

NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2015-0414-DIN	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2015 APR 14 AM 11:59
OFFICE OF ADMINISTRATIVE LAW

ENDORSED - FILED

In the office of the Secretary of State of the State of California

MAY 21 2015

2:16 PM

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Junior Hunt Conformance	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND 708.3, 708.10, 708.11
TITLE(S) 14	REPEAL

3. TYPE OF FILING	<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only
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4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify) *operative July 1, 2015*

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) _____

7. CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER (916) 653-4899	FAX NUMBER (Optional) (916) 653-5040	E-MAIL ADDRESS (Optional) jon.snellstrom@fgc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Sonke Mastrup</i>	DATE April 14, 2015
TYPED NAME AND TITLE OF SIGNATORY Sonke Mastrup, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 21 2015

Office of Administrative Law

REGULATORY TEXT

Section 708.3, Title 14, CCR, is amended 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)~~ (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)~~ (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)~~ (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)~~-(D) Any applicant ~~less than 16 years of age as of July 1 of~~ who holds a junior hunting license for 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)~~-(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, 3031, 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, 3031, 3950, 4330, 4331, 4332, 4333, 4340, 10500 and 10502, Fish and Game Code.

REGULATORY TEXT

Section 708.10, Title 14, CCR, is amended as follows:

§ 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 apply, and pay 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 shall be ~~less than 16 years of age as of July 1 of~~ hold a junior hunting license for 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)~~(A) All tag holders shall 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)~~(B) The holder of a pronghorn antelope license tag, after killing a pronghorn antelope, shall immediately fill out all portions of the tag including the report card 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)~~(C) 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, 3031, 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, 3031, 3950, 10500 and 10502, Fish and Game Code.

REGULATORY TEXT

Section 708.11, Title 14, CCR, is amended as follows:

§ 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 apply, and pay 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 shall be less than 16 years of age as of July 1 of hold a junior hunting license for 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.

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[Subsections (c) and (d) remain unchanged]

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 332, 1050, 1572, 3031 and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 332, 713, 1050, 1570, 1571, 1572, 3031, 3950, 3951, 10500 and 10502, Fish and Game Code.