

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-.94

Rule Title: **Prohibition of Taking or Possessing Paddlefish (Spoonbill) [eff. 10-19-1995]
[REPEALED]**

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 Jennifer Weller

Secretary of Administrative Procedure

Date

4-19-16

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: 220-2-.94 Prohibition of Taking or Possessing Paddlefish
(Spoonbill) [eff. 10-19-1995] [REPEALED]

INTENDED ACTION: Repeal.

SUBSTANCE OF PROPOSED ACTION: To repeal the regulation which prohibited the taking or possessing of paddlefish (spoonbill).

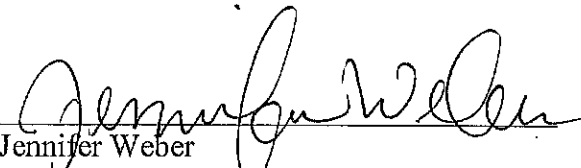
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of the Division of Wildlife and Freshwater Fisheries, by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Friday, June 3, 2016.

If ADA accommodations are needed, please contact Daisy Perry at (334) 242-3165 or daisy.perry@dcnr.alabama.gov. Requests should be made as soon as possible but at least seven days prior to the date of a personal appearance to present views regarding the proposed rules.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

June 3, 2016.

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


Jennifer Weber
Secretary of Administrative Procedure

REPEALED

N. Gunter Guy, Jr.

220-2-.94 Prohibition of Taking or Possessing Paddlefish (Spoonbill)

It shall be illegal to take or attempt to take paddlefish (spoonbill) from all public waters of Alabama by any method or to possess paddlefish (spoonbill) or any part of a paddlefish (spoonbill). Any paddlefish (spoonbill) accidentally captured shall be immediately returned to the waters from whence it came. This regulation does not apply to commercially packaged paddlefish (spoonbill) products imported from out of state or to paddlefish (spoonbill) cultured at hatchery operations or grow out ponds permitted through the Commissioner, Department of Conservation and Natural Resources.

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

PENALTY: As provided by law.

11/29/1988(ER); 3/24/1989; 10/19/1995.