

ATTACHMENT A

Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions		
Commenter/date	Comment	Response
C.D. Michel, on behalf of National Rifle Association, email received 11/20/2014	1.a. Generally supports the proposed regulation.	1.a. Comment noted.
	1.b. Require the publication of petitions and staff recommendations in the current agenda, or other format, prior to the expiration of the comment period.	<p>1.b. Reject: This comment is outside the scope of the proposed regulation outlining the process under which petitions for regulatory changes will be evaluated and scheduled for receipt and Commission action, and a requirement for the use of a form for submitting regulation change proposals. The Commission may be considering meeting procedures, including meeting deadlines and posting of meeting materials, in a future rulemaking file.</p> <p>If the Commission finds there is sufficient information to indicate that the petitioned change may be warranted, interested parties may provide comments during the minimum 45-day comment period pursuant to the Administrative Procedure Act.</p>
	1.c. Amend subsection (c) to substitute the word “available” with “scheduled”.	1.c. Reject: The proposed amendment is infeasible as it would require items to be added to the agenda at any time up to the beginning of the meeting, potentially in violation of the Bagley-Keene Open Meeting Act. Staff is unable to monitor mail, fax and email when on travel status. In addition the proposed amendment could result in regulatory petitions being added to the agenda of special hearings.
	1.d. Amend subsection (d) to substitute the word “available” with “scheduled”.	1.d. Reject: See response 1.c..
	1.e. Amend subsection (d) to add “commission” before the word “meeting” in the phrase “after the next available meeting”.	1.e. Accept in part: The proposed text does not include the phrase “after the next available meeting”. The proposed regulation is revised to add the word “commission” in the phrase “at the next available meeting”.

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	1.f. There should be deadlines for action once the Commission has accepted a petition for further consideration.	1.f. Reject: The Administrative Procedure Act allows an agency up to one year from the date of notice to complete a rulemaking.
	1.g. There should be established time periods by which the Commission must report the status of pending petitions; e.g. at every Commission meeting, there should be an update on them.	1.g. The provision for referring a regulatory petition to the Department or to a committee was removed from the proposed regulation.
	1.h. The proposed regulation should also apply to petitions for non-regulatory amendments.	1.h. Reject: This recommendation is outside the scope of the proposed regulation. A process under which petitions for non-regulatory changes will be evaluated and scheduled for receipt and Commission action may be considered in a future rulemaking.
Kathy Lynch, on behalf Safari Club International, received at 12/3/2014 meeting	2.a. Generally supports the proposed regulation.	2.a. Comment noted.
	2.b. Subsection (b) provides that Commission staff may reject a petition if a similar regulation change was considered within the previous 12 months and no new information or data is being submitted beyond what was previously submitted. The term “similar” could be interpreted to mean anything from an identical petition to one that simply addresses issues concerning a particular species.	2.b. Accept: The proposed regulation has been revised from “a similar regulation change” to “any petition requesting a functionally equivalent regulation change”; however, this regulatory text has been moved from subsection (b) concerning staff rejection of a petition to subsection (d) concerning Commission denial of a petition.

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	<p>2.c. Subsection (b) provides that Commission staff may reject a petition if a similar regulation change was considered within the previous 12 months and no new information or data is being submitted beyond what was previously submitted. The proposed regulation is unclear as to whether the Commission will reject a petition from an individual or group, simply because a different individual or group has unsuccessfully petitioned the Commission on a similar matter within the preceding 12 months.</p>	<p>2.c. Accept: The proposed regulation has been revised from “a similar regulation change” to “any petition requesting a functionally equivalent regulation change”; however, this regulatory text has been moved from subsection (b) concerning staff rejection of a petition to subsection (d) concerning Commission denial of a petition.</p>
	<p>2.d. Subsection (b) provides that Commission staff may reject a petition if a similar regulation change was considered within the previous 12 months and no new information or data is being submitted beyond what was previously submitted. The term “new” could refer to data or information that was reported or published after the date of the previously-submitted petition or could refer to data or information that is simply new to the Commission because it was not submitted in the previous rulemaking [petition].</p>	<p>2.d. Accept: The proposed regulation has been revised from “no new information or data is being submitted beyond what was previously submitted” to “no information or data is being submitted beyond what was previously submitted”; however, this regulatory text has been moved from subsection (b) concerning staff rejection of a petition to subsection (d) concerning Commission denial of a petition.</p>
	<p>2.e. The proposed regulation should include a requirement for the Commission to post petitions not rejected pursuant to subsection 662(b) on its website and establish a 30-60 day comment period for the public to submit written comments and supporting information in response to the petition.</p>	<p>2.e. Reject: See response 1.b.</p>

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	2.f. The proposed regulation should include a requirement that the Commission post all comments for public review on the agency's website.	2.f. Reject: See Response 1.b.
	2.g. Commissioners should sign the new incompatible activities statement.	2.g. Reject: This comment is outside the scope of the proposed regulation.
Joe Exline, oral comment at 12/3/2014 meeting	3.a. Some questions on Form FGC 1 are onerous, such as the economic analysis.	3.a. Accept in part: FGC1 has been revised to clarify which information is required and which information is optional. Information concerning economic impacts is optional information.
	3.b. The proposed regulation should distinguish between Commission meeting and committee meetings.	3.b. Reject: The proposed regulation states "commission meeting"; it is not necessary to say "excluding committee meetings" or other distinguishing language since a committee meeting is not a Commission meeting.
Ed Worley, National Rifle Associate, oral comments at 12/3/2014 meeting	4.a. Moving in the right direction.	4.a. Comment noted.
	4.b. Commissioners and Commission staff should report who they are interacting with and what compensation they get.	4.b. Reject: This comment is outside the scope of the proposed regulation.
Tom Pederson, California Rifle and Pistol Association, oral comments at 12/3/2014 meeting	5.a. Disclose nature of petition before comment deadline.	5.a. See response 1.b.
	5.b. Support comments of some of the previous speakers at the 12/3/2014 meeting.	5.b. See responses 1.a. through 4.b.
Paul Weakland, oral comments at 6/10/2015 meeting	6.a. When you have a petition or proposal, you are supposed to provide the public comments. Continually, the staff analysis [summary] says there are no significant public comments.	6.a. This comments is outside the scope of the revised proposed changes outlined in the May 20, 2015 15-day notice, but instead appears to relate in general to the staff summary for the Commission's June 10-11, 2015 meeting. No comments were received on the revised proposed regulations; therefore, the staff summary for this agenda item noted that there were no significant public comments.

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	6.b. Put down all the public comments and responses.	6.b. All public comments and responses to those comments are provided in the rulemaking file as required by the Administrative Procedure Act.
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