

Notice of Public Hearing

LSA Document #06-193

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on October 23, 2006 at 2:00 p.m., in the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 18, Indianapolis, Indiana the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 9](#), which governs the management of fish and wildlife, concerning the definition of immediate family, hunting deer by bow and arrows, cottontail rabbits, squirrels, wild turkeys, taking turtles, endangered species of reptiles and amphibians, reptiles and amphibians native to Indiana, reptile captive breeding licenses, and game breeder licenses.

Under [IC 4-22-2-24\(d\)\(3\)](#), the Department of Natural Resources estimates that the proposed rule will impose requirements or costs on regulated entities, approximately 300 licensed game breeders. Under [IC 14-22-20-1](#), the DNR has the statutory authority to adopt rules for the game breeder license. The statutory authority to adopt rules regarding the taking of wild animals, including amendments to the season dates and locations, is found at [IC 14-22-2-6](#). The proposed rule in [312 IAC 9-1-9.6](#) defines "immediate family" as that term is used in [312 IAC 9-2-14](#). The proposed changes in [312 IAC 9-3-5](#), [312 IAC 9-3-16](#), [312 IAC 9-3-17](#), and [312 IAC 9-4-11](#) affect individual hunters who hunt deer, eastern cottontail rabbits, squirrels, and wild turkeys with changes to season dates and locations where hunting may occur. The proposed amendment to [312 IAC 9-10-4](#) presents clarification of existing requirements for licensed game breeders. The eight foot fence requirement associated with the confinement of white-tail deer currently exists in [345 IAC 2-7-3](#), administered by the Indiana State Board of Animal Health. Therefore, this amendment does not impose a new requirement for game breeders but establishes consistency between DNR and Indiana State Board of Animal Health rules. Licensed game breeders are already required to keep a transaction record and submit an annual report. The expiration date of the license is currently December 31 of the year of issuance, as stated on the license itself (State Form #38839), and the annual report form is already due February 15 of each year ([312 IAC 9-10-4\(j\)](#)). The expiration date of the license and modifications to the record keeping requirements are for clarification only. The costs associated with record keeping requirements of [312 IAC 2-7-3](#), based upon approximately six hours per year at a rate of \$10 per hour, result in an annual cost of \$60. An eight foot perimeter fence required by [312 IAC 9-10-4](#) for the confinement of white-tail deer would cost approximately \$2,000 to construct. While it is acknowledged that there are costs and requirements associated with the two proposed rule amendments, the same costs and requirements presently exist. Therefore, there are no new or additional costs imposed upon regulated entities.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W272 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Richard J. Cockrum
Chairman
Natural Resources Commission

Posted: 09/27/2006 by Legislative Services Agency
An [html](#) version of this document.