

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-.10 The Possession of Firearms by Bow Hunters Prohibited

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 March 20, 2012

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-.02 Legal Arms, Ammunition, and Methods for Hunting; (2) 220-2-.10 The Possession of Firearms by Bow Hunters Prohibited; (3) 220-2-.21 Possession of Firearms or Bow and Arrow in Any Wildlife Management Area, Refuge or Sanctuary Prohibited; (4) 220-2-.55 Wildlife Management Areas, Community Hunting Areas, Public Hunting Areas, and Refuges of Alabama; (5) 220-2-.142 Turtle Catcher/Dealer/Farmer Regulation

INTENDED ACTION: Amendments.

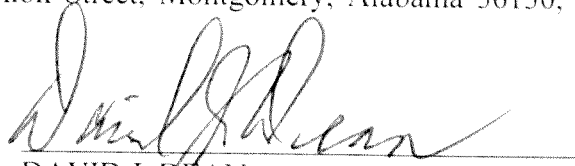
SUBSTANCE OF PROPOSED ACTION: (1) 220-2-.02 - To further provide for and regulate the legal arms, ammunition and methods for hunting; and to provide for a certain exception provided for in 220-2-.03 relating to bows; (2) 220-2-.10 – To further provide for and regulate the possession of firearms by bow hunters; and to provide for a certain exception; (3) 220-2-.21 – To further provide for and regulate the possession of firearms or bow and arrow in state sanctuaries; to delete certain reference to wildlife management areas; and to delete certain language; (4) 220-2-.55 – To further provide for and regulate certain conduct and activities on wildlife management areas, community hunting areas, public hunting areas, and refuges of Alabama; to further provide for certain possession of handguns for personal protection; to further provide for use of handguns for hunting squirrel, crow, and rabbit; to further provide for and regulate the possession of firearms while hunting with bow and arrow or crossbow; and to further provide for and regulate certain waterfowl hunting; (5) 220-2-.142 – To further provide for and regulate certain activities relating to certain turtles in Alabama; to further define “Turtle Farmer” and “Turtle Dealer” and delete the term “Turtle Catcher”; to prohibit certain taking, sale, or possession of turtles or turtle eggs; to provide for certain removal of turtles; to provide for certain taking of turtles; to further provide for certain permitting of turtle farmers and turtle dealers; to delete certain provisions; to prohibit certain importation of turtle species; to require certain turtle farmer reports; and to further regulate and provide for possession of certain box turtles.

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., Monday, May 7, 2012.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, May 7, 2012.

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

A handwritten signature in black ink, appearing to read "David J. Dean", written over a horizontal line.

DAVID J. DEAN

Secretary of Administrative Procedure

N. Gunter Guy, Jr.

220-2-.10 The Possession of Firearms by Bow Hunters Prohibited

It shall be unlawful for any person to possess both gun and bow while hunting any species of game, bird or animal, except during and in areas of the either sex gun deer season. This prohibition shall not apply to the possession of handguns by lawfully authorized persons for their personal protection, provided the handguns are not used to hunt or take or to attempt to take wildlife except as otherwise provided by law or regulation.

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

PENALTY: As provided by law.

9/30/82; 8/21/2002; 9/19/2011(ER);