

APA-1  
6/93

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency Conservation and Natural Resources  
**Rule No.: 220-2-.156 Release of Captive Raised Cervidae**

  x   New    Amend    Repeal (of Existing Rule)    Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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Does the proposed rule have any economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Alabama Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer   
Secretary of Administrative Procedure

Date February 15, 2013

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Department of Conservation and Natural Resources  
Division of Wildlife and Freshwater Fisheries

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources

**RULE NO. & TITLE: (1) 220-2-.156 Release of Captive Raised Cervidae**

INTENDED ACTION: New.

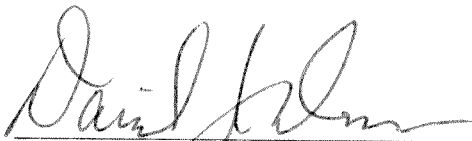
SUBSTANCE OF PROPOSED ACTION: (1) 220-2-.156 -To prohibit the certain release of any captive raised member of the family Cervidae into the wild except those areas bounded by enclosures which effectively restrict the egress of such animals.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in advance by personally appearing at Room 469, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Friday, April 5, 2013.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, April 5, 2013.

CONTACT PERSON AT AGENCY: Chuck Sykes, Director, Division of Wildlife and Freshwater Fisheries, 5th Floor, 64 N. Union Street, Montgomery, Alabama 36130, 334-242-3465.



DAVID J. DEAN

Secretary of Administrative Procedure

**N. Gunter Guy, Jr.**

**220-2-.156 Release of Captive Raised Cervidae**

It shall be unlawful for any person, firm or corporation licensed under 9-11-30 or 9-11-261, or any buyer or recipient from any of such persons, to knowingly or intentionally release any captive raised member of the family Cervidae into the wild except those areas bounded by enclosures which effectively restrict the egress of such animals.

**Statutory Authority:** Sections 9-2-7, 9-2-8, and 9-2-12  
Code of Alabama 1975

**PENALTY:** As provided by law.

12/7/2012(ER);