

Chapter 2 of Subdivision 3, of Division 1, Title 14, California Code of Regulations is renamed:

Chapter 2. Commission Business Practices and Procedures

Section 662, Title 14, California Code of Regulations, is added to read:

§662. Petitions for Regulation Change.

The following rules and procedures govern the submission and review of petitions for adding, amending, or repealing regulations under the authority of the commission:

- (a) Petition Requirement. Except for the department, every person or agency recommending that a regulation be added, amended, or repealed must submit a petition to the commission using the authorized petition form (PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE, FGC 1 (New 10/23/14), which is incorporated by reference herein), available at www.fgc.ca.gov.
- (b) Staff Review of Petition: A petition will be rejected by commission staff if it is not submitted on form FGC 1 (New 10/23/14), if it fails to contain necessary information in each of the categories listed on FGC 1, if it does not pertain to regulations under the commission's authority, or if ~~a similar~~ any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no ~~new~~ information or data is being submitted beyond what was previously submitted. A rejected petition will be returned to the petitioner by the commission staff within 10 working days of receipt.
- (c) Commission Receipt of Petition and Transmittal of Petition to the Department: A complete petition will be scheduled for receipt at the next available commission meeting and may be forwarded to the department for initial evaluation.
- (d) Commission Action on Petition: The petition will be scheduled for consideration at the next available commission meeting after the meeting of receipt as identified in subsection (c). The commission will consider the petition, the commission staff's recommendation, department's initial evaluation, if any, and any oral or written public comments received, and may take one or more of the following actions:
 - (1) If the commission finds that the petition does not provide sufficient information to indicate that the petitioned change may be warranted, the commission may reject the petition.
 - (2) If the commission finds that the petition provides sufficient information to indicate that the petitioned change may be warranted, the commission may accept the petition for further consideration and direct one or more of the following actions:
 - (A) Add the petitioned change to its rulemaking schedule. Further proceedings of the commission on the petitioned change will be held in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).
 - (B) Refer the petitioned change to one of the commission's committees to gather additional public input and for a committee evaluation and recommendation pursuant to sections 105 and 106 of the Fish and Game Code.

(C) Refer the petitioned change to the department for further evaluation and recommendation.

(e) A petition referred to a committee pursuant to subsection (d)(2)(B) or to the department pursuant to subsection (d)(2)(C) will be reconsidered pursuant to subsection (d) once the evaluation and recommendation has been received from the committee or department.

Note: Authority: Section 108, Fish and Game Code. Reference: Sections 108 and 207, Fish and Game Code; Sections 11340.6 and 11340.7, Government Code.