and Agricultural Sciences 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 effect 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 of ACP hosts.

The Department has 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 that 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

The emergency rulemaking action expanded the quarantine area for ACP in Kern County by approximately 65 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area which would be under regulation is now approximately 53,451 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or 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.

The Department has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: Most businesses will not be affected. There are zero citrus production nurseries in the affected area that will be impacted. There are zero retail nurseries in the affected area. There are three citrus growers in the proposed area. 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 the fruit is required to be covered with a tarp while in transit. Tarps range in price from \$2,500–\$3,000 apiece. Field-cleaning the fruit will cost the grower approximately \$150–\$320 per acre depending on the citrus variety. Field-cleaned fruit does 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. There are zero citrus packinghouses located within this quarantine area

Based on the preceding above information, it was determined that due to the amendment of Section 3435(b), the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred.

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 FAC.

REFERENCE

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

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: Sara Khalid, 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: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department 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

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in

Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on April 25, 2016. 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 October 24, 2016.

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 Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on August 22, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Sara.Khalid@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, 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 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication

and other such regulations as she 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 that 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 that 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 (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Almost all of the commercial citrus fruit and nursery stock production is located outside this proposed quarantine boundary area.

The 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 that 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 Institute of Food and Agricultural Sciences 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 effect 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 of ACP hosts.

The Department has 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 that 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

The emergency rulemaking action expanded the quarantine area for ACP in Madera and Fresno counties by approximately 61 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area which would be under regulation is now approximately 53,538 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or 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.

The Department has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the

ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: Most businesses will not be affected. There are zero citrus production nurseries in the affected area that will be impacted. There are three retail nurseries in the affected area. There are three citrus growers in the proposed area. 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 the fruit is required to be covered with a tarp while in transit. Tarps range in price from \$2,500–\$3,000 apiece. Field-cleaning the fruit will cost the grower approximately \$150–\$320 per acre depending on the citrus variety. Field-cleaned fruit does 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. There are three citrus packinghouses located within this quarantine area.

Based on the preceding above information, it was determined that due to the amendment of Section 3435(b), the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred

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 up-

stream 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 FAC.

REFERENCE

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

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: Sara Khalid, 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: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654–1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department 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 4. CALIFORNIA HORSE RACING BOARD

NOTICE OF PROPOSAL TO AMEND RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

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

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1843.3, Penalties for Medication Violations. The proposed amendment will modify subsections 1843.3(b)(2) and (b)(3) to update the list of mitigating circumstances and aggravating factors which must be considered by the board of stewards, the hearing officer or the administrative law judge when determining penalties for medication violations. The proposed amendment to Rule 1843.3 will also eliminate the Category "D" penalties for phenylbutazone violations at the 2.1 mcg/ml to 5.0 mcg/ml level. Instead, such phenylbutazone violations would be Category "C" penalties. The proposed amendment will add new subsections 1843.3(f) and 1843.3(g) to cause medication violations that occur within a specified time period to count as either a prior offense, or as an aggravating factor with regards to the determination of penalties for subsequent violations. Subsection 1843.3(k) has been amended to prohibit licensees whose period of suspension is for more than 30 days from transferring their horses to any other licensee who has been an employee within the previous year. A new subsection 1843.3(k)(1) has been added to provide that a licensee

whose license has been revoked shall not transfer his or her horses to licensed family members or to any other licensee who has been an employee within the previous year. The proposed amendment will also add a new subsection 1843.3(l)(2) to provide that a trainer whose license is revoked shall be banned from all inclosures under the jurisdiction of the CHRB. The proposed amendment to Rule 1843.3 will update the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 04/15), which is incorporated by reference into the regulation as it would be cumbersome, unduly expensive or otherwise impractical to publish the document in the CCR.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, August 25, 2016**, or as soon after that as business before the Board will permit, at the **Del Mar Simulcast Facility, 2260 Jimmy Durante Boulevard, Del Mar, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representatives, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m. on August 22, 2016**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone (916) 263-6026
Fax: (916) 263-6022
E-mail: haroldc@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19440, 19461 and 19580, Business and Professions Code. Reference: Sections 19461, 19580, 19581 and 19582, Business and Professions Code, and Section 11425.50, Government Code.

Business and Professions Code sections 19440, 19461 and 19580 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific sections 19461, 19580, 19581 and 19582, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19461 states every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. Business and Professions Code section 19580 provides the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Those policies, guidelines and penalties shall include, at a minimum, the provisions set forth in this article. Business and Professions Code section 19581 states no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and the composition thereof. Business and Professions Code section 19582 states violations of Section 19581, as determined by the Board are punishable as set forth in regulations adopted by the Board. The Board may classify violations of section 19581 based on each class of prohibited drug substances, prior violations within the previous three years, and prior violations within the violator's lifetime. The Board may provide for the suspension of a license for not more than three years, except as provided in subdivision (b), or a monetary penalty of not more than one hundred thousand dollars, or both, and disqualification from purses, for a violation of Section 19581. The actual amount of the monetary penalty imposed pursuant to this paragraph shall be determined only after due consideration has been given to all the facts, circumstances, acts, and intent of the licensee, and shall not be solely based on the trainer-insurer rule, as established in Section 1843 and 1887 of Title 4 of the California Code of Regulations. The punishment for second and subsequent violations of section 19581 shall be greater than the punishment for a first violation of section 19581 with respect to each class of prohibited drug substances, unless the administrative law judge, in findings of fact and conclusions of law filed with the Board, concludes that a deviation from this general rule is justified. A third violation of section 19581 during the lifetime of the licensee, determined by the Board to be at a class I or class II level, may result in

the permanent revocation of the person's license. The administrative law judge shall, after consideration of the circumstances surrounding a violation specified in paragraph (l), file a decision with the Board that includes findings of fact and conclusions of law. Any person whose license is suspended or revoked pursuant to this section shall not be entitled to receive any material benefit or remuneration in any capacity or from any business activity permitted or allowed by the license during any period of its suspension or revocation. The penalties provided by this section are in addition to any other civil, criminal, and administrative penalties or sanctions provided by law, and do not supplant, but are cumulative to, other penalties or sanctions. Business and Professions Code section 19461 provides that every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. All proceedings to revoke a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code. Government Code section 11425.50 states the decision shall be in writing and shall include a statement of the factual and legal basis for the decision.

The proposed amendment to Rule 1843.3 will modify subsection 1843.3(a) to provide clarity regarding the concept that deviation from the penalties set forth in the regulation is appropriate where the facts of the case warrant such deviation. The subsection currently states that aggravating factors "may increase the penalties *beyond the minimum*." The Board has determined that the statement may be construed to imply that unless there are intervening negative factors, the minimum penalty is routinely awarded; this is not the case. The penalty categories under Rule 1843.3 provide a range of penalties which are applied on a case-by-case basis. To provide clarity, subsection 1843.3(a) has been modified to state that a "greater penalty" is appropriate if there are aggravating factors.

Subsection 1843.3(b) provides a partial list of mitigating circumstances and aggravating factors which must be considered in reaching a decision on a penalty. To provide clarity regarding items that must be considered, subsection 1843.3(b)(2) has been modified to include the amount of the drug present (in the official test sample). The amount present may be an indication of both the effect the drug would have on the horse and when it was administered. Subsection 1843.3(b)(3) has been modified for purposes of clarity to include whether the drug was prescribed to the horse by a CHRB licensed veterinarian. It is important that trainers consult with CHRB licensed veterinarians as they are expected to know withdrawal times for appropriate

drugs. Consulting with a CHRB licensed veterinarian, versus a veterinarian who is not familiar with CHRB medication regulations, may be considered a mitigating factor. Subsection 1843.3(b)(9) has been modified for purposes of clarity to include whether the drug present in the official test sample was documented through the process described in Rule 1842, Veterinarian Report, which requires written documentation of treatments provided to horses within the inclosure. Subsection 1843.3(b)(11) was modified for purposes of clarity to add "CHRB" so that it may be understood the subsection is referring to a "CHRB licensed veterinarian." As with subsection 1843.3(b)(2), it is important that trainers consult with CHRB licensed veterinarians because they are expected to know withdrawal times for appropriate drugs.

Subsection 1843.3(c) has been modified to add the latest publication date of the California Horse Racing Board (CHRB) Penalty Listing By Classification (Revised 04/15), which is incorporated by reference in Rule 1843.3, as it would be cumbersome, unduly expensive or otherwise impractical to publish the document in the CCR. The Penalty Listing by Classification was modified in April 2015. The change is necessary so that persons wishing to view the incorporated document will know which version to access.

The charts for Category "B" and "C" penalties have been modified to add the words "time period" and "within" in reference to second and third offenses; the Category "B" penalty chart also changed "years" to the singular "year." The category "D" penalty chart has had "within" added to first through third offenses. The changes were necessary for purposes of clarity, so that it may be understood that a subsequent violation must occur within a specified time period for it to be considered a second or third offense.

Subsection 1843.3(d), under the heading: Category "C" Penalties for Rule 1844, Authorized Medication (c)(1), (2), (3), has been modified to eliminate the ability of the official veterinarian to grant permission for trainers to pay the minimum fine in lieu of a stewards' hearing. Nor may the official veterinarian issue a warning in lieu of a fine for violation of 1844(c)(1) if the phenylbutazone level is below 5.1 mc/ml. The changes are necessary as the Board has determined that reaching settlements regarding medication violations is within the purview of the stewards who hold hearings regarding such matters. Additionally, the phenylbutazone levels for Category "C" violations have been changed to include the levels found in the Category "D" penalties for Rule 1844(c)(1) violations. Ketoprofen levels have also been changed. The changes bring Rule 1843.3 in line with the Association of Racing Commissioners International (ARCI) model rules of racing. The ARCI is a national horse racing organization composed of the

governmental regulators of horse racing in the United States, Canada, Mexico, Jamaica and Trinidad–Tobago. The ARCI developed its Model Rules of Racing to set standards and best practices in horseracing, and to ensure the quality of drug testing programs and the security of the wagering system. California's adoption of the ARCI Model Rule guidelines will promote uniformity in the various states' horse racing regulations. All other changes to subsection 1843.3(d), under the heading: Category "C" Penalties for Rule 1844, Authorized Medication (c)(1), (2), (3) are for purposes of clarity and consistency.

Subsection 1843.3(e) has been modified to eliminate Category "D" penalties for Rule 1844(c)(1) violations. Such violations will instead be Category "C" violations. Trainers who have not had an 1844(c) violation within the previous three years may still receive a warning instead of a fine. In addition, the phenylbutazone levels for Category "C" violations have been changed to include the levels found in the Category "D" penalties for Rule 1844(c)(1) violations. The changes bring Rule 1843.3 in line with the ARCI model rules of racing.

Medication violations are classified as either A, B, C or D violations, with Category "A" violations being the most egregious. Category "A" violations involve drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Category "D" violations are considered the least egregious violations, and involve overages of therapeutic medications that would be expected to have less potential to affect performance. Within each class of medication violation there is the potential for a first, second or third offense — if such offenses occur within 365 days of each other. For example, in January a trainer may have a first offense Category "D" violation. In May of the same year, the trainer may have another Category "D" violation, which is considered a second offense. With each offense, the trainer's possible penalties increase. The fine for a first offense Category "D" violation is a minimum of an official written warning to a maximum fine of \$250. The fine for a second offense Category "D" violation is a minimum fine of \$250 to a maximum fine of \$500. Currently, Rule 1843.3(b) requires that the licensee's past record regarding violations of Business and Professions Code section 19581, which addresses medication violations, must be considered. If the licensee is found to have a Category "D" violation, but has recently had a more serious Category A, B, or C medication violation, the more serious Category A, B or C violation will be viewed as an aggravating circumstance and may result in a greater Category "D" penalty. For example, the trainer with a first offense Category "D" medication violation may receive the maximum \$250 fine versus a written official warning

because he or she has had a prior Category “C” medication violation within a period of 365 days.

The Board has determined that rather than considering a Category A, B, or C medication violation that has occurred within a 365-day period of the current offense an “aggravating” factor, it would consider such violations a “prior offense.” The change will allow the party that determines the penalty to look at the licensee’s pattern of medication violations within a 365-day period and count an earlier, more egregious violation as a prior offense. The prior offense will move the possible penalties to the next level. If the licensee is found to have a first offense Category “D” violation, but within a 365-day period has had a more serious Category A, B, or C medication violation, the more serious Category A, B or C violation will be viewed as a prior offense, and the Category “D” violation would become a second offense for purposes of determining the Category “D” penalty. A new subsection 1843.3(f) provides that if a licensee has received a penalty for a Category A, B, or C medication violation, and within a period of 365 days has a subsequent lesser violation, the earlier violation shall count as a “prior violation” for the purposes of determining the penalty for the subsequent lesser violation.

A new subsection 1843.3(g) provides that if a licensee has received a penalty for a Category B, C or D medication violation, and within a 365-day period has a subsequent greater violation, for instance a Category “D” violation followed by a Category “C” violation, the earlier — lesser violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation. Subsection 1843.3(g) is necessary to provide clarity regarding how the Board wishes parties determining medication penalties to consider the licensee’s pattern of medication violations within a 365-day period. Under subsection 1843.3(f), a history of more egregious violations shall be viewed as prior offenses when considering penalties for subsequent lesser violations. Under the new subsection 1843.3(g), a history of lesser violations shall be viewed as aggravating factors when considering penalties for subsequent medication violation of a more serious nature.

Subsection 1843.3(k) currently provides that a licensee who is suspended because of a medication violation shall not benefit financially during the period of suspension, and shall not transfer his or her horses to a licensed family member. Subsection 1843.3(k) has been modified to state that licensees who have been suspended more than 30 days may not transfer their horses to any other licensee who has been an employee of the suspended licensee within the previous year. This provision is intended to ensure that the suspended trainer does not transfer his or her horses to any person who has

had a relationship with the suspended trainer, including recent employment. The Board has determined that a suspended licensee is less likely to benefit financially if his or her horses are transferred to an unaffiliated trainer. The provision is applied to persons whose license has been suspended for more than 30 days as such suspensions of license would be for medication violations that would result in the more serious Category “A” and “B” penalties.

References to revocation of license have been removed from subsection 1843.3(k) and moved to a new subsection 1843.3(k)(1). Revocation of license may occur after a third lifetime Category “A” medication violation, and would involve stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of the drug substances the Board classifies as Category “A” are Drug Enforcement Agency (DEA) schedule II substances. The Board determined it was necessary to place revocation of license in a separate paragraph for purposes of clarity.

To receive a 60-day or greater suspension of license under Rule 1843.3, one must be found to have committed a Category “A” or “B” medication violation. The Category “A” medication violation would involve stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Category “B” medication violations generally involve drugs that may or may not have an accepted medical use in the racing horse, but the pharmacology of which suggests less potential than Category “A” drug substances to affect performance. In either case, Category “A” or “B” medication violations are serious offenses. The intent of the 60-day, or greater, suspension is to prevent the licensee from participating in, and profiting from the sport of horse racing. Subsection 1843.3(I)(1) currently states that licensed trainers suspended 60 days or more shall be banned from all inclosures under the jurisdiction of the Board, and that during the period of suspension the trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, advertisements, training-related equipment and other property. The subsection has been modified to require that the trainer also remove his or her colors. A trainer’s colors are unique. To be used in horseracing, the colors must be registered with the Jockey Club, which is the breed registry for thoroughbred horses in the United States. During the race, the jockey’s colors identify the stable that employs the rider. The Board has determined that it is necessary to add the trainer’s colors to subsection 1843.3(I)(1) to ensure that all vestiges of the trainer’s business operations are removed from the inclosure. References to revocation of license have been removed from subsection 1843.3(I)(1) and moved to a new sub-

section 1843.3(l)(2). Revocation of license may occur after a third lifetime Category “A” medication violation, and would involve stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse.

Many of the drug substances the Board classifies as Category “A” are Drug Enforcement Agency (DEA) schedule II substances. Trainers whose license is revoked must remove all vestiges of their business operations from the inclosure. The Board determined it was necessary to place revocation of license in a separate paragraph for purposes of clarity.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 1843.3 makes clarifying changes to subsections 1843.3(a), (b)(9), (b)(11), and (d), and will modify subsections 1843.3(b)(2) and (b)(3) to clarify what constitutes mitigating circumstances and aggravating factors, which must be considered by the board of stewards, the hearing officer or the administrative law judge when determining penalties for medication violations. The proposed amendment to Rule 1843.3 will update the latest publication date for the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification (Revised 04/15), which is incorporated by reference into the regulation. The proposed amendment to Rule 1843.3 eliminates the Category “D” penalties for phenylbutazone. All such medication violations shall be Category “C” violations. A new subsection 1843.3(f) provides that if a licensee receives a penalty for a Category A, B or C medication violation and within a period of 365 days has a subsequent lesser violation, the earlier violation shall count as a “prior violation” for penalty purposes. A new subsection 1843.3(g) provides that if a licensee receives a penalty for a Category B, C or D violation, and within a period of 365 days has a subsequent greater violation, the earlier violation shall count as an aggravating factor for penalty purposes. Subsection 1843.3(k) has been modified to state a licensee who is suspended for more than 30 days because of a medication violation shall not transfer horses to any other licensee who has been an employee of the suspended licensee within the previous year. A new subsection 1843.3(k)(1) provides that a licensee whose license is revoked because of a medication violation shall not benefit financially following the revocation, including ensuring that horses are not transferred to licensed family members or to any other licensee who has been an employee of the licensee whose license is revoked within the previous year. A new subsection 1843.3(k)(2) provides that the trainer whose li-

cense is revoked shall be banned from all inclosures under the jurisdiction of the CHRB, and shall forfeit all assigned stall space and shall remove from the inclosure all signage, equipment and any other property.

The proposed amendment to Rule 1843.3 is necessary to ensure the integrity of horseracing and the protection of the public. The modifications to the regulation will provide greater clarity regarding the consequences of violating the Board’s medication regulations. The proposed amendment to Rule 1843.3 will promote the health and welfare of race horses and licensees by removing those with the most egregious medication violation from the inclosure.

Evaluation of Consistency and Compatibility with Existing State Regulations: During the process of developing the proposed amendment, the Board has conducted an evaluation for any related regulations and has determined that Rule 1843.3 is the only regulation dealing with classification of drug substances and penalties for medication violations with regards to California horse racing. Therefore the proposed regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: none.

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

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

The Board has made an initial determination that the proposed amendment to Rule 1843.3 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 following studies/relevant data were relied upon in making the above determination: none.

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

Significant effect on housing costs: none.

FORMS OR DOCUMENTS INCORPORATED BY REFERENCE

The form “California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 04/15)” was incorporated by reference in Rule 1843.3.

RESULT OF ECONOMIC IMPACT ANALYSIS

The adoption of the proposed amendment to Rule 1843.3 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 proposed amendment to Rule 1843.3 impacts individuals who violate the Board’s medication regulations. In making the determination that the proposed amendment to Rule 1843.3 will not have an adverse economic impact, the Board looked at the number of licensees who might be affected, and compared it to the total number of persons who hold CHRB occupational licenses. The individuals impacted are licensed horse trainers, horse owners, veterinarians, and an occasional individual holding another class of CHRB licensee. There are currently 9,020 individuals who hold CHRB owner’s licenses, 640 CHRB licensed trainers and 137 licensed veterinarians. In fiscal year 2013/2014, the CHRB issued penalties for medication violations to 128 licensees. In fiscal year 2014/2015, the CHRB issued penalties for medication violations to 94 licensees. Penalties for medication violations act as deterrents, as is demonstrated by the low percentage of licensees who have been found to have violated the Board’s medication regulations. The proposed amendment to Rule 1843.3 promotes the health and safety of race horses, which is jeopardized if they workout or race when they are not sound due to the unauthorized administration of medications or drug substances. Keeping race horses healthy protects the economic interest of owners and ensures that there is adequate horse inventory. Ensuring that horses entered to race are sound also promotes jockey/driver safety. Sound, healthy horses result in a favorable public response to horse racing, which could result in an increase in wagering activity, and a positive economic impact on the industry.

Effect on small businesses: none. The proposal to amend Rule 1843.3 does not affect small businesses because horse racing is not a small business under Government Code section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, Subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective to affected private per-

sons and equally effective in implementing the statutory policy or other provision of law.

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

CONTACT PERSON

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

Harold Coburn, Regulation Analyst
 California Horse Racing Board
 1010 Hurley Way, Suite 300
 Sacramento, CA 95825
 Telephone: (916) 263-6026
 Fax: (916) 263-6022
 E-Mail: haroldc@chrb.ca.gov

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

Andrea Ogden, Manager
 Policy and Regulations
 Telephone (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

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

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests

for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

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

BOARD WEB ACCESS

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

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

“Less Than 3 Acre Conversion Amendments, 2016”

Title 14 of the California Code of Regulations (14 CCR):

Division 1.5, Chapter 4, Subchapter 7, Article 7 Amend: § 1104.1(D).

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on Wednesday, August 23, 2016, at its regularly scheduled meeting commencing at 9:00 a.m., at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the

hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m. on Monday, August 22, 2016.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Matt Dias
Acting Executive Officer
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:
(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

publiccomments@BOF.ca.gov

AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

14 CCR § 913.4(f), 933.4(f) Note: Authority cited: Sections 4551, 4553 and 4561.2, Public Resources Code. Reference: Sections 4512, 4561, 4561.2, 4551.5, 4582 and 4582.5, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

(pursuant to GOV § 11346.5(a)(3)(A)–(D))

Pursuant to the Z'berg–Nejedly Forest Practice Act of 1973 (FPA, PRC § 4511, et seq.), the Board is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands.

PRC § 4561.2 authorizes the Board to adopt alternative stocking standards that meet the purposes of PRC § 4561 if those alternative standards reasonably address the variables in forest characteristics, achieve suitable resource conservation, and contribute to specific forest health and ecological goals as defined by the Board. PRC § 4551 requires the Board to adopt district forest practice rules to assure the continuous growing and harvesting of commercial forest trees and to protect the soil, air, fish, and wildlife. PRC § 4553 requires the Board to continuously review and revise the rules in consultation with other interests.

The purpose of the proposed action is to enable landowners to proceed with a Conversion Exemption where significant archeological sites (14 CCR § 895.1) exist. The proposal limits the enablement to situations where putting protection over an existing site would avoid harm to the site.

The problem is that current regulations (14 CCR § 1104.1(a)(2)(I)) strictly prohibit the use of a Conversion Exemption where timber operations take place on a significant archeological site as defined in 14 CCR § 895.1. Discussions with Department of Forestry and Fire Protection (Department) Archeologists show that often there are actions that can be taken before timber operations are conducted that will avoid harm to historical or archeological resources that exist where timber operations will take place. The Archeologist reports, in this case example, acknowledged that the trees in the proposed area of conversion could be removed and still preserve the integrity of the archeological site. To accomplish this would require a specific mitigation to avoid the potential harm.

The action recommended by the landowner's Archeologist was to cover the site with engineering cloth and a layer of soil before timber operations took place. This action is referred to as "capping" the site. The Department Archeologist agreed this action would be effective. In discussion with the Department Archeologist it was confirmed that this action (mitigation) is an often-used approach for the protection of historical or archeological resources. This mitigation is also approved specifically in the California Environmental Quality Act (CEQA) in PRC § 21083.2(b)(3) for the protection of unique archeological resources.

Over the last five years there have been between 160 and 300 Conversion Exemptions submitted each year.

There is no comparable federal regulation or statute.

Board staff conducted an evaluation on whether or not the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action (including portions of §§ 929.7, 949.7, 969.7, 1104.1, and 15064.5 of Title 14 of the California Code of Regulations) to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to the system of forest practices applicable to timber management on state and private timberlands developed pursuant to the FPA and related to the protection of archeological resources and found no existing State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules; it amends them, providing a means of implementing a Conversion Exemption where a significant archeological site exists.

MANDATED BY FEDERAL LAW
OR REGULATIONS

The proposed action is not mandated by federal law or regulations.

The proposed action neither conflicts with, nor duplicates Federal regulations.

There are no comparable Federal regulations related to the system of forest practice applicable to timber management on state and private timberlands developed pursuant to the FPA and regarding the existing system of regulation related to the conversion of timberland to a non-timber growing use. No existing Federal regulations that met the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS
(pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

LOCAL MANDATE
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT
(pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

Regarding costs or savings to any State agency, the anticipated fiscal impact of the proposed amendment to 14 CCR § 1104.1(l)(1) is expected to be less than \$50,000. These costs would result from additional time spent by the Department in the processing of a Conversion Exemption where significant archeological sites exist. The number of the occurrence of this type of Conversion Exemption is expected to be less than 10 per year statewide. The Department has an Archeology program with a staff of professional Archeologists who will make determination of protection for the significant site, as provided in the proposed regulatory language. Thus very little additional cost is reasonably expected.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in federal funding to the State.

HOUSING COSTS
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE
(pursuant to GOV §§ 11346.3(a), 11346.5(a)(7) and 11346.5(a)(8))

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. Businesses affected will be beneficially impacted by the proposed action.

Pursuant to **GOV §11346.5(a)(8)**, the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support this initial determination:

- Board of Forestry and Fire Protection, 2013 Case Study: Rasmussen Property. This case study included testimony of Registered Professional Foresters (RPFs), Archeologists, and a landowner.

- Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of experience practicing forestry in California that the Board brings to bear on regulatory development.
- Staff report prepared to examine the example of the Rasmussens' effort to obtain a Conversion Exemption.
- Discussions with Department staff on implementation of the current conversion exemption.

STATEMENTS OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**.

The proposed action:

- (A) will create jobs within California;
- (A) will not eliminate jobs within California;
- (B) will create new businesses;
- (B) will not eliminate existing businesses within California;
- (C) will beneficially affect the expansion of businesses currently doing business within California.
- (D) will have nonmonetary benefits.

The types of businesses that will be impacted are industrial and nonindustrial forest landowners, forestry consulting, logging firms, lumber mills, and private construction contractors. Therefore, both large and small businesses may have positive economic impacts. Significant archeological sites will remain protected.

Businesses will be beneficially impacted by the proposed action. Currently, regulations would be cost prohibitive for a landowner to convert a small area of timberland (< 3acres) to other uses when a significant archeological site exists. However, this regulatory action provides a path to ensure feasibility regarding less than 3 acre conversions when archeological sites are present. The primary benefit of this proposal is lowering the permitting cost of the Conversion Exemption for landowners wishing to complete a conversion of timberland that is less than three acres.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS
(pursuant to GOV § 11346.5(a)(9))

The Board is aware of cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This initial determination is based on the same record

facts, evidence, documents, testimony, or other evidence as listed as the basis for the Significant Statewide Adverse Economic Impact.

The proposed action provides the landowner a regulatory pathway to obtain a Conversion Exemption where a significant archeological resource exists. The proposed action relieves the landowner of \$25,000–40,000 in costs for a Timberland Conversion Permit and a Timber Harvesting Plan.

BUSINESS REPORT

(pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS

(pursuant to 1 CCR § 4(a))

Small business, within the meaning of GOV § 11342.610, is expected to be affected by the proposed action. The types of small businesses that will be beneficially impacted by the proposed action are industrial and nonindustrial forest landowners, forestry consulting, logging firms, restoration contractors, lumber mills, biogenic energy producers and shavings plants. Therefore, both large and small businesses may have minor positive economic impacts.

Small business:

- (1) Is legally required to comply with the regulation to the extent that a representative private person hires a small business for implementation;
- (2) Is not legally required to enforce the regulation;
- (3) Does derive a benefit from the enforcement of the regulation by being hired for implementation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

CONSIDERATION OF ALTERNATIVES

In accordance with GOV § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, 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.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
 Attn: Matt Dias
 Acting Executive Officer
 P.O. Box 944246
 Sacramento, CA 94244–2460
 Telephone: (916) 653–8007

The designated backup person in the event Mr. Matt Dias is not available is Doug Wickizer for the Board of Forestry and Fire Protection. Mr. Wickizer may be contacted at the above address or by phone at (916) 653–8007.

AVAILABILITY STATEMENTS

(pursuant to GOV § 11346.5(a)(16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to GOV § 11346.5(b)).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board 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 Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of

Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: http://bofdata.fire.ca.gov/regulations/proposed_rule_packages/

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

**“UTILITY NOTICE OF OVERHEAD OPERATIONS AMENDMENTS, 2016”
Title 14 of the California Code of Regulations (14 CCR),
Division 1.5, Chapter 4:
Subchapter 1, Article 1
Amend: § 895.1;
Subchapter 7, Article 2
Amend: § 1032.7**

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on Wednesday, August 24, 2016, at its regularly scheduled meeting commencing at 9:00 a.m., at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed

to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m. on Monday, August 22, 2016.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Matt Dias
Acting Executive Officer
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

publiccomments@BOF.ca.gov

AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

14 CCR § 895.1 Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code. Reference: Sections 4512, 4513, 4525.5, 4525.7, 4526, 4528, 4551, 4551.5, 4561, 4562, 4562.5, 4562.7, 4583.2, 4584, 4591.1, 21001(f), 21080.5, 21083.2 and 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal. Code

of Regulations), *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246 Cal.Rptr. 82 and *Joy Road Area Forest and Watershed Association v. California Department of Forestry & Fire Protection*, Sonoma County Superior Court No. SCV 229850.

14 CCR § 1032.7 Note: Authority cited: Sections 4551 and 4582.3, Public Resources Code. Reference: 4551, 4581, 4582.3, 21080 and 21092, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

(pursuant to GOV § 11346.5(a)(3)(A)–(D))

Pursuant to the Z’berg–Nejedly Forest Practice Act of 1973 (FPA, PRC § 4511, *et seq.*), the Board is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands; and through PRC § 740 “. . . shall determine, establish and maintain an adequate forest policy. General policies for guidance of the department shall be determined by the Board.”

Additionally, under PRC § 4111 “The Board shall make and enforce such regulations as are necessary and proper for the organization, maintenance, government, and direction of the fire protective system and suppression of forest fires. . . .”

The basis for the proposed action is derived upon a request to the Board primarily received from associated public utilities (PU) stakeholders throughout the state of California. These PUs implored the Board to consider promulgation of rulemaking efforts to remedy issues regarding landowner forestry operations and PU infrastructure. Reasons cited included a lack of communication and consultation between the two increases economic losses to landowners, compromises efficient power delivery to customers, and increases the chance of vegetative ignitions.

The purpose of this proposed action is to make permanent, through regular rulemaking, these amendments.

The effect of this proposed action will prescribe additional conditions requiring disclosure upon a Notice of Intent pursuant to 14 CCR § 1032.7, specifically, whenever any overhead powerlines lie inside or within 200 feet of a new or amended plan boundary. Additionally, the registered professional forester (RPF) submitting the plan shall furnish the PU’s names and mailing addresses operating electrical power lines overhead or within 200 feet of the plan boundary. This information will be found through a publicly available “Utility Contact List,” as defined by this proposed regulatory action within 14 CCR § 895.1.

The primary benefit of the proposed action is three fold. First, this action will ultimately benefit landowner(s) by increasing the effectiveness and utilization of harvest methods within proximity to powerlines. Notification and consultation with PUs will enable landowners to increase biomass marked for harvest that can be safely removed by Licensed Timber Operators (LTOs), ensuring the safety of their crew and equipment. Due to the general lack of proper training required of LTOs working around electrical utilities, consultation with PU designees will allow them to operate with efficiency and safety. Secondly, by having PUs notified when timber activities are occurring within the vicinity of their powerlines, will allow them to confirm the safety and protection of the structures to withstand adjacent management activities and provide necessary safety upgrades or repairs to existing equipment. Ultimately this will result in safeguarding against possible failures or malfunctions, ensuring successful power delivery to customers. Finally, this mandate of increased communication will ultimately reduce the risk to life, property and the environment posed by the possibility of fire incidents caused by direct or arcing contact between vegetative materials and electrical power sources. PUs will be able assist the landowner by providing specially trained crews to perform work in close proximity to the powerlines, thereby reducing the threat of vegetative growth into utility right of ways that may in the future exacerbate the risk of ignitions.

There is no comparable federal regulation or statute.

Board staff conducted an evaluation on whether or not the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action (including 14 CCR §§ 895.1, 914.1 [934.1, 954.1] (a), 1032.7, 1038.3, 1051, 1051.4, 1092.04, and 1104.1) to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to the system of forest practice applicable to timber management on state, municipal and private timberlands developed regarding utilities infrastructures and right-of-ways and found no existing State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules; it simply amends current regulatory language.

Statute to which the proposed action was compared: Excerpts from the Public Resources Code (PRC):

§§ 740, 4119, 4292, 4294, 4295, 4296, 4428, 4562, 4584 and 4628.

No documents are incorporated by reference.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates Federal regulations.

There are no comparable Federal regulations related to the system of forest practice applicable to timber management on state, municipal and private timberlands developed pursuant to the Forest Practice Rules (FPRs). No existing Federal regulations meeting the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS
(pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

LOCAL MANDATE
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT
(pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

This regulatory language simply attempts to increase dialogue between landowners and PUs, thereby increasing safety, security and protection from logging operations near utility infrastructure. Although the proposed action will improve the implementation of the FPRs and make the review of plans and enforcement more efficient, a savings is not expected given the small scale of the proposed action. In general, the cost to administer the Forest Practice Program is covered by the Timber Regulation and Restoration Fund. The proposed action will not produce costs or savings to any State agency.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in federal funding to the State.

HOUSING COSTS
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE
(pursuant to GOV §§ 11346.3(a), 11346.5(a)(7) and 11346.5(a)(8))

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.

Pursuant to **GOV §11346.5(a)(8)**, the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support this initial determination:

This initial determination is based on consideration, by the Board in July of 2015, of the economic impact of each provision of the proposed action.

STATEMENTS OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- (A) Will not create or eliminate jobs within California;
- (B) Will not create new businesses or eliminate existing businesses within California;
- (C) Will not affect the expansion of businesses currently doing business within California;
- (D) Will yield nonmonetary benefits through improved implementation of the Forest Practice Rules that will yield improved resource and utility protection, planning (efficiency in plan development and plan review), reduction in safety and fire risks to life and property, and enforcement (more enforceable and achievable).

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS
(pursuant to GOV § 11346.5(a)(9))

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

BUSINESS REPORT

(pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS (defined in GOV § 11342.610)

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

The proposed action is to state clearly and explicitly that whenever management activities governed by the FPRs are proposed for plan areas within a 200 ft. distance from powerlines, disclosure to the Department must take place by reporting of conditions on the NOI. CAL FIRE in turn will notify the appropriate PU designee and will reserve the option for the landowners to consult with their respective PU designee prior to commencing operations. It simply amends the regulations to appropriately address how the FPRs will apply when power lines are directly overhead of forest management operations, or within 200 feet of the Plan’s boundary. Accordingly, the proposed action improves the implementation of the FPRs and makes the development of plans more efficient and enforcement more achievable. Small business may be affected by the proposed action.

CONSIDERATION OF ALTERNATIVES

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, 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.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
 Attn: Matt Dias
 Acting Executive Officer
 P.O. Box 944246
 Sacramento, CA 94244-2460
 Telephone: (916) 653-8007

The designated backup person in the event Mr. Matt Dias is not available is Connor Pompa, Forestry Assistant II for the Board of Forestry and Fire Protection. Mr. Pompa may be contacted at the above address or by phone at (916) 653-9066.

AVAILABILITY STATEMENTS

(pursuant to GOV § 11346.5(a) (16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board 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 Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: http://bofdata.fire.ca.gov/regulations/proposed_rule_packages/

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 8403 and 9022 of the Fish and Game Code and to implement, interpret or make specific Sections 8403, 9001.6, 9001.7 and 9022 of said Code, proposes to amend Section 180.6, Title 14, California Code of Regulations, relating to commercial hagfish traps.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current regulations in Section 180.6, Title 14, California Code of Regulations (CCR) allow hagfish, *Eptatretus spp.*, to be taken in 40-gallon barrel traps if attached to a ground line. Permittees may fish up to 25 barrel traps spread over a maximum of three ground lines.

Proposed Regulation Amendment

The proposed amendment replaces the 40-gallon requirement for barrel traps with a maximum total trap length of 45 inches and maximum outside diameter of 25 inches. Additional language is proposed to enact the same restrictions that are in place for other hagfish traps: 1) no take of finfish other than hagfish; and 2) no possession of any other hagfish trap type when using or in possession of barrels.

BENEFITS OF THE PROPOSED REGULATIONS

The proposed amendment would redefine maximum barrel size using linear dimensions instead of volume. Due to the variability in barrel manufacturing, linear dimensions offer flexibility to fishermen who want to switch to this gear and a consistent standard that enforcement staff can validate easily. With greater flexibility, more fishermen may switch over to this gear type

which would reduce the number of traps on the seafloor and the number of vertical lines in the water, which may result in fewer whale entanglements. Adoption of sustainable fishing regulations, including gear type, provides for the maintenance of sufficient fish populations and ensures their continued existence.

EVALUATION OF INCOMPATIBILITY WITH EXISTING REGULATIONS

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial take of finfish using traps (Sections 8403 and 9022, Fish and Game Code). No other State agency has the authority to promulgate commercial fishing regulations. The proposed amended regulations are compatible with Sections 180, 180.2, 180.4 and 180.5, Title 14, CCR, which address other aspects of commercial take of finfish using traps. The Commission has searched the CCR for any regulations regarding the use of traps for the commercial take of hagfish and has found no such regulation; therefore the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing State regulations.

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 Lake Natoma Inn Hotel & Conference Center, 702 Gold Lake Dr., Folsom, California, on Wednesday, August 24, 2016, 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 August 11, 2016, at the address given below, or by email to FGC@fgc.ca.gov. **Written comments mailed, or emailed to the Commission office, must be received before 5:00 p.m. on August 22, 2016.** All comments must be received no later than **August 24, 2016**, at the hearing in Folsom, California. 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, Valerie Termini, 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 Valerie Termini or Sherrie Fonbuena

at the preceding address or phone number. **Travis Tanaka, Department of Fish and Wildlife, phone (831) 649-2881 or email Travis.Tanaka@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, the regulatory language, the Notice, and other rulemaking documents, may be obtained from either the address above or on the Commission's 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 ASSESSMENT

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 Business, 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. Amending this regulation will allow fishermen to utilize any barrel, up to the maximum allowed dimensions, without need for modification or ordering special barrels at significant cost. However, fishermen may continue to use Korean or bucket traps for the take of hagfish if they desire to do so.

- (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 does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California, or any benefits to the health and welfare of California residents or worker safety.

The Commission anticipates possible benefits to the State's environment due to the anticipated reduction in vertical buoy lines and traps on the seafloor if more fishermen switch to barrels.

- (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. The proposed amendment does not require fishermen to use barrel traps. Fishermen who choose to switch to barrel traps may incur costs of approximately \$30 per barrel. Total cost for the allowable 25 barrels is estimated to be about \$750.

- (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 is 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.

SUMMARY OF REGULATORY ACTIONS

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# 2016-0512-01
 Board for Professional Engineers, Land Surveyors and Geologists
 Waiver of Fundamentals Examination

The Board of Professional Engineers, Land Surveyors, and Geologists (Board) in this action is amending title 16, section 438 of the California Code of Regulations. This rulemaking removes language that identifies an eight-hour written examination for the Fundamentals of Engineering examination (FE) and the Fundamentals of Surveying examination (FS) because individuals are no longer tested within an eight-hour time frame. FE and FS examinees are tested on the content of the exam and not the timeframe. Additionally, this rulemaking removes the ability of individuals who hold an Engineer-in-Training certificate (EIT) to waive the Land Surveyor-in-Training certificate (SIT). This change is necessary due to the passage of Senate Bill 1576 (Statutes of 2012, Chapter 661) which limits the exemption to persons who are registered as California civil engineers instead of simply an engineer-in-training.

Title 16
 AMEND: 438
 Filed 06/22/2016
 Effective 10/01/2016
 Agency Contact: Kara Williams (916) 263-5438

File# 2016-0516-02
 Board of Equalization
 Records

This rulemaking action by the Board of Equalization amends sections 1698 and 4901 of title 18 of the California Code of Regulations to update terminology related to electronic records and update the definition of "applicable tax laws."

Title 18
 AMEND: 1698, 4901
 Filed 06/28/2016
 Effective 10/01/2016
 Agency Contact: Richard Bennion (916) 445-2130

File# 2016-0510-02
 Commission on Peace Officer Standards and Training
 Field Training Program & Certificates (Forms)

This rulemaking by the Commission on Peace Officer Standards and Training (POST) amends sections in Title 11 of the California Code of Regulations regarding field training program and certificates. POST is incorporating three forms by reference: POST-Approved Field Training Program (FTP) Or Police Training Program (PTP) Application, POST 2-229; Request For Reissuance of POST Certificate, POST 2-250; and Certificate Application — Reserve Peace Officer, POST 2-256. The regulation text is amended to update the names of the forms and the new revision dates, as applicable.

Title 11
 AMEND: 1004, 1011
 Filed 06/22/2016
 Effective 10/01/2016
 Agency Contact: Patti Kaida (916) 227-4847

File# 2016-0616-03
 Department of Food and Agriculture
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid ((ACP) Diaphorina citri) by approximately 147 square miles in the Fresno and Clovis areas of Fresno County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the many existing regulated areas in the state.

Title 3
 AMEND: 3435(b)
 Filed 06/22/2016
 Effective 06/22/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0616-04
 Department of Food and Agriculture
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture establishes a quarantine area for the Asian Citrus Psyllid ((ACP) Diaphorina citri) of approximately 106 square miles in the Merced area of Merced County. The effect of the emergency action provides authority for the state to perform quarantine

activities against ACP within this established area, along with the many already existing regulated areas in the state.

Title 3
 AMEND: 3435(b)
 Filed 06/22/2016
 Effective 06/22/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0627-02
 Department of Food and Agriculture
 Asian Citrus Psyllid Interior Quarantine

This emergency rulemaking by the Department of Food and Agriculture (the "Department") expands the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* in the Lodi area of San Joaquin County. The Lodi quarantine area is being expanded by approximately 34 square miles and is being expanded in response to the identification of one adult ACP on June 2, 2016. This emergency action provides authority for the State to perform quarantine activities against ACP within this additional area.

Title 3
 AMEND: 3435(b)
 Filed 06/28/2016
 Effective 06/28/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0524-06
 Department of Human Resources
 County Merit System Regulations

This action was submitted as a File & Print action pursuant to Government Code section 19811 to implement Assembly Bill 1062 (Chapter 427, Statutes of 2013). It repeals existing Chapters 1 and 2 of Division 5 of Title 2 of the California Code of Regulations and adopts new Chapters 1 and 2 to replace them. It provides standards and parameters for the administration of merit personnel management systems in local agencies where such systems of employment are required by statute or regulation as a condition of a state-funded program or a federal-grant-in-aid program. This action further implements the Governor's Reorganization Plan Number One of 2011 and vests the California Department of Human Resources with these merit system service administration functions which were previously administered by the Department of Personnel Administration or State Personnel Board.

Title 2
 ADOPT: 17010, 17011, 17012, 17013, 17014, 17030, 17031, 17032, 17033, 17034, 17035, 17036, 17037, 17038, 17039, 17040, 17041, 17042, 17043, 17044, 17045, 17046, 17047 REPEAL: 17010,

17030, 17111, 17112, 17113, 17120, 17121, 17122, 17130, 17140, 17141, 17142, 17150, 17151, 17152, 17153, 17160, 17200, 17201, 17210, 17220, 17300, 17400, 17402, 17403, 17404, 17405, 17406, 17408, 17412, 17414, 17416, 17418, 17420, 17422, 17424, 17426, 17430, 17432, 17434, 17435, 17436, 17440, 17442, 17444, 17446, 17448, 17450, 17452, 17454, 17458, 17460, 17461, 17463, 17464, 17466, 17468, 17470, 17471, 17473, 17475, 17477, 17478, 17481, 17482, 17483, 17485, 17486, 17488, 17490, 17491, 17493, 17495, 17498, 17500, 17502, 17504, 17508, 17510, 17512, 17514, 17515, 17516, 17518, 17519, 17520, 17521, 17525, 17527, 17528, 17530, 17532, 17534, 17538, 17542, 17544, 17546, 17548, 17550, 17551, 17552, 17553, 17554, 17555, 17556, 17557, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 17565, 17566, 17567, 17570, 17571, 17572, 17575, 17576, 17580, 17581, 17582, 17588, 17590, 17592

Filed 06/23/2016
 Effective 06/23/2016
 Agency Contact: Nancy Craig (916) 324-0512

File# 2016-0511-01
 Department of Motor Vehicles
 Reduced Fee and No Fee Identification Cards

The Department of Motor Vehicles filed this action to amend one section and adopt one section in title 13 of the California Code of Regulations, and to repeal an incorporated by reference form and adopt two incorporated by reference forms. The action implements Vehicle Code section 14902, which authorizes issuance of identification cards for a reduced fee for low-income residents or for no fee for homeless residents.

Title 13
 ADOPT: 15.08
 AMEND: 15.07
 Filed 06/23/2016
 Effective 10/01/2016
 Agency Contact: Randi Calkins (916) 657-8898

File# 2016-0523-03
 Department of Motor Vehicles
 Dealer Surety Bond

This change without regulatory effect by the Department of Motor Vehicles amends section 268.10 of title 13 of the California Code of Regulations to update the Dealer Surety Bond form incorporated by reference from the November 2004 version to the current November 2010 version.

Title 13
 AMEND: 268.10
 Filed 06/23/2016
 Agency Contact: Randi Calkins (916) 657-8898

File# 2016-0516-03
Department of Public Health
Primary Care Clinics Written Transfer Agreements

This action by the Department of Public Health repeals section 75047, title 22 of the California Code of Regulations pursuant to Health and Safety Code section 1204.2, enacted by Statutes 2015, chapter 704 (AB 1177).

Title 22
REPEAL: 75047
Filed 06/28/2016
Agency Contact: Charlet Archuleta (916) 445-9403

File# 2016-0616-02
Department of State Hospitals
End of Life Option Act

This emergency rulemaking action by the Department of State Hospitals adopts new Article 6 (End of Life Option Act) in Chapter 16 of Division 1 of Title 9 of the California Code of Regulations. The new Article establishes the process by which terminally ill state hospital patients may exercise their rights under the End of Life Option Act (California Health and Safety Code Section 443 et seq.).

Title 9
ADOPT: 4600, 4601, 4602
Filed 06/27/2016
Effective 06/27/2016
Agency Contact: Dennalee Folks (916) 651-8544

File# 2016-0512-02
Fish and Game Commission
Waterfowl 2016-2017

In this regular rulemaking, the Fish and Game Commission (the "Commission") is amending sections 502 and 507 in title 14 of the California Code of Regulations. Current regulations in Section 502 provide definitions, hunting zone descriptions, and season opening and closing dates, and establish daily bag and possession limits for waterfowl hunting. This rulemaking, *inter alia*, changes various hunting zone descriptions and daily bag limits, as well as modifies the age limit to participate in the Youth Waterfowl Hunting Days from 15 years of age and under to 17 years of age and under. The amendments to Section 507 correct a grammatical error and remove a prohibition on the possession of a firearm while archery hunting.

Title 14
AMEND: 502, 507
Filed 06/23/2016
Effective 06/23/2016
Agency Contact: Jon Snellstrom (916) 653-4899

File# 2016-0518-02
Occupational Safety and Health Standards Board
Definitions "Smoking" and "Tobacco Product"

This action by the Occupational Safety and Health Standards Board amends section 5148, title 8 of the California Code of Regulations by adding definitions of "smoking" and "tobacco product" consistent with Labor Code section 6404.5, as amended by Statutes 2016, chapter 7 (SB 5).

Title 8
AMEND: 5148(c)
Filed 06/28/2016
Agency Contact: Marley Hart (916) 274-5721

File# 2016-0510-01
Office of Environmental Health Hazard Assessment
Chemicals Known to the State to Cause Cancer or Reproductive Toxicity

This action amends and republishes the list of chemicals known to the State of California to cause cancer or reproductive toxicity.

Title 27
AMEND: 27001
Filed 06/22/2016
Effective 06/22/2016
Agency Contact: Michelle Ramirez (916) 327-3015

File# 2016-0613-04
Office of Environmental Health Hazard Assessment
Chemicals Known to the State to Cause Cancer or Reproductive Toxicity

The Office of Environmental Health Hazard Assessment submitted this action to amend title 27, California Code of Regulations, section 27001, which contains the list of chemicals known to the state to cause cancer or reproductive toxicity required by Health and Safety Code section 25249.8. The amendments to section 27001 correct a typographical error in the Chemical Abstracts Service (CAS) registry number for bisphenol A and updates the date of the list from May 20, 2016 to June 13, 2016.

Title 27
AMEND: 27001
Filed 06/27/2016
Effective 06/27/2016
Agency Contact: Michelle Ramirez (916) 327-3015

File# 2016-0615-01
State Treasurer
Conflict-of-Interest Code

This is a Conflict-of-Interest code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
 AMEND: 1897
 Filed 06/27/2016
 Effective 07/27/2016
 Agency Contact: Deborah Yang (916) 651-9479

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN January 27, 2016 TO
 June 29, 2016**

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

06/27/16 AMEND: 1897
 06/23/16 ADOPT: 17010, 17011, 17012, 17013, 17014, 17030, 17031, 17032, 17033, 17034, 17035, 17036, 17037, 17038, 17039, 17040, 17041, 17042, 17043, 17044, 17045, 17046, 17047 REPEAL: 17010, 17030, 17111, 17112, 17113, 17120, 17121, 17122, 17130, 17140, 17141, 17142, 17150, 17151, 17152, 17153, 17160, 17200, 17201, 17210, 17220, 17300, 17400, 17402, 17403, 17404, 17405, 17406, 17408, 17412, 17414, 17416, 17418, 17420, 17422, 17424, 17426, 17430, 17432, 17434, 17435, 17436, 17440, 17442, 17444, 17446, 17448, 17450, 17452, 17454, 17458, 17460, 17461, 17463, 17464, 17466, 17468, 17470, 17471, 17473, 17475, 17477, 17478, 17481, 17482, 17483, 17485, 17486, 17488, 17490, 17491, 17493, 17495, 17498, 17500, 17502, 17504, 17508, 17510, 17512, 17514, 17515, 17516, 17518, 17519, 17520, 17521, 17525, 17527, 17528, 17530, 17532, 17534, 17538, 17542, 17544, 17546, 17548, 17550, 17551, 17552, 17553, 17554, 17555, 17556, 17557, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 17565, 17566, 17567, 17570, 17571, 17572, 17575, 17576, 17580, 17581, 17582, 17588, 17590, 17592
 05/25/16 AMEND: 604

05/23/16 AMEND: 23000
 05/19/16 ADOPT: 18750 REPEAL: 18750, 18750.1, 18750.2, 18752
 04/21/16 AMEND: 599.744
 04/12/16 AMEND: 18239
 04/12/16 AMEND: 18616
 03/22/16 AMEND: 18215.3, 18247.5, 18404, 18405, 18422, 18425, 18427.1, 18450.4, 18531.5, 18531.62 REPEAL: 18402.5
 03/22/16 AMEND: 18406, 18530.4, 18530.45, 18992
 02/22/16 ADOPT: 61000, 61001, 61002, 61003, 61004, 61005, 61006, 61007, 61008, 61009, 61010, 61011, 61012, 61013, 61014, 61015, 61016, 61017, 61018, 61019, 61020, 61021, 61022, 61023, 61024
 02/22/16 ADOPT: 59800
 02/11/16 AMEND: 57200
 02/10/16 AMEND: 57200
 02/04/16 ADOPT: 555.5
 02/04/16 AMEND: 18351
 02/04/16 AMEND: 18616

Title 3

06/28/16 AMEND: 3435(b)
 06/22/16 AMEND: 3435(b)
 06/22/16 AMEND: 3435(b)
 06/20/16 AMEND: 3591.12
 06/16/16 AMEND: 3435(b)
 06/13/16 AMEND: 3435(b)
 06/13/16 AMEND: 3435(b)
 06/08/16 AMEND: 850
 06/06/16 ADOPT: 1358.7
 06/02/16 AMEND: 3439(b)
 06/02/16 AMEND: 3435(b)
 06/01/16 AMEND: 3435(b)
 05/25/16 AMEND: 3435(b)
 05/23/16 AMEND: 3435(b)
 05/18/16 AMEND: 3435
 05/17/16 AMEND: 3906
 05/12/16 AMEND: 3435(b)
 05/12/16 AMEND: 3435(b)
 05/11/16 AMEND: 3435(b)
 05/11/16 AMEND: 3435(b)
 05/10/16 AMEND: 3435(b)
 05/09/16 ADOPT: 3591.27
 04/25/16 AMEND: 3435(b)
 04/07/16 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
 04/05/16 AMEND: 3589
 03/29/16 AMEND: 3435(b)
 03/21/16 AMEND: 3435
 03/10/16 AMEND: 3435(b)
 03/09/16 AMEND: 3435(b)

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03/08/16 AMEND: 3435(b)
 02/17/16 AMEND: 6000, 6445, 6447, 6447.2,
 6447.3, 6448.1, 6449.1, 6450.1, 6452,
 6452.2, 6784
 02/17/16 AMEND: 3439(b)
 02/09/16 AMEND: 3435(b)
 02/02/16 ADOPT: 3442
 01/27/16 ADOPT: 3591.26

Title 4

06/15/16 ADOPT: 299 AMEND: 297, 300
 06/14/16 AMEND: 5000, 5033, 5052, 5144, 5205,
 5220, 5221, 5230
 04/27/16 AMEND: 10170.2, 10170.3, 10170.4,
 10170.5, 10170.6, 10170.7, 10170.8,
 10170.9, 10170.10, 10170.11, 10170.12
 04/25/16 ADOPT: 1866.1 AMEND: 1844
 04/21/16 ADOPT: 610
 04/13/16 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
 04/12/16 AMEND: 1489
 03/28/16 AMEND: 10176(d), 10181
 03/23/16 ADOPT: 12465 AMEND: 12460, 12461,
 12462, 12463, 12464, 12466
 03/10/16 ADOPT: 5258, 5271, 5273 AMEND:
 5033, 5052, 5100, 5102 (renumbered to
 5101), 5103 (renumbered to 5102), 5104
 (renumbered to 5103), 5105 (renumbered
 to 5104), 5106 (renumbered to 5105),
 5107 (renumbered to 5106), 5132, 5170,
 5190, 5191, 5192, 5200, 5205, 5210,
 5230, 5232, 5250, 5255, 5260, 5267
 REPEAL: 5101
 03/08/16 AMEND: 1658
 03/03/16 AMEND: 10176, 10179, 10180, 10181
 02/04/16 AMEND: 5000, 5033, 5052, 5144, 5205,
 5220, 5221, 5230
 02/01/16 ADOPT: 7210, 7213, 7214, 7215, 7216,
 7217, 7218, 7219, 7220, 7221, 7222,
 7223, 7224, 7225, 7225.1, 7226, 7227,
 7228, 7229

Title 5

06/15/16 REPEAL: 3820, 3822, 3823, 3824, 3831,
 3840, 3860, 3870
 05/31/16 REPEAL: 9517.1, 9531, 9532, 9535
 05/31/16 ADOPT: 11533, 11534 AMEND: 11530,
 11531
 05/31/16 ADOPT: 11524, 11525 AMEND: 11520,
 11521, 11522
 05/18/16 ADOPT: 851.5, 853.6, 853.8, 860
 AMEND: 850, 851, 853, 853.5, 853.7,
 855, 857, 858, 859, 861, 862, 862.5, 863,
 864

04/25/16 AMEND: 41906.5, 41906.6
 03/28/16 ADOPT: 1700
 03/22/16 ADOPT: 9526
 03/21/16 AMEND: 80057.5, 80089.2
 03/03/16 AMEND: 19810
 02/26/16 AMEND: 27007
 02/24/16 AMEND: 80499
 02/24/16 AMEND: 80014, 80014.1, 80066
 REPEAL: 80014.2
 02/18/16 ADOPT: 40106

Title 8

06/28/16 AMEND: 5148(c)
 05/18/16 AMEND: 362, 364, 364.1
 04/12/16 AMEND: 3207, 3212
 03/23/16 AMEND: 9789.12.2, 9789.12.6,
 9789.12.8, 9789.12.13, 9789.13.1,
 9789.15.4, 9789.16.1, 9789.16.2,
 9789.17.1, 9789.19
 03/14/16 AMEND: 9789.21, 9789.25
 03/14/16 AMEND: 333, 336
 03/07/16 AMEND: 4307
 03/07/16 AMEND: 4412
 03/04/16 AMEND: 9785.4.1
 02/25/16 AMEND: 3328

Title 9

06/27/16 ADOPT: 4600, 4601, 4602
 06/06/16 AMEND: 811, 812, 823, 836.2, 862, 865,
 865.4, 865.5
 05/31/16 ADOPT: 7006.5 AMEND: 7019.1, 7020,
 7024, 7029.9, 7054, 7055, 7060, 7062,
 7062.3, 7122, 7143, 7157, 7164, 7164.4,
 7194, 7198 REPEAL: 7004.3, 7019.2, 7022,
 7029.3
 05/12/16 AMEND: 7140, 7142, 7142.5, 7143.5,
 7164.6, 7196, 7211, 7290, 7353.6
 04/21/16 REPEAL: 1700, 1701, 1702, 1703, 1704,
 1705, 1706, 1707, 1708, 1709, 1710,
 1711, 1712, 1713, 1714, 1715, 1716,
 1717, 1718, 1719, 1720, 1721, 1722,
 1723, 1724, 1725, 1726, 1727, 1728,
 1729, 1730, 1731, 1739, 1740, 1741,
 1742, 1743, 1744, 1745, 1746, 1747,
 1748, 1749, 1750, 1751, 1752, 1753,
 1754, 1755, 1765, 1766, 1767, 1768,
 1769, 1770, 1771, 1772, 1773, 1774,
 1775, 1776, 1777, 1778, 1779, 1790,
 1791, 1792, 1793, 1794, 1795, 1796,
 1797, 1798, 1799

Title 10

06/14/16 ADOPT: 6540, 6542, 6544, 6546, 6548,
 6550, 6552
 06/07/16 ADOPT: 8100, 8110, 8120, 8130, 8140,
 8150

06/06/16 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, 6622

05/31/16 AMEND: 2500, 2501, 2503, 2504, 2505, 2507.1, 2507.2, 2508 REPEAL: 2502

05/26/16 ADOPT: 6858

05/23/16 ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718

05/11/16 ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516

05/10/16 AMEND: 2318.6, 2353.1, 2354

05/10/16 AMEND: 2353.1

03/22/16 AMEND: 2544, 2544.1, 2544.2, 2544.3, 2544.4, 2544.5, 2544.6

03/08/16 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.2, 2240.3, 2240.4, 2240.5

02/04/16 AMEND: 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218

02/02/16 ADOPT: 2269 AMEND: 2218, 2250, 2251, 2252, 2253, 2254, 2256, 2257, 2258, 2259, 2260, 2266, 2267, 2268 REPEAL: 2218.1, 2255, 2261, 2262, 2263, 2264, 2265, 2269.1, 2269.4, 2269.7, 2269.10, 2269.11, 2269.13, 2269.14

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06/22/16 AMEND: 1004, 1011

06/09/16 AMEND: 1005, 1007, 1008, 1009, 1010, 1011, 1054, 1058, 1070, 1081, 1082, 1084, 1960

06/01/16 AMEND: 51.22

04/28/16 ADOPT: 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2130, 2131, 2132

04/25/16 ADOPT: 50.24

04/06/16 ADOPT: 28.5

04/06/16 ADOPT: 28.6

03/23/16 ADOPT: 4250, 4251, 4251.5, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4559

03/10/16 AMEND: 20

02/24/16 AMEND: 1005, 1007, 1008, 1052

02/24/16 AMEND: 1951, 1953, 1954, 1955

02/17/16 AMEND: 1005, 1081

01/27/16 AMEND: 1953(e)(5)

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06/17/16 ADOPT: 509

05/23/16 ADOPT: 462

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06/23/16 ADOPT: 15.08 AMEND: 15.07

06/23/16 AMEND: 268.10

05/09/16 AMEND: 156.00, 156.01

04/06/16 ADOPT: 150.10

02/29/16 AMEND: 553.70

02/25/16 AMEND: 551.8, 551.12, 591, 592

02/08/16 ADOPT: 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869 AMEND: 2440, 2442

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06/23/16 AMEND: 502, 507

06/16/16 AMEND: 120.7

06/15/16 ADOPT: 8.01

06/09/16 AMEND: 7.50

05/25/16 AMEND: 1670

05/11/16 AMEND: 17852

05/02/16 AMEND: 29.85

04/28/16 ADOPT: 131

04/27/16 AMEND: 27.80

04/26/16 AMEND: 29.45

04/26/16 AMEND: 28.20

04/20/16 ADOPT: 1760.1, 1779.1

04/06/16 AMEND: 1038

03/29/16 AMEND: 27.80

03/28/16 ADOPT: 8.01

03/07/16 ADOPT: 749.8

03/01/16 AMEND: 7.50

02/29/16 ADOPT: 1.57, 5.41 AMEND: 1.05, 1.53, 1.86, 2.00, 5.60, 5.80, 5.81, 7.00, 7.50, 27.00, 230

02/23/16 AMEND: 632

02/18/16 ADOPT: 748.5

02/10/16 ADOPT: 672, 672.1, 672.2

02/10/16 AMEND: 17381.2

02/09/16 AMEND: 3550.11

02/05/16 AMEND: 1724.9

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06/21/16 ADOPT: 3359.8

06/02/16 AMEND: 3000, 3084.7, 3312, 3313, 3314, 3315, 3316, 3317, 3317.1, 3317.2, 3320, 3322, 3326, 3340, 3341.3, 3376, 3378.6

05/24/16 ADOPT: 3317.1, 3317.2 AMEND: 3310, 3315, 3317

05/11/16 AMEND: 3000, 3213

05/10/16 AMEND: 3173.2

04/28/16 AMEND: 3000

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03/30/16 REPEAL: 3999.16
03/29/16 AMEND: 3315, 3375.2
03/29/16 AMEND: 3000, 3078.1, 3078.2, 3078.3, 3078.4
03/10/16 ADOPT: 3000, 3268.2 REPEAL: 3999.17
02/18/16 ADOPT: 3040.2 AMEND: 3000, 3040.1, 3041, 3041.3, 3043.6, 3379 REPEAL: 3999.15
02/18/16 AMEND: 3375.1, 3377

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06/22/16 AMEND: 438
06/16/16 AMEND: 109
06/07/16 ADOPT: 1100
06/07/16 ADOPT: 1101, 1121, 1122, 1124, 1126, 1127, 1133
06/07/16 ADOPT: 1104, 1104.1, 1104.2
05/26/16 ADOPT: 1815.5
05/13/16 AMEND: 910
05/10/16 AMEND: 2403
05/04/16 AMEND: 4170
05/03/16 ADOPT: 2326.2, 2326.3 AMEND: 2326, 2326.1, 2326.5
04/28/16 AMEND: 1417
04/20/16 ADOPT: 1103, 1105, 1105.1, 1105.2, 1105.3, 1105.4, 1106
04/20/16 AMEND: 1715, 1784
04/11/16 AMEND: 1399.523
04/08/16 ADOPT: 1746.1
04/04/16 AMEND: 974
03/22/16 AMEND: 1970.4
03/21/16 AMEND: 1380.5
03/07/16 AMEND: 1001
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02/29/16 ADOPT: 1960
02/24/16 AMEND: 1446, 1447, 1447.1
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05/25/16 AMEND: 1050
05/24/16 AMEND: 2500, 2502, 2505
04/25/16 AMEND: 100800
04/04/16 ADOPT: 6500.03, 6500.05, 6500.9, 6500.21, 6500.33, 6500.43, 6500.50, 6500.51, 6500.55, 6500.58, 6500.71, 6500.78, 6501.5 AMEND: 6500.35, 6500.39, 6500.45, 6501, 6505, 6506, 6506.6, 6506.8, 6506.10 REPEAL: 6500.65, 6500.67
03/08/16 AMEND: 60201

02/05/16 ADOPT: 59050, 59051, 59052, 59053, 59054, 59055, 59056, 59057, 59058, 59059, 59060, 59061, 59062, 59063, 59064, 59065, 59066, 59067, 59068, 59069, 59070, 59071, 59072
02/03/16 AMEND: 95000 REPEAL: 95001, 95002, 95003, 95004, 95005, 95006, 95007

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06/28/16 AMEND: 1698, 4901
06/21/16 AMEND: 1432
04/22/16 AMEND: 1668
04/20/16 AMEND: 5600, 5601, 5603
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03/17/16 AMEND: 3500
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06/20/16 ADOPT: 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710
05/11/16 ADOPT: 2621, 2622, 2630, 2631, 2632, 2640, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2670, 2671 AMEND: 2650 renumbered to 2621, 2660 renumbered to 2622, 2701 renumbered to 2630, 2703 renumbered to 2631, 2705 renumbered to 2632, 2720 amended and renumbered to 2640, 2722 renumbered to 2642, 2723 amended and renumbered to 2643, 2724 renumbered to 2644, 2725 amended and renumbered to 2645, 2726 renumbered to 2646, 2727 renumbered to 2647, 2728 renumbered to 2648, 2729 amended and renumbered to 2650, 2729.1 amended and renumbered to 2651, 2729.2 amended and renumbered to 2652, 2729.3 amended and renumbered to 2653, 2729.4 amended and renumbered to 2654, 2729.5 amended and renumbered to 2655, 2729.6 amended and renumbered to 2656, 2729.7 amended and renumbered to 2657, 2731 renumbered to 2658, 2732 amended and renumbered to 2659, 2733 amended and renumbered to 2670, 2734 renumbered to 2671

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04/12/16 AMEND: 1240, 3201, 3202, 3203, 3204, 3206, 3207
04/06/16 AMEND: 2401, 2402
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02/10/16 AMEND: 1601, 1604, 1605.3

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05/09/16 ADOPT: 133, 134, 135, 136, 137, 138, 141, 151, 161, 162, 163, 164, 165, 171
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 06/20/16 AMEND: 51179.7
 06/09/16 ADOPT: 69600.1, 69600.2, 69600.3, 69600.4, 69600.5, 69600.6, 69600.7
 06/08/16 AMEND: 7000
 04/27/16 AMEND: 53626(a)
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 03/29/16 AMEND: 51516.1
 03/17/16 AMEND: 97232
 02/25/16 ADOPT: 100450.100
 02/23/16 AMEND: 69502.2
 02/11/16 ADOPT: 51000, 51000.7, 51000.9.5, 51000.15.5, 51000.20, 51000.24.3, 51000.24.4, 51000.24.4.1, 51000.24.5, 51000.24.8, 51000.30, 51000.31, 51000.35, 51000.40, 51000.45, 51000.60, 51000.70, 51000.75, 51051, 51341.1
 02/08/16 AMEND: 100143, 100146, 100149, 100152, 100153, 100154 (renumbered to 100159), 100155 (renumbered to 100161), 100156 (renumbered to 100160), 100157 (renumbered to 100162), 100159 (renumbered to 100154), 100160 (renumbered to 100155), 100161 (renumbered to 100156), 100162 (renumbered to 100157), 100163 (renumbered to 100164), 100164 (renumbered to 100163), 100165, 100167, 100172
 02/01/16 AMEND: 64806

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02/10/16 AMEND: 102352, 102416.5, 102417, 102421

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 05/17/16 ADOPT: 3991.1 REPEAL: 3989
 05/04/16 AMEND: 3935, 3936, 3939.13
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 03/21/16 ADOPT: 908, 911, 912, 916, 917, 922, 924, 931, 931.5, 932, 933, 934, 935, 936, 937, 938
 03/07/16 AMEND: 3930
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02/25/16 ADOPT: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8414 AMEND: 8400, 8401, 8410, 8412 (renumbered to 8411), 8416 (renumbered to 8412), 8417 (renumbered to 8413), 8419 (renumbered to 8415), 8420 (renumbered to 8416), 8421 (renumbered to 8417) REPEAL: 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8411, 8413, 8414, 8415, 8418
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06/27/16 AMEND: 27001
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 06/13/16 AMEND: 25805
 05/09/16 AMEND: 10052
 04/18/16 AMEND: 25603.3
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03/28/16 AMEND: 1010

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06/13/16 ADOPT: 30-754 AMEND: 30-701
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