

<b>DOCKETED</b>	
<b>Docket Number:</b>	16-JUR-01
<b>Project Title:</b>	Jurisdictional Determination
<b>TN #:</b>	250810
<b>Document Title:</b>	Steve Uhler Comments on Jurisdictional Determination of executive director pursuant to 20 CCR section 1221
<b>Description:</b>	N/A
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<b>Organization:</b>	Steve Uhler
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*Comment Received From: Steve Uhler  
Submitted On: 6/29/2023  
Docket Number: 16-JUR-01*

**JUR-2016-01 Jurisdictional Determination of executive director pursuant to 20 CCR section 1221**

JUR-2016-01 Jurisdictional Determination of executive director pursuant to 20 CCR section 1221

Issue:

Does the executive director have authority to deny a petition requesting rulemaking hearings pursuant to 20 CCR Â§ 1221?

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*Additional submitted attachment is included below.*

Issue:

Does the executive director have authority to deny a petition requesting rulemaking hearings pursuant to 20 CCR § 1221?

Facts and details of the law:

§ 1221. Petitions.

20 CCR § 1221

Currentness

(a) Any person may petition the commission to request rulemaking hearings. Such petition shall include:

- (1) the name, address, and telephone number of the petitioner;
- (2) the substance or nature of the regulation, amendment, or repeal requested;
- (3) the reasons for the request;
- (4) reference to the authority of the commission to take the action requested.

(b) Such petition shall be filed with the executive director who shall within seven (7) days after its filing determine whether the petition contains the information specified in subsection (a).

(1) If the executive director determines that the petition is complete, they shall so certify in writing and shall inform the petitioner.

(2) If the executive director determines that the petition is not complete, it shall be returned to the petitioner accompanied by a statement of its defects. The petitioner may correct the petition and resubmit it at any time.

(c) Upon certification by the executive director, the commission shall, within thirty (30) days from the filing of the petition, deny the petition, stating the reason for the denial in writing, or grant the petition, directing the staff to prepare an appropriate order pursuant to section 1222 of these regulations.

(d) Nothing in this section shall operate to limit the opportunity of any member of the public to be heard at commission meetings and hearings, as provided by section 25214 of the Public Resources Code.

Credits

Note: Authority cited: Section 25213, Public Resources Code. Reference: Sections 11347 and 11347.1, Government Code.

History

1. New Note filed 1-11-83; designated effective 2-1-83 pursuant to Government Code Section 11346.2(d) (Register 83, No. 3).

2. Change without regulatory effect amending subsection (b)(1) filed 8-24-2022 pursuant to section 100, title 1, California Code of Regulations (Register 2022, No. 34).

This database is current through 6/16/23 Register 2023, No. 24.

Cal. Admin. Code tit. 20, § 1221, 20 CAADC § 1221

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