

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-.17

Rule Title: Organized Field Trials

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 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 Reference Service.

Signature of Certifying Officer _____

Ryan D. Corley
Secretary of Administrative Procedure

Date _____

6/19/18

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-.17 Organized Field Trials

INTENDED ACTION: Amendment.

SUBSTANCE OF PROPOSED ACTION: To clarify that the permit dates for organized field trials do not apply to raccoon or fox field trials.

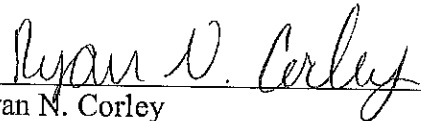
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of Wildlife & Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of Wildlife & Freshwater Fisheries, and then by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Friday, August 3, 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, August 3, 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-.17 Organized Field Trials

It shall be unlawful for any resident or nonresident of this State to participate in any organized field trial without a hunting license unless approved in writing by the Department of Conservation and Natural Resources and conducted pursuant to a valid permit from the Department. In the process of such organized field trial events, no guns using live ammunition shall be used nor shall any game animals or birds be taken or killed. Further, during the course of approved hunting dog field trials (which trials shall only be conducted pursuant to possession of a valid permit from the Department of Conservation and Natural Resources), only properly marked pen-raised quail or mallard ducks may be shot. Provided the organization receives a permit as provided for herein, the shooter, or person bearing the gun, will not be required to have a hunting license. Only one person at a time may possess a gun during the course or stations of a permitted field trial where such quail or ducks will be shot. An organized field trial permit where such quail or ducks are taken will only be issued for a predesignated marked course or hunting dog trial stations. Approval of the local conservation officer (or Commissioner's designee) will be required prior to the issuance of a hunting dog field trial permit where such quail or ducks are to be taken. Permits for organized field trials will be limited to three permits per organization per year and will only be issued for periods from September 1 through May 15. These date restrictions do not apply to raccoon or fox field trials. An administrative fee of Fifty Dollars (\$50) will be required for each permit to cover the Department's costs associated with organized field trial activities. Applicants will be required to submit the name of the organization, name of the organization's manager, driver's license and social security numbers and date of birth of the organization's manager, as well as additional addresses, phone numbers, and e-mail addresses. Applicants will also be required to provide the physical address or GPS coordinates of the location of the field trial, and the date and type of the field trial event. Organized fields trials on Wildlife Management Areas and Open Permit-Public Land (as defined in rule 220-2-.85(2)), such as national forests lands, will not be approved under field trial permits. Notwithstanding the foregoing, organized field trials may be held at the Barnett Lawley Field Trial Facility managed by the State Lands Division.

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. **Emergency amendment** effective September 17, 1990. **Amended:** December 21, 1990; March 19, 1992. **Amended:** Filed August 28, 2001; effective October 2, 2001. **Amended:** Filed September 6, 2013; effective October 14, 2013. June 19, 2018.

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

Control No. 220 Department or Agency Conservation

Rule No: 220-2-.17

Rule Title: Organized Field Trials

New Amend Repeal Adopt by Reference

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: