

APA-1
Revised 4/2018

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency: Conservation and Natural Resources

Rule No.: 220-2-.25

Rule Title: Imported Game Birds, Game Animals, Wildlife and Raw Furs Subject to State Laws

 New X 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 action relate to or affect in any manner any
litigation which the agency is a party to concerning the subject
matter of the proposed rule? NO

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 Services Agency.

Signature of Certifying Officer

Ryan D. Corley

Secretary of Administrative Procedure

Date

8/16/18

Department of Conservation and Natural Resources
Wildlife & Freshwater Fisheries

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources

RULE NO. & TITLE: 220-2-.25 Imported Game Birds, Game Animals, Wildlife and Raw Furs Subject to State Laws

INTENDED ACTION: Amendment,

SUBSTANCE OF PROPOSED ACTION: To prohibit the importation of velvet-covered antlers unless part of a finished taxidermy product in order to facilitate the prevention of Chronic Wasting Disease (CWD) and other detrimental Cervidae diseases. To clarify that this regulation does not apply to unattached bare antlers or sheds or to cleaned skull plates with attached bare antlers.

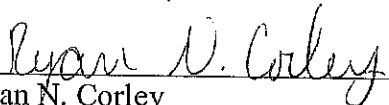
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of Wildlife & Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of Wildlife & Freshwater Fisheries, and then by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Friday, October 5, 2018.

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:

Friday, October 5, 2018.

CONTACT PERSON AT AGENCY: Chuck Sykes, Director, Wildlife & Freshwater Fisheries, 5th Floor, 64 N. Union Street, Montgomery, Alabama 36130, 334-242-3465.



Ryan N. Corley
Secretary of Administrative Procedure

Christopher M. Blankenship

**220-2-.25 Imported Game Birds, Game Animals, Wildlife and Raw Furs
Subject to State Laws**

- (1) All wildlife, game or fur-bearing animals, game birds, or the dead bodies or parts thereof transported into the State of Alabama from any other state, territory, or foreign country for use, consumption, sale, or storage in the State of Alabama shall, upon arrival, be subject to the operation and effect of the laws and regulations of the State of Alabama enacted in the exercise of its police powers to the same extent and in the same manner as though such animals or birds had been produced or taken in the State of Alabama.
- (2) The importation of body parts of any member of the family Cervidae is prohibited from all states, territories, or possessions of the United States of America. Importation of body parts is also prohibited from all foreign countries. The family Cervidae includes but is not limited to white-tailed deer, mule deer, elk, moose, caribou, fallow deer, axis deer, sika deer, red deer, and reindeer.
- (3) This regulation shall not apply to importation of: meat from the species listed in (2) above that has been completely deboned; cleaned skull plates with attached bare antlers, if no visible brain or spinal cord tissue is present; unattached bare antlers or sheds; raw capes, if no visible brain or spinal cord tissue is present; upper canine teeth, if no root structure or other soft tissue is present; and finished taxidermy products or tanned hides.
- (4) The importation of velvet-covered antlers is prohibited unless part of a finished taxidermy product.

Author: Christopher M. Blankenship

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

Penalty: As provided by law.

History: Filed September 30, 1982. **Amended:** October 17, 1986. **Amended:** Filed August 15, 2012; effective September 19, 2012. **Amended:** Filed June 14, 2016; effective July 29, 2016. **Amended:** Filed May 8, 2018; effective June 22, 2018. August 16, 2018.

**ECONOMIC IMPACT
STATEMENT FOR APA RULE
(Section 41-22-23(f))**

Control No. 220 Department or Agency Conservation

Rule No: 220-2-.25

Rule Title: Imported Game Birds, Game Animals, Wildlife and Raw
Furs Subject to State Laws

 New X Amend Repeal Adopt by Reference

 X This rule has no economic impact.

 This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE,
EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND
ACHIEVING THE STATED PURPOSE:

3. EFFECT OF THIS RULE ON COMPETITION:

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS
IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE
IMPLEMENTED:

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA
WHERE THE RULE IS TO BE IMPLEMENTED:

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING
THIS RULE:

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:
9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED: