

# **FINAL STATEMENT OF REASONS**

## **UPDATE OF INITIAL STATEMENT OF REASONS**

Title 11, Sections 4250, 4251, 4251.5, 4252, 4253, 4254, 4255, 4256, 4257, 4258, and 4259

There is no information to be updated. All of the information provided in the Initial Statement of Reasons is accurate and current. Title 11, Division 5, Sections 4250, 4251, 4251.5, 4252, 4253, 4254, 4255, 4256, 4257, 4258, and 4259.

## **SUMMARY OF COMMENTS AND DOJ RESPONSES**

The Department received 39 different comments from a total of 435 commenters. Attachment A (14 pages) is a summary of the comments submitted during the 45-day comment period and the Department's responses. Attachment B is an alphabetical list (15 pages) of the commenters and identifies (by number) the comment(s) made by each commenter.

## **ALTERNATIVES DETERMINATION**

The Department has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## **LOCAL MANDATE DETERMINATION**

The proposed regulation does not impose any mandate on local agencies or school districts.

**PUBLIC COMMENTS AND DEPARTMENT OF JUSTICE RESPONSES**  
**(ATTACHMENT A)**

#	Summarized Comment	DOJ Response
1.	The Certificate of Eligibility (COE) requirement for Certified Instructors Is Inconsistent with the Enabling Statute and Is Not Reasonably Necessary to Effectuate the Purpose of the Statute.	The Department disagrees with the comment. California law prohibits certain classes of persons from possessing firearms and ammunition. To ensure no prohibited person is operating as a Certified Instructor it is necessary for the Department to conduct ongoing background checks of each Instructor. The Department used the Basic Firearms Eligibility Check (BFEC) process for this purpose in the past but has determined that the COE requirement will provide a more thorough safeguard.
2.	Penal Code (PC) section 26710 simply describes the COE program and its administration; other than providing that a person may request a COE from the Department, section 26710 does not suggest who is required to obtain a COE. It does not give the Department any express or implied authority to make this determination on its own.	<p>The Department disagrees with the comment. California law prohibits certain classes of persons from possessing firearms and ammunition. To ensure no prohibited person is operating as a Certified Instructor it is necessary for the Department to conduct ongoing background checks of each Instructor. The Department used the BFEC process for this purpose in the past but has determined that the COE requirement will provide a more thorough safeguard. We also note that PC section 26915 allows a firearms dealer to require his or her agents who handle, sell, or deliver firearms, to obtain a COE rather than a BFEC.</p> <p>The purpose of PC section 26710 COE review is to help determine whether a person is prohibited from possessing, receiving, owning, or purchasing a firearm and the Legislature has directed the Department to adopt regulations to administer the program. The COE program is an important aid to the proper administration of the Firearms Safety Certificate (FSC) program.</p>

#	Summarized Comment	DOJ Response
3.	<p>PC section 31635(a) states, in its entirety, that "[t]he department shall prescribe a minimum level of skill, knowledge, and competency to be required of all FSC instructors." Clearly neither "skill" nor "knowledge" imply a requirement of moral character. Applying the doctrine of ejusdem generis, as well as the overall context and heading of the statute, it seems clear that the meaning of "competency" as used in this section also has nothing to do with background checks or the COE, but rather the technical ability of the CI applicant to perform his duties. This is further made clear by the remaining subsection (b), which gives a list of organizations suitable to provide training to CI applicants, gives the Department authority to determine suitable equivalent organizations, and requires CI applicants to be certified by one of these organizations. Again, there is no mention whatsoever in section 26710 or section 31635 of any background check, COE or even eligibility to possess a firearm.</p>	<p>The Department disagrees with the comment. In describing the qualities required of a Certified Instructor as skill, knowledge, and competency, the Legislature drew a clear distinction between the three concepts. Reading the term "competency" to mean the same thing as "skill" and "knowledge" would render the concept of competency a nullity. Whether a person is prohibited from possessing, receiving, owning, or purchasing a firearm is directly related to whether that person is competent to operate as a Certified Instructor.</p>
4.	<p>The PC does not mandate that firearms dealers require employees to obtain a COE absent local regulation. PC section 26915(a) expressly states that a COE may be required at the option of the dealer. PC section 26915(a) (dealing with employees of the dealer who are prohibited persons and have access to firearms) clearly contemplates that an agent or employee of the dealer, with or without the optional COE, would have contact with firearms as part of her employment. Furthermore, the COE being optional was clearly the intent of the legislature, as it saw fit to make the COE a requirement for licensed firearms manufacturers, and used express language to make this clear. Cal. PC section 29120(a) ("A licensee shall require..."). The requirement for a COE is entirely outside the scope of the code sections given as authority for this regulation by the Department and is in conflict with other provisions of the PC.</p>	<p>As stated, PC section 26915 concerns firearms dealers and their employees. It permits a firearms dealer to require any of its employees to obtain a COE as a condition of employment. A Certified Instructor, administering examinations under the Firearms Safety Certificate program, operates pursuant to state authority and may justifiably be required to obtain a COE as a condition of operation.</p> <p>Even as to firearms dealers, subdivision (e) provides that "[t]he licensee shall prohibit any agent who the licensee knows or reasonably should know is within a class of persons prohibited from possessing firearms pursuant to Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code, from coming into contact with any firearm that is not secured and from accessing any key, combination, code, or other means to open any of the locking devices described in subdivision (g)."</p>

#	Summarized Comment	DOJ Response
5.	<p>The current PC section 31635 contains the same requirements for FSC CIs as the former section did for HSC CIs. The legislative intent of S.B. 683 was to expand the HSC requirements, as they existed, to all firearms. For years the Department enforced this code section without a COE requirement. Evidently the Department did not find it reasonably necessary to impose an annual COE requirement on CIs then, and there is nothing to suggest that one is needed to effectuate a nearly identical statute now. The only statutory function of a CI is to perform safe handling demonstrations and administer FSC tests. These duties do not require a COE to be performed.</p>	<p>The Department disagrees with the comment. California law prohibits certain classes of persons from possessing firearms and ammunition. To ensure no prohibited person is operating as a Certified Instructor it is necessary for the Department to conduct ongoing background checks of each Instructor. The Department used the BFEC process for this purpose in the past but has determined that the COE requirement will provide a more thorough safeguard.</p> <p>The Department also disagrees with the concept that it should allow a prohibited person to operate as a Certified Instructor if he or she can perform a safe handling demonstration and administer a FSC test. To do so would be inconsistent with the statutory framework as a whole.</p>
6.	<p>The requirements that all CIs must have access to a personal computer, printer, internet connection and only accept a major credit card to issue FSCs is not reasonably necessary to effectuate the purpose of the enabling statute and is in conflict with the PC.</p>	<p>The Department disagrees with the comment. During the stakeholder meetings the Department held, there was extensive discussion about the type of system that should be utilized to operate the FSC program. Whether the Department should utilize a paper-based system was given serious consideration by everyone concerned. At the behest of the stakeholders, the Department developed an automated, on-line system for obtaining the FSC. This automated system cannot accept cash as payment, thus necessitating the requirement that the fee be paid using a major credit or debit card via the online system.</p>
7.	<p>Proposed sections 4251 and 4254 of the Regulations require that CIs use an online system to issue FSCs. There is no requirement in the PC or any other statute that CIs use such an online system.</p>	<p>The Department disagrees with the comment. The Department is authorized under PC section 31655, subdivision (a), to develop firearms safety certificates to be issued by instructors to those who successfully pass the objective test. In accordance with this section (and at the behest of stakeholders), the Department developed an automated, on-line system for obtaining the FSC.</p>

#	Summarized Comment	DOJ Response
8.	<p>For CIs, the internet requirement hinders the purpose of the statute. PC section 31645 requires that "[a]ny person receiving a passing grade on the objective test shall immediately be issued a FSC by the instructor." But a CI who is dependent on an online system cannot comply if his internet connection fails, if his credit card is deactivated, the FSC recipient only possesses cash, or the FSC is issued at any location where there is no computer or internet access. And the Regulations give no offline alternative.</p>	<p>The Department disagrees with the comment. During the stakeholder meetings the Department held, there was extensive discussion about the type of system that should be utilized to operate the FSC program. Whether the Department should utilize a paper-based system was given serious consideration by everyone concerned. At the behest of the stakeholders, the Department developed an automated, on-line system for obtaining the FSC. This automated system cannot accept cash as payment, thus necessitating the requirement that the fee be paid using a major credit or debit card via the online system.</p> <p>Attempting to issue the FSC using two separate systems would lead to confusion, error, and an unnecessary waste of public funds. The automated system will eliminate the duplication of services and generate cost efficiencies. In addition, the FSCs issued through the Firearm Certification System (FCS) are validated in Dealer Record of Sale (DROS) Entry System (DES) upon the submission of a DROS transaction.</p>
9.	<p>Current PC section 31655 contains the same requirements for FSCs as the former section did for HSCs. The former section was implemented via regulation which did not require a personal computer, printer, major credit card and internet connection to issue FSCs. For years the Department enforced this code section by selling packs of blank serialized HSCs which could be ordered by mail and paid for by check. There is no reason not to use the same or similar system, without the additional burdensome requirements of the new online only FSC system.</p>	<p>The Department disagrees with the comment. During the stakeholder meetings the Department held, there was extensive discussion about the type of system that should be utilized to operate the FSC program. Whether the Department should utilize a paper-based system was given serious consideration by everyone concerned. At the behest of the stakeholders, the Department developed an automated, on-line system for obtaining the FSC. This automated system cannot accept cash as payment, thus necessitating the requirement that the fee be paid using a major credit or debit card via the online system.</p> <p>Attempting to issue the FSC using two separate systems would lead to confusion, error, and an unnecessary waste of public funds. The automated system will eliminate the duplication of services and generate cost efficiencies. In addition, the FSCs issued through the FCS are validated in DES upon the submission of a DROS transaction.</p>

#	Summarized Comment	DOJ Response
10.	<p>The requirement that individual CIs must retain completed FSC test answer sheets for five years and make them available upon request is inconsistent with the enabling statute, not reasonably necessary to effectuate the purpose of the statute, and violates the fourth and fourteenth amendments of the Constitution. There is nothing in the PC or any other statute that requires CIs to store answer sheets. PC section 31640 authorizes the Department only to "develop a written objective test, in English and in Spanish, and prescribe its content, form, and manner." The requirement for a CI to store records, even after he has left the employ of the dealer-or even left the state altogether-is not a part of the " content, form, [or] manner" of the test. PC sections 31640 and 31645 deal entirely with the content of the FSC test and the minimum standards for passing. The Department can develop content, and CIs can administer the test, without a record storage requirement.</p>	<p>The Department disagrees with the comment. PC section 31655(c) provides that "[t]he FSC shall expire five years after the date that it was issued by the certified instructor." Requiring a Certified Instructor to retain copies of test answer sheets for the same period is consistent with the statutory framework. The Department is authorized to verify the results of any FSC examination during the term of the certificate.</p>
11.	<p>The regulation allowing for warrantless administrative searches of CI records, even if it were supported by statute, is facially unconstitutional. The U.S. Supreme Court has held that "absent consent, exigent circumstances, or the like, in order for an administrative search to be constitutional, the subject of the search must be afforded an opportunity to obtain pre-compliance review before a neutral decision maker." <i>City of Los Angeles v. Patel</i>, - U.S. -, 135 S.Ct. 2443, 2452 (2015). Even where the subject of the search is "pervasively regulated," which firearms dealers may be but CIs are not, the regulations would need to satisfy three additional criteria to be reasonable under the Fourth Amendment: (1) There must be a substantial government interest that informs the regulatory scheme pursuant to which the inspection is made; (2) the warrantless inspections must be 'necessary' to further the regulatory scheme; and (3) the statute's inspection program, in terms of the certainty and regularity of its application, must provide a constitutionally adequate substitute for a warrant." These criteria are not met by the regulation or any statute which might support it.</p>	<p>The Department disagrees with the comment. A Certified Instructor, operating pursuant to the State of California's FSC program, does not have a right to informational privacy in the third-party records of individuals that purchase firearms. A reasonable person applying for a FSC knows or should know that the state, which prohibits the sale of firearms to an individual that has not fulfilled the requirements of the FSC program, will monitor the administration of this program. Similarly, a reasonable person applying for Certified Instructor privileges knows or should know that the state, which prohibits the illegal administration of the examination, will monitor instructors to ensure compliance with all statutory requirements.</p>

#	Summarized Comment	DOJ Response
12.	<p>The requirement in section 4255 that only individual CIs who issued the original FSC may issue a replacement FSC via the Firearms Certification System to the original FSC holder is not reasonably necessary to effectuate the purpose of the statute. While the PC does require that the original CI re-issue the FSC, there is no reason the regulations cannot treat a dealer who is both a CI and employer of the original CI as the issuing CI. Limiting the "issuing" CI to the dealer's employee who may leave his employment or leave the state altogether is not reasonably necessary to effectuate the purpose of the statute.</p>	<p>The Department disagrees with the comment. The language in PC section 31660(a) is clear: "In the case of loss or destruction of a FSC, <u>the issuing instructor</u> (emphasis added) shall issue a duplicate certificate..." The Department does not have authority to adopt a regulation that would conflict with this statute.</p>
13.	<p>The regulation limiting re-prints without charge to just 24 hours after payment for the FSC is made serves no purpose and exceeds the scope of the statute.</p>	<p>The Department disagrees with the comment. The application fee for a new COE is \$71, not \$78 as the comment states. Furthermore, after the first year, the annual renewal fee is only \$22. We do not consider these fees to be unreasonable nor overly burdensome.</p>
14.	<p>The requirement that CIs waive or assert liability is inconsistent with the enabling statute and is not reasonably necessary to effectuate the purpose of the statute and has no legal basis.</p> <p>Section 4251 requires CIs to agree that: "[i]n no event shall either party be liable to the other or any third party, under any theory of liability..." and that "the Department shall not be liable for transaction charges fraudulently incurred. It will be the cardholder's responsibility to pay any charges." Not only is this exculpatory clause unenforceable against the CI, see Civ. Code section 1668; <i>Tunkl v. Regents of University of Cal.</i>, 60 Cal. 2d 92 (1963), the CI is in no position to be making assertions about third party liability or responsibility. The Department has no authority to force the CI to make such assertions, and this regulation is entirely inconsistent with the enabling statute.</p>	<p>The Department disagrees with the comment. The proposed regulation is a standard non-liability provision found in many agreements between a service provider and user. Furthermore, it provides the same protections to the user as the Department. The Department has implied authority to include such a provision in the regulations.</p>

#	Summarized Comment	DOJ Response
15.	<p>Because the regulations require FSC instructors to acquire and maintain a valid COE, some FFLs must spend tens of thousands of dollars annually to obtain and maintain COEs for each of their Certified Instructors. This cost is particularly burdensome for retail chain FFLs with multiple locations throughout the State. Imposing these burdens on FFLs serves no purpose or goal, especially in light of the requirements under the former HSC Program. Under that program, an instructor was required simply to pay \$14 for a background check or provide proof of a valid COE at the time of his or her application. There was no requirement to maintain or renew the COE each year to continue administering the Program.</p>	<p>The Department disagrees with the comment. The proposed regulations do not require any FFL to absorb the cost of a Certified Instructor's COE.</p>
16.	<p>FFLs will also have to bear the cost and difficulties associated with maintaining a personal computer, printer, major credit card and internet connection at all times during business hours in order to process FSCs. Under the previous HSC program they were able to pre-purchase HSCs and pay by check, eliminating many potential problems.</p>	<p>The Department disagrees with the comment. The proposed regulations do not require any FFL to absorb the costs associated with the issuance of FSCs. The Department developed an automated, on-line system for obtaining the FSC at the request of stakeholders. Under the previous system, instructors were required to pre-pay \$150 for a book of 10 certificates although it could take up to 2-3 years for low volume instructors to issue 10 certificates. The benefits of the new system (pay-as-you-go) far outweigh the "difficulties" of maintaining a personal computer, printer, and internet connection.</p>
17.	<p>The regulations appear to treat CIs who work for FFLs as independent contractors. But as the California Supreme Court has held, "the fact that one is performing work and labor for another is prima facie evidence of employment and such person is presumed to be a servant in the absence of evidence to the contrary." <i>Robinson v. George</i>, 16 Cal. 2d 238, 242 (1940). In practice almost all CIs who work at FFLs are employees. Treating them as independent contractors and requiring them to provide equipment and perform duties (up to 5 years after they leave their employment position) for which they are not compensated creates numerous legal problems for the regulation and FFLs. The Department in one instance has opined that a CI, even one who works for an FFL as an employee, is a "private business."</p>	<p>The Department disagrees with the comment. Because the Legislature has not drawn a distinction in the FSC program between a person's status as an independent contractor, sole proprietor, or employee, the Department's regulations cannot address these issues.</p>

#	Summarized Comment	DOJ Response
18.	<p>Operating as a sole proprietor forces an individual to apply for and obtain a business license from the specific city or county where the business is to be established. Because these individuals will be required to become sole proprietors they will also likely need to purchase insurance to cover the risks of running such a business, which will insulate themselves from any potential liability. Should a sole proprietor operate without a business license, he or she can be in violation of the city or county's municipal code, which typically provides that such a violation is a misdemeanor punishable by fine or imprisonment in the county jail for a period not exceeding six months, or both.</p> <p>Additionally, a sole proprietor operating without a license may also be enjoined from operating as a business until a proper license is obtained. Moreover, there are additional tax implications for individuals operating as a sole proprietor, which include completing separate forms for Federal and State taxes.</p> <p>Lastly, a sole proprietor may also be required to withhold earnings and remit payments to the IRS and Franchise Tax Board if the sole proprietor is considered a "withholding agent." A sole proprietor is considered a withholding agent if they control, receive, have custody of, dispose of, or pay California source income. If a sole proprietor is required to withhold and remit backup withholding to the IRS, the sole proprietor is also required to withhold and remit to the Franchise Tax Board, except for instances that are specifically excluded for California purposes. As a result, sole proprietors are required to withhold and remit 7% of reportable income payments when performing federal backup withholding, except for income payments of interest or dividends.</p>	<p>The Department disagrees with the comment. Because the Legislature has not drawn a distinction in the FSC program between a person's status as an independent contractor, sole proprietor, or employee, the Department's regulations cannot address these issues.</p>

#	Summarized Comment	DOJ Response
19.	<p>Although the costs associated with obtaining a COE for one individual (\$78 application fee plus fees for LiveScan service) may seem minor, consider that it means the FSC instructor must issue over a dozen certificates a year simply to pay for his or her COE. California law only allows an instructor to charge up to \$25 to administer the Program, \$15 of which must be sent to the Department as a processing fee. The remaining \$10 may be kept by the instructor.</p>	<p>The Department disagrees with the comment. The application fee for a new COE is \$71, not \$78 as the comment states. Furthermore, after the first year, the annual renewal fee is only \$22. We do not consider these fees to be unreasonable nor overly burdensome.</p>
20.	<p>The regulations also require each instructor to possess a computer, a printer, a credit card reader, and a stable internet connection. Individual instructors must thus obtain these items prior to administering the Program, adding further costs and making it economically infeasible for many individual instructors to continue to provide the service to those seeking to acquire firearms.</p>	<p>The Department disagrees with the comment. Requiring Certified Instructors to have access to a computer, printer, and stable internet connection is not unreasonable nor overly burdensome. Contrary to the comment, a credit card reader is not required for issuing FSCs.</p>
21.	<p>The proposed regulations effectively prohibit instructors from administering the program unless and until they acquire the necessary equipment, if that is even possible. Although there is a potential benefit to having an automated system, the Department must have a manual, pre-paid alternative for instructors whose business takes them to areas with intermittent or non-existent internet service and those unable to accept credit card payments.</p>	<p>The Department disagrees with the comment. There is no requirement for the Department to have a manual, pre-paid alternative process. The Department developed the automated, on-line system for obtaining the FSC at the request of stakeholders. Attempting to issue the FSC using two separate systems would lead to confusion, error, and an unnecessary waste of public funds. The automated system will eliminate the duplication of services and generate cost efficiencies.</p>
22.	<p>Disabled purchasers who cannot perform the safe handling demonstration must also be given an exemption, as stated on the Department website but omitted from the Regulations.</p>	<p>The Department disagrees with the comment. California law does not provide an exemption for disabled purchasers nor does it provide authority for the Department to create a regulation providing such an exemption.</p>
23.	<p>FFL customers expect to be able to return to the same FFL where they were issued their FSC to obtain a replacement, but if a CI employee is no longer at the store the FFL CI will be unable to re-issue the FSC because under the Regulations the FFL CI is unable to enter the Firearms Certification System for customer records issued by the FFL's employee CIs. This is a particular problem for large chain stores with many CI employees.</p>	<p>The Department acknowledges the comment. However, pursuant to PC section 31660, only the issuing instructor can issue a duplicate FSC. This statutory restriction is restated as a regulation solely for the purpose of clarity regarding the FSC program.</p>

#	Summarized Comment	DOJ Response
24.	<p>Because of the costs of obtaining and maintaining COEs, coupled with the costs for the equipment necessary to administer the FSC Program, we are aware of some FFLs that have stopped offering the service to their customers and countless individual instructors have ceased administering the Program altogether. If the proposed regulations are adopted, the situation will only get worse, and those interested in purchasing a firearm will find themselves unable to do so in many instances or with very limited options for doing so.</p>	<p>The Department disagrees with the comment. During the stakeholder meetings the Department held, there was extensive discussion about the type of system that should be utilized to operate the FSC program. Whether the Department should utilize a paper-based system was given serious consideration by everyone concerned. At the behest of the stakeholders, the Department developed an automated, on-line system for obtaining the FSC. This automated system cannot accept cash as payment, thus necessitating the requirement that the fee be paid using a major credit or debit card via the online system.</p> <p>Attempting to issue the FSC using two separate systems would lead to confusion, error, and an unnecessary waste of public funds. The automated system will eliminate the duplication of services and generate cost efficiencies. Moreover, the number of Certified Instructors has increased from 7,049 at the end of 2014 to 8,063 at the end of 2015.</p>
<b>COMMENTS 25-34 PROPOSE ALTERNATIVE REGULATIONS</b>		
25.	<p>Change section 4250 by deleting the expensive and time consuming annual COE which is outside the scope of the enabling act. It also clarifies the distinction between independent CIs and those who work for dealers which are themselves CIs.</p>	<p>The Department disagrees with this proposed change. California law prohibits certain classes of persons from possessing firearms and ammunition. To ensure no prohibited person is operating as a Certified Instructor it is necessary for the Department to conduct ongoing background checks of each Instructor. The Department used the BFEC process for this purpose in the past but has determined that the COE requirement will provide a more thorough safeguard.</p> <p>The Department also disagrees with the proposed change concerning the employment status of a Certified Instructor. Because the Legislature has not drawn a distinction in the FSC program between a person's status as an independent contractor, sole proprietor, or employee, the Department's regulations cannot address these issues.</p>

#	Summarized Comment	DOJ Response
26.	4251 This change would remove the liability language which exceeds the scope of the statute, is void as a matter of public policy per state law, and is unenforceable against any third party.	The Department disagrees with the comment. The proposed regulation is a standard non-liability provision found in many agreements between a service provider and user. Furthermore, it provides the same protections to the user as the Department. The Department has the implied authority to include such a provision in the regulations.
27.	4251 This change states there will be no DOJ fee for replacement FSCs reissued within 30 days of initial issuance. It allows dealers to provide copies of (but not replacement) FSCs.	The Department disagrees with this proposed change. The Department does not have authority to allow duplicate FSCs to be issued free of charge. Section 4254(f) of the proposed regulations specifies that each FSC will be available for reprint, without any additional fee, for 24 hours from the date and time payment is received. This regulation allows the FSC to be reprinted free of charge in the event of an unexpected printing problem (printer malfunction, out of paper, power loss, etc.). Accordingly, the Firearms Certification System was designed to keep the FSC recipient information readily available in queue for only 24 hours.
28.	4251.5 This change narrows DOJ's ability to suspend or revoke a CI's certification. The phrase "for conduct deemed by the Department to be contrary to the best interests of public safety" is impermissibly vague, over broad, and provides DOJ far too much discretion.	The Department disagrees with this proposed change. PC section 31610(a) states in pertinent part, "It is the intent of the Legislature in enacting this article to require that persons who obtain firearms have a basic familiarity with those firearms, including, but not limited to, the safe handling and storage of those firearms." The proposed regulation is within the legislative guidelines.
29.	Add 4251.7 While the proposed regulations cover the issuance of the CI's certification, the duration of the certification, and the suspension and revocation, it provides no guidance or coverage for those who wish to cease being CIs. This section allows an individual to give up their CI status and allows those CIs who do not work for an FFL to turn their records over to DOJ and allows those CIs employed by dealers to turn their records over to the dealer. The DOJ will be required to dispose of a CI's records when the time period to retain the documents has passed.	The Department disagrees with this proposed change. This proposed regulatory change would put the burden on the Department to store and manage all documents generated by a Certified Instructor that elects to cease operating as a Certified Instructor. The Department does not have the statutory authority to establish a completely new records management system on behalf of Certified Instructors who voluntarily resign.

#	Summarized Comment	DOJ Response
30.	4252 This clarifies that if a CI who works for a dealer collects an administration fee, the fee shall be retained by and paid through the dealer. This protects against the CI employee from being considered a sole proprietor.	The Department disagrees with this proposed change. PC section 31650(b) states "The certified instructor may charge a fee" and 31650(c) states "The Department may charge the certified instructor." Because the Legislature has not drawn a distinction in the FSC program between a person's status as an independent contractor, sole proprietor, or employee, the Department's regulations cannot address these issues.
31.	4253 This change reduces the time CIs must retain answer sheets from five years to one year. The statute of limitations for all violations of the statutes covering FSC is one year. It is difficult to imagine any investigative benefit retaining these answer sheets could have beyond that time. The change also clarifies that if the CI works for a dealer/CI, the dealer/CI may retain the records instead of the CI. This also removes the unconstitutional requirement, which also exceeded the scope of the statute, that answer sheets must be made available for inspection upon request by any peace officer, or authorized DOJ personnel.	<p>The Department disagrees with this proposed change. PC section 31655(c) provides that "[t]he FSC shall expire five years after the date that it was issued by the certified instructor." Requiring a Certified Instructor to retain copies of test answer sheets for the same period is consistent with the statutory framework. The Department is authorized to verify the results of any FSC examination during the term of the certificate.</p> <p>With respect to who must maintain a Certified Instructor's records, the Legislature has not provided for joint participation by a Certified Instructor and an FFL in the Firearm Safety Certification process.</p>
32.	4254 This change allows CIs to purchase FSCs in advance, allowing them to both pay by an alternative method than just a credit card and issue the FSCs from a location away from their computer. The CIs would fill out the FSC by hand and enter the FSC recipient's information into the FSC system when the CI returns to his or her computer. The FSCs provided by CI employees of FFLs would be issued by the FFL or manager. As discussed above the PC does not require the FSC to be issued by the CI who administered the FSC test. This will allow a dealer to issue, keep records, and issue replacement FSCs. Procedures like these have been in place since the Basic FSC was required in the 1990s.	<p>The Department disagrees with this proposed change. During stakeholder meetings, there was extensive discussion about the type of system that should be implemented to operate the FSC program. The use of a paper-based system was given serious consideration by everyone concerned. At the behest of the stakeholders, the Department developed an automated, on-line system for obtaining the FSC. This automated system cannot accept cash as payment, thus necessitating the requirement that the fee be paid using a major credit or debit card via the online system. Implementation of two separate systems would lead to confusion, error, and an unnecessary waste of public funds. The automated system will eliminate the duplication of services and generate cost efficiencies.</p> <p>Furthermore, the comment incorrectly states the PC allows a dealer to issue FSCs. PC section 31645(a) states a person who passes the objective test "shall immediately be issued a FSC by the instructor" (emphasis added) and section 31660(a) says "the issuing instructor shall issue" duplicate certificates. The Legislature has not provided for joint participation by a Certified Instructor and an FFL in the Firearm Safety Certification process.</p>

#	Summarized Comment	DOJ Response
33.	<p>4255 This change will allow FFLs who are also CIs to provide replacement FSCs to the original holders when the FSC was issued by an employee, solving problems that arise when the original issuing CI was an employee of the FFL, but is no longer available. This would fulfill all the goals of the FSC program, while significantly reducing the undue burden on FFLs and CIs.</p> <p>This section will also allow an FSC recipient to copy his or her FSC and allow a CI to copy the FSC for the recipient. DOJ no longer issues safety certificates on card stock. The paper used in issuing the FSC is standard computer paper. It's nonsensical to think that an FSC can't be copied and spare copies can't be kept by the CI recipient. State law does not prohibit this practice. The restrictions cover the "altering, counterfeiting, or falsifying" of the FSC. Nothing prevents the copying provided the person does not alter the FSC or do so for purposes of fraud.</p>	<p>The Department disagrees with this proposed change. PC section 31660, subdivision (a) provides: "In the case of loss or destruction of a FSC, <u>the issuing instructor</u> (emphasis added) shall issue a duplicate certificate..." The Department does not have authority to adopt a regulation that would conflict with this statute.</p>
34.	<p>4256 This change expands the list of "firearms" exempt from the safe handling requirement to include items that are still considered "firearms" but do not cycle ammunition. It removes a provision allowing for use of cartridge casings in safe handling demonstrations by CI, which is very unsafe and exposes dealers to significant potential liability. Finally, it adds language concomitant with the Department's own website which provides for a disabled person's exemption from the safe handling demonstration.</p>	<p>The Department disagrees with this proposed change. The proposed new exemption is vague and ambiguous and therefore could not effectively be implemented.</p> <p>One function of a Certified Instructor is to demonstrate the proper, safe handling of the firearm being purchased. Use of an <u>empty cartridge casing</u> with an <u>empty primer pocket</u> (emphasis added) is not unsafe. Disallowing the use of an empty cartridge casing with an empty primer pocket for the safe handling demonstration because of a perceived danger is inconsistent with the skill, knowledge, and competency required of a Certified Instructor.</p> <p>The Legislature has not provided for the requested exemption. Whether a person who is unable to adequately demonstrate the safe handling of a firearm should be permitted to purchase it and potentially use it nonetheless is a matter of Legislative discretion – not regulatory implementation in the absence of a clear mandate.</p>

#	Summarized Comment	DOJ Response
35.	<p>The requirement that CIs retain all completed FSC test answer sheets in order to be available for inspection upon request by any peace officer or authorized DOJ personnel indicates the Department believes law enforcement would benefit from access to these completed FSC test answer sheets. But if individual CIs retain them, it may be very difficult for law enforcement to track down CIs who are no longer at or employed by the FFL where the FSC was issued. Inevitably these answer sheets will be damaged or misplaced as these CIs travel through the state, country, and internationally, or pass away. It makes much more sense to have the FFL itself, which is a more permanent operation with facilities already set up to track and maintain records, retain these answer sheets with its other transactional records.</p>	<p>The Department disagrees with the comment. With respect to who must maintain a Certified Instructor's records, the Legislature has not provided for joint participation by a Certified Instructor and an FFL in the Firearm Safety Certification process.</p>
36.	<p>The proposed regulations require Certified Instructors to obtain a COE and have it renewed every year while employee COEs do not have to be renewed.</p>	<p>The Department disagrees with the comment. Pursuant to CCR Title 11, section 4039, all COEs (including employee COEs) are valid for a term of one year.</p>
37.	<p>Many NRA and Hunter Safety instructors are volunteers who also proctor the FSC test as a service. They will no longer be DOJ Certified Instructors because of the cost of maintaining a COE.</p>	<p>The Department disagrees with the comment. Only DOJ Certified Instructors are required to have a COE.. While only DOJ Certified Instructors can issue FSCs, nothing in the proposed regulations require NRA or Hunter Safety instructors to have a COE.</p>
38.	<p>The proposed regulations only affect law abiding citizens; will not help keep guns out of the hands of prohibited individuals.</p>	<p>The Department disagrees with the comment. The proposed regulations implement the FSC program as set forth in PC section 31610 to "require that persons who obtain firearms have a basic familiarity with those firearms, including, but not limited to, the safe handling and storage of those firearms." The legislature has enacted other laws to prevent prohibited persons from obtaining firearms.</p>
39.	<p>Opposed to the requirement that payment can be made by credit card only.</p>	<p>The Department disagrees with the comment. Because payment must be received by the Department before an FSC can be issued, cash and check payments are not accepted. A person who does not have a typical credit card can obtain a pre-paid credit card at many department stores and convenience markets.</p>

**ALPHABETICAL LIST OF COMMENTERS**  
(Attachment B)

Last Name, First Name	Comments
<i>All comments submitted via e-mail except NRA - Ed Worley (oral presentation at public hearing)</i>	
Abuelhaj, Lynn	Comments do not specifically address regulations or procedures followed
Adams, Steve	Opposed to regulations
Aguaio, Jerome	Opposed to regulations
Allen	Comments do not specifically address regulations or procedures followed
Alvarez, Vidal, Jr.	1 - 35
Anderson, Kip	Opposed to regulations
Anthony, Al	Opposed to regulations
Antonucci, Phillip J.	1 - 35
Anzini, Joe	1, 6, 10, 12
Appert, Damian	1 - 35
Ardo, Dr. Thad L.	Opposed to regulations
Baker, Daryn	Opposed to regulations
Barker, Hal	Opposed to regulations
Barnes, Jeff	Opposed to regulations
Barr, Tim	1 - 35
Barrios, Alan	1 - 35
Bates, Frank B.	1 - 35
Beard, Darrel	Comments do not specifically address regulations or procedures followed
Beccaria, Tracy	Opposed to regulations
Beck, Bret	1 - 35
Becker, Charles	1 - 35
Beidleman, Tom	1 - 35
Belsher, John F.	1 - 35
Benbrook, Lynn	Opposed to regulations
Benner, Ken	1 - 35
Bennett, Richard	Comments do not specifically address regulations or procedures followed
Berkebile, Teresa M.	Opposed to regulations
Bermudez, Leo	1, 6, 10, 12
Berry, Craig	1 - 35

Last Name, First Name	Comments
Berry, Gilford	Comments do not specifically address regulations or procedures followed
Berry, Kimberly	1 - 35
Binkert, Steve	1 - 35
Bird, Sgt. David	1 - 35
Black, Jerry	Comments do not specifically address regulations or procedures followed
Blackner, Rodney	1
Blanc, Bertrand	1 - 35
Blayney, Bruce A.	1 - 35
Boatright, Gary	1 - 35
Boies, Scott T.	1 - 35
Boiling, Gordon	1 - 35
Boone, Thomas Andrew	1 - 35
Boyd, Ray	Comments do not specifically address regulations or procedures followed
Boyd, Robert	1 - 35
Brady, Steve	1 - 35
Brier, Joel	Comments do not specifically address regulations or procedures followed
Broaddus, Douglas	1 - 35
Bronson, Mark	1, 6, 10, 12
Brown, Eric	Opposed to regulations
Brown, Terry	Opposed to regulations
Bruce, Robert	Opposed to regulations
Bryan, Ronald	Comments do not specifically address regulations or procedures followed
Bulot, Richard	1 - 35
Bundgaard, James V.	Opposed to regulations
Burlock, Ralph	1 - 35
Burt, James Philip	Opposed to regulations
Byansi, Richard	1 - 35
c.pol	Comments do not specifically address regulations or procedures followed
Cadway, Richard	Opposed to regulations
Cahoon, Ted	1 - 35

Last Name, First Name	Comments
California Rifle and Pistol Association (C.D. Michel)	1 - 35
Callahan, Shannon	1 - 35
Cannone, Leonardo	1 - 35
Carey, Justin	1 - 35
Carle, Jeffrey A.	Opposed to regulations
Carrington, George	Opposed to regulations
Carson, Matthew	1 - 35
Carter, Earl	Comments do not specifically address regulations or procedures followed
Carunchio, Dennis	Opposed to regulations
Carver, Antoinette	1 - 35
Castañón, Samuel	Comments do not specifically address regulations or procedures followed
Chandler, Vickie	Opposed to regulations
Chaney, Brian R.	Opposed to regulations
Chaney, Michael B.	1 - 35
Charest, Joe Ann B.	1 - 35
Chatel, Jacques	1 - 35
Cherrie, Roderic J.	1 - 35
Chet	Comments do not specifically address regulations or procedures followed
Chinn, William	10, 38
Choi, Derek Ming	1 - 35
Cole, Kenneth	12
Colff, Jaco van der	1 - 35
Collins, Edward	1 - 35
Cook, Bob	1 - 35
Cook, Paul	Opposed to regulations
Cook, Robert	1 - 35
Corona, William	Opposed to regulations, 10
Cortez, Emmanuel Antonio	Opposed to regulations
Crosby, Steve	1 - 35
Crum, Ben	Opposed to regulations, 38

Last Name, First Name	Comments
D'Addario, Nicholas, Jr.	1 - 35
Dakin, Terry	1 - 35
Damas, Roy	1 - 35
Davenport, Dennis	10, 12
Davey, Steve	1 - 35
David, Ray	Comments do not specifically address regulations or procedures followed
Davidson, Dale	Opposed to regulations
DeBry, Mike	1, 10, 12
Decker, Rod	Opposed to regulations
dedub48	Comments do not specifically address regulations or procedures followed
Deibert, Jerry & Jane	1 - 35
DeLaurant, David J.	1 - 35
Dennis, Richard A.	Opposed to regulations
Deryck, Dusty	1 - 35
Diaspro, Michael	Opposed to regulations
Dinwiddie, Robert	1 - 35
Doherty, Mike	1 - 35
Donges, Gary	1 - 35
Dorsey, John	1 - 35
Doty, Gary D.	1, 10, 12
Doty, Ronald E., Jr.	1 - 35
Dougherty, Owen	1, 12, 16, 39
DuBois, Bill	1 - 35
Dummer, Mike	1 - 35
Duval, Thomas	1 - 35
Edwards, Robert	Opposed to regulations
Egusa, Alan	Opposed to regulations
Eich, Chris	1 - 35
Eitzman, Michael P.	1 - 35
Eker, Bob	1 - 35

Last Name, First Name	Comments
Elam, Richard	1 - 35
Eli, Tiffany	1 - 35
Elston, Michael R.	Opposed to regulations
Elston, Scott	1 - 35
Evankovich, Larry	1 - 35
Evans, Jerald	1 - 35
Evans, Scott	1 - 35
Evrard, Jean-Marc	1 - 35
Fagundes, Joe A.	Opposed to regulations
Fajardo, Joe	Opposed to regulations
Fanselau, Jason	1 - 35
Feeley, Nicholas John	Opposed to regulations
Ferko, Thomas E.	1 - 35
Fitch, Robert	1 - 35
Fondersmith, Robert	Opposed to regulations
Forbis, Stephen	1 - 35
Ford, Carlos L.	1 - 35
Foster, Arie A.	Opposed to regulations
Foster, Jack	1 - 35
Franklin, Wesley	1 - 35
Franson, Neal	Opposed to regulations
Freschi, Mike	Opposed to regulations
Fuehrer, Anthony	1 - 35
Fuller, Maurice	Opposed to regulations
Gallaughner, Tim	1 - 35
Galley, James	Comments do not specifically address regulations or procedures followed
Gallinatti, Dean	Comments do not specifically address regulations or procedures followed
Ganz, Scott	1, 6, 10, 12, 38
Garcia, Tom	1 - 35
Garrigue, Garry	1 - 35

Last Name, First Name	Comments
gcbesq	Comments do not specifically address regulations or procedures followed
Gessner, Robert L., Jr.	1 - 35
Gibbs, Ivan	6, 10, 12
Gindera, Chris	Opposed to regulations
Gorman, Jeff	Opposed to regulations
Gowetski, Michael A.	1 - 35
Grafe, Terry D.	1 - 35
Grasso, Rob	Opposed to regulations
Graves, Jim	1 - 35
Gray, Daniel J.	1 - 35
Green, Brian	Opposed to regulations
Griffith, George	1 - 35
Griswold, Scott	1 - 35
Gross, W. Karl	1 - 35
Hal	Opposed to regulations
Handley, William H.	1 - 35
Hansen, Michael	Opposed to regulations
Hardenbrook, Todd	Opposed to regulations
Harding, Nathan	1, 6, 10, 12, 14, - 35
Harless, Chuck	Opposed to regulations
Hasekamp, Kenneth	1 - 35
Havay, Robert	Opposed to regulations
Hawkins, Gary	1 - 35
Hawley, Jack	10, 12
Hayford, George L.	Opposed to regulations
He, Jie	1 - 35
Heaston, Jeanelle	Opposed to regulations
Heiser, Bob	1 - 35
Hendricks, Dr. Robert T.	1 - 35
Henley, J. T.	1 - 35

Last Name, First Name	Comments
Henry, Michael J.	Opposed to regulations
Herniman, Roberto	1 - 35
Hipson, J. Stephen	1 - 35
Hockett, Carl	1 - 35
Hoefflin, Dan	1 - 35
Holmes, Greg	Opposed to regulations
Hudson, Lance	1 - 35
Huerta, Oscar A.	1 - 35
Huey, Edward	Opposed to regulations
Hunter, John	Opposed to regulations
Interiano, Jose	Comments do not specifically address regulations or procedures followed
Irvan, Tamsie	1 - 35
Ivers, Rory	Opposed to regulations
Jackson, Mike	Comments do not specifically address regulations or procedures followed
Janzen, Jonathan	1 - 35
Jaramillo, Robert	Opposed to regulations
Jensen, David M.	1 - 35
Johnson, Dean	1 - 35
Johnson, Wendell	Opposed to regulations
Jones, Steven A.	Opposed to regulations
jvaczy	Comments do not specifically address regulations or procedures followed
Kallaos, Dr. Stephen	1 - 35
Karanikas, Panagiotos "Pete"	1 - 35
Katter, Una	1 - 35
Keating, John	Opposed to regulations
Kelly, David M.	38
Kerrigan, Robert	1 - 35
Kier, Norman	Opposed to regulations
Kimble, Bryon	Opposed to regulations
Kimoto, Paul	1 - 35

Last Name, First Name	Comments
Kirk, Sid	1 - 35
Klein, Jheremy	10, 12
Kroesch, Mike	Comments do not specifically address regulations or procedures followed
Krugman, Thomas	1 - 35
Krupnak, Dr. Michael	1 - 35
Kunzman, Jerry	12, 39
Lake, Warren	Comments do not specifically address regulations or procedures followed
Lamar, Donald A.	1 - 35
Lambert, Doug	Comments do not specifically address regulations or procedures followed
L'Amour, Beau	1 - 35
LaPedis, Ron	1 - 35
Lazuka, Russ	Opposed to regulations
Leathers, Stephen	1 - 35
Lepley, Larry	Opposed to regulations
Lichty, Chad	1 - 35
Lichty, Tim	12
Lindemuth, Scott	1 - 35
littlebluecelt	Comments do not specifically address regulations or procedures followed
Lucas, Gary	1 - 35
Lucas, Sgt. Maj. JR	Opposed to regulations
Luiz, Frank	1 - 35
Luna, Daniel	1, 6, 10, 12
Lytal, Jackson	Opposed to regulations
Macey, Richard	Opposed to regulations
Mark	1, 6, 10, 12
Markham, Girard	1 - 35
Marshall, Robert	Opposed to regulations
Martens, Ron	1 - 35
Massey, MSgt. Lyndell Keith	Opposed to regulations
mawagnon	Opposed to regulations

Last Name, First Name	Comments
Mazuera, Leo	Opposed to regulations
McAllister, Richard	1 - 35
McCloskey, Steve	1 - 35
McCollum, Steve	38
McCray, Kyle	1 - 35
McDonald, Mike	1 - 35
McDonald, Nathan	Comments do not specifically address regulations or procedures followed
McGee, John	Comments do not specifically address regulations or procedures followed
McGhie, Robert	1 - 35
McGowan, Dave	1 - 35
McKenzie, Donald J.	1 - 35
Mclean, Adam	Comments do not specifically address regulations or procedures followed
McPhee, Charles J.	1 - 35
Messenger, Brett	1 - 35
Meyer, Fred	1 - 35
Meyer, Nathan	1 - 35
Meyerhofer, Eric	Opposed to regulations
Michaels, Mike (Senator)	1 - 35
Michelet, Cecil	Comments do not specifically address regulations or procedures followed
Minnich, Richard	1 - 35
Mitchell, Brian	1 - 35
Mitchell, Edward M.	1, 10
Montgomery, Richard	1 - 35
Moshay, John	1 - 35
Mossman, Bruce	Comments do not specifically address regulations or procedures followed
Moynagh, James	Opposed to regulations
Mugar, Paul W.	1 - 35
Mui, Frank	1 - 35
Murphy, Edward James	1 - 35
Murphy, Michael	1 - 35

Last Name, First Name	Comments
MUSSERY200	Comments do not specifically address regulations or procedures followed
Myers, Ken	1 - 35
n_segger	1 - 35
National Rifle Association (C.D. Michel, FFL Guard)	1 - 35
National Rifle Association (Ed Worley)	1 - 37
Neale, Robert J.	Opposed to regulations
Nel si	1 - 35
Nelson, Paul	Opposed to regulations
Nest, Jack Van	1 - 35
Noll, Karl Patrick	Comments do not specifically address regulations or procedures followed
Nozza, Nikki	Comments do not specifically address regulations or procedures followed
Ogden, Gene	Opposed to regulations
Olbricht, Catharine	Opposed to regulations
Oldenburg, Mark	Opposed to regulations
Orlando, Paula	1 - 35
Ormonde, Dan	Comments do not specifically address regulations or procedures followed
Osyka, Valentin	1 - 35
Ozaki, Dr. Scott	1 - 35
Pacciorini, Albert C.	1 - 35
Pacuilla, Bill	1 - 35
Padalino, Lawrence P.	1 - 35
Palm, Aaron	Opposed to regulations
Papasergia, Pat	Comments do not specifically address regulations or procedures followed
Parker, James	10, 11,
Parrett, Donald	Opposed to regulations
Patterson, Bill J.	1 - 35
Paul, John	Comments do not specifically address regulations or procedures followed
Peterson, Russ	1 - 35
Petetson, Danny	Opposed to regulations

Last Name, First Name	Comments
Peurifoy, Barbara	1 - 35
phegness	Comments do not specifically address regulations or procedures followed
Philibert, Larry	Opposed to regulations
Phillips, John A.	1 - 35
Pickard, Del	1 - 35
Pierpoint, James W.	1 - 35
Pitpit, Gerald	Opposed to regulations
Pollak, Robert	Opposed to regulations
Presley, Dr. Joe A., Jr.	6, 10, 12
Price, Brent	Opposed to regulations
Pride, Thomas	Opposed to regulations
Pritikin, Eldon	1 - 35
Pryor, Warren	1 - 35
Pugliesi, Chris	1 - 35
Rabska, Don	1 - 35
Ralston, James T.	1 - 35
Rarey, Mike	12
Rath, Robert H.	1 - 35
Reaves, R. M.	1 - 35
Reed, Dave	1 - 35
Reilly, Ed	1 - 35
Reinius, Sherman	1 - 35
Reizner, Dick	1 - 35
Renfro, Mark-Scott	1 - 35
Reuss, Tom	1 - 35
Rex, David	1 - 35
Ridder, David	1 - 35
Riddle, Mitchell	Comments do not specifically address regulations or procedures followed
Rizor, Carl W.	Opposed to regulations
Robert	Opposed to regulations

Last Name, First Name	Comments
Roberts, Don	1 - 35
Robertson, Marston D.	1 - 35
Robles, Charles	Opposed to regulations
Roseman, Mr. & Mrs. R. J.	Comments do not specifically address regulations or procedures followed
Rowins, James	Opposed to regulations
Ruiz, Matthew	1 - 35
Sachnewycz, Greg	1 - 35
Sala, Adora	Comments do not specifically address regulations or procedures followed
Salcedo, Joseph	1 - 35
Sant, James Van	1 - 35
Scheetz, Jeff	1 - 35
Schmierer, Dennis	1 - 35
Seaman, Harley D	1 - 35
Serpicio, Thomas	12
Shanefelt, Richard	Opposed to regulations
Shelby, Jensen M.	10, 12
Shipley, Brent	Opposed to regulations
Short, Kenneth	1 - 35
Short, Steve	1 - 35
Shumate, Gordon	1 - 35
Simmons, Gary	Comments do not specifically address regulations or procedures followed
Simonds, Jeffrey	Opposed to regulations
Sims, Aaron	Opposed to regulations
Sinek, John P.	Opposed to regulations
Sirman, Shirley	Opposed to regulations
Skipper Tim	Comments do not specifically address regulations or procedures followed
Slade, David	Opposed to regulations
Slade, David A.	1, 10, 39
Sloan, Bruce	1 - 35
Smith, E. E.	Opposed to regulations

Last Name, First Name	Comments
Smith, John	Opposed to regulations
Smith, Stephen	Opposed to regulations
Snodgrass, Dave	Comments do not specifically address regulations or procedures followed
Snodgrass, Jerry	1 - 35
Snow, Matthew I.	1 - 35
Sorenson, Jim	1 - 35
Sorenson, Paul	1 - 35
Sorrick, David	1 - 35
Sousa, Mike	Opposed to regulations
Standage, Richard	Comments do not specifically address regulations or procedures followed
Stangeland, Steve	Comments do not specifically address regulations or procedures followed
Stephens, Gary	Opposed to regulations
Sterling, Jim	1 - 35
Stetz, George	1 - 35
Stiner, Christopher	1 - 35
Strahan, Dana	1 - 35
Swann, David C.	1 - 35
Talley, Michael	1 - 35
Tappan, Terry	1 - 35
Tate, Steve	Comments do not specifically address regulations or procedures followed
Taylor, Al	1 - 35
Taylor, Russ & Jeanette	1 - 35
Theile, Don	1 - 35
Thomas, Michael	1 - 35
Thomas, Wayne	Opposed to regulations
Thompson, Addison	1, 6, 10, 12, 14
Thompson, Hugh, Jr.	1 - 35
Todd, Al	24
Tonowski, James	1 - 35
Tovar, Don	Opposed to regulations

Last Name, First Name	Comments
Tritt, Gary	Opposed to regulations
Truax, Bruce	Comments do not specifically address regulations or procedures followed
Tucker, Greg	1 - 35
Tumelson, Steven	10
Valiquette, Tim	Comments do not specifically address regulations or procedures followed
Vallandigham, Paul	1 - 35
Van Stralen, Rick	12, 35
Vattuone, Victor	1 - 35
Vavricek, Michael	1 - 35
Viarengo, Alan	Opposed to regulations
Vogel, Tom	1 - 35
Vosburg, Ira	Comments do not specifically address regulations or procedures followed
Voskuil, Mark	1 - 35
Walker, Mike	Opposed to regulations
Warnock, Mark	Comments do not specifically address regulations or procedures followed
Warren, Jeffrey	1 - 35
Watkins, Leslie	1 - 35
Watson, Walter	1, 10, 39
Watt, Dan	Comments do not specifically address regulations or procedures followed
Webster, Gary	1 - 35
Welsh, Mary	Opposed to regulations
West, Tom	1 - 35
White, Mary	Comments do not specifically address regulations or procedures followed
Whitford, Don	1 - 35
Whorton, Mitchel	1 - 35
Wilcox, John	1 - 35
Wilson, Jerry S.	1 - 35
Wilson, Ron	Opposed to regulations
Wilttrout, Rod	Opposed to regulations
Winegar, Bill & Ramona	Opposed to regulations

Last Name, First Name	Comments
Wirt, Robert	1 - 35
Woldseth, Jason	1 - 35
Wolseth, Les	Opposed to regulations
Wong, Ron	1 - 35
Wood, Claude	Opposed to regulations
Worstell, Michael R.	1 - 35
Wray, Michael	10
Wright, David	Comments do not specifically address regulations or procedures followed
Wroten, Kelley	Opposed to regulations
Xiao, Wei	Opposed to regulations
Yarbrough, Ed	1 - 35
Yoha, Dave	1 - 35
Zari, Craig	1 - 35
Zeimet, Dennis J.	Opposed to regulations
Zheng, Chen	1 - 35
Zimmerman, Gary	1 - 35
Zimmerman, Wick	1 - 35