

Notice of Public Hearing

LSA Document #09-479

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on December 3, 2009, at 1:00 p.m., at the Indiana Government Center North, 100 North Senate Avenue, Room N501, Indianapolis, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 9-1](#), [312 IAC 9-2](#), [312 IAC 9-3](#), and [312 IAC 9-4](#), which govern definitions, restrictions and standards applicable to wild animals, the hunting, taking, and trapping of mammals except deer, and the taking of birds, to modify and reorder language for improved clarity, simplicity, and continuity.

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: These proposed rules in this package from the Department of Natural Resources (DNR) contain amendments to fish and wildlife rules that govern definitions, general requirements and standards for wild animals, mammals, and birds. The proposed rules provide for greater clarification and consistency with existing statutes and rules. The rule proposals in this package will impose requirements on regulated entities. The rule amendments that add provisions for the possession, gifting, and sale of wild animals, including game birds, impose requirements of a license or permit to possess or sell the animals. An individual is also required to tag a squirrel or eastern cottontail rabbit that is being given to someone ([312 IAC 9-3-16](#) and [312 IAC 9-3-17](#)). However, the tag is only a regular piece of paper provided by the hunter with specific information written on it. The rule proposals should not negatively impact any businesses because these provisions that govern the sale and possession of these species under various permits are already required by statute or rule; they are just not simply listed in one place for that particular species of animal. For example, a game breeder's license is already required by state statute in [IC 14-22-20](#) and [312 IAC 9-10-4](#) to sell gray squirrels and eastern cottontail rabbits; this requirement is simply not currently listed under the administrative rule governing the taking of squirrels. The direct benefits are to individuals that hunt these species of wild animals because these rules provide additional clarification of the requirements without imposing any additional costs. The rules are being made simpler and easier to understand. This rule will also benefit law enforcement officers by clarifying requirements and by placing all of the requirements for one species of animal in one rule, instead of having provisions in multiple rules. These changes will also assist county prosecutors. There are cost reductions to individuals as a result of these rule changes. There are no businesses that are known to be affected by these rules. Sources of information for determining costs and benefits were obtained from DNR staff and conservation officers.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

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