

REGULAR

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-2016-0425-03	REGULATORY ACTION NUMBER 2016-0802-045	EMERGENCY NUMBER
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

SEP 13 2016

1:47pm

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

2016 AUG -2 P 4: 55
OFFICE OF
ADMINISTRATIVE LAW

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	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2016-19-2	PUBLICATION DATE 5/6/2016	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Nonlead Ammunition Coupon Program	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)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 250.2
	AMEND
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<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"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

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 §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY		
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Caren Woodson	TELEPHONE NUMBER (916) 653-4899	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) CAREN.WOODSON@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>Melissa F. Miller-Henson</i>	DATE 8/1/16
TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Staff Services Manager	

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ENDORSED APPROVED

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Office of Administrative Law

Regulatory Language

Add Section 250.2, Title 14, CCR, as follows:

§ 250.2. Nonlead Ammunition Coupon Program Process

(a) These regulations establish a nonlead ammunition coupon program using non-state funds to provide eligible hunters with nonlead ammunition at no or reduced charge. The program will be administered by an agent of the department and awarding of non-state funds will be administered as a grant. The department's agent will be selected through a public solicitation process, and, upon selection of an agent, the department will advertise a website address where eligible hunters may apply.

(b) For the purposes of this section, the following definitions apply:

(1) "Eligible hunter" is any hunter who meets all of the following requirements:

(A) is 18 years of age or older as of July 1 of the applicable license year;

(B) holds an appropriate permit tag; and

(C) is not prohibited from possessing ammunition pursuant to Penal Code section 30305.

(2) "Appropriate permit tag" means a valid California tag, permit, or validation to hunt deer, elk, black bear, bighorn sheep, wild pig, pronghorn antelope, or upland game for the applicable license year.

(3) "Applicable license year" means the license year in which the drawing will occur.

(c) Any eligible hunter may apply to the department's agent to be entered in the nonlead ammunition coupon program drawing. The drawing will be administered through a nonlead ammunition coupon program website that is operated by the department's agent as established under a grant agreement.

(d) On at least a monthly basis from July 1 through December 31, eligible hunters who have applied will be randomly selected to receive a coupon redeemable for a box of nonlead ammunition at reduced or no charge. The maximum number of eligible hunters drawn on a monthly basis will be determined based on the total funds available such that the number drawn each month, over the course of the six-month drawing period, will expend the total available funds in the year allocated. An average of no more than \$30 per box of nonlead ammunition will be used in determining the maximum number of eligible hunters drawn each month.

(e) To be considered, eligible hunters shall apply, at no charge, through a designated website developed and maintained by the department's agent. Eligible hunters may apply as soon as the website is available, and must apply no later than December 1 in the applicable license year. The applicant must provide the following information, which the department will use to verify eligibility for the drawing with the agent:

(1) Name of applicant;

(2) Applicant's date of birth;

(3) Applicant's Document Number as printed on their hunting license for the license year in which the drawing will occur;

(4) Mailing address and email for notification and for receiving a coupon for a box of ammunition;

(5) Preferred ammunition type from the list of available ammunition as identified on the agent's nonlead ammunition coupon program website; and

(6) Applicant's certification under penalty of perjury that he or she is not prohibited from possessing ammunition pursuant to of Penal Code section 30305.

(f) The number of applicants to be selected during each drawing shall be determined by the department's agent and will be published on the website after the program is established and available funding is known. An eligible hunter with an appropriate permit tag may not apply more than once, nor be awarded more than once, during a license year. Applications will be considered in each of the subsequent drawings after receipt until they are either drawn, or the drawing period ends.

(g) The list of available ammunition will be provided on the agent's website and will be dependent on market availability. Coupons for nonlead ammunition will not be available in all calibers or in all shotgun shell gauges or loads. For purposes of this section, a box of nonlead ammunition is 20 centerfire cartridges or 25 shotgun shells.

(h) The program may be offered and implemented for license year 2017-18, and for subsequent license years, provided funding is available as determined by the department. The program will be implemented only if the department is successful at awarding a grant using non-state funding.

Note: Authority cited: Section 3004.5, Fish and Game Code. Reference: Section 3004.5, Fish and Game Code.