

Regulatory Language

Subsection (k) of Section 353, Title 14, CCR, is amended to read:

[text]

(k) Upon application to the department, the department may issue a Disabled Muzzleloader Scope Permit, free of any charge or fee, to any person with a physical disability, as defined in 353(l), which prevents him/her from being able to focus on the target utilizing muzzleloading rifles equipped with open or "peep" sights. The Disabled Muzzleloader Scope Permit authorizes the disabled hunter to use a 1X scope on a muzzleloading rifle, as described in subsection 353(f), with a muzzleloading rifle only tag.

(1) Applications for a Disabled Muzzleloader Scope Permit, ~~2009/2010 Disabled Muzzleloader Scope Permit Application, (Form FG 539 (Rev. 6/09))~~ as specified in Section 702 shall be submitted to the department at the address specified on the application and shall include:

- (A) Applicant's name
- (B) Applicant's physical address
- (C) Applicant's date of birth
- (D) Applicant's Driver's License or DMV Number
- ~~(E) Applicant's valid hunting license number~~
- ~~(F)~~ (E) Applicant's telephone number
- ~~(G)~~ (F) Applicant's signature
- ~~(H)~~ (G) Medical Physician's or Optometrist's name
- ~~(I)~~ (H) Medical Physician's or Optometrist's business address
- ~~(J)~~ (I) Medical Physician's or Optometrist's business telephone number
- ~~(K)~~ (J) Medical Physician's State medical license number or Optometrist's State license number
- ~~(L)~~ (K) A description of the visual disability requiring this permit
- ~~(M)~~ (L) Medical Physician's or Optometrist's signature
- ~~(N)~~ (M) Signature of the authorizing department employee and date issued

(2) The applicant must have a valid hunting license for the year for which he/she is applying

~~(2)~~ (3) Proof of meeting eligibility requirements may be met by providing a previously issued Disabled Muzzleloader Scope Permit.

~~(3)~~ (4) The valid Disabled Muzzleloader Scope Permit shall be in the hunter's immediate possession while hunting and shall be shown on demand to any person authorized to enforce this regulation.

~~(4)~~ (5) The Disabled Muzzleloader Scope Permit is valid from July 1 through June 30 of the following year or if issued after July 1 of the license year, it is valid beginning on the date issued through to the following June 30.

[text]

Note: Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 2005, 2055, 3004.5 and 3950, Fish and Game Code.

Subsection (j) of Section 354, Title 14, CCR, is amended to read:

[text]

(j) Upon application to the department, the department may issue a Disabled Archer Permit, free of any charge or fee, to any person with a physical disability, as defined in 354(k), which prevents him/her from being able to draw and hold a bow in a firing position. The Disabled Archer Permit authorizes the disabled archer to use a crossbow or device which holds a string and arrow in the firing position to assist in the taking of birds and mammals under the conditions of an archery tag or during archery season.

(1) Applications for a Disabled Archer Permit, ~~2005/2006 Disabled Archer Permit Application, (Form FG 537 (New 1/05))~~ as specified in Section 702 shall be submitted to the department at the address specified on the application and shall include:

(A) Applicant's name

(B) Applicant's physical address

(C) Applicant's date of birth

(D) Applicant's Driver's License or DMV Number

~~(E) Applicant's valid hunting license number~~

~~(F)~~ (E) Applicant's telephone number

~~(G)~~ (F) Applicant's signature

~~(H)~~ (G) Medical Physician's name

~~(I)~~ (H) Medical Physician's business address

~~(J)~~ (I) Medical Physician's business telephone number

~~(K)~~ (J) Medical Physician's State medical license number

~~(L)~~ (K) A description of the disabled archer's disability. The physician shall designate if the disability is permanent or temporary. If the disability is temporary, shall provide date the disability is expected to end.

~~(M)~~ (L) Medical Physician's signature

~~(N)~~ (N) Signature of the authorizing department employee and date issued

(2) Proof of meeting eligibility requirements may be met by providing a previously issued Disabled Archer Permit when the disability is still in effect.

~~(2)~~ (3) The valid Disabled Archer Permit shall be in the archer's immediate possession while hunting and shall be shown on demand to any person authorized to enforce this regulation.

~~(3)~~ (3) The Disabled Archer Permit is valid from July 1 through June 30 of the following year.

(4) The Disabled Archer Permit is valid beginning July 1 through June 30 of the following year or if issued after July 1 of the license year, it is valid beginning on the date issued through to the following June 30. For any person with a permanent disability, the permit is valid through the end of the license year. A Disabled Archer Permit for a permit holder with a temporary disability that ends prior to the end of the license year is valid only through the date specified by his/her physician.

[text]

Note: Authority cited: Sections 200, 202, 203 and 240, Fish and Game Code.
Reference: Sections 200, 202, 203 and 203.1, Fish and Game Code.

Subsections (a) and (c) of Section 478.1, Title 14, CCR, is amended to read:

(a) Any person who possesses a valid hunting license may, upon payment of the fee specified in Section 702, procure only five revocable, nontransferable bobcat hunting tags. Such tags shall be acquired through the department's Automated License Data System terminals any department license agent or department license sales office at designated department offices. These tags do not act as shipping tags as required in Section 479 for pelts taken under a trapping license.

[text]

(c) The holder of a bobcat hunting tag shall ~~fill in his/her name, address, and hunting license number prior to hunting, and carry the tag while hunting bobcats. Upon the harvesting of any bobcat, the hunter shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. both parts of the tag and cut out and completely remove appropriate notches that clearly indicate the date of harvest.~~ One part of the tag shall be immediately attached to the pelt and kept attached until it is tanned, dried or mounted. The other part of the tag shall be sent immediately to the department.

[text]

Note: Authority cited: Sections 713 and 4150, Fish and Game Code. Reference: Sections 713 and 4150, Fish and Game Code.

Section 702, Title 14, CCR, is amended to read:

§702. Hunting Applications, Tags, Seals, Permits, Reservations and Fees.

(a) Private Wildlife Management Areas

(1) License Application (Initial - FG WPB 538 (Rev. 01/11 04/10), Annual Renewal - FG WPB 539 (Rev. 01/11 04/10), 5-Year Renewal - FG WPB 537 (Rev. 01/11 04/10), incorporated by reference herein)

(A) less than 5000 acres	\$1,639.25 <u>\$1,666.75</u>
(B) 5,001 to 10,000 acres	\$2,360.75 <u>\$2,400.50</u>
(C) 10,001 to 15,000 acres	\$2,754.25 <u>\$2,800.50</u>

(D) greater than 15,001 acres	\$3,147.50	
	<u>\$3,200.50</u>	
(2) Tags and Seals		
(A) 2010 <u>2011</u> Antelope Tag (Buck)	\$ 196.50	
	<u>\$ 199.75</u>	
(B) 2010 <u>2011</u> Antelope Tag (Doe)	\$ 118.00	
	<u>\$ 120.00</u>	
(C) 2010 <u>2011</u> Bear Tag	\$ 55.25	
	<u>\$ 56.25</u>	
(D) 2010 <u>2011</u> Deer Tag (Antlerless)	\$ 63.00	
	<u>\$ 64.00</u>	
(E) 2010 <u>2011</u> Deer Tag (Buck)	\$ 63.00	
	<u>\$ 64.00</u>	
(F) 2010 <u>2011</u> Deer Tag (Either-sex)	\$ 63.00	
	<u>\$ 64.00</u>	
(G) 2010 <u>2011</u> Elk Tag (Antlerless)	\$ 393.50	
	<u>\$ 400.00</u>	
(H) 2010 <u>2011</u> Elk Tag (Bull)	\$ 550.50	
	<u>\$ 559.75</u>	
(I) 2010 <u>2011</u> Pig Tag	\$ 55.25	
	<u>\$ 56.25</u>	
(J) 2010 <u>2011</u> Turkey Tag	\$ 24.00	
	<u>\$ 24.50</u>	
(K) 2010/2011 <u>2011/2012</u> Upland Game seals	\$ 1.05	
(b) Reservation Drawings and Permits to Hunt on State and Federal Areas		
(1) Reservation Drawings		
(A) 2010/2011 <u>2011/2012</u> Per Hunt Choice	\$ 1.25	
(2) Passes and Permits		
(A) 2010/2011 <u>2011/2012</u> Type A Hunting Area Season Pass	\$ 133.50 \$ 135.75	
(B) 2010/2011 <u>2011/2012</u> Type B Hunting Area Season Pass	\$ 44.50 \$ 45.25	
(C) 2010/2011 <u>2011/2012</u> Type A Hunting Area Two-Day Pass	\$ 28.75 \$ 29.25	
(D) 2010/2011 <u>2011/2012</u> Type A Hunting Area One-Day Entry Permit	\$ 17.75 \$ 18.00	
(c) Hunting Tags and Applications		
(1)	<i>Tag/Application Fees</i>	<i>Processing Fees</i>
(A) 2010/2011 <u>2011/2012</u> California Resident First-Deer Tag Application (LRB 1371A, (4/2010), incorporated by reference herein)	\$ 22.50 <u>\$ 23.00</u>	\$4.00
(B) 2010/2011 <u>2011/2012</u> California Nonresident First-Deer Tag Application (LRB 1371B (rev. 4/2010), incorporated	\$ 229.25 <u>\$ 233.00</u>	\$4.00

by reference herein)		
(C) 2010/2011 <u>2011/2012</u> California Resident Second-Deer Tag Application (LRB 1371C, (rev. 4/2010), incorporated by reference herein)	\$ 29.00 <u>\$ 29.50</u>	\$4.00
(D) 2010/2011 <u>2011/2012</u> California Nonresident Second-Deer Tag Application (LRB 1371D (rev. 4/2010), incorporated by reference herein)	\$ 229.25 <u>\$ 233.00</u>	\$4.00
(E) 2010/2011 <u>2011/2012</u> California Resident Bear Tag Application (LRB 1365A, (rev. 4/2010), incorporated by reference herein)	\$ 34.75 <u>\$ 35.25</u>	\$4.00
(F) 2010/2011 <u>2011/2012</u> Nonresident Bear Tag Application (LRB 1365B, (rev. 4/2010), incorporated by reference herein)	\$ 241.75 <u>\$ 245.75</u>	\$4.00
(G) 2010 <u>2011</u> California Antelope Tag Drawing Application (Per hunter) (LRB 1363, (Rev. 2/2010), incorporated by reference herein)		\$7.50
(H) 2010 <u>2011</u> California Elk Tag Drawing Application (Per Hunter) (LRB 1364 (Rev. 4/2010), incorporated by reference herein)		\$7.50
(I) 2010 <u>2011</u> California Nelson Bighorn Sheep Tag Drawing Application (Per Hunter) (LRB 1362 (Rev. 2/2010), incorporated by reference herein)		\$7.50
(J) 2010 <u>2011</u> Resident Antelope Tag	\$ 126.25 <u>\$ 128.25</u>	
(K) 2010 <u>2011</u> Nonresident Antelope Tag	\$ 390.75 <u>\$ 397.25</u>	
(L) 2010 <u>2011</u> Resident Elk Tag	\$ 379.25 <u>\$ 385.50</u>	
(M) 2010 <u>2011</u> Nonresident Elk Tag	\$1,172.50 <u>\$1,192.25</u>	
(N) 2010 <u>2011</u> Resident Bighorn Sheep Tag	\$ 357.50 <u>\$ 363.50</u>	
(O) 2010 <u>2011</u> Nonresident Bighorn Sheep Tag	\$ 500.00	
(P) 2010 <u>2011</u> Bobcat Tags (Five)	\$ 14.00 <u>\$ 14.25</u>	
(Q) 2010 <u>2011</u> Deer Tag - Exchange	\$ 8.75 <u>\$ 9.00</u>	
(R) 2010 <u>2011</u> Nonrefundable Processing Fee - Elk, Antelope, or Big Horn	\$ 25.00 <u>\$ 25.50</u>	

Sheep Tag Return (S) 2010 <u>2011</u> Fund-Raising Tags Random Drawing Entry Form (FG328 (New 1/10)), incorporated by reference herein)	\$5.00
(T) <u>2011 Disabled Archer Permit Application Form (FG537 (Rev. 01/11), incorporated by reference herein)</u>	<u>No Fee</u>
(U) <u>2011 Visually Disabled Muzzleloader Scope Permit Application Form (FG539 (Rev. 01/11) incorporated by reference herein)</u>	<u>No Fee</u>
(V) <u>2011 Duplicate Big Game Tag Affidavit (FG301 (New 01/11) incorporated by reference herein)</u>	<u>\$9.00</u>

(d) Pursuant to the provisions of Section 699, Title 14, the department shall annually adjust the fees of all licenses, stamps, permits, tags, or other entitlement required by regulations set forth in this section.

Note: Authority cited: Sections 200, 202, 203, 215, 220, 331, 332, 713, 1050, 1055, 1055.1, 1572, 4331, 4336 and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1055, 1570, 1571, 1572, 1573, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code.

Section 708, Title 14 California Code of Regulations is repealed:

§708. Big Game License Tag, Application, Distribution and Reporting Procedures.

~~(a) Deer License Tag Procedures and Requirements~~

~~(1) Deer License Tags:~~

~~No person shall hunt deer without a valid deer license tag in possession for that particular area as defined in sections 360 and 361. Deer shall be tagged only with a valid deer license tag for the area (as defined in sections 360 and 361) in which the deer is killed. Except as otherwise provided in the Fish and Game Code, no person shall take more than two deer during any license year.~~

~~(2) Deer License Tag Application and Distribution Procedures:~~

~~(A) Distribution of Deer License Tags:~~

~~1. Deer Tag Classification~~

~~a. Premium Deer Hunt Tags shall include all deer hunt tags where the tag quota filled on or before the first business day after July 1 in the immediately preceding license year.~~

~~b. Restricted Deer Hunt Tags shall include all non-Premium deer hunt tags where the tag quota filled on or before the first business day after August 1 in the immediately preceding license year.~~

~~c. Unrestricted Hunt Tags shall include all deer hunt tags where the tag quota did not fill on or before the first business day after August 1 in the immediately preceding license year.~~

d. The department may designate the deer tag classification for any deer hunt that was not held in the previous year.

2. Premium deer hunt tags shall be distributed by drawing, as described in subsection 708(g)(1) and (2), unless otherwise authorized. Applicants shall submit their deer tag application to the department at the address specified on the application. Applications must be received by the department by 5:00 p.m. on the first business day after June 1. Successful applicants will be selected by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Successful and unsuccessful applicants will be notified by mail.

3. Except as noted in subsection 708(a)(2)(E) below, deer tags for any restricted deer hunt tag or any unrestricted deer hunt tag and premium tags leftover after the drawing shall be issued upon request until each tag quota fills. If, on any given day, the number of applications received for any zone or hunt exceeds the number of available tags, the department may conduct a drawing for that zone or hunt.

(B) Application Forms: Except for permits and deer tags issued pursuant to sections 4181.5, 4188, and 4334 of the Fish and Game Code, applications for deer tags, as specified in Section 702, may be made available to the public at designated license agents and department offices.

(C) Application Procedures:

1. Applicants must be at least 12 years of age on or before July 1 of the license year for which they are applying or at the time of application if they are applying after July 1 and possess a California resident or nonresident hunting license valid for the deer hunting season for which they are applying, except applicants for additional apprentice deer hunts, who must possess a California junior hunting license. Two-day nonresident hunting licenses shall not be used to apply for deer tags.

2. No more than six persons may apply together as a party. To be considered as a party, all applications must be stapled together with the party leader's application on top and mailed in one envelope. All party members' applications must show the same tag choices in the same order of preference, the total number of persons in the party, and the party leader's name and identification number. All party members shall be awarded tags according to the choices listed on the party leader's application. Party applications for premium deer hunts shall not be split to meet the tag quota if the number of party members exceeds the number of available tags. Party applications which exceed the number of available tags shall be bypassed until the quota is reached. Incorrect or incomplete party applications will be separated and awarded tags on an individual basis.

3. Incomplete, incorrect, late or ineligible applications will be rejected.

(D) Application Fee: The department shall require that the specified fee for a deer tag, as specified in Section 4332 of the Fish and Game Code, be paid as a prerequisite to obtaining a deer tag application. In addition to the tag fee, the department shall also charge a processing fee, as specified in Section 702, for each deer tag application. Deer tag processing fees are not refundable. Deer tag fees are not refundable once a deer tag application has been entered into the big game drawing or a deer tag has been issued regardless of closures of any zone or hunt due to fire, weather or other natural disasters.

The department may only refund deer tag fees under the following provisions:

1. The deer tag application was not entered into the big game drawing and a deer tag was not issued for the deer tag application.
2. The difference between the fee paid for a nonresident deer tag application and a resident deer tag application may be refunded for any nonresident deer tag application for which a deer tag was not issued.
3. The department may refund the difference between the fee paid for a nonresident deer tag application and a resident deer tag application for any nonresident tag issued if all of the following conditions are met:
 - a. The deer tag is not a premium tag.
 - b. The deer tag is returned prior to the earliest opening date for the hunt.
 - c. The tag quota has not been filled for the hunt.

(E) Application Restrictions:

1. First-Deer Tag Application:

- a. Any person may use a first-deer tag application to apply for any premium deer hunt tag issued by drawing as specified in subsection 708(a)(2)(A)2.
- b. Any person may use a first-deer tag application to apply for any restricted deer hunt tag or unrestricted deer hunt tag. Tags shall be issued upon request to first tag applicants until the quota for the hunt is reached.
- c. Any person may use a first-deer tag application to apply for any premium deer hunt tag remaining on the first business day after July 1. Applications must be submitted to the department's License and Revenue Branch in Sacramento, unless otherwise specified by the department. Premium deer hunt tags remaining on the first business day after July 1 shall be issued upon request to first deer tag applicants until the tag quota for the hunt is reached.

2. Second-Deer Tag Application:

- a. Any person may use a second-deer tag application to apply for any unrestricted deer hunt tag. Tags shall be issued upon request to second-deer tag applicants until the quota for the hunt is reached.
- b. Any person may use a second-deer tag application to apply for any premium or restricted deer hunt tag remaining on the first business day following August 1. Applications may be submitted before that date to the department's License and Revenue Branch in Sacramento. Restricted deer hunt tags remaining on the first business day following August 1 shall be issued upon request to second-deer tag applicants until the quota for the hunt is reached.
- c. Any person in possession of a valid junior hunting license, who has not used a first-deer tag application to apply for an additional apprentice hunt, may use a second-deer tag application to apply for an additional apprentice hunt tag issued by drawing as specified in subsection 708(a)(2)(A)2., and 708(g)(2)(A). An apprentice hunter may not submit more than one application for additional apprentice hunts.
- d. No person shall submit more than one first-deer tag application and one second-deer tag application to the department during any one license year. Any person in violation of this subsection may be denied deer tags for the current and following license year.

(F) Deer Tag Exchange Fee: The department shall not exchange any deer tag for a different zone or hunt after the tag quota for the original tag zone or hunt fills for the season. The department shall not exchange a tag if the earliest season (either archery or general) for the tag being exchanged has opened. The department shall charge a

~~nonrefundable processing fee, as specified in Section 702, for exchanging a deer tag for a different zone or hunt.~~

~~(3) Tagging Requirements:~~

~~Immediately upon killing a deer, both portions of the deer license tag must be completely filled out and the date of kill permanently marked on the deer license tag. The deer license tag must be attached to the antlers of an antlered deer or to the ear of any other deer and kept attached during the open season and for 15 days thereafter. Except as otherwise provided, possession of any untagged deer shall be a violation (refer to Fish and Game Code, Section 4336).~~

~~(4) Tag Validation and Countersigning Requirements, and Transporting for the Purpose of:~~

~~Any person legally killing a deer in this state shall have the deer license tag validated and countersigned by a person authorized by the commission as described below in subsection 708(a)(8) before transporting such deer, except for the purpose of taking the deer to the nearest person authorized to countersign the license tag, on the route being followed from the point where the deer was taken (refer to Fish and Game Code, Section 4341).~~

~~(5) Deer Head Retention Requirements and Production Upon Demand:~~

~~Any person taking any deer in this state shall retain in their possession during the open season thereon and for 15 days thereafter, that portion of the head which in adult males normally bears the antlers, and shall produce the designated portion of the head upon the demand of any officer authorized to enforce the provisions of this regulation (refer to Fish and Game Code, Section 4302).~~

~~(6) Deer Tag Reporting Requirements:~~

~~Every person to whom a deer tag is issued shall return the completed report card portion to the department within thirty days of taking a deer.~~

~~(7) Deer Violations, Tag Forfeiture:~~

~~Any person who is convicted of a violation involving deer shall forfeit their current year deer license tags and no new deer license tags may be issued to that person during the then current hunting license year, and that person may not apply for a deer tag for the following license year (refer to Fish and Game Code, Section 4340).~~

~~(8) Deer and Elk Tags, Persons Authorized to Validate:~~

~~The following persons are authorized to validate or countersign deer and elk tags:~~

~~(A) State:~~

- ~~1. Fish and Game Commissioners~~
- ~~2. Employees of the Department of Fish and Game~~
- ~~3. Deputy Foresters~~
- ~~4. Assistant Deputy Foresters~~
- ~~5. Forest Rangers~~
- ~~6. Park Rangers--Grades 1, 2, 3, and 4~~
- ~~7. Supervising Plant Quarantine Inspectors~~
- ~~8. Junior, Intermediate and Senior Plant Quarantine Inspectors~~
- ~~9. Foresters~~
- ~~10. Fire Prevention Officers--Grades 1, 2, 3, and 4~~
- ~~11. Fire Captains~~
- ~~12. Fire Apparatus Engineers~~

~~(B) Federal: (FS = U.S. Forest Service, FWS = U.S. Fish & Wildlife Service, BLM = Bureau of Land Management)~~

- ~~1. Range Technicians (BLM)~~
- ~~2. Forest Supervisors (FS)~~
- ~~3. Assistant Forest Supervisors (FS)~~
- ~~4. District Forest Rangers (FS)~~
- ~~5. Foresters (FS, BLM)~~
- ~~6. Range Conservationists (FS, BLM)~~
- ~~7. Forest Engineers (FS, BLM)~~
- ~~8. Forestry Aides (FS)~~
- ~~9. Fire Control Officers or Aides (FS, BLM)~~
- ~~10. Clerks (FS, FWS, BLM) while on duty at their headquarters~~
- ~~11. Game Management Agents (FWS)~~
- ~~12. Wildlife Management Biologists (FS, FWS, BLM)~~
- ~~13. District Managers (BLM)~~
- ~~14. Information Specialists (BLM)~~
- ~~15. Area Managers (BLM)~~
- ~~16. Realty Specialists (BLM)~~
- ~~17. Natural Resource Specialists (BLM)~~
- ~~18. Engineers (BLM)~~
- ~~19. Engineering Technicians (BLM)~~
- ~~20. Recreation Resource Specialists (BLM)~~
- ~~21. Geologists (BLM)~~
- ~~22. Recreation Aides (BLM)~~
- ~~23. All Uniformed Personnel of the National Park Service~~
- ~~24. Commanding officers of any United States military installation or their designated personnel for deer taken on their reservation.~~
- ~~25. Postmasters~~
- ~~26. Post Office Station or Branch Manager for deer brought to their post office.~~

~~(C) Miscellaneous:~~

- ~~1. County firemen at and above the class of foreman for deer brought into their station.~~
- ~~2. Judges or Justices of all state and United States courts.~~
- ~~3. Notaries Public~~
- ~~4. Peace Officers~~
- ~~5. Nonsalaried police officers or deputy sheriffs while on scheduled duty in a city or county of appointment for deer brought to a police station or sheriff's office~~
- ~~6. Officers authorized to administer oaths~~
- ~~7. Owners, corporate officers, managers or operators of lockers or cold storage plants for deer brought to their place of business.~~

~~(D) No person may validate or countersign their own tag.~~

~~(b) Distribution of Bighorn Sheep License Tags:~~

- ~~(1) Fund-raising Nelson bighorn ram license tags: Fund-raising license tags for the taking of mature Nelson bighorn rams shall be sold for the purpose of raising funds to manage bighorn sheep. The department may designate a nonprofit organization to sell this fund-raising tag. The department may conduct a random drawing to distribute fund-raising tags. Any resident or nonresident is eligible to buy the tag. The sale price of a~~

fund-raising license tag includes the fee for processing and issuing a hunting license. A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing a hunting license. The purchasers of fund-raising license tags shall complete a required hunter orientation program conducted by the department and meet the hunter education requirements for a hunting license. The fund-raising license tags are defined as follows:

(A) Open-zone fund-raising license tags: These fund-raising license tags are valid in any of the areas described in subsection 362(a).

(2) General Nelson bighorn ram license tags: The application form, as specified in Section 702, may be made available to the public at designated license agents and department offices. Applicants must be California residents or nonresidents, at least 16 years of age on or before July 1 of the license year for which they are applying, possessing a California hunting license valid during the bighorn ram season for which they are applying, and must not have been previously issued a bighorn license tag in California. Two-day nonresident hunting licenses shall not be used to apply for Nelson bighorn sheep tags. Applicants must apply for only one designated zone. No person shall submit more than one application. Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, to the department at the address specified on the application. Applications must be received before 5:00 p.m. on the first business day after June 1. Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the hunter will not earn a preference point. Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. No more than one nonresident shall be selected to receive a general license tag. Unsuccessful applicants will not be notified. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, as specified in Section 702, to the department's License and Revenue Branch in Sacramento. The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Successful applicants shall be issued tags only after successfully completing the required hunter orientation program conducted by the department.

(3) Tagholder Responsibilities:

(A) Only persons possessing valid Nelson bighorn sheep license tags are entitled to hunt bighorn sheep. Tags shall not be transferable and are valid only in the zone or zones specified.

(B) Individuals awarded a fund-raising license tag and all successful applicants for general license tags shall attend and successfully complete a mandatory hunter orientation program. Licensed guides employed by successful applicants and the fund-raising license tag buyer shall accompany their clients to this orientation program.

(C) All successful bighorn sheep tagholders shall have their tags validated. All tags must be returned to the department within 10 days after the close of the season, even though the tagholder may not have killed a Nelson bighorn ram.

~~(D) Tags must be completed and attached to the carcass of a bighorn ram immediately after the animal is killed. All successful bighorn sheep tagholders shall have their tags validated.~~

~~(E) All tagholders will be notified by mail as to whether they will be required to report to the department before hunting and upon completion of hunting. The notification shall contain procedures for reporting, including appropriate methods of contacting the department.~~

~~(F) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:~~

~~1. Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission.~~

~~2. Any act on the part of the tagholder which endangers the person or property of others. The decision of the department in such respects shall be final and binding upon the tagholder.~~

~~(c) Distribution of Pronghorn Antelope License Tags:~~

~~(1) The pronghorn antelope license tags shall be issued by drawing, as described in subsection 708(g)(5)(A) and (B). Not more than one nonresident shall be selected to receive a general license tag. Application forms, as specified in Section 702, may be made available to the public at designated license agents and department offices. Each applicant must be at least 12 years of age on or before July 1 of the license year for which they are applying, and possess a California hunting license valid during the pronghorn antelope season for which they are applying. Applicants for the apprentice pronghorn antelope hunts must possess a junior hunting license valid during the pronghorn antelope season for which they are applying. Two-day nonresident hunting licenses shall not be used to apply for pronghorn antelope tags. No person shall submit more than one application for a pronghorn antelope license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must be residents and apply on the same application for the same tag choice. Nonresidents shall not apply as a party for pronghorn antelope tags. Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the hunter shall not earn a preference point.~~

~~(2) Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, to the department at the address specified on the application. Applications must be received before 5:00 p.m. on the first business day after June 1. Successful applicants and a list of alternates for each hunt shall be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Except as provided in subsection 708(g)(5)(A)5., party applications drawn for the last tag available for a hunt will be split and the party leader (first person listed) as indicated on the application form shall be awarded the pronghorn antelope license tag. The party member shall become the first alternate for that hunt. Unsuccessful applicants will not be notified. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification the applicant shall submit the appropriate tag fee, as specified in Section 702, to the department's License and Revenue Branch in Sacramento. The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday~~

in July. Should the quota for each zone remain unfilled after that date, the alternate list shall be used. In the event only one pronghorn antelope license tag is available to an alternate, party applications will be split and the alternate tag shall be awarded to the party leader as indicated on the application form. Undistributed tags will be issued after the drawing. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that zone, on an individual basis, in the order drawn. Any remaining tags may be issued to alternates for other zones.

(3) Fund-raising License Tags: Fund-raising license tags for the taking of buck pronghorn antelope shall be offered for sale to raise funds for the management of pronghorn antelope. The department may conduct a random drawing to distribute fund-raising tags. Any resident or nonresident is eligible to buy one of the fund-raising license tags. The sale price of a fund-raising license tag includes the fee for processing and issuing a hunting license. A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing a hunting license. The purchasers shall be issued the fund-raising license tag only after meeting the hunter education requirements for a hunting license.

(4) Tagholder Responsibilities:

(A) Only persons possessing valid pronghorn antelope license tags are entitled to hunt pronghorn antelope during these hunts. Tags shall not be transferable and are valid only in the area, season, and period specified on the tag.

(B) All tagholders must return the report card portion of their license tag to the department within one week after the close of the pronghorn antelope season, even though the tagholder may not have killed a pronghorn antelope.

(C) The holder of a pronghorn antelope license tag, immediately after killing a pronghorn antelope, shall fill out both parts of the tag and mark permanently the date of kill. The tag portion shall be immediately attached to a horn of buck pronghorn antelope or to an ear of doe pronghorn antelope and kept attached for 15 days after the close of the open season.

(D) The tagholder shall surrender his license tag to an employee of the department for any of the following reasons:

1. Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of this commission.
2. Any act on the part of the tagholder which endangers the person or property of others. The decision of the department in such respects shall be final and binding upon the tagholder.

(d) Distribution of Elk License Tags:

(1) Three fund-raising license tags for the taking of elk bulls shall be offered for sale to raise funds for the management of elk. The department may designate a nonprofit organization or organizations to sell the fund-raising tags. The department may conduct a random drawing to distribute fund-raising tags.

Any resident or nonresident is eligible to buy one of the license tags. The sale price of a fund-raising license tag includes the fee for processing and issuing a hunting license. A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing a hunting license. The purchasers of fund-raising tags shall complete required hunter orientation programs conducted by the department and meet the hunter safety requirements for a hunting license.

~~(2) Application forms for elk tags, as specified in Section 702, may be made available to the public at designated license agents and department offices. Each applicant must be at least 12 years of age on or before July 1 of the license year for which they are applying, and possess a California hunting license valid during the elk season for which they are applying. Two-day nonresident hunting licenses shall not be used to apply for elk tags. No person shall submit more than one application for an elk license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must be residents and apply on the same application for the same tag choice. Nonresidents shall not apply as a party for elk tags. Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the hunter shall not earn a preference point.~~

~~(3) The elk hunting license tags shall be issued by drawing, as described in subsection 708(g)(4)(A) and (B). Not more than one nonresident shall be selected to receive a general license tag. Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, to the department at the address specified on the application. Applications must be received before 5:00 p.m. on the first business day after June 1. Except as provided in subsection 708(g)(4)(A)5., party applications drawn for the last tag available for a hunt will be split and the party leader (first person listed) as indicated on the application form shall be awarded the elk tag. The party member shall become the first alternate for that hunt. Successful applicants and a list of alternates for each hunt will be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Unsuccessful applicants will not be notified. Successful applicants and alternates will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the tag fee, as specified in Section 702, to the department's License and Revenue Branch in Sacramento. The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday in July. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that hunt, on an individual basis, in the order drawn. Any remaining tags may be issued to alternates for other zones.~~

~~(4) Tagholder Responsibilities:~~

~~(A) All tagholders must return their license tags to the department within one week after the close of the elk season, even though the tagholder may not have killed an elk.~~

~~(B) License tags must be attached to the antler of an antlered elk, or to the ear of antlerless elk immediately after killing.~~

~~(C) Persons authorized to validate or countersign elk tags are listed in Section 708(a)(8). Elk tags must be countersigned before transporting such elk, except for the purpose of taking it to the nearest person authorized to countersign the license tag on the route being followed from the point where the elk is taken.~~

~~(D) Only persons possessing valid elk license tags are entitled to take elk. Tags are not transferable and are valid only for the area and period specified.~~

~~(E) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:~~

~~1. Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission made pursuant thereto.~~

~~2. Any act on the part of the tagholder which endangers the person or property of others. The decision of the department shall be final.~~

~~(F) Elk may be taken on Santa Rosa Island pursuant to a permit issued by the department. For methods of take, see sections 353 and 354.~~

~~(e) Bear License Tags.~~

~~(1) Application for Bear License Tags:~~

~~(A) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tag applications shall be submitted on forms provided by the department.~~

~~(B) The department shall require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag application.~~

~~(C) The department shall charge a nonrefundable processing fee, as specified in Section 702, for each bear tag application.~~

~~(D) Only one bear license tag application may be submitted to the department during any one license year. Any person who submits more than one bear license tag application may be denied bear license tags for the current license year.~~

~~(2) Distribution of bear tags: Applications for bear tags, as specified in Section 702, may be available to the public at designated license agents and department offices. Tags will be issued at designated department offices.~~

~~(3) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.~~

~~(4) Use of Dogs: Any holder of a bear license tag who utilizes dogs to take bear shall so indicate on his bear license tag in the space provided.~~

~~(5) Validation of Bear Tags: Only department employees may validate bear tags (This provision supersedes section 4755 of the Fish and Game Code). Bear tags must be countersigned before transporting such bear except for the purpose of taking it to the nearest person authorized to countersign the license tag, on the route being followed from the point where the bear is taken.~~

~~(6) Return of Bear License Tags:~~

~~(A) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in (e) above. The tag may be presented to a department office/officer or returned through the United States Mail.~~

~~(B) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.~~

~~(f) Application For and Use of Wild Pig License Tags:~~

~~(1) Any person, 12 years of age or older, who possesses a valid hunting license may procure wild pig license tags as specified in Section 4654 of the Fish and Game Code.~~

~~(2) Resident and nonresident wild pig license tags will be sold individually.~~

~~(3) Wild pig license tags are valid only during that portion of the current hunting license year in which wild pigs may be legally harvested as provided in subsection 368(a).~~

~~(4) Any person hunting wild pigs shall carry a wild pig license tag while hunting wild pigs, and upon the killing of any wild pig shall immediately fill out both parts of the tag,~~

clearly mark the date of the kill and attach the tag to the carcass of the wild pig. The report card portion shall be immediately returned to the department.

~~(g) Big Game Drawing System~~

~~(1) General Conditions~~

~~(A) Except as otherwise provided, the department shall award license tags for premium deer (X zones, additional hunts, and Area-specific archery hunts), bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360(b) and (c), 361, 362, 364 and 363, using a Modified-Preference Point drawing system.~~

~~(B) Except as otherwise provided, the Modified-Preference Point drawing system shall award proportions of hunt tag quotas, as specified for each species, using the following drawing methods:~~

~~1. Preference Point Drawings. Tags are awarded based on the following order of priority: an applicant's hunt choice (first choice only for deer), accumulated point totals by species (highest to lowest), and computer-generated random number (lowest to highest).~~

~~2. Draw-By-Choice Drawings. Tags are awarded according to an applicant's hunt choice and computer-generated random number (lowest to highest), without consideration of accumulated points.~~

~~(C) Except as otherwise provided, applicants unsuccessful in receiving a tag for premium deer (based on first choice selection), bighorn sheep, elk or pronghorn antelope hunts shall earn one (1) preference point for use in future Big Game Drawings.~~

~~(D) To earn and accumulate a point for any species, a person must comply with all application requirements for that species as specified in subsections 708(a), (b), (c) and (d), including the following conditions:~~

~~1. Applicants must be at least 12 years of age on or before July 1 of the license year for which they are applying (16 years of age for bighorn sheep applications).~~

~~2. Applicants must possess a California hunting license valid for the hunting season requested (applicants for apprentice deer hunts must possess a junior hunting license). Applicants must provide evidence of such license at the time of application.~~

~~3. Applications for bighorn sheep, pronghorn antelope and elk hunts must include the appropriate nonrefundable processing fees.~~

~~4. Applications must be received by the department's License and Revenue Branch in Sacramento by 5:00 p.m. on the first business day after June 1.~~

~~5. Except for apprentice deer hunt applicants, applicants shall not submit more than one drawing application for each species during the same license year.~~

~~(E) No applicant shall earn more than one (1) preference point per species, per drawing, for use in future drawings. Preference points are accumulated by species and shall not be transferred to another species or another person. Preference points are not zone or hunt specific.~~

~~(F) Except as otherwise provided, successful applicants receiving tags for their first choice premium deer, bighorn sheep, elk or pronghorn antelope hunts shall lose all preference points for that species.~~

~~(G) For party applications, the department shall use the average preference point value of all party members (total preference points for the party divided by number of party members) as the basis for consideration in the drawing for that species. Point averages shall not be rounded.~~

~~(H) Except as otherwise provided, persons who do not wish to apply for an antelope, elk, bighorn sheep or premium deer tags may earn one (1) preference point for any or all of these species, by submitting the appropriate application(s), as specified in subsections 708 (a), (b), (c) and (d), and writing the point code number for that species, as defined by the department, in the hunt choice box (first choice only for deer). Persons applying for a preference point in this manner shall be subject to the same application requirements as regular drawing applicants as specified in subsection 708(g)(1)(D).~~

~~(I) The department shall maintain records of preference points earned by individual applicants based on the hunter identification number provided on each application (driver's license number, Department of Motor Vehicles identification number, or hunter identification number assigned by the department). Applicants shall notify the department's License and Revenue Branch in Sacramento in writing, of any changes or corrections regarding name, mailing address, date of birth or hunter identification number.~~

~~(J) Persons not applying for premium deer, bighorn sheep, elk, or pronghorn antelope hunts through the department's Big Game Drawings for five (5) consecutive years shall have their preference points for that species reduced to zero (0). For the purposes of this subsection, persons whose applications are disqualified from drawing shall be considered the same as persons not applying. Applying for preference points as described in (H) above, will keep an applicant's file active.~~

~~(K) Any person may appeal incomplete, late and ineligible applications or applications submitted without the appropriate processing fee that were not included in the department's big game drawing and the hunter did not earn a preference point. The appeal must be in writing and describe the basis for the appeal. The appeal shall be received by the department's License and Revenue Branch in Sacramento, or if mailed, postmarked on or before May 31 of the following year. The department, upon consideration of the appeal, may grant the appeal and award one preference point to the appellant. If the department grants the appeal for a preference point, the appellant shall pay all the applicable fees. The department shall not award a preference point unless the appellant pays all the applicable fees.~~

~~(L) Any applicant who was drawn for the applicant's first deer tag choice in the big game drawing and can not hunt for any reason may submit a written request to retain the accumulated preference point total and earn one preference point for deer for that year. Applicants must return the tag to the department's License and Revenue Branch before the season starts for which the tag is valid for the department to consider the request. If the request is granted the applicant shall retain the preference point total the applicant accumulated prior to the big game drawing and earn one preference point for deer. The department shall not refund the fees paid for a resident deer tag application. The department may refund the difference between the fee paid for a nonresident deer tag application and a resident deer tag application for any nonresident tag.~~

~~(M) Any applicant who was awarded an elk, antelope, or big horn sheep tag in the big game drawing and can not hunt for any reason may submit a written request to retain the accumulated preference point total and earn one preference point for elk, antelope or big horn sheep for that year. Applicants must return the tag to the department's License and Revenue Branch before the season starts for which the tag is valid for the~~

department to consider the request. The applicant shall submit the nonrefundable processing fee specified in Section 702 with the request. If the request is granted the applicant shall retain the preference point total the applicant accumulated prior to the big game drawing and earn one preference point for elk, antelope or big horn sheep. The department may refund the tag fee.

~~(2) Premium Deer Hunts~~

~~(A) Except for apprentice deer hunt applicants, as specified in subsection 708(a)(2)(E), persons must use a first deer tag application to apply for premium deer hunts through the department's Big Game Drawing.~~

~~(B) License tags for premium deer hunts (except apprentice deer hunts) shall be awarded based on the following:~~

- ~~1. Ninety percent (90%) of the individual zone or hunt tag quota shall be awarded using a Preference Point drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next higher whole number.~~
- ~~2. Ten percent (10%) of the individual zone or hunt tag quota shall be awarded using a Draw-By-Choice drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next lower whole number.~~
- ~~3. For zones or hunts with quotas less than ten (10) tags, one (1) tag shall be awarded using a Draw-By-Choice drawing. Remaining tags shall be awarded using a Preference Point drawing.~~
- ~~4. Tags awarded to applicants for second or third choice zones or hunts shall be through a Draw-By-Choice drawing and shall not result in loss of accumulated points.~~

~~(C) License tags for apprentice deer hunts (J Hunts) as described in subsection 360(c) shall be awarded based on the following:~~

- ~~1. Fifty percent (50%) of the hunt tag quota shall be awarded through a Preference Point drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next higher whole number.~~
- ~~2. Fifty percent (50%) of the hunt tag quota shall be awarded through a Draw-By-Choice drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next lower whole number.~~

~~(D) An apprentice hunter applying for premium deer hunts (X zones, Area-specific archery hunts, and additional hunts) on a first deer tag application and a second deer tag application shall:~~

- ~~1. Receive a point only if he/she is unsuccessful in the big game drawing with his/her first choice on both applications.~~
- ~~2. Lose all preference points for deer if he/she receives his/her first choice on either application.~~

~~(3) Bighorn Sheep Hunts~~

~~(A) Successful bighorn sheep tag applicants shall be determined as follows, based on tag quotas for each hunt.~~

- ~~1. For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.~~
- ~~2. For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~
- ~~3. For quotas of three, two tags shall be awarded using a Preference Point Drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~

~~4. For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.~~

~~(B) Alternates shall be selected for each hunt using a Preference Point Drawing.~~

~~(4) Elk Hunts~~

~~(A) Successful elk tag applicants shall be determined as follows, based on tag quotas for each hunt or hunt period.~~

~~1. For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.~~

~~2. For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~

~~3. For quotas of three, two tags shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~

~~4. For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.~~

~~5. Party applications shall be split as described in Section 708(d)(3) to fill the last tag available through the Preference Point drawing. Party applications shall not be split to fill the last tag available through the Draw-By-Choice drawing.~~

~~(B) Alternates shall be selected for each hunt or hunt period using a Preference Point drawing.~~

~~(5) Pronghorn Antelope Hunts~~

~~(A) Successful pronghorn antelope tag applicants shall be determined as follows, based on tag quotas for each hunt or hunt period.~~

~~1. For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.~~

~~2. For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~

~~3. For quotas of three, two tags shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.~~

~~4. For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.~~

~~5. Party applications shall be split as described in Section 708(c)(2) to fill the last tag available through the Preference Point drawing. Party applications shall not be split to fill the last tag available through the Draw-By-Choice drawing.~~

~~(B) Alternates shall be selected for each hunt or hunt period using a Preference Point drawing.~~

~~(h) Fund-raising Tags Random Drawings~~

~~(1) General Conditions~~

~~(A) Commencing January 1, 2011, except as otherwise provided, the department may award license tags for fund-raising hunts for deer, bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360(b) and (c), 361, 362, 363, and 364, using a random drawing system.~~

- ~~1. Applicants for a deer, elk, or antelope license tag must be 12 years of age on or before July 1 of the license year for which they are applying.~~
 - ~~2. Applicants for a big horn sheep license tag must be 16 years of age on or before July 1 of the license year for which they are applying.~~
 - ~~4. Applications for deer, bighorn sheep, pronghorn antelope and elk hunts must include the appropriate nonrefundable fee in Section 702.~~
 - ~~5. Applications must be received by the department's License and Revenue Branch in Sacramento by 5:00 p.m. on the first business day after June 1.~~
 - ~~6. Any resident or nonresident applicant may submit one or more fund-raising tag random drawing applications for each species during the same license year.~~
 - ~~7. No applicant shall earn a preference point in any fund-raising tag random drawings.~~
 - ~~8. Accumulated preference points shall not be considered in any the fund-raising tag random drawings.~~
 - ~~9. Fund-raising tags shall not be transferred to another person.~~
 - ~~10. Successful applicants and a list of alternates for each fund-raising license tag will be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.~~
 - ~~11. Unsuccessful applicants shall not be notified.~~
 - ~~12. Successful applicants will be mailed notification as soon as practical.~~
 - ~~13. Upon receipt of the notification, the applicant shall submit evidence that he or she possesses a valid California hunting license valid for the hunting season to the department's License and Revenue Branch in Sacramento by 5:00 p.m. on the third Monday in July. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that license tag in the order drawn.~~
- ~~Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200-203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570-1572, 3950, 3951, 4302, 4330-4333, 4336, 4340, 4341, 4652-4655, 4657, 4750-4756, 4902, 10500 and 10502, Fish and Game Code.~~

Section 708.1, Title 14, CCR, is added as follows:

§708.1. Big Game Deer License Tags Procedures and Requirements

(a) Deer License Tag Procedures and Requirements

(1) Deer License Tags.

No person shall hunt deer without a valid deer license tag in possession for that particular area as defined in sections 360 and 361. Deer shall be tagged only with a valid deer license tag for the area (as defined in sections 360 and 361) in which the deer is killed. Except as otherwise provided in the Fish and Game Code, no person shall take more than two deer during any license year.

(2) Deer License Tag Application and Distribution Procedures.

(A) Distribution of Deer License Tags:

1. Deer Tag Classification

- a. Premium Deer Hunt Tags shall include all deer hunt tags where the tag quota filled on or before the first business day after July 1 in the immediately preceding license year.
 - b. Restricted Deer Hunt Tags shall include all non-Premium deer hunt tags where the tag quota filled on or before the first business day after August 1 in the immediately preceding license year.
 - c. Unrestricted Deer Hunt Tags shall include all deer hunt tags where the tag quota did not fill on or before the first business day after August 1 in the immediately preceding license year.
 - d. The department may designate the deer tag classification for any deer hunt that was not held in the previous year.
2. Premium deer hunt tags shall be distributed by drawing, as described in Section 708.14, unless otherwise authorized. Applicants may apply through the department's Automated License Data System terminals at any department license agent or department license sales office. Applications must be received by the department by June 2. Successful applicants will be selected by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Successful and unsuccessful applicants will be notified by mail.
3. Except as noted in Section 708.3, deer tags for any restricted deer hunt tag or any unrestricted deer hunt tag and premium tags leftover after the drawing shall be issued upon request until each tag quota fills.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4331, 4336, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 1050, 1570, 1571, 1572, 3950, 4330, 4331, 4332, 4333, 4336, 10500 and 10502, Fish and Game Code.

Section 708.2, Title 14, CCR, is added as follows:

§708.2. Big Game Deer License Tags Issuance and Deer Tag Drawing Application Procedures

(a) Deer Tag Issuance and Deer Tag Drawing Application Procedures:

(1) Except for permits and deer tags issued pursuant to sections 4181.5, 4188, and 4334 of the Fish and Game Code, individuals may request deer tags and submit deer tag drawing applications at department license agents and department license sales offices.

(2) Applicants must be at least 12 years of age on or before July 1 of the license year for which they are applying or at the time of application if they are applying after July 1 and possess an annual California hunting license valid for the deer hunting season for which they are applying.

(3) Incomplete, incorrect, late or ineligible applications will not be accepted.

(b) Application Fee: The department shall require that the specified fee for a deer tag, as specified in Section 4332 of the Fish and Game Code, be paid as a prerequisite to obtaining a deer tag or tag drawing application. In addition to the tag fee, the department shall also charge a processing fee, as specified in Section 702, for each deer license tag application. Deer license tag processing fees are not refundable. Deer

license tag fees are not refundable once a deer tag application has been entered into the big game drawing or a deer tag has been issued regardless of closures of any zone or hunt due to fire, weather or other natural disasters. The department may only refund deer tag license fees under the following provisions:

(1) The difference between the fee paid for a nonresident deer license tag application and a resident deer license tag application may be refunded for any nonresident deer tag application for which a deer tag was not issued.

(2) The department may refund the difference between the fee paid for a nonresident deer tag license application and a resident deer tag license application for any nonresident tag issued if all of the following conditions are met:

(A) The deer license tag is not a premium tag.

(B) The deer license tag is returned prior to the earliest opening date for the hunt.

(C) The tag quota has not been filled for the hunt.

(D) Request for refunds shall be submitted on or before March 1 of the license year to the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834. If the deadline to submit the request for refund falls on a weekend or holiday requests will be accepted until the close of business on the first state business day following the deadline to submit the request.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4331, 4336, and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 713, 1050, 1570, 1571, 1572, 3950, 4330, 4331, 4332, 4333, 4336, 10500 and 10502, Fish and Game Code.

Section 708.3, Title 14, CCR, is added as follows:

§708.3. Big Game Deer License Tags

(a) Application Restrictions:

(1) First-Deer Tag Applicant or First-Deer Tag Drawing Applicants:

(A) Any person may use a first-deer tag drawing application to apply for any premium deer hunt tag issued by drawing as specified in section 708.1. Applicants shall not submit more than three choices for deer hunts per deer tag drawing application per license year.

(B) First-deer license tag applicants may apply for any unrestricted deer hunt tag. Tags shall be issued upon request to first-deer tag applicants until the tag quota for the hunt is filled.

(C) First-deer license tag applicants may apply for any restricted deer hunt tag provided they have not been issued a premium or restricted hunt as a second deer license tag. Tags shall be issued upon request to first deer license tag applicants until the tag quota for the hunt is filled.

(D) First-deer license tag applicants may apply for any premium deer hunt tag remaining on July 2 provided they have not been issued a premium or restricted hunt as a second deer license tag. Applicants may apply through the department's Automated License Data System terminals at any department license agent or department license sales office beginning at 8:00 AM on July 2 each year. Premium deer hunt tags remaining on July 2 shall be issued upon request to first deer license tag applicants until the tag quota for the hunt is filled.

(E) First-deer license tag applicants may apply for any premium or restricted deer hunt tag remaining on August 2 regardless of whether or not they have been issued a premium or restricted hunt as a second-deer license tag. Applicants may apply through the department's Automated License Data System terminals at any department license agent or department license sales office beginning at 8:00 a.m. on August 2 each year. Premium deer hunt tags remaining on August 2 shall be issued upon request until the tag quota for the hunt is filled.

(2) Second-Deer License Tag Applicant or Second-Deer License Tag Drawing

Applicants:

(a) Second-deer license tag applicants may apply for any unrestricted deer hunt tag. Tags shall be issued upon request to second-deer license tag applicants until the tag quota for the hunt is filled.

(b) Second-deer license tag applicants may apply for any restricted deer hunt tag provided they have not been issued a premium or restricted hunt as a first-deer license tag and they do not have a pending drawing application. Tags shall be issued upon request to second-deer license tag applicants until the tag quota for the hunt is filled.

(c) Any second-deer license tag applicant may apply for any premium or restricted deer hunt tag remaining on August 2 each year. Applicants may apply through the department's Automated License Data System terminals at any department license agent or department license sales office beginning at 8:00 a.m. on August 2 each year. Restricted deer hunt tags remaining on August 2 each year shall be issued upon request to second-deer license tag applicants until the tag quota for the hunt is filled.

(d) Any applicant that is less than 12 years of age as of July 1 of the license year for which they are applying, who has not used a first-deer license tag drawing application to apply for an additional apprentice hunt, may use a second-deer license tag drawing application to apply for an additional apprentice hunt tag issued by drawing as specified in sections 708.1 and 708.14. An apprentice hunter may not submit more than one application for additional apprentice hunts.

(e) No person shall submit more than one first-deer license tag application and one second-deer license tag application to the department during any one license year. Any person in violation of this subsection may be denied deer license tags for the current and following license year.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4331, 4336, 4340, and 10502, Fish and Game Code. Reference: Sections 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 713, 1050, 1570, 1571, 1572, 3950, 4330, 4331, 4332, 4333, 4340, 10500 and 10502, Fish and Game Code.

Section 708.4, Title 14, CCR, is added as follows:

§708.4. Deer License Tag Exchange Fee

The department shall not exchange any deer license tag for a different zone or hunt after the tag quota for the original tag zone or hunt fills for the season. The department shall not exchange a tag if the earliest season (either archery or general) for the tag being exchanged has opened. The department shall charge a nonrefundable processing fee, as specified in Section 702, for exchanging a deer license tag for a different zone or

hunt. Applicants may apply at any department license sales office to exchange a deer license tag.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4331, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 713, 1050, 1570, 1571, 1572, 3950, 4330, 4331, 4332, 4333, 10500 and 10502, Fish and Game Code.

Section 708.5, Title 14, CCR, is added as follows:

§708.5. Deer Tagging and Reporting Requirements

(a) Upon the killing of any deer the tag holder shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches

or punch holes for the month and date of the kill .The deer license tag shall be attached to the antlers of an antlered deer or to the ear of any other deer and kept attached during the open season and for 15 days thereafter. Except as otherwise provided, possession of any untagged deer shall be a violation. (Refer to Fish and Game Code, Section 4336).

(b)Every person to whom a deer license tag is issued shall return the completed report card portion to the department within thirty days of taking a deer.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4336, 4340, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 1050, 1570, 1571, 1572, 3950, 4336, 10500 and 10502, Fish and Game Code.

Section 708.6, Title 14, CCR, is added as follows:

§708.6. Tag Validation and Countersigning Requirements, and Transporting for the Purpose of

(a) Any person legally killing a deer in this state shall have the deer license tag validated and countersigned by a person authorized by the commission as described below before transporting such deer, except for the purpose of taking the deer to the nearest person authorized to countersign the license tag, on the route being followed from the point where the deer was taken (refer to Fish and Game Code, Section 4341).

(b) No person may validate or countersign his/her own tag.

(c) Deer and Elk Tags, Persons Authorized to Validate.

(1) The following persons are authorized to validate or countersign deer and elk tags:

(A) State:

1. Fish and Game Commissioners

2. Employees of the Department of Fish and Game, including Certified Hunter Education Instructors

3. Employees of the California Department of Forestry and Fire Protection

4. Supervising Plant Quarantine Inspectors

5. Junior, Intermediate and Senior Plant Quarantine Inspectors

(B) Federal:

1. Employees of the Bureau of Land Management

2. Employees of the United States Forest Service
3. Employees of the United States Fish & Wildlife Service
4. All Uniformed Personnel of the National Park Service
5. Commanding officers of any United States military installation or their designated personnel for deer taken on their reservation.
6. Postmasters & Post Office Station or Branch Manager for deer brought to their post office.

(C) Miscellaneous:

1. County firemen at and above the class of foreman for deer brought into their station.
2. Judges or Justices of all state and United States courts.
3. Notaries Public
4. Peace Officers (salaried & non-salaried)
5. Officers authorized to administer oaths
6. Owners, corporate officers, managers or operators of lockers or cold storage plants for deer brought to their place of business.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 332, 1050, 1570, 1571, 1572, 3950, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 10500 and 10502, Fish and Game Code.

Section 708.7, Title 14, CCR, is added as follows:

§708.7. Deer Head Retention Requirements and Production Upon Demand

Any person taking any deer in this state shall retain in their possession during the open season thereon and for 15 days thereafter, that portion of the head which in adult males normally bears the antlers, and shall produce the designated portion of the head upon the demand of any officer authorized to enforce the provisions of this regulation (refer to Fish and Game Code, Section 4302).

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4302, 4336, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 1570, 1571, 1572, 3950, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 10500 and 10502, Fish and Game Code.

Section 708.8, Title 14, CCR, is added as follows:

§708.8. Deer Violations, Tag Forfeiture

Any person who is convicted of a violation involving deer shall forfeit their current year deer license tags and no new deer license tags may be issued to that person during the then current hunting license year, and that person may not apply for a deer license tag or deer preference points for the following license year (refer to Fish and Game Code, Section 4340).

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 1050, 1570, 1571, 1572, 3950, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 10500 and 10502, Fish and Game Code.

Section 708.9, Title 14, CCR, is added as follows:

§Section 708.9. Bighorn Sheep License Tags, Application, Distribution and Reporting Procedures.

(a) Fund-raising Nelson bighorn ram license tags:

Fund-raising license tags for the taking of mature Nelson bighorn rams shall be sold for the purpose of raising funds to manage bighorn sheep. The department may designate a nonprofit organization to sell this fund-raising tag. The department may conduct a random drawing to distribute fund-raising tags. Any resident or nonresident is eligible to buy the tag. The sale price of a fund-raising license tag shall include the fee for processing and issuing an annual hunting license for the purchaser or any person designated by the purchaser. A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing an annual hunting license. The purchasers of fund-raising license tags shall complete a required hunter orientation program conducted by the department and meet the hunter education requirements for a hunting license. The fund-raising license tags are defined as follows:

(1) Open-zone fund-raising license tags: These fund-raising license tags are valid in any of the areas described in subsection 362(a).

(b) General Nelson bighorn ram license tags:

(1) The general Nelson bighorn ram license tags shall be issued by drawing, as described in Section 708.14.

(2) Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, through the department's Automated License Data System terminals any department license agent or department license sales office on or before June 2 each year.

(3) Applicants must be California residents or nonresidents, at least 16 years of age on or before July 1 of the license year for which they are applying

(4) Applicants shall possess an annual California hunting license that is valid during the bighorn ram season for which they are applying.

(5) Applicants shall not have been awarded a Nelson bighorn ram license tag in the department's big game drawing.

(6) Applicants shall apply for only one designated zone.

(7) No applicant shall submit more than one application per license year.

(8) Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the applicant will not earn a preference point.

(9) Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(10) Not more than one nonresident shall be selected to receive a general license tag each year.

(11) Unsuccessful applicants shall not be notified by mail. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant

shall submit the appropriate tag fee, as specified in Section 702, through the department's Automated License Data System terminals at the department's License and Revenue Branch. The tag fee shall be received by the department by 5:00 p.m. on July 15 each year. If the deadline to submit the fee falls on a weekend or holiday payment will be accepted until the close of business on the first state business day following the deadline to submit payment.

(12) Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Successful applicants shall be issued tags only after successfully completing the required hunter orientation program conducted by the department.

(c) Tagholder Responsibilities:

(1) Only persons possessing valid Nelson bighorn sheep license tags are entitled to hunt bighorn sheep. Tags shall not be transferable and are valid only in the zone or zones specified.

(2) Individuals awarded a fund-raising license tag and all successful applicants for general license tags shall attend and successfully complete a mandatory hunter orientation program. Licensed guides employed by successful applicants and the fund-raising license tag buyer shall accompany their clients to this orientation program.

(3) All successful bighorn sheep tag holders shall have their tags validated. All tags must be returned to the department within 10 days after the close of the season, even though the tagholder may not have killed a Nelson bighorn ram.

(4) Upon the killing of any bighorn sheep, the tag holder shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. License tags must be attached to the carcass of a bighorn ram immediately after the animal is killed.

(5) All tag holders will be notified by mail as to whether they will be required to report to the department before hunting and upon completion of hunting. The notification shall contain procedures for reporting, including appropriate methods of contacting the department.

(6) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:

(A) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission.

(B) Any act on the part of the tagholder which endangers the person or property of others. The decision of the department in such respects shall be final and binding upon the tagholder.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4902, 10500 and 10502, Fish and Game Code.

Section 708.10, Title14, CCR, is added as follows:

§Section 708.10. Pronghorn Antelope License Tags, Application, Distribution and Reporting Procedures.

(a) Fund-raising buck pronghorn antelope license tags:

Fund-raising license tags for the taking of buck pronghorn antelope shall be offered for sale for the purpose of raising funds for the management of pronghorn antelope. The department may conduct a random drawing to distribute fund-raising tags. Any resident or nonresident is eligible to buy one of the fund-raising license tags. The sale price of a fund-raising license tag includes the fee for processing and issuing an annual hunting license for the purchaser or any person designated by the purchaser. A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing a hunting license. The purchasers shall be issued the fund-raising license tag only after meeting the hunter education requirements for a hunting license.

(b) Distribution of pronghorn antelope license tags:

(1) Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, through the department's Automated License Data System terminals at any department license agent or department license sales office on or before June 2 each year.

(2) Applicants shall be California residents or nonresidents, at least 12 years of age on or before July 1 of the license year for which they are applying. Applicants for the apprentice pronghorn antelope hunts must be less than 16 years of age as of July 1 of the license year for which they are applying. Applicants shall possess an annual California hunting license that is valid during the pronghorn antelope season for which they are applying.

(3) Up to two residents may apply together as a party. Nonresidents may not apply as a party.

(4) Applicants shall apply for only one designated zone pursuant to Section 363.

(5) No applicant shall submit more than one application per license year for a pronghorn antelope license tag.

(6) Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the applicant will not earn a preference point.

(7) Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(8) Not more than one nonresident shall be selected to receive a general license tag each year.

(9) Unsuccessful applicants shall not be notified by mail. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, as specified in Section 702, through the department's Automated License Data System terminals at any department license sales office. The tag fee shall be received by the department by 5:00 p.m. on July 15 each year. If the deadline to submit the fee falls on a weekend or holiday payment will be accepted until the close of business on the first state business day following the deadline to submit payment.

(10) Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that zone, on an individual basis, in the order drawn.

(c) Tagholder Responsibilities:

(1) Only persons possessing valid pronghorn antelope license tags are entitled to hunt pronghorn antelope. Tags shall not be transferable and are valid only in the area, season, and period specified on the tag.

(B) All tag holders must return the report card portion of their license tag to the department within one week after the close of the pronghorn antelope season, even though the tagholder may not have killed a pronghorn antelope.

(C) The holder of a pronghorn antelope license tag, after killing a pronghorn antelope, shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The tag portion shall be immediately attached to a horn of buck pronghorn antelope or to an ear of doe pronghorn antelope and kept attached for 15 days after the close of the open season.

(D) The tagholder shall surrender his license tag to an employee of the department for any of the following reasons:

1. Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of this commission.

2. Any act on the part of the tagholder which endangers the person or property of others. The decision of the department in such respects shall be final and binding upon the tagholder.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 1050, 1572, 4302, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203.1, 207, 210, 215, 219, 220, 331, 713, 1050, 1570, 1571, 1572, 3950, 10500 and 10502, Fish and Game Code.

Section 708.11, Title14, CCR, is added as follows:

§Section 708.11. Elk License Tags, Application, Distribution and Reporting Procedures.

(a) Fund-raising elk license tags:

(1) Three fund-raising license tags for the taking of elk bulls shall be offered for sale to raise funds for the management of elk. The department may designate a nonprofit organization or organizations to sell the fund-raising tags. The department may conduct a random drawing to distribute fund-raising tags. Any resident or nonresident is eligible to buy one of the license tags. The sale price of a fund-raising license tag includes the fee for processing and issuing an annual hunting license for the purchaser or any person designated by the purchaser . A fund-raising license tag distributed through a department random drawing does not include the fee for processing and issuing a hunting license. The purchasers of fund-raising tags shall complete required hunter orientation programs conducted by the department and meet the hunter education requirements for a hunting license.

(b) Distribution of elk license tags

(1) Applicants shall submit the application with a nonrefundable processing fee, as specified in Section 702, through the department's Automated License Data System terminals at any department license agent or department license sales office on or before June 2 each year.

(2) Applicants shall be California residents or nonresidents, at least 12 years of age on or before July 1 of the license year for which they are applying. Applicants for the apprentice elk hunts must be less than 16 years of age as of July 1 of the license year for which they are applying. Applicants shall possess an annual California hunting license that is valid during the elk season for which they are applying.

(3) Up to two residents may apply together as a party. Nonresidents may not apply as a party.

(4) Applicants shall apply for only one designated zone pursuant to Section 364.

(5) No applicant shall submit more than one application per license year for an elk license tag.

(6) Incomplete, late and ineligible applications and applications submitted without the appropriate processing fee will not be included in the drawing and the applicant will not earn a preference point.

(7) Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(8) Not more than one nonresident shall be selected to receive a general license tag each year.

(9) Unsuccessful applicants shall not be notified by mail. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, as specified in Section 702, through the department's Automated License Data System terminals at any department license sales office. The tag fee shall be received by the department by 5:00 p.m. on July 15 each year. If the deadline to submit the fee falls on a weekend or holiday payment will be accepted until the close of business on the first state business day following the deadline to submit payment.

(10) Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that zone, on an individual basis, in the order drawn.

(c) Tagholder Responsibilities:

(1) All tag holders must return their license tags to the department within one week after the close of the elk season, even though the tagholder may not have killed an elk.

(2) Upon the killing of any elk, the tag holder shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. License tags must be attached to the antler of an antlered elk, or to the ear of antlerless elk immediately after killing.

(3) Persons authorized to validate or countersign elk tags are listed in subsection 708.6(c). Elk tags must be countersigned before transporting such elk, except for the purpose of taking it to the nearest person authorized to countersign the license tag on the route being followed from the point where the elk is taken.

(4) Only persons possessing valid elk license tags are entitled to take elk. Tags are not transferable and are valid only for the area and period specified.

(5) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:

(A) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission made pursuant thereto.

(B) Any act on the part of the tagholder which endangers the person or property of others. The decision of the department shall be final.

(d) Elk may be taken on Santa Rosa Island pursuant to a permit issued by the department. For methods of take, see sections 353 and 354.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 332, 1050, 1572, and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 10500 and 10502, Fish and Game Code.

Section 708.12, Title 14, CCR, is added as follows:

§Section 708.12. Bear License Tags

(a) Bear License Tags:

(1) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tags shall be available to the public through the department's Automated License Data System terminals at any department license agent or department license sales office.

(2) The department shall require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag.

(3) The department shall charge a nonrefundable processing fee, as specified in Section 702, for each bear license tag.

(4) Applicants may purchase only one bear license tag during any one license year. Any person who purchases more than one bear license tag may be denied bear license tags for the current license year.

(5) Upon the killing of any bear, that person shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The bear license tag shall be attached to the ear of the bear and kept attached during the open season and for 15 days thereafter.

(b) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.

(c) Use of Dogs: Any holder of a bear license tag who utilizes dogs to take bear shall so indicate on his bear license tag in the space provided.

(d) Validation of Bear Tags:

Only department employees may validate bear license tags (This provision supersedes section 4755 of the Fish and Game Code). Bear license tags must be countersigned before transporting such bear except for the purpose of taking it to the nearest person authorized to countersign the license tag, on the route being followed from the point where the bear is taken.

(e) Return of Bear License Tags:

(1) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in (d) above. The

tag may be presented to a department office/officer or returned through the United States Mail.

(2) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 713, 1050, 1570, 1571, 1572, 3950, 4750, 4751, 4752, 4753, 4754, 4755, 4756, 10500 and 10502, Fish and Game Code.

Section 708.13, Title 14, CCR, is added as follows:

§Section 708.13. Wild Pig License Tags

(a) Any person, 12 years of age or older, who possesses a valid annual California hunting license may procure wild pig license tags as specified in Section 4654 of the Fish and Game Code through the department's Automated License Data System terminals at any department license agent or department license sales office.

(b) Wild pig license tags are valid only during that portion of the current hunting license year in which wild pigs may be legally harvested as provided in subsection 368(a).

(c) Any person hunting wild pigs shall carry a wild pig license tag while hunting wild pigs. Upon the killing of any pig, the tag holder shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The pig license tag shall be attached to the carcass of the wild pig. The report card portion shall be immediately returned to the department.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4331, and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 1050, 1570, 1571, 1572, 3950, 4652, 4653, 4654, 4655, 4657, 10500 and 10502, Fish and Game Code.

Section 708.14, Title 14, CCR, is added as follows:

§Section 708.14. Big Game License Tag Drawing System

(a) General Conditions

(1) Except as otherwise provided, the department shall award license tags for premium deer, bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360(b) and (c), 361, 362, 364 and 363, using a Modified-Preference Point drawing system.

(2) Except as otherwise provided, the Modified-Preference Point drawing system shall award proportions of hunt tag quotas, as specified for each species, using the following drawing methods:

(A) Preference Point Drawings. Tags are awarded based on the following order of priority: an applicant's hunt choice (first choice only for deer), accumulated point totals by species (highest to lowest), and computer-generated random number (lowest to highest).

(B) Draw-By-Choice Drawings. Tags are awarded according to an applicant's hunt choice and computer-generated random number (lowest to highest), without consideration of accumulated points.

(3) Except as otherwise provided, applicants unsuccessful in receiving a tag for premium deer (based on first choice selection), bighorn sheep, elk or pronghorn antelope hunts shall earn one (1) preference point for use in future Big Game Drawings.

(4) To earn and accumulate a point for any species, a person must comply with all application requirements for that species as specified in sections 708.1, 708.9, 708.10 and 708.11 including the following conditions:

(A) Applicants for premium deer license tags, pronghorn antelope license tags, or elk license tags must be at least 12 years of age on or before July 1 of the license year for which they are applying.

(B) Applicants for Nelson big horn sheep license tags shall be at least 16 years of age on or before July 1 of the license year for which they are applying.

(C) Applicants must possess a valid annual California hunting license valid for the hunting season requested.

(D) Applications for bighorn sheep, pronghorn antelope and elk hunts must include the appropriate nonrefundable processing fees as specified in Section 702.

(E) Any applicant may submit drawing applications through the department's Automated License Data System terminals at department license agents and department license sales offices. Applications shall be submitted by June 2 each year.

(F) Each applicant who submits drawing applications through the department's Automated License Data System terminals at department license agents and department license sales offices shall receive a "big game drawing receipt" printed from the terminal. The receipt shall contain the customer's name and permanent identification number, proof of entry into the big game drawing for the license year, hunt choices for each species, accumulated preference points for each species, and Party Identification Number.

(G) Except for apprentice deer hunt applicants, applicants shall not submit more than one drawing application for each species during the same license year.

(b) Party Applications, Residency

(1) No more than six persons shall apply together as a party for premium deer license tags. Applicants for premium deer license tags may be residents or nonresidents.

(2) No more than two residents shall apply together as a party for elk license tags. Nonresidents shall not apply as a party for elk license tags.

(3) No more than two residents shall apply together as a party for pronghorn antelope license tags. Nonresidents shall not apply as a party for pronghorn antelope license tags.

(4) Applicants shall not apply as a party for bighorn sheep license tags.

(5) Each year upon application, each applicant shall specify if the applicant is applying as an individual, a party leader or joining an existing party.

(6) Applicants applying as an individual or as a party leader shall be assigned a Party Identification Number from the department's Automated License Data System terminal at the time of application each year. Applicants shall be assigned a Party Identification Number for each species.

- (7) To apply as a party, the party leader shall apply first and provide his/her assigned Party Identification Number to the other party members.
- (8) Applicants joining an existing party shall provide the Party Identification Number of the party leader when he/she applies to join the party.
- (9) Applicants joining a party shall be assigned the same tag choices in the same order of preference as the party leader.
- (10) All party members shall be awarded tags according to the choices selected by the party leader.
- (c) No applicant shall earn more than one (1) preference point per species, per drawing, for use in future drawings. Preference points are accumulated by species and shall not be transferred to another species or another person. Preference points are not zone or hunt specific.
- (d) Except as otherwise provided, successful applicants receiving tags for their first choice premium deer, bighorn sheep, elk or pronghorn antelope hunts shall lose all preference points for that species.
- (e) For party applications, the department shall use the average preference point value of all party members (total preference points for the party divided by number of party members) as the basis for consideration in the drawing for that species. Point averages shall not be rounded.
- (f) Except as otherwise provided, persons who do not wish to apply for an antelope, elk, bighorn sheep or premium deer tags, may earn one (1) preference point for any or all of these species, by submitting the appropriate application(s), as specified in sections 708.1, 708.9, 708.10 and 708.11, and selecting the point code number for that species, as defined by the department, as the hunt choice (first choice only for deer) through the department's Automated License Data System terminals at any department license agent or department license sales office. Persons applying for a preference point in this manner shall be subject to the same application requirements as regular drawing applicants as specified in subsection 708.14.
- (g) The department shall maintain records of preference points earned by individual applicants based on the identification number assigned to each customer by the department's Automated License Data System. The customer's identification number, Get Outdoors ID (GO ID) will be printed on each drawing receipt issued by the Automated License Data System. Applicants shall notify the department's License and Revenue Branch in Sacramento in writing, of any changes or corrections regarding name, mailing address, or date of birth.
- (h) Persons not applying for premium deer, bighorn sheep, elk, or pronghorn antelope hunts through the department's Big Game Drawings for five (5) consecutive years shall have their preference points for that species reduced to zero (0). For the purposes of this subsection, persons whose applications are disqualified from drawing shall be considered the same as persons not applying. Applying for preference points as described in (f) above, will keep an applicant's file active.
- (i) Any person may appeal incomplete, late and ineligible applications or applications submitted without the appropriate processing fee that were not included in the department's big game drawing and the hunter did not earn a preference point. The appeal must be in writing and describe the basis for the appeal. The appeal shall be received by the department's License and Revenue Branch in Sacramento, or if mailed,

postmarked on or before May 31 of the following year. The department, upon consideration of the appeal, may grant the appeal and award one preference point to the appellant. If the department grants the appeal for a preference point, the appellant shall pay all the applicable fees. The department shall not award a preference point unless the appellant pays all the applicable fees.

(j) Any applicant who was drawn for the applicant's first deer tag choice in the big game drawing and can not hunt for any reason may submit a written request to retain the accumulated preference point total and earn one preference point for deer for that year. Applicants must return the tag to the department's License and Revenue Branch before the season starts for which the tag is valid for the department to consider the request. If the request is granted the applicant shall retain the preference point total the applicant accumulated prior to the big game drawing and earn one preference point for deer. The department shall not refund the fees paid for a resident deer tag application. The department may refund the difference between the fee paid for a nonresident deer tag application and a resident deer tag application for any nonresident.

(k) Any applicant who was awarded an elk, antelope, or big horn sheep tag in the big game drawing and can not hunt for any reason may submit a written request to retain the accumulated preference point total and earn one preference point for elk, antelope or big horn sheep for that year. Applicants must return the tag to the department's License and Revenue Branch before the season starts for which the tag is valid for the department to consider the request. The applicant shall submit the nonrefundable processing fee specified in Section 702 with the request. If the request is granted the applicant shall retain the preference point total the applicant accumulated prior to the big game drawing and earn one preference point for elk, antelope or big horn sheep. The department may refund the tag fee.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4902, 10500 and 10502, Fish and Game Code.

Section 708.15, Title 14, CCR, is added as follows:

§Section 708.15. Tag Quotas for Big Game License Tags Issued in Annual Drawing

(a) Premium Deer Hunts

(1) Except for apprentice deer hunt applicants, as specified in Section 708.2, persons must use a first-deer tag application to apply for premium deer hunts through the department's Big Game Drawing.

(2) Party deer tag drawing applications for premium deer hunts shall not be split to meet the tag quota if the number of party members exceeds the number of available tags. Party applications which exceed the number of available tags shall be bypassed until the tag quota is reached.

(3) License tags for premium deer hunts (except apprentice deer hunts) shall be awarded based on the following:

(A) Ninety percent (90%) of the individual zone or hunt tag quota shall be awarded using a Preference Point drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next higher whole number.

(B) Ten percent (10%) of the individual zone or hunt tag quota shall be awarded using a Draw-By-Choice drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next lower whole number.

(C) For zones or hunts with quotas less than ten (10) tags, one (1) tag shall be awarded using a Draw-By-Choice drawing. Remaining tags shall be awarded using a Preference Point drawing.

(D) Tags awarded to applicants for second or third choice zones or hunts shall be through a Draw-By-Choice drawing and shall not result in loss of accumulated points.

(E) License tags for apprentice deer hunts (J Hunts) as described in subsection 360(c) shall be awarded based on the following:

1. Fifty percent (50%) of the hunt tag quota shall be awarded through a Preference Point drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next higher whole number.

2. Fifty percent (50%) of the hunt tag quota shall be awarded through a Draw-By-Choice drawing. Tag quota splits resulting in decimal fractions of a tag shall be rounded to the next lower whole number.

(F) An apprentice hunter applying for premium deer hunts (X zones, Area-specific archery hunts, and additional hunts) on a first-deer tag application and a second-deer tag application shall:

1. Receive a point only if he/she is unsuccessful in the big game drawing with his/her first choice on both applications.

2. Lose all preference points for deer if he/she receives his/her first choice on either application.

(b) Bighorn Sheep Hunts

(1) Successful bighorn sheep tag applicants shall be determined as follows, based on tag quotas for each hunt.

(A) For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.

(B) For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(C) For quotas of three, two tags shall be awarded using a Preference Point Drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(D) For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.

(2) Alternates shall be selected for each hunt using a Preference Point Drawing. Alternate selection shall be limited to resident applicants.

(c) Elk Hunts

(1) Successful elk tag applicants shall be determined as follows, based on tag quotas for each hunt or hunt period.

(A) For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.

(B) For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(C) For quotas of three, two tags shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(D) For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.

(2) Party applications drawn for the last tag available through the Preference Point drawing for a hunt will be split and the party leader (first of the party members to apply) shall be awarded the elk license tag. The party member shall become the first alternate for that hunt. Party applications shall not be split to fill the last tag available through the Draw-By-Choice drawing. In the event only one elk license tag is available to an alternate, party applications will be split and the alternate tag shall be awarded to the party leader.

(3) Alternates shall be selected for each hunt or hunt period using a Preference Point drawing. Alternate selection shall be limited to resident applicants.

(d) Pronghorn Antelope Hunts

(1) Successful pronghorn antelope tag applicants shall be determined as follows, based on tag quotas for each hunt or hunt period.

(A) For quotas of one, the tag shall be awarded using a Draw-By-Choice drawing.

(B) For quotas of two, one tag shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(C) For quotas of three, two tags shall be awarded using a Preference Point drawing, and one tag shall be awarded using a Draw-By-Choice drawing.

(D) For quotas of four or more, seventy-five percent (75%) of the quota shall be awarded using a Preference Point drawing. Any resulting fractional tag shall be rounded to the next higher whole number. The remaining portion of the quota shall be awarded using a Draw-By-Choice drawing.

(2) Party applications drawn for the last tag available through the Preference Point drawing for a hunt will be split and the party leader (first of the party members to apply) shall be awarded the pronghorn antelope license tag. The party member shall become the first alternate for that hunt. Party applications shall not be split to fill the last tag available through the Draw-By-Choice drawing. In the event only one pronghorn antelope license tag is available to an alternate, party applications will be split and the alternate tag shall be awarded to the party leader.

(3) Alternates shall be selected for each hunt or hunt period using a Preference Point drawing. Alternate selection shall be limited to resident applicants.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330-4333, 4336, 4340, 4341, 4902, 10500 and 10502, Fish and Game Code.

Section 708.16, Title 14, CCR, is added as follows:

§Section 708.16. Fund-raising Big Game License Tags, Random Drawing

(a) General Conditions

(1) Commencing January 1, 2011, except as otherwise provided, the department may award license tags for fund-raising hunts for deer, bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360(b) and (c), 361, 362, 363, and 364, using a random drawing system.

(A) Applicants for a deer, elk, or antelope license tag must be 12 years of age on or before July 1 of the license year for which they are applying.

(B) Applicants for a big horn sheep license tag must be 16 years of age on or before July 1 of the license year for which they are applying.

(C) Applications for deer, bighorn sheep, pronghorn antelope and elk hunts must include the appropriate nonrefundable fee in Section 702.

(D) Applicants may apply through the department's Automated License Data System terminals at any department license agent or department license sales office on or before June 2 each year.

(E) Any resident or nonresident applicant may submit one or more fund-raising tag random drawing applications for each species during the same license year.

(F) No applicant shall earn a preference point in any fund-raising tag random drawings.

(G) Accumulated preference points shall not be considered in any of the fund-raising tag random drawings.

(H) Fund-raising tags shall not be transferred to another person.

(I) Successful applicants and a list of alternates for each fund-raising license tag will be determined by drawing within 10 business days following the application deadline date.

If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(J) Unsuccessful applicants shall not be notified by mail.

(K) Successful applicants will be mailed notification as soon as practical.

(L) Upon receipt of the notification, the applicant shall claim the tag at the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834 by 5:00 p.m. on July 15 each year. If the deadline to claim the tag falls on a weekend or holiday the applicant can claim the tag until the close of business on the first state business day following the deadline. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that license tag in the order drawn.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4756, 4902, 10500 and 10502, Fish and Game Code.

Section 708.17, Title 14, CCR, is added to read:

§Section 708.17. Replacement Procedures for Lost Big Game License Tags

(a) Not more than one replacement license tag for each deer, bear, elk, pronghorn antelope, or bighorn sheep license tag issued to any tag holder shall be replaced each year. If the tagholder loses any big game license tag, it shall be replaced only by following the procedures below:

(1) The tag holder shall provide all of the following to any department license sales office:

(A) An affidavit, specified in Section 702, signed under penalty of perjury by the tag holder, containing the following information:

1. A statement confirming that the originally issued big game license tag cannot be recovered.

2. A statement describing the factual circumstances surrounding the loss of the big game license tag.

(B) Payment of the Replacement Big Game License Tag Fee specified in Section 702, established pursuant to subdivision 1053(b) of the Fish and Game Code, and as adjusted pursuant to Sections 713 and 1055 of the Fish and Game Code.

(C) Payment of the Replacement Processing Fee specified in Section 702, established pursuant to subdivision 1050(e) of the Fish and Game Code.

Note: Authority cited: Sections 200, 202, 205, 240, 1050, 1053, 1055, 1055.1 and, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 240, 331, 332, 713, 1050, 1053, 1055, 1055.1, 4332, and 4902, Fish and Game Code.

Subsection (a)(2) of Section 711, Title14, CCR, is amended as follows:

§711. Cold Storage/Frozen Food Locker Plant Records.

(a) Any person operating a cold storage plant or frozen food locker plant where game birds or game mammals, or parts thereof, taken pursuant to a hunting license are processed, preserved or stored, shall prepare and maintain the following records:

(1) name and address of residency of the individual who delivers the game bird or game mammal to the facility;

(2) name, address of residency and the identification number issued from the department's Automated License Data System terminal, the Get Outdoors ID (GO ID) or the hunting license number, and tag number if applicable, of the individual who took the game bird or game mammal;

(3) location of kill -State _____ County _____ Deer Zone or Special Hunt Number _____;

(4) species; and

(5) date received.

Note: Authority cited: Section 200, Fish and Game Code. Reference: Sections 200 and 3086, Fish and Game Code.