

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-.21 Possession of Firearms or Bow and Arrow in Any Wildlife Management Area, Refuge
or Sanctuary 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

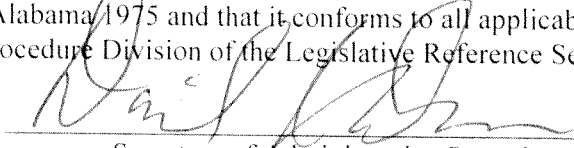
Are all facets of the rulemaking process designed solely for the
purpose of, and so they have, as their primary effect, the
protection of the public? YES

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.

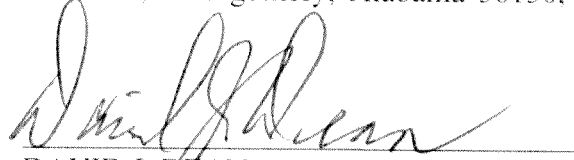
SUBSTANCE OF PROPOSED ACTION: (1) 220-2-.02 - To further provide for and regulate the legal arms, ammunition and methods for hunting; and to provide for a certain exception provided for in 220-2-.03 relating to bows; (2) 220-2-.10 – To further provide for and regulate the possession of firearms by bow 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-.21 Possession of Firearms or Bow and Arrow in Any Wildlife Management Area, Refuge or Sanctuary Prohibited

No person shall take, carry, or possess any firearms or bow of any description whatsoever (except handguns possessed by ~~legally licensed~~ lawfully authorized persons for personal protection) in any state sanctuaries established as a sanctuary by Rule 220-2-.22 ~~wildlife management area in this State during the closed season on game birds, game and/or fur-bearing animals, except on an open designated target range and except a person may possess a bow and arrow only during special bow season allowed for the taking of rough fish.~~ No person shall at any time take, carry or possess any firearms or bows of any description whatsoever in or on any ~~wildlife refuge or wildlife sanctuary located in or on any national forest area in this State, or on or in any state or federal sanctuary except by special permit or when bow and arrows may be legally possessed during special bow season provided for the taking of rough fish on such areas by regulations of the Department of Conservation and Natural Resources;~~ provided, however, that this rule shall not apply to the possession of firearms by State Conservation Officers, state or county enforcement officers, or federal agents, when they are on active duty in the performance of their duties in the enforcement of the laws of this State.

Statutory Authority: §§9-2-7, 9-2-12, and 9-11-301 Code of Alabama 1975

PENALTY: As provided by law.

9/30/82; 11/13/91; 11/11/10;