



California Regulatory Notice Register

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JUNE 23, 2017

PROPOSED ACTION ON REGULATIONS

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Amendment

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*Time-Dated
Material*

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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

STATE AGENCY: California Department of Parks and Recreation

MULTI-COUNTY: Central Coast Water Authority

A written comment period has been established commencing on June 23, 2017, and closing on August 7, 2017. Written comments should be directed to the Fair Political Practices Commission, Attention Cesar Cuevas, 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 7, 2017. 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 Cesar Cuevas, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

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

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

**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 2, 2017. 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 August 29, 2017.

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 7, 2017. 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 the Secretary 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 area boundary.

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 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 San Mateo County by approximately 12 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 that would be under regulation is now approximately 62,526 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 zero 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. Field-cleaning the fruit will cost the grower approximately \$150-\$320 per acre depending on the citrus variety. Field-cleaned fruit 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. There are zero citrus packinghouses located within this quarantine area.

Based on the preceding 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 action, 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 February 24, 2017. 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 August 23, 2017.

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

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INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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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.

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The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency 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 Yolo and Sacramento counties by approximately 110 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 that would be under regulation is now approximately 62,514 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 six retail nurseries in the affected area. There are zero 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. Field-cleaning the fruit will cost the grower approximately \$150-\$320 per acre depending on the citrus variety. Field-cleaned fruit 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. There are zero citrus packinghouses located within this quarantine area.

Based on the preceding 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

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AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed action, 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. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture (Department) proposes to amend regulations contained in the California Code of Regulations (CCR), Title 4. Business Regulations, Division 9. Division of Measurement Standards, Department of Food and Agriculture, Chapter 8. Motor Oil Fee §§ 4300-4309, inclusive.

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 regulatory action to the Department by mail, fax, or email. The written comment period closes at 5:00 p.m. on Monday, August 7, 2017. The Department will only consider comments received at the Division of Measurement Standards' office by that time.

SUBMIT COMMENTS TO

Samuel Ferris
Environmental Scientist
California Department of Food and Agriculture
Division of Measurement Standards
6790 Florin Perkins Road, Suite 100
Sacramento, CA 95828-1812
Sam.Ferris@cdfa.ca.gov
(916) 229-3055 (FAX)

Following the written comment period or public hearing, if one 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.

AUTHORITY/REFERENCE

Business and Professions Code (BPC) § 12027 authorizes the Department to adopt these proposed regula-

tions which implement, interpret, and make specific BPC §§ 13431, 13433, and 13434, inclusive.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The Department proposes to make changes to CCR, Title 4, Division 9, Chapter 8 §§ 4300, 4302, 4304, 4305, 4306, 4307, 4308, and 4309, rename and revise the Department’s Motor Oil Return Form (Form 41–054), amend the annual motor oil assessment fee (MOAF) reporting criteria, and repeal subdivision (d) of § 4308 of that Chapter. As authorized by BPC §§ 12027 and 13431, the Department has authority to establish and set the MOAF up to the maximum statutory limit of five cents (\$0.05) per gallon of motor oil manufactured, distributed, or imported for retail sale in California.

Under BPC, Division 5, Chapter 2 § 12027, the Secretary of the Department may make such rules and regulations as are reasonably necessary to carry out the provisions of Division 5. The Department’s Fuels, Lubricants, and Automotive Products Program (Program) is responsible for the administration and enforcement of BPC, Division 5, Chapter 14 (Fuels and Lubricants) and Chapter 15 (Automotive Products). Article 4 of Chapter 14 establishes the MOAF to fund the regulatory and enforcement activities of the Program. Currently, CCR, Title 4 § 4304(a) sets the MOAF at four cents (\$0.04) per gallon of motor oil. This section also provides that the MOAF revert to three cents (\$0.03) per gallon on January 1, 2018. The proposed regulation increases the MOAF to five cents (\$0.05) per gallon effective January 1, 2018, and removes the language reverting it. The Department proposes to rename the Motor Oil Fee Return Form to Motor Oil Remittance Form and revise it and the instructions that accompany it to reflect the fee increase. In addition, the Department proposes to increase the maximum fee assessable gallons allowed to qualify for annual MOAF reporting from less than 5,000 gallons to 30,000 gallons or less of motor oil produced, distributed, or imported for retail sale in California. Lastly, the Department proposes to repeal subdivision (d) of § 4308 as this requirement has been met by the Program and is no longer applicable.

Form Incorporated by Reference

Motor Oil Fee Remittance Form (Form 41–054, Rev. 1/1/18) incorporated by reference into § 4304.

Anticipated Benefits of the Proposed Regulations

Assembly Bill (AB) 808 (Ridley–Thomas, Statutes of 2015, Chapter 591) significantly expanded the scope of the Program’s regulatory and enforcement activities to include many additional motor vehicle fuels (petroleum and non–petroleum), alternative and renew-

able fuels, other fuel blends, lubricants, and automotive products such as ethanol– and methanol–based gasoline blends, biodiesel, renewable diesel, new motor oil blends, re–refined motor oil blends, hydrogen gas, compressed natural gas, liquefied natural gas, and diesel exhaust fluid. The proposed regulations will ensure adequate funding for the broadened administration, implementation, and enforcement activities of the Program.

The additional products added to the Program’s scope of authority under AB 808 support Governor Brown’s goal to reduce emissions of toxic greenhouse gases, other known climate change pollutants, and reduce dependence on petroleum–based products. The proposed regulation will assist California with achieving the Governor’s goals.

The proposed regulation will also protect California consumers, businesses, and retailers of motor vehicle fuels, lubricants, and automotive products by ensuring products not meeting specification are unavailable for retail sale in California.

The proposed regulation financially benefits a greater number of small to medium sized motor oil dealers qualifying to annually report the MOAF by reducing costs associated with quarterly reporting. That cost savings helps offset the increased fee for those small to medium sized motor oil dealers.

Consistency and Compatibility with Existing State Regulations

The Department determined this proposal is consistent and compatible with existing state regulations. The Department is the only state agency with the authority to regulate fuel quality, labeling, and advertising requirements for motor vehicle fuels, lubricants, and automotive products.

Consistency and Compatibility with Existing Federal Regulations

The Department determined the proposed regulation is consistent and compatible with existing federal regulations. The proposed regulations are not mandated by federal law or regulations.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Fiscal impact on public agencies including costs/savings to state agencies or costs/savings in federal funding to the state: None.

Nondiscretionary costs/savings to local agencies: None.

Cost to any local agency or school district for which Government Code §§ 17500 et seq. require reimbursement: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Significant effect on housing costs: None.

Although the proposed action may affect individual California consumers and small businesses, the Department concludes the proposed regulation would not have a significant statewide adverse economic impact directly affecting California consumers and businesses, including the ability of California businesses to compete with businesses in other states.

EFFECTS ON PRIVATE PERSONS AND BUSINESSES, INCLUDING SMALL BUSINESSES

The proposed regulation financially affects all California consumers and businesses, including small businesses that purchase retail motor oil. The proposed regulation will permanently increase the MOAF from four cents (\$0.04) per gallon to five cents (\$0.05) per gallon. The current retail price of a gallon of motor oil is approximately \$20. Assuming the proposed fee is fully passed on to the consumer it will raise the retail price by one cent (\$0.01) per gallon, an increase of no more than 0.05% ($\$0.01/\$20 \times 100\%$). Motor oil purchased in bulk by California businesses such as automotive repair shops and other businesses performing vehicle maintenance will increase by one cent (\$0.01) per gallon. The retail price of a 55-gallon drum of petroleum motor oil is about \$400. The retail price of synthetic motor oil is greater than that. Again, assuming the MOAF is fully passed on to the consumer it will add fifty-five cents (\$0.55) to the current retail price of a drum of motor oil; an increase of no more than 0.14% ($\$0.55/\$400 \times 100\%$). The Department believes the proposed increase of the MOAF can be passed on to California consumers and businesses without statewide adverse economic impact.

The Department's proposal will affect all California businesses regulated as motor oil dealers and required to pay the MOAF. Over 150 motor oil dealers are subject to the MOAF, ranging from extremely large motor oil dealers to small specialty lubricant producers, blenders, or distributors. Motor oil producers will be required to pay an increased fee of one cent (\$0.01) per gallon of motor oil produced, distributed, or imported for retail sale in California. However, some motor oil dealers will benefit by qualifying to report the MOAF annually rather than quarterly. The Department be-

lieves there will not be a significant adverse economic impact on small to medium sized motor oil dealers considering that the administrative cost savings realized by annual reporting partially offsets or, in a few cases exceeds, the proposed MOAF increase.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Department concludes that the proposed regulation: (1) is unlikely to eliminate jobs for motor oil dealers; (2) is unlikely to create new jobs in California; (3) is unlikely to eliminate existing businesses; (4) is unlikely to create new businesses in California; and (5) is unlikely to affect the expansion of businesses in California.

As stated in the above section, "*Anticipated Benefits of the Proposed Regulations*" (under the INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW), the proposed regulation provides benefits to the health and welfare of California residents, worker safety, and the state's environment by allowing the Division to: protect motorists from being sold automotive fuels, lubricants, and automotive products that do not meet labeling, advertising, method of sale, or quality and performance specifications; regulate and enforce an expanded scope of fuels and automotive products; support the Governor's goals to reduce greenhouse gasses; and financially benefit some small motor oil dealers.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Samuel Ferris, Environmental Scientist
California Department of Food and Agriculture
Division of Measurement Standards
6790 Florin Perkins Road, Suite 100
Sacramento, CA 95828-1812
Fax: (916) 229-3055
Email: Sam.Ferris@cdfa.ca.gov

The backup contact person for these inquiries is:

Kevin Schnepf, Environmental Program Manager I
California Department of Food and Agriculture
Division of Measurement Standards
6790 Florin Perkins Road, Suite 100
Sacramento, CA 95828-1812
Fax: (916) 229-3055
Email: dms@cdfa.ca.gov

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Samuel Ferris at the above address.

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and all the information upon which this proposal is based.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After receiving and considering all timely and relevant comments and holding the hearing, if requested, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Samuel Ferris at the address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

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 through the Division of Measurement Standards’ website at: www.cdfa.ca.gov/dms/regulations.html

TITLE 10. DEPARTMENT OF BUSINESS OVERSIGHT

NOTICE IS HEREBY GIVEN
[Government Code Section 11346.5,
Subdivision (a)(1)]

The Department of Business Oversight (Department) licenses and regulates credit unions under the California Credit Union Law.¹ This proposed regulatory action would repeal section 30.105 of title 10 of the California Code of Regulations, which requires credit union bylaw amendments to be approved by the Commissioner of Business Oversight.² This proposed regulatory action would also amend section 30.60 of title 10 of the California Code of Regulations to delete the reference to section 30.105 in subsection (d)(2).

State-chartered credit unions are required to have bylaws.³ Financial Code section 14103 provides the manner in which the business of a credit union is to be conducted, and includes provisions the bylaws must contain. Corporations Code sections 7150 and 7151 (in the Nonprofit Mutual Benefit Corporations Law) also provide information that credit unions must include in bylaws, optional bylaw provisions, and procedures on how to amend bylaws.⁴

Pursuant to Financial Code section 14250, subdivision (b)(1), the Department examines credit unions, at a minimum, once every two years. During a credit union examination, the Department reviews the bylaws and any amendments to the bylaws made since the Department’s prior examination. If the bylaws or any recent amendments are found to be inconsistent with the law or include unsafe or unsound corporate governance prac-

¹ Fin. Code, § 14000 et seq.

² Cal. Code Regs., tit. 10, § 30.105

³ Fin. Code, § 14103.

⁴ Corp. Code, § 7110 et seq.

tices, the Department has the authority to instruct a credit union to revise the amendment so that it conforms to current law. This review of a credit union's bylaws provides sufficient oversight of credit union bylaws. The approval process for bylaw amendments currently required in the regulations is redundant. It also creates unnecessary work for the Department.

The proposed regulatory action would provide modest regulatory relief to all state-chartered credit unions. Repealing section 30.105 would allow credit unions to save time and money by eliminating application and approval procedures. The Department would also save time by eliminating an extra round of review of the bylaws. Although the Department would not review bylaw amendments until the time of an examination, problems would be addressed no later than two years after they occur, which is how the Department treats other issues of safety and soundness.

AUTHORITY

[Government Code Section 11346.5, Subdivision (a)(2)]

Sections 321, 326, and 334, Financial Code.

REFERENCE

[Government Code Section 11346.5, Subdivision (a)(2)]

Section 14103, Financial Code; Sections 7150 and 7151, Corporations Code.

PUBLIC COMMENTS

[Government Code Section 11346.5, Subdivision (a)(17)]

No public hearing is scheduled. Any interested person or his or her duly authorized representative may request, in writing, a public hearing pursuant to section 11346.8, subdivision (a), of the Government Code. The request for hearing must be received by the Department's contact person designated below no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

[Government Code Section 11346.5, Subdivision (a) (15)]

Where to Submit Comments

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department, addressed as follows, by any of these means:

Postal Mail

Department of Business Oversight
Attn: Regulations Coordinator, Legal Division
1515 K Street, Suite 200
Sacramento, CA 95814

Electronic Mail

Comments may be submitted electronically to regulations@dbo.ca.gov. Please identify the comments as PRO 03-15 in the subject line.

Fax

(916) 322-1559

Time for Comments

Comments may be submitted from June 23, 2017 until 5:00 p.m., August 7, 2017. If the final day for the acceptance of comments is a Saturday, Sunday or state holiday, the comment period will close at 5:00 p.m. on the next business day.

INFORMATIVE DIGEST

[Government Code Section 11346.5, Subdivision (a)(3)]

Policy Statement and Specific Benefits Anticipated from Regulatory Action

[Government Code Section 11346.5, Subdivision (a)(3)(C)]

The Department anticipates that the repeal of section 30.105 will provide modest relief to credit unions chartered in California. This proposal deletes a filing requirement that is currently required whenever a credit union licensed by the Department wishes to amend its bylaws.

Summary of Existing Laws and Regulations, and Effect of Proposed Action

[Government Code Section 11346.5 Subdivision (a)(3)(A)]

Credit unions are licensed and regulated under the California Credit Union Law.⁵

An application for approval of amendments to the bylaws must include:

- (1) A certificate of secretary or assistant secretary, which shall include a statement that the bylaws, or the amendments thereto, were approved by the board of directors and, if applicable, by the required vote of the members of the credit union; and
- (2) A copy of the bylaw provision proposed to be amended which is marked to show changes between the existing provision and the provision as it is proposed to be amended.

⁵ Fin. Code, § 14000 et seq.

The effect of this proposed regulatory action is that a credit union may amend its bylaws without submitting an application to the Department for approval.

Existing Federal Regulation or Statute

[Government Code Section 11346.5, Subdivision (a)(3)(B)]

The Federal Credit Union Act⁶ requires the National Credit Union Administration to provide a sample form of bylaws for federally chartered credit unions.⁷ Those sample bylaws, last amended in 2007, are contained in Appendix A to Part 701 of the Code of Federal Regulations.⁸ The sample bylaws contain standard provisions for organization and governance of a credit union. As long as the sample bylaws are used, a federally chartered credit union does not need to seek approval for its bylaws from the National Credit Union Administration. However, if a federal credit union wants to amend its bylaws with a provision that is not listed in the sample bylaws, it must seek approval by the National Credit Union Administration,

Existing State Regulations

[Government Code Section 11346.5, Subdivision (a)(3)(D)]

The Department has conducted an evaluation of whether the proposed regulations are consistent with existing state regulations and has concluded that the repeal of section 30.105 is consistent and compatible with those regulations.

FORMS INCORPORATED BY REFERENCE

[Title 1, California Code of Regulations, Section 20, Subdivision (c)(3)]

This proposed regulatory action does not incorporate any forms by reference.

DISCLOSURES REGARDING THE PROPOSED ACTION

[Government Code Section 11346.5, Subdivisions (a)(5) and (6), and (12)(A)]

- 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.

- 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

[Government Code Section 11346.5, Subdivision (a)(8)]

The Commissioner has made an initial determination that the proposed regulatory 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.

EFFECT ON SMALL BUSINESS

[Title 1, California Code of Regulations, Section 4]

The proposed regulations will not affect small business because credit unions are not a small business within the meaning of Government Code section 11342.610. Subdivision (b)(1) of Government Code section 11342.610 provides that a small business does not include a credit union.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

[Government Code Section 11346.5, Subdivision (a)(9)]

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

[Government Code Section 11346.5, Subdivision (a)(10)]

The Department has determined that:

- The proposed action will not create or eliminate jobs within the state;
- The proposed action will not create new businesses or eliminate existing businesses within this state;
- The proposed action will not expand businesses currently doing business within California;
- The proposed action may benefit the health and welfare of California residents; and
- No benefits or adverse impacts to worker safety or to the state's environment are anticipated from this regulatory action.

⁶ 12 U.S.C. § 1751 et seq.

⁷ 12 U.S.C. § 1758.

⁸ 12 C.F.R. § 701.

BUSINESS REPORTING REQUIREMENT

[Government Code Section 11346.5,
Subdivision (a)(11)]

The regulatory action does not require businesses to file a report with the Department.

CONSIDERATION OF ALTERNATIVES

[Government Code Section 11346.5,
Subdivision (a)(13)]

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

AVAILABILITY OF THE NOTICE, STATEMENT
OF REASONS, TEXT OF PROPOSED
REGULATIONS AND RULEMAKING FILE

[Government Code Section 11346.5,
Subdivisions (a)(16) and (20), and (b)]

As of the date this notice is published, the rulemaking file consists of this notice; the initial statement of reasons, which contains all the information upon which the proposal is based; and the proposed text of the regulation. The notice, initial statement of reasons, and proposed text is available by contacting the person designated below.

The notice, initial statement of reasons and proposed text are also available on the Department's website at www.dbo.ca.gov. To access the documents from the Department's website, click on the "Laws & Regs" tab at the top of the home page, click on "Rulemaking," and then click on the "Credit Union Law" link.

As required by the Administrative Procedure Act, the Legal Division maintains the rulemaking file. The rulemaking file is available for public inspection and copying throughout the rulemaking process at the Department of Business Oversight, Legal Division, 1515 K Street, Suite 200, Sacramento, California 95814.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

[Government Code Section 11346.5,
Subdivision (a)(18)]

If the Department makes changes that are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Department adopts, amends or repeals the regulations as revised. A request for a copy of any modified regulation(s) should be addressed to the contact person designated below. The Department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

[Government Code Section 11346.5,
Subdivision (a)(19)]

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named below or may be accessed on the Department's website listed above.

CONTACT PERSON

[Government Code Section 11346.5,
Subdivision (a)(14)]

Inquiries regarding the substance of the proposed regulation may be directed to:

James M. Patten–Leo
Senior Counsel
1515 K Street, Suite 200
Sacramento, California 95814
Telephone: (916) 322–5979
e–mail: James.Patten–Leo@dbo.ca.gov

Nonsubstantive inquiries concerning this action, such as requests for copies of the proposed regulation or questions regarding the timelines or rulemaking status, may be directed to the backup contact person:

Mark Dyer
Legal Division
1515 K Street, Suite 200
Sacramento, California 95814
Telephone: (916) 322–1977
e–mail: regulations@dbo.ca.gov

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN that the Department of Motor Vehicles, pursuant to the authority vested in it by Section 87306 of the Government Code, proposes to amend its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of Sections 87300 through 87302, and Section 87306 of the Government Code.

The Department of Motor Vehicles proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of Section 87302 of the Government Code.

This amendment reflects the organizational structure of the Department of Motor Vehicles as of July 1, 2015, and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the contact person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than **August 7, 2017**, or at the conclusion of the public hearing, if a hearing is requested, whichever comes later, to the contact person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than July 23, 2017, by contacting the contact person set forth below.

The Department of Motor Vehicles has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the rea-

sons, and the information on which the amendments are based may be obtained by contacting the contact person set forth below.

The Department of Motor Vehicles has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department of Motor Vehicles must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-128
Sacramento, CA 94232-3820
Telephone: (916) 657-8898
Facsimile: (916) 657-6243
Email: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following backup person:

Shelly Johnson Marker, Chief of Staff
Telephone: (916) 657-6469

TITLE 14. STATE MINING AND GEOLOGY BOARD

Surface Mining Vested Rights Determinations and Ordinances

NOTICE OF PROPOSED RULEMAKING ACTION

**DEPARTMENT OF CONSERVATION
STATE MINING AND GEOLOGY BOARD**

**TITLE 14. NATURAL RESOURCES
Division 2. Department of Conservation
Chapter 8. Mining and Geology
Subchapter 1. State Mining and Geology Board
Article 15. Vested Rights Determinations and
Article 16. Mining Ordinances**

Office of Administrative Law Notice File Number:
2017-0613-02

NOTICE IS HEREBY GIVEN that the State Mining and Geology Board (SMGB) proposes to amend the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The SMGB proposes to amend sections 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, and 4000 of Articles 15 and 16 of the California Code of Regulations (CCR), Title 14, Division 2, Chapter 8, Subchapter 1 pertaining to vested rights determinations and mining ordinances.

WRITTEN COMMENT PERIOD AND PUBLIC HEARING

Any person, or his or her authorized representative, may submit written statements, arguments, or comments related to the proposed regulatory action to the SMGB. Comments may be submitted by email to smgb@conservation.ca.gov or by mail to:

State Mining and Geology Board
801 K Street, MS 20-15
Sacramento, CA 95814
ATTN: Vested Rights Determinations and Mining Ordinances

The written comment period closes at 5:00 p.m. on August 17, 2017. The SMGB will only consider comments received at the SMGB office by that time.

The SMGB will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

AUTHORITY AND REFERENCE

The SMGB proposes to amend sections 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, and 4000 of Articles 15 and 16 of the CCR, Title 14, Division 2, Chapter 8, Subchapter 1 pursuant to the authority granted in the Surface Mining and Reclamation Act ("SMARA," Public Resources Code (PRC) section 2710 et seq., and specifically PRC section 2755) to implement, interpret, or make specific PRC sections 2774.4 and 2774.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Local governments, acting as lead agencies, have the primary responsibility to administer and enforce the provisions of SMARA. In two situations, the SMGB exercises or assumes some or all of a lead agency's powers to administer and enforce the provisions of SMARA pursuant to PRC sections 2774.4 and 2774.5. This rulemaking action clarifies and makes specific the timing and extent of authority of the SMGB when it assumes lead agency status pursuant to PRC sections 2774.4 and 2774.5.

SMARA was enacted to ensure that any significant adverse impacts of mining to the environment are prevented or mitigated and public health and safety are protected. Under SMARA, surface mining operators are required to submit to their respective lead agencies for approval a permit to engage in mining, a plan for reclaiming lands disturbed by mining activities, and proof of financial assurances to ensure that those disturbed lands are reclaimed in accordance with the approved reclamation plan. Mining operators that were mining at the time SMARA was enacted, may continue to operate pursuant to a vested right, avoiding the need to submit and obtain an approved permit. Lead agencies are responsible for ensuring their surface mining operators are in compliance with SMARA; specifically, the lead agency approved permit, any conditions of approval that relate to the reclamation plan, the approved reclamation plan, and financial assurance requirements. The Department of Conservation (Department) and the SMGB provide lead agency assistance and oversight. Under procedures described in PRC section 2774.4, the SMGB may assume some or all of a lead agency's pow-

ers, except for permitting authority and vested rights determinations, if it finds a lead agency has failed in its principal responsibilities to oversee SMARA in its jurisdiction. Under PRC section 2774.5, the SMGB assumes all of a lead agency's powers, except for permitting where the lead agency does not have a mining ordinance certified by the SMGB, and at least one mining operation exists within the jurisdiction of the lead agency. Currently, the SMGB acts as the lead agency under SMARA for 38 individual surface mining operations within 8 local governments by conducting annual inspections, reviewing and approving reclamation plans, plan amendments, financial assurance cost estimates, and undertaking compliance and enforcement actions when deemed necessary.

Regulations for any person claiming a vested right to conduct surface mining operations in a jurisdiction where the SMGB assumed lead agency status pursuant to PRC section 2774.4 are currently found in Article 15 of the CCR, Title 14, Division 2, Chapter 8, Subchapter 1.

Additionally, PRC section 2774, subdivision (a), requires all lead agencies to adopt mining ordinances that are in accordance with SMARA but allows a lead agency to defer adopting an ordinance until it receives a filing for a permit application. It requires the ordinance to establish procedures for at least one public hearing and the ordinance must be periodically reviewed by the lead agency to ensure it is continually in accordance with SMARA. PRC section 2774.3 requires the SMGB to review and certify lead agency ordinances to ensure the ordinance adequately meets, or exceeds, the requirements of SMARA. PRC section 2774.5 requires the SMGB to assume full authority for reviewing and approving reclamation plans if a lead agency's ordinance is not certified by the SMGB as being in accordance with SMARA. The SMGB retains this authority until the lead agency's ordinance is revised and certified in accordance with SMARA. Regulations associated with mining ordinances are found in Article 16 of the CCR, Title 14, Division 2, Chapter 8, Subchapter 1.

The proposed amended regulations would implement the Legislature's intent of AB 1142 (Gray) by removing the authority of the SMGB to make vested rights determinations under any circumstances when acting as the lead agency pursuant to PRC section 2774.4 or PRC section 2774.5. The proposed amended regulations would also clarify, interpret, and make specific the authority of the SMGB when it assumes full authority as the lead agency pursuant to PRC section 2774.5 when a lead agency fails to adopt a SMGB certified mining ordinance. Additionally, the regulations would allow lead agencies that have certified mining ordinances to retain their SMARA authorities if and when the SMGB re-

views a proposed amendment to a previously certified ordinance pursuant to PRC section 2774.5 to determine if it is in accordance with SMARA pursuant to PRC section 2774.3.

Anticipated Benefits of the Proposed Regulation

The broad objective of the proposed amended regulatory language is to meet the statutory goals of AB 1142 (Gray) to improve how the SMGB, the Department, and local lead agencies oversee and implement SMARA, specifically in regards to vested rights determinations. In addition, the amended regulatory language clarifies the SMGB's current process of assuming lead agency status in those jurisdictions that have at least one mining operation and the local lead agency does not have a certified mining ordinance. The amendments provide certainty for mining operators located in small local governments that choose not to adopt an SMGB certified mining ordinance. The amendments provide certainty for lead agencies that have been administering SMARA pursuant to certified mining ordinances as they seek to amend their ordinances that may no longer be considered in accordance with state policy. This may be due in large part to significant changes to SMARA. The proposed amended regulations are intended to provide non-monetary benefits such as such as the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government by clarifying the SMGB's authority in any and all cases the SMGB acts as the lead agency.

CONSISTENCY WITH FEDERAL STATUTE AND REGULATION

This regulation change does not duplicate or conflict with existing Federal statutes or regulations. Also, by Memorandum of Understanding with the Federal Bureau of Land Management, the U. S. Forest Service, the Department of Conservation, and the SMGB, SMARA and federal law are coordinated to eliminate duplication.

CONSISTENCY WITH EXISTING STATE REGULATIONS

The proposed amended regulatory language is not inconsistent or incompatible with existing regulations pertaining to vested right determinations and mining ordinances. After conducting a review for any regulations that would relate to or affect this area, SMGB has concluded that these are the only regulations that concern vested rights determination and mining ordinances in California.

CEQA COMPLIANCE

The SMGB has determined that this rulemaking action is not a project as defined in Title 14, CCR, section 15378, and that this activity is not subject to the requirements of the California Environmental Quality Act (CEQA).

DISCLOSURES REGARDING THE PROPOSED ACTION

The SMGB has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None. Previously, the petitioner assumed burden of proof for the vested right and all associated costs in all vested rights determinations presented to the SMGB. Additionally, the proposed regulations present no costs to the SMGB when it takes on lead agency status as statute provides lead agencies authority to assess fees to cover associated costs, pursuant to PRC section 2207(e).

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

Other nondiscretionary cost or savings imposed on local agencies: None.

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

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

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

Significant effect on housing costs: None.

Small business determination: Any person seeking to establish a vested right to mine must establish the nature and scope of the vested right in a public hearing before the local lead agency with notice and opportunity for public input. Any costs for persons petitioning local governments to seek establishment of a vested right to mine is a result of the requirements of due process as determined by California's Third District Court of Appeals in *Calvert v. County of Yuba*, (2007) 145 Cal. App. 4th 613; 51 Cal. Rptr. 3d 797.

Additionally, pursuant to PRC section 2207(e) lead agencies may impose a fee on each surface mining operation to administer SMARA. These costs vary from lead agency to lead agency, including when the SMGB

acts as the lead agency, depending on the funding source and/or how the lead agency chooses to fund it. The varying costs to administer SMARA are provided by statute and not the regulation. Thus, the SMGB has determined the proposed regulatory action may not affect small businesses.

Business reporting requirement: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Creation or elimination of jobs within California: The SMGB does not anticipate the proposed amended regulations would create or eliminate jobs within California.

Creation of new businesses or the elimination of existing businesses within California: The SMGB does not anticipate the proposed amended regulations would create new businesses or eliminate existing businesses.

Expansion of businesses currently doing business within California: The SMGB does not anticipate the proposed amended regulations would lead to the expansion of businesses currently doing business within California.

Benefits to the health and welfare of California residents, worker safety, and the state's environment: The SMGB anticipates the proposed amended regulations would benefit the health and welfare of California residents, worker safety, and the state's environment by ensuring that lead agencies maintain mining ordinances that are in accordance with state policy and make specific that the issuance of mining permits or the recognition of vested mining rights remains with the local land-use decision making authority.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the SMGB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SMGB would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The SMGB invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at any hearing scheduled to take statements or arguments that are relevant to the proposed action.

CONTACT PERSONS

Inquiries concerning the substance of the proposed amended regulations should be directed to:

Nick Lash, Associate Governmental Program Analyst
State Mining and Geology Board
801 K Street, Suite 2015
Sacramento, California 95814
Phone: (916) 322-1082
Nicholas.Lash@conservation.ca.gov

OR

Amy Scott, Executive Assistant
State Mining and Geology Board
801 K Street, Suite 2015
Sacramento, CA 95814
Phone: (916) 322-1082
Amy.Scott@conservation.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATION, AND RULEMAKING FILE

The SMGB will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the initial statement of reasons, and a standard form 399.

Please direct requests for copies of the proposed text (the "express terms") of this regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which this rulemaking is based to Nick Lash at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period and any hearing that may be conducted by the SMGB to accept comments and evidence regarding the adoption of the proposed amended regulation, the SMGB will consider all timely and relevant comments received. Thereafter, the SMGB may adopt the proposed regulation substantially as described in this notice. If the SMGB makes modifications that are sufficiently related to the original proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the SMGB adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Nick Lash at the address

indicated above. The SMGB will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the proposed amended text of the regulations can be accessed through our website at:

<http://www.conservation.ca.gov/smg>

GENERAL PUBLIC INTEREST

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

TENTATIVE AGENDA FOR HEARING ON CENTER FOR ENVIRONMENTAL HEALTH PETITION REQUESTING

ADOPTION OF REGULATIONS SETTING A "NATURALLY OCCURRING" LEAD LEVEL IN CANDY CONTAINING CHILI AND TAMARIND

On March 14, 2017, the Office of Environmental Health Hazard Assessment (OEHHA) received a letter on behalf of the Center for Environmental Health (CEH) requesting that OEHHA "commence the regulatory process to issue regulations pursuant to Health & Safety Code §110552 setting a 'naturally occurring' lead level in candy containing chili and tamarind." This letter is considered a petition for rulemaking under Government Code section 11340.6.

OEHHA is convening a hearing on the Petition on **July 6, 2017 from 10:00 a.m. to 12:00 p.m.** in the Sierra Hearing Room at the CalEPA Headquarters building at 1001 I Street in Sacramento. Following is the tentative agenda for the hearing:

- I. Welcome/Introductions
- II. Office of Environmental Health Hazard Assessment: Summary of Center for Environmental Health's Petition for Rulemaking
- III. California Department of Public Health: Lead in Tested Candies and Trends Over Time

IV. Office of Environmental Health Hazard Assessment: An Approach to Setting a Naturally Occurring Level of Lead in Candy

V. Public Comments**

VI. Wrap-Up/Next Steps

** NOTE: Public comments will be limited to 3–5 minutes per person, depending on the number of persons who wish to speak, in order to ensure that all persons who wish to speak have the opportunity to do so. Timing and order of speakers is at the discretion of the Hearing Officer.

The hearing will be webcast. The URL for the webcast (not active until the day and time of the hearing) is: <https://video.calepa.ca.gov/>.

A copy of the relevant statute can be found at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=110552.

Interested parties are encouraged to attend the hearing and participate in the discussion. They may also submit comments regarding the petition and potential rulemaking. Comments should be submitted in writing to the address noted below by **5:00 p.m. on July 20, 2017**. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption. An additional opportunity for public comment will be provided if OEHHA decides to formally propose a regulation.

We encourage that any comments be sent electronically to LeadinCandy.Comments@oehha.ca.gov.

Submissions may also be mailed to:

Monet Vela
Regulations Coordinator
Office of Environmental Health Hazard Assessment
1001 I Street
Sacramento, CA 95812

If you have special accommodations or language needs, please contact Monet Vela at (916) 323–2517 or monet.vela@oehha.ca.gov by June 29, 2017.

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# 2017–0425–02
ACUPUNCTURE BOARD
Sponsored Free Health Care Events

This rulemaking action by the California Acupuncture Board adopts sections 1399.407, 1399.407.1, 1399.407.2, and 1399.407.3 in title 16 of the California Code of Regulations regarding requirements for participation in sponsored free health care events. The Board is also incorporating by reference two forms that will be utilized as part of the registration process.

Title 16
ADOPT: 1399.407, 1399.407.1, 1399.407.2, 1399.407.3
Filed 06/07/2017
Effective 10/01/2017
Agency Contact: Marc Johnson (916) 515–5216

File# 2017–0504–03
BOARD OF EQUALIZATION
Time of Filing of Application

The Board of Equalization (Board) submitted this action without regulatory effect, pursuant to California Code of Regulations, title 1, section 100, to change the application filing deadline provided in California Code of Regulations, title 18, section 5332, to November 30. The change is being made to be consistent with a recent change made to Revenue and Taxation Code section 1840 in SB 1480 (Stats. 2016, ch. 116), which changed the statutory deadline for filing applications for Board review, equalization, or adjustment of assessments of taxable land owned by local governments to November 30.

Title 18
AMEND: 5332
Filed 06/14/2017
Agency Contact: Richard Bennion (916) 445–2130

File# 2017–0426–01
BOARD OF PHARMACY
Travel Medications

This rulemaking action by the Board of Pharmacy adds section 1746.5 to title 16 of the California Code of Regulations. This section sets forth the standards and procedures pharmacists must follow in order to furnish medications to individuals traveling outside the United States.

Title 16
 ADOPT: 1746.5
 Filed 06/08/2017
 Effective 06/08/2017
 Agency Contact: Lori Martinez (916) 574-7917

File# 2017-0426-04
 CALIFORNIA PRISON INDUSTRY AUTHORITY
 CALPIA Employee Sensitive Position Designations

In this resubmitted regulatory action, the California Prison Industry Authority (CalPIA) adopts section 8106.2 in Title 15 of the California Code of Regulations to establish a process and standards for determining what constitutes “sensitive positions” for CalPIA employees. CalPIA also amends section 8106.1 to indicate that CalPIA employees are no longer subject to the California Department of Human Resources’ regulation section 599.961 of Title 2 of the California Code of Regulations, which addresses “sensitive positions.”

Title 15
 ADOPT: 8106.2 AMEND: 8106.1
 Filed 06/08/2017
 Effective 10/01/2017
 Agency Contact: Diana Harbaugh (916) 358-1711

File# 2017-0530-01
 CALIFORNIA STATE UNIVERSITY
 Nonresident Tuition

The Trustees of the California State University System submitted this amendment of section 41908 of title 5 of the California Code of Regulations (CCR) pursuant to Education Code section 89030.1. This matter is submitted to the Office of Administrative Law (OAL) for printing in the CCR and a courtesy filing with the Secretary of State. It is exempt from OAL review pursuant to Education Code section 89030(b).

Title 5
 AMEND: 41908
 Filed 06/14/2017
 Effective 06/14/2017
 Agency Contact: Stephen Silver (562) 951-4500

File# 2017-0428-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the emergency actions, 2016-0801-01E, 2017-0123-01EE, that established the quarantine for the Asian Citrus Psyllid (ACP), *Diaphorina citri*, in the Livingston area of Merced County. The effect of this action provides authority for the state to perform quarantine activities against ACP within this area.

Title 3
 AMEND: 3435(b)
 Filed 06/07/2017
 Effective 06/07/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0504-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the emergency action, 2016-1103-04E, that expanded the quarantine area for the Asian Citrus Psyllid (ACP) near the Goshen area of Tulare County into the Hanford area of Kings County. The effect of this action provides authority for the state to perform quarantine activities against ACP within this area.

Title 3
 AMEND: 3435(b)
 Filed 06/08/2017
 Effective 06/08/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0504-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the prior emergency action (OAL file no. 2016-1103-03E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 95 square miles in the French Camp area of San Joaquin County. The effect of this current action will provide permanent authority for the State to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state that are already under quarantine for ACP.

Title 3
 AMEND: 3435(b)
 Filed 06/14/2017
 Effective 06/14/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0428-05
 DEPARTMENT OF MOTOR VEHICLES
 Clean Air Vehicle Decals

This action amends Form 1000 D regarding vehicle dealer clean air vehicle decals, without regulatory effect.

Title 13
 AMEND: 156.00
 Filed 06/12/2017
 Agency Contact: Randi Calkins (916) 657-8898

File# 2017-0606-03
 DEPARTMENT OF STATE HOSPITALS
 Incompetent to Stand Trial Admissions Process

The Department of State Hospitals submitted this emergency readoption action to keep in effect emergency regulations that pertain to admissions to state hospitals from court-ordered commitments under Penal Code section 1370, which are made when a criminal defendant is determined by a court to be incompetent to stand trial (IST). The regulations are intended to streamline the admissions process and provide uniform rules for all counties regarding the admissions process for IST individuals.

Title 9
 ADOPT: 4700, 4710, 4711, 4712, 4713, 4714, 4715, 4716, 4717
 Filed 06/13/2017
 Effective 06/13/2017
 Agency Contact: Dennalee Folks (916) 651-8544

File# 2017-0428-01
 PHYSICIAN ASSISTANT BOARD
 Reporting of Supervision by Physician Assistant

This action amends requirements of the reporting of physician assistant supervision to align with the underlying amended statute and electronic modernization of medical records. The amendments allow physician assistants to (1) record rather than enter the name of the supervising physician into a medical record; and (2) use electronic medical record software to automatically populate the name of the supervising physician into the medical record provided the entry is accurate.

Title 16
 AMEND: 1399.546
 Filed 06/12/2017
 Effective 10/01/2017
 Agency Contact: Anita Winslow (916) 561-8782

File# 2017-0426-03
 STATE PERSONNEL BOARD
 Career Executive Assignment (CEA) Appeals

This rulemaking action by the California State Personnel Board amends sections in title 2 of the California Code of Regulations relating to Career Executive Assignment appeals. This filing is partially exempt from the Administrative Procedure Act pursuant to sections 18211 and 18215 of the Government Code.

Title 2
 AMEND: 52.4, 548.49, 548.136
 Filed 06/08/2017
 Effective 10/01/2017
 Agency Contact: Jeanne Wolfe (916) 651-0924

File# 2017-0427-02
 STATE WATER RESOURCES CONTROL BOARD
 Drought Emergency Water Conservation

This filing of changes without regulatory effect by the State Water Resources Control Board (Board) amends and repeals sections in Title 23 of the California Code of Regulations. The non-substantive changes remove the state-mandated water conservation standards developed by the Board because the measures are no longer necessary under current conditions.

Title 23
 AMEND: 865
 REPEAL: 864.5, 866
 Filed 06/09/2017
 Agency Contact: David Rose (916) 341-5196

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN January 11, 2017 TO
 June 14, 2017**

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**
- 06/08/17 AMEND: 52.4, 548.49, 548.136
 - 05/31/17 ADOPT: 249.8
 - 05/26/17 AMEND: 11030, 11031, 11034
 - 04/10/17 ADOPT: 552.1
 - 03/27/17 ADOPT: 11017.1 AMEND: 11017
 - 03/22/17 AMEND: 58000
 - 03/21/17 ADOPT: 2299.01, 2299.02, 2299.03, 2299.04, 2299.05, 2299.06, 2299.07, 2299.08, 2299.09
 - 03/03/17 ADOPT: 599.829.1
 - 02/28/17 AMEND: 2270, 2271
 - 02/16/17 ADOPT: 59820
 - 01/31/17 ADOPT: 547.60.1 AMEND: 547.60
 - 01/30/17 AMEND: 58600
 - 01/23/17 ADOPT: 1896.15, 1896.17 AMEND: 1896, 1896.2, 1896.4, 1896.6, 1896.8, 1896.10, 1896.12, 1896.14, 1896.16, 1896.18, 1896.20, 1896.22, 1896.62, 1896.71, 1896.73, 1896.80, 1896.82 REPEAL: 1896.83
 - 01/11/17 ADOPT: 59810
 - 01/11/17 ADOPT: 11140, 11141, 11142, 11143, 11144, 11145, 11146, 11147, 11148,

11149, 11150, 11151, 11153, 11154, 755.4, 756, 756.1, 758, 820, 820.3, 820.4,
 11155, 11157, 11158, 11159, 11161, 820.5, 820.55, 820.6, 820.7 REPEAL:
 11162, 11165, 11166, 11167, 11168, 753.3, 755.2, 755.3, 756.2, 756.3, 757,
 11170, 11171, 11172, 11173, 11174, 758.1, 820.1, 820.2
 11175, 11176, 11177, 11178, 11070, 02/24/17 AMEND: 3435(b)
 11071, 11075, 11100, 11101, 11103, 02/21/17 AMEND: 3435(b)
 11104, 11105, 11111, 11113, 11114, 02/16/17 AMEND: 3435(b)
 11180, 11181, 11182, 11183, 11184, 02/13/17 AMEND: 3435(b)
 11187, 11188, 11189, 11190, 11191, 02/13/17 AMEND: 3435(b)
 11192, 11193, 11194, 11195, 11196, 02/06/17 AMEND: 3435(b)
 11197, 11198, 11199, 11200 02/02/17 AMEND: 3435(b)
 01/31/17 AMEND: 3435(b)
 01/30/17 AMEND: 3435(b)
 01/19/17 AMEND: 3439(b)
 01/12/17 AMEND: 3435(b)

Title 3

06/14/17 AMEND: 3435(b)
 06/08/17 AMEND: 3435(b)
 06/07/17 AMEND: 3435(b)
 06/05/17 ADOPT: 3591.28
 06/02/17 AMEND: 3435(d)
 06/01/17 AMEND: 3591.12
 05/30/17 AMEND: 3439(b)
 05/15/17 AMEND: 3435(b)
 05/15/17 AMEND: 3435(b)
 05/09/17 AMEND: 3435(b)
 05/08/17 AMEND: 1402.7, 1402.8
 05/08/17 AMEND: 3439(b)
 05/04/17 AMEND: 3435(b)
 05/04/17 AMEND: 3435(b)
 05/04/17 AMEND: 3591.15
 04/24/17 AMEND: 3435(b)
 04/24/17 AMEND: 3435(b)
 04/20/17 AMEND: 3435(b)
 04/18/17 AMEND: 3435(b)
 04/17/17 AMEND: 3435(b)
 04/17/17 AMEND: 3435(b)
 04/07/17 AMEND: 3435(b)
 04/04/17 AMEND: 3435(b)
 03/30/17 AMEND: 3435(b)
 03/30/17 AMEND: 3435(b)
 03/28/17 AMEND: 3435(b)
 03/28/17 AMEND: 3406(c), 3591.5(b)
 03/24/17 AMEND: 3435(b)
 03/14/17 AMEND: 3061
 03/13/17 ADOPT: 2852.5 AMEND: 2850, 2851,
 2852, 2853, 2854, 2855, 2856
 03/07/17 AMEND: 3435(b)
 03/02/17 AMEND: 3435(b)
 02/28/17 ADOPT: 3070
 02/27/17 ADOPT: 751, 751.1, 754.3, 754.4, 820.1,
 830, 830.1, 830.2, 830.3, 830.4, 831,
 831.1, 831.2, 831.3, 831.4, 831.5, 837,
 838, 1302, 1302.1, 1302.2, 1302.3,
 1302.4 AMEND: 752, 752.1, 752.2,
 752.3, 752.4, 752.5, 752.6, 753, 753.1,
 753.2, 754, 754.1, 754.2, 755, 755.1,

Title 4

06/01/17 AMEND: 1433, 1845
 05/31/17 AMEND: 1632
 05/30/17 ADOPT: 5145, 5146, 5233 AMEND:
 5000, 5020, 5031, 5033, 5050, 5051,
 5054, 5061, 5062, 5063, 5106, 5144,
 5170, 5191, 5192, 5194, 5200, 5220,
 5230, 5240, 5250, 5255, 5258, 5260,
 5300, 5342, 5350, 5370, 5400, 5450,
 5560, 5600 REPEAL: 5221
 05/08/17 ADOPT: 8078.8, 8078.9, 8078.10,
 8078.11, 8078.12, 8078.13, 8078.14
 05/04/17 AMEND: 10031, 10032, 10033, 10035,
 10036
 05/02/17 ADOPT: 10325.5 AMEND: 10337
 04/20/17 AMEND: 1581, 1843
 04/10/17 AMEND: 10170.3, 10170.8, 10170.9,
 10170.10, 10170.14
 03/14/17 ADOPT: 299 AMEND: 297, 300
 02/28/17 ADOPT: 6000, 6010, 6011, 6012, 6013,
 6014, 6020, 6021, 6022, 6023, 6024,
 6030, 6040, 6041, 6042, 6043, 6050,
 6051, 6052, 6053, 6060, 6061, 6062
 02/15/17 ADOPT: 8078.8, 8078.9, 8078.10,
 8078.11, 8078.12, 8078.13, 8078.14
 02/09/17 AMEND: 10302, 10315, 10317, 10320,
 10322, 10325, 10326, 10327, 10330,
 10335, 10337
 02/07/17 AMEND: 10031, 10032, 10033, 10035,
 10036
 01/23/17 AMEND: 1581, 1843

Title 5

06/14/17 AMEND: 41908
 06/05/17 ADOPT: 11517.6, 11518, 11518.5,
 11518.10, 11518.15, 11518.20,
 11518.25, 11518.30, 11518.35,
 11518.40, 11518.45, 11518.50,
 11518.55, 11518.60, 11518.65,

11518.70, 11518.75, 11518.80, 11519,
11519.5
06/02/17 ADOPT: 11526 AMEND: 11520, 11524,
11525
06/02/17 ADOPT: 11534.1 AMEND: 11530,
11533, 11534
05/30/17 ADOPT: 71396
04/05/17 ADOPT: 75300 AMEND: 75200, 75210
03/14/17 AMEND: 15495 REPEAL: 15497.5
02/06/17 AMEND: 22000
02/02/17 AMEND: 851, 853.5, 853.7, 855, 856
01/19/17 AMEND: 19810
01/12/17 AMEND: 9517.3

Title 8

06/05/17 AMEND: 1637
06/05/17 AMEND: 3220
05/23/17 ADOPT: 20169 AMEND: 20170, 20234,
20240, 20241, 20242, 20282, 20286,
20363, 20393, 20400, 20401, 20402,
20407, 20408
05/16/17 AMEND: 20335(c)
04/14/17 AMEND: 15203.2(d)
04/04/17 AMEND: 5155
03/27/17 AMEND: 9701, 9702
03/20/17 AMEND: 4306
03/14/17 AMEND: 17304
02/24/17 ADOPT: 10770.7 AMEND: 10770
02/02/17 AMEND: 10134
01/30/17 AMEND: 344.30
01/19/17 AMEND: 9789.25

Title 9

06/13/17 ADOPT: 4700, 4710, 4711, 4712, 4713,
4714, 4715, 4716, 4717
03/15/17 ADOPT: 4700, 4710, 4711, 4712, 4713,
4714, 4715, 4716, 4717
02/13/17 ADOPT: 4600, 4601, 4602

Title 10

04/17/17 ADOPT: 6520, 6522, 6528
03/22/17 ADOPT: 8300, 8310, 8320, 8330, 8340,
8350, 8360, 8370, 8380
03/22/17 AMEND: 2218.30
03/09/17 AMEND: 2911, 2912
02/28/17 ADOPT: 8200, 8210, 8220, 8230
02/21/17 AMEND: 2498.6
02/21/17 AMEND: 2498.6
02/21/17 ADOPT: 9000, 9001, 9002, 9003, 9004,
9005, 9006, 9007
02/16/17 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

02/15/17 AMEND: 2498.4.9
02/09/17 AMEND: 2498.4.9

Title 11

06/01/17 AMEND: 50.10
06/01/17 AMEND: 50.13
05/31/17 REPEAL: 50.18
05/30/17 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, 2120, 2130, 2131, 2132, 2133
05/23/17 AMEND: 1001, 1005, 1008
05/23/17 AMEND: 50.19
05/23/17 AMEND: 50.20
05/18/17 AMEND: 50.23
05/18/17 AMEND: 50.12
05/18/17 AMEND: 50.14
05/16/17 AMEND: 50.8
05/16/17 AMEND: 50.15
05/16/17 AMEND: 50.21
05/16/17 REPEAL: 50.22
05/16/17 ADOPT: 50.22
05/15/17 AMEND: 50.5
05/15/17 REPEAL: 50.7
05/15/17 AMEND: 50.6
05/15/17 AMEND: 50.16
05/15/17 AMEND: 50.17
02/21/17 AMEND: 1084
02/01/17 AMEND: 1005, 1007, 1008
01/27/17 AMEND: 1001, 1005, 1007, 1008, 1009,
1018, 1080, 1083
01/18/17 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

Title 13

06/12/17 AMEND: 156.00
05/15/17 AMEND: 16.06
04/19/17 AMEND: 26.01, 26.02
04/17/17 AMEND: 2222
04/06/17 AMEND: 1157.21
02/22/17 AMEND: 1153
02/21/17 ADOPT: 26.01, 26.02
02/21/17 AMEND: 553.70
02/16/17 ADOPT: 15.01 AMEND: 15.00
02/02/17 AMEND: 2467, 2467.1, 2467.2, 2467.3,
2467.4, 2467.5, 2467.6, 2467.7, 2467.8,
2467.9
01/19/17 AMEND: Article 3.6 Ch. 1 Div. 1 —
Heading
01/19/17 AMEND: 170.12

- 01/18/17 AMEND: 1159
- Title 14**
- 06/02/17 ADOPT: 1090.28, 1094, 1094.1, 1094.2, 1094.3, 1094.4, 1094.5, 1094.6, 1094.7, 1094.8, 1094.9, 1094.10, 1094.11, 1094.12, 1094.13, 1094.14, 1094.15, 1094.16(a)-(d)(5), 1094.17, 1094.18, 1094.19, 1094.20, 1094.21, 1094.22, 1094.23, 1094.24, 1094.25, 1094.26, 1094.27, 1094.28, 1094.29, 1094.30, 1094.31, 1094.32, 1094.33, 1094.34, 1094.35 AMEND: 895, 895.1, 913.11 [933.11, 953.11], 916.5 [936.5, 956.5], 919.9 [939.9], 923 [943, 963], 923.2 [943.2, 963.2], 923.3 [943.3, 963.3], 923.4 [943.4, 963.4], 923.5 [943.5, 963.5], 923.9 [943.9, 963.9] 929 [949, 969], 945.1, 1038, 1090.26, 1104.1, 1115.3
- 05/26/17 AMEND: 7.50
- 05/08/17 ADOPT: 18651.10, 18657.0, 18657.1 AMEND: 18600, 18601, 18611, 18612, 18613, 18614, 18614.1, 18616, 18619.1, 18619.2, 18619.3, 18619.4, 18619.5, 18620, 18621, 18622, 18623, 18624, 18625, 18626, 18627, 18631, 18632, 18633, 18634, 18641, 18642, 18643.0, 18643.2, 18643.3, 18643.4, 18643.5, 18643.6, 18643.7, 18650.1, 18650.2, 18650.3, 18650.4, 18650.5, 18650.6, 18650.61, 18650.7, 18650.8, 18650.9, 18651.0, 18651.1, 18651.2, 18651.3, 18651.4, 18651.5, 18651.6, 18651.7, 18651.8, 18651.9, 18653.0, 18653.1, 18653.2, 18653.3, 18653.4, 18653.5, 18653.6, 18655.1, 18655.2, 18655.3, 18655.5, 18655.51, 18655.6, 18655.7, 18655.8, 18656.0 REPEAL: 18615, 18643.1, 18655.4, 18655.9, 18658.0, 18658.1, 18658.2, 18658.3, 18659.0, 18659.1, 18659.2, 18659.3, 18659.4, 18659.5
- 05/03/17 ADOPT: 1265.00, 1265.01, 1265.02, 1265.03
- 05/01/17 AMEND: 27.80
- 05/01/17 AMEND: 28.20
- 04/18/17 AMEND: 1038
- 04/13/17 ADOPT: 3805.1
- 04/12/17 ADOPT: 111
- 04/03/17 ADOPT: 17403.3.1 AMEND: 17402, 17403.0, 17405.0
- 03/27/17 AMEND: 27.80
- 03/17/17 AMEND: 550, 550.5, 551, 552, 630, 702, 703
- 03/16/17 ADOPT: 18660.47, 18660.48, 18660.49, 18660.50, 18660.51 AMEND: 18660.5, 18660.20
- 03/14/17 REPEAL: 8600
- 03/07/17 ADOPT: 749.9
- 03/03/17 ADOPT: 16500
- 03/02/17 ADOPT: 748.6
- 03/02/17 ADOPT: 54.00, 54.01, 54.02, 54.03, 122.1, 122.2 AMEND: 29.80, 29.90, 121, 121.5, 122, 705
- 02/28/17 AMEND: 1.74, 5.05, 5.20, 5.35, 5.40, 5.60, 7.00, 7.50, 29.45, 43, 671
- 02/27/17 ADOPT: 715 AMEND: 702
- 02/17/17 AMEND: 895, 895.1, 898.2, 912.5, 913.4, 914.1, 915.3, 916.2, 916.5, 916.8, 916.9, 916.11, 919.2, 919.3, 919.5, 919.9, 919.11, 919.12, 921.1, 921.6, 926.3, 927.12, 953.9, 959.15, 961.1, 1020, 1024.5, 1036.1, 1037.3, 1037.5, 1051, 1051.1, 1051.4, 1051.5, 1052.3, 1052.4, 1052.5, 1054.3, 1055, 1055.2, 1056, 1056.1, 1056.2, 1056.3, 1090.5, 1090.10, 1090.17, 1092.16, 1092.18, 1092.27, 1100, 1153 REPEAL: 926.21
- 02/17/17 AMEND: 632
- 02/07/17 ADOPT: 28.47 AMEND: 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.49, 28.55
- 01/23/17 AMEND: 870.15, 870.17, 870.19, 870.21
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- 06/08/17 ADOPT: 8106.2 AMEND: 8106.1
- 05/23/17 ADOPT: 3570, 3572, 3573, 3580 AMEND: 3560, 3561, 3562, 3563, 3564, 3565, 3571, 3581, 3582, 3590, 3590.1, 3590.2, 3590.3
- 05/11/17 ADOPT: 3999.23
- 04/17/17 AMEND: 3000, 3030, 3190, 3269
- 04/13/17 ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7
- 04/03/17 ADOPT: 3999.22
- 03/22/17 AMEND: 8006
- 03/21/17 ADOPT: 8900 AMEND: 8901
- 03/14/17 AMEND: 8004, 8004.3
- 03/07/17 AMEND: 3332, 3343
- 02/22/17 AMEND: 3173.2
- 02/09/17 AMEND: 3000, 3090, 3177, 3323, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.1, 3377.2, 3379

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 06/07/17 ADOPT: 1399.407, 1399.407.1, 1399.407.2, 1399.407.3
 06/06/17 ADOPT: 1776, 1776.1, 1776.2, 1776.3, 1776.4, 1776.5, 1776.6
 06/05/17 AMEND: 1387, 1387.1
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 05/24/17 AMEND: 1399.434, 1399.437 REPEAL: 1399.436
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 05/24/17 ADOPT: 1001.1, 1001.2
 05/10/17 AMEND: 426.10, 426.14, 426.50
 05/08/17 ADOPT: 1398.26.3 AMEND: 1398.25
 05/04/17 AMEND: 4130
 03/27/17 AMEND: 1105.2
 03/21/17 AMEND: 1803, 1812, 1813, 1814, 1816.1, 1816.2, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1846, 1850.6, 1850.7, 1854, 1856, 1877.2, 1877.3, 1886, 1886.10, 1886.20, 1886.30, 1886.50, 1886.60, 1886.70, 1886.80, 1887, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3, 1887.11.0 REPEAL: 1816.8, 1819.1, 1829, 1877, 1887, 1887.2, 1887.3, 1887.6, 1887.13, 1887.14
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 03/20/17 AMEND: 1751, 1751.4
 03/14/17 ADOPT: 3063.4 AMEND: 472, 472.1, 472.2, 472.3, 472.4, 473, 473.1, 473.2, 473.3, 473.4, 3062, 3062.1, 3062.2, 3062.3, 3062.4, 3063, 3063.1, 3063.3 (renumbered as 3063.2), 3063.4 (renumbered as 3063.3).
 03/02/17 AMEND: 1707.5
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