

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-.115

Rule Title: Snagging or Snatching Fish on the Tennessee River

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 Nelson

Secretary of Administrative Procedure

Date 11-18-14

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6/93

Department of Conservation and Natural Resources
Wildlife Freshwater Fisheries Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources
RULE NO. & TITLE: 220-2-.115 Snagging or Snatching Fish on the Tennessee River
INTENDED ACTION: Amendment.

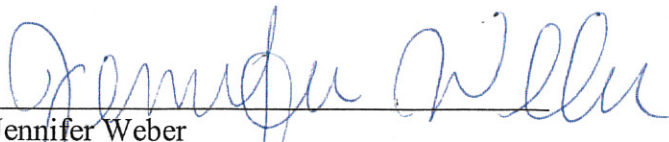
SUBSTANCE OF PROPOSED ACTION: To delete the last two sentences of the rule, which read: "It shall further be unlawful to catch a fish on the Tennessee River or its impoundments by hooking the fish in any place other than the mouth or head. Any fish hooked other than in the mouth or head must immediately be returned to the water from where it came with the least possible harm."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Wildlife and Freshwater Fisheries Division at any time during the period stated below, or orally if requested in advance by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Tuesday, January 6, 2015.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, January 6, 2015.

CONTACT PERSON AT AGENCY: Chuck Sykes, Director, Wildlife Freshwater Fisheries, 5th Floor, 64 N. Union Street, Montgomery, Alabama 36130.


Jennifer Weber
Secretary of Administrative Procedure

N. Gunter Guy, Jr.

220-2-.115 Snagging or Snatching Fish on the Tennessee River

It shall be unlawful to take fish on the Tennessee River or its impoundments by pulling a single hook or group of hooks through the water (snagging or snatching), provided said hooks may be so used with bait and/or lures to entice fish to strike or bite such bait or lure. ~~It shall further be unlawful to catch a fish on the Tennessee River or its impoundments by hooking the fish in any place other than the mouth or head. Any fish hooked other than in the mouth or head must immediately be returned to the water from where it came with the least possible harm.~~

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

PENALTY: As provided by law.

08/15/1996