

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-.08 Hunting of Raccoon, Opossum, Squirrel, Rabbit and Deer During Closed Gun Season

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

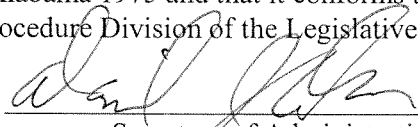
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

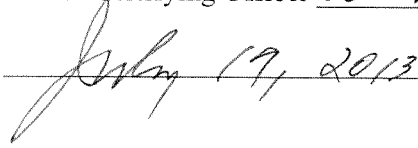
Does the proposed rule have any economic impact? NO

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.

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 

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-.146 Antlered Buck and Turkey Harvest Record; (2) 220-2-.55 Wildlife Management Areas, Community Hunting Areas, Public Hunting Areas, and Refuges of Alabama; (3) 220-2-.02 Legal Arms, Ammunition, and Equipment for Hunting; (4) 220-2-.131 Establishment of Youth Turkey Hunting Area; (5) 220-2-.08 Hunting of Raccoon, Opossum, Squirrel, Rabbit and Deer During Closed Gun Season; (6) 220-2-.143 Alligator Hunting Season and Regulations; (7) 220-2-.30 Fur-Bearing Animals Designated/Trap Specifications/and Prohibited Devices/Tagging Requirement; (8) 220-2-.126 Public Shooting Range Regulation; (9) 220-2-.142 Turtle Dealer/Farmer Regulation; (10) 220-2-.114 Normal Agricultural Planting and Hunting of Dove.

INTENDED ACTION: (1)-(9) Amendments; (10) New; Repeal.

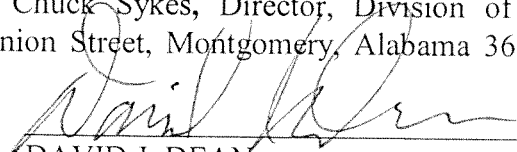
SUBSTANCE OF PROPOSED ACTION: (1) 220-2-.146 -To provide for a certain game check system, deer and turkey harvest record, and reporting requirement; (2) 220-2-.55 – To provide for and regulate conduct at the areas; (3) 220-2-.02 – To provide for and regulate the use of arms, ammunition and equipment for hunting and delete a certain prohibition while using muzzle-loaders and black powder handguns for deer hunting; (4) 220-2-.131- To provide for a certain exception for certain lawfully authorized handguns; (5) 220-2-.08 – To provide for a certain exception for certain lawfully authorized handguns; (6) 220-2-.143 – To provide for an alligator hunting season and regulations relating thereto, and to provide for a certain exception for certain lawfully authorized handguns; (7) 220-2-.30 – To further designate fur-bearing animals in Alabama; (8) 220-2-.126 – To further specify license requirements for certain Alabama residents using a public shooting range; (9) 220-2-.142 – To provide for an exception for the taking of certain nuisance turtles; (10) 220-2-.114 – To further provide for and define recognized practices or methods of planting or preparing fields relating to dove hunting and to repeal the existing rule.

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., September 6, 2013.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, September 6, 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-.08 Hunting of Raccoon, Opossum, Squirrel, Rabbit and Deer During Closed Gun Season

It is hereby made lawful to run raccoon, opossum, squirrel, and rabbit with dogs during the closed gun season on raccoon, opossum, squirrel, and rabbit by licensed hunters, provided, however, that under no circumstances shall anyone take, kill or have in his possession any raccoon, opossum, squirrel, or rabbit, or possess any device that could aid in capturing or killing other than light in conjunction with the running of raccoon, opossum, squirrel, and rabbit as permitted under this regulation during the closed gun season. Provided, further, that deer may be run with dogs only from the period October 1 until the opening of gun deer season in counties having a scheduled gun dog deer season. In addition it is also provided further that each cast participating in a raccoon night hunt field trial having a permit issued pursuant to Rule 220-2-.17 may possess one raccoon squaller during the closed season on raccoons. Nothing in this regulation prohibits the possession of handguns by lawfully authorized persons for personal protection, provided the handguns are not used to hunt or take or to attempt to take wildlife in violation of law.

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

PENALTY: As provided by law.

9/30/82; 9/17/90; 12/21/90; 3/19/92; 10/3/2001;