

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-.112
Rule Title: **Dog Deer Hunting**

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 Wells
Secretary of Administrative Procedure
Date 3-21-11

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-.112 Dog Deer Hunting

INTENDED ACTION: Amend Rule

SUBSTANCE OF PROPOSED ACTION: To make it unlawful for any person, after receiving two written warnings from a Conservation Enforcement Officer, to allow their dog onto another's property for the purpose of deer hunting.

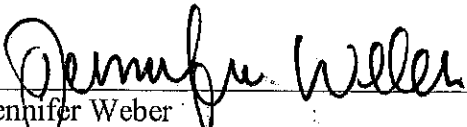
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of the Division of Wildlife and Freshwater Fisheries, and then by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Friday, May 5, 2017.

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, May 5, 2017.

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-.112 Dog Deer Hunting

(a) It shall be unlawful to cast, release, or otherwise place, a dog, for the purpose of hunting deer, from, upon, or onto, a public right-of-way, without the permission of the landowners whose land adjoins the right-of-way within 50 feet of the location of such dog.

(b) It shall be unlawful for any person to utilize a dog for the purpose of deer hunting without the person placing and maintaining on said dog a collar containing the following information clearly stated thereon: the name, address, and telephone number of the person utilizing the dog.

(c) It shall be unlawful for any person, after having received two written warnings from a Conservation Enforcement Officer, to allow a dog for the purpose of deer hunting to enter onto, cross, or remain upon property of another.

AUTHOR: N. Gunter Guy, Jr.

STATUTORY AUTHORITY: §§ 9-2-7, 9-2-8, and 9-2-12,
Code of Alabama, 1975.

PENALTY: As provided by law.

HISTORY: 10/25/1995;