

Attachment A Explanatory Statement

Subject: Section 100, Title 1, CCR, changes to amend Title 14, sections 708.3, 708.10, and 708.11, Junior Hunting License, conforming to Section 3031, Fish and Game Code

The changes to the subject regulations do not materially alter any requirement, right responsibility, condition, prescription, or other regulatory element of any CCR provision including:

1. The renumbering of the regulatory provisions in subsections 708.3(a)(2)(A) through (E) and subsections 708.10(c)(1)(A) through (C) is proposed because the sequencing in the adopted text is not in the correct order. The changes conform the numbering to the regulatory standard and add clarity.
2. Changing certain regulatory text is proposed in the subject regulations from specifying “less than 16 years of age as of July 1” to “hold a junior hunting license.” These changes are necessary to make the subject regulations consistent with the change in statute found in Section 3031, Fish and Game Code (AB 1709, 2014, Frazier).
 - a. Prior to the change in statute, Section 3031 read in subsection (a)(2) “*A resident or nonresident, who is under 16 years of age on July 1 of the licensing year, upon the payment of a base fee of eight dollars and twenty-five cents (\$8.25), regardless of whether that person applies before or after July 1 of that year.*”
 - b. Following the change in statute, Section 3031 now reads in subsection (a)(2) “*A resident or nonresident, who is under 18 years of age on July 1 of the licensing year, upon the payment of a base fee of eight dollars and twenty-five cents (\$8.25), regardless of whether that person applies before or after July 1 of that year. A license issued pursuant to this paragraph shall be known as a junior hunting license.”*
 - c. The final phrase added to the subsection emphasizes the point that the intended result was a “junior hunting license” for youths up to age 18 with whatever entitlements might be attributed to that license.
 - d. The term “junior hunting license” is used throughout the hunting regulations in Title 14. The following seventeen hunting regulations contain that term and are therefore consistent with the changes in Section 3031:

300(a)(1)(B)1.d.	364(e)(5)(D)
313	364(e)(6)(D)2.
363(g)(5)	364(e)(7)(E)3.
363(i)(5)	364(j)(2)(E)4.
363(j)(5)	510

364(e)(1)(D)	550.5(c)(8)
364(e)(2)(D)	677(b)(1)
364(e)(3)(D)2.	708.2(a)(2)
364(e)(4)(D)2.	

- e. In only three other subsections (708.3(d), 708.10(b)(2), and 708.11(b)(2)) do the regulations depart from the use of the term “*junior hunting license*” instead using the words “*less than 16 years of age as of July 1.*” This coincides with the prior wording used in Section 3031 “*under 16 years of age on July 1.*”
- f. The existing provisions of subsections 708.3(d), 708.10(b)(2), and 708.11(b)(2) are inconsistent with and have been superseded by the changed statute. Changing the provisions in 708.3(d), 708.10(b)(2), and 708.11(b)(2) is needed to make the regulations consistent with the changed statute, conform to the term commonly used elsewhere in the regulations, and add clarity to hunt eligibility requirements for junior hunters.
- g. The authority and reference citations for these sections are proposed for revision to include Section 3031 of the Fish and Game Code.
- h. The Fish and Game Commission, as the adopting agency, has no discretion to adopt a change to the regulations which differs in substance from the changes proposed herein which conform the regulations to the purpose and meaning of the statute.
- i. A full rulemaking will not produce a different result and will only add delay to the full implementation of Section 3031, prohibiting junior hunters from participating in otherwise eligible activities.