

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 87300, 87302, and 87306, Government Code and to implement, interpret or make specific Sections 87300, 87302, and 87306 of said Code, proposes to add Section 782.1, Title 14, California Code of Regulations, to establish the Commission's conflict of interest code.

Informative Digest/Policy Statement Overview

Government Code section 87300 requires every state agency to adopt a conflict of interest code. The code must designate state officials and employees that are involved in or participate in the making of decisions that may foreseeably have a material financial effect on any financial interest of the official or employee. (Gov. Code 87302(a)). A state agency must amend its conflict of interest code when new positions are created or there are changes in duties assigned to existing positions. (Gov. Code 87306(a)).

The proposed regulation establishes the designated positions and disclosure categories under which Fish and Game Commission (Commission) employees report financial interests on Form 700, Statement of Economic Interests. It adds positions that must be designated under Gov. Code 87302(a) and is necessary because the Department of Fish and Wildlife and Wildlife Conservation Board will be amending their conflict of interest code to exclude Commission employees.

The Commission proposes four disclosure categories that reflect the current organizational structure and duties of the Commission; these disclosure categories were developed based on an exhaustive review of recent Commission meeting agendas. All Commissioners, the Executive Director, Career Executive Assignment positions, and Staff Environmental Scientists will be required to disclose under Category I. Program managers and analysts will be required to disclose under Category II.

BENEFITS OF THE PROPOSED ACTION:

The proposed action will comply with Government Code, helps Commissioners and Commission employees avoid conflicts-of-interest situations, and ensures members of the public will be better able to determine whether conflicts of interest exist.

EVALUATION OF INCOMPATIBILITY WITH EXISTING REGULATIONS:

The Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing State regulations.

NOTICE IS ALSO GIVEN that any interested person or his or her representative may request, no later than 15 days prior to the close of the written comment period, a public hearing. Written comments must be submitted on or before July 25, 2016, at the address given below, or by email to FGC@fgc.ca.gov.

The regulations as proposed in underline format, as well as a statement of reasons are on file and available for public review from the agency representative, Valerie Termini, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California

94244-2090, phone (916) 653-4899. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the proposed regulation does not change the level of hunting activity, it only affects Commission employees.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California because the proposed regulation does not change the level of hunting activity, it only affects Commission employees.

The Commission does not anticipate any benefits to the health and welfare of California residents, worker safety, or the environment.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs Mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations will not affect small business.

Consideration of Alternatives

The Commission determined that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: 5/31/2016

Valerie Termini
Executive Director