

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-.07

Rule Title: **Legal Hunting Hours for Game Animals**

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

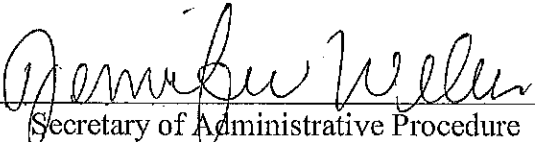
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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 5-9-16

APA-2
6/93

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-.07 Legal Hunting Hours for Game Animals
INTENDED ACTION: Amendment.

SUBSTANCE OF PROPOSED ACTION: To permit the hunting of certain animals at night as provided for by law or rule promulgated by the Commissioner of Conservation and Natural Resources and to omit language in the rule that overlaps with other rules or statutes.

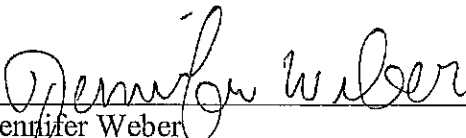
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of the Division of Wildlife and Freshwater Fisheries, by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Tuesday, July 5, 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:

July 5, 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

N. Gunter Guy, Jr.

220-2-.07 Legal Hunting Hours for Game Animals Protected by Rule or Regulation

It shall be unlawful to hunt all protected animals during nighttime hours except as otherwise provided by law or rule promulgated by the Commissioner of Conservation and Natural Resources. Legal hunting hours for all game animals during the open season for same shall be daylight hours only, except fox may be hunted at night during nighttime hours with light and dogs only, and raccoon and opossum may be hunted under the following conditions: during nighttime hours with the use of a light and a shotgun using No. 6 shot or smaller or a .22 caliber rimfire firearms legal arms and ammunition as provided in rule 220-2-.02 when hunter or hunters are accompanied by dog or dogs free of leash, and if hunting on the lands of another, they must have the written permission of the landowner.

Statutory Authority: §§ 9-2-7, 9-2-8, 9-2-12 and 9-11-235
 Code of Alabama 1975

PENALTY: As provided by law.

9/30/1982; 1/21/1986.