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## **TITLE 312 NATURAL RESOURCES COMMISSION**

### **Proposed Rule** LSA Document #05-262

#### **DIGEST**

Adds 312 IAC 9-3-2.5 to establish a special youth deer hunting season the weekend before the start of the early archery season (October 1), to allow any youth 15 years of age or younger, accompanied by an adult of at least 18 years of age, to be able to take one antlerless deer during this special youth deer season, and to require the youth hunter to possess a valid youth hunting license, to have taken a hunter education course, and to comply with all other deer hunting regulations. Effective 30 days after filing with the Secretary of State.

#### **IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

The Indiana Department of Natural Resources (DNR) estimates that the proposed rule will not impose requirements or costs on small businesses. Check-in stations and hunting license vendors may qualify as small businesses under IC 4-22-2.1-4. However, youth hunting licenses that will be sold and deer taken under such a license will be checked in using existing systems for selling other hunting licenses and checking in deer taken under other types of deer licenses. Other states that have implemented a similar early youth season report that very few additional deer are taken for which check stations will have to collect data. License vendors sell hunting licenses through the DNR's automated licensing system, which electronically transfers data and revenue relating to licenses sold, enabling all reports of that data to be prepared by the DNR.

#### **312 IAC 9-3-2.5**

SECTION 1. 312 IAC 9-3-2.5 IS ADDED TO READ AS FOLLOWS:

#### **312 IAC 9-3-2.5 Hunting deer during special youth season**

**Authority:** IC 14-22-2-6

**Affected:** IC 14-22-11-1; IC 14-22-12-1; IC 14-22-12-7

**Sec. 2.5. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual youth who is either of the following:**

- (1) Issued a license to hunt deer under IC 14-22-12-1(a)(24).**
- (2) Hunting deer under IC 14-22-11-1 or IC 14-22-12-7.**

**As used in this section, "youth" means an individual who is fifteen (15) years of age or younger by the date of the hunt.**

**(b) The season for hunting deer under this section is two (2) consecutive days beginning on the Saturday immediately before October 1 or as approved annually by the director.**

**(c) The seasonal limit for hunting deer under this section is one (1) antlerless deer.**

**(d) A youth who hunts a deer under this section must be:**

- (1) fifteen (15) years of age or younger; and**
- (2) accompanied by an adult of at least eighteen (18) years of age.**

**An adult accompanying the youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field and shall not be required to possess a deer hunting license.**

**(e) A youth hunter must not hunt deer except from one-half (½) hour before sunrise to one-half (½) hour after sunset.**

**(f) A youth hunter must not hunt deer unless wearing hunter orange. An adult accompanying the youth hunter must wear hunter orange while in the field.**

(g) A youth must not hunt a deer under this section with any type of equipment except a firearm or bow and arrow, including a crossbow. A youth must not possess more than one (1) type of equipment to take a deer while in the field.

(h) The following requirements apply to the use of firearms under this section:

(1) A shotgun:

(A) must have a gauge 10, 12, 16, 20, or .410 bore loaded with a single projectile; and

(B) may be possessed in the field outside lawful shooting hours only if there are no shells in the chamber or magazine.

(2) A muzzle loading gun must be .44 caliber or larger, loaded with a bullet at least .357 inch or larger. A muzzle loading handgun must be single shot, .50 caliber or larger, loaded with bullets at least .44 caliber and have a barrel at least twelve (12) inches long. The length of a muzzle loading handgun barrel is determined by measuring from the base of the breech plug, excluding tangs and other projections, to the end of the barrel, including the muzzle crown. A muzzle loading gun must be capable of being loaded only from the muzzle, including both powder and bullet. A muzzle loading gun may be possessed in the field outside lawful shooting hours only if:

(A) for percussion firearms, the cap or primer is removed from the nipple or primer adapter; or

(B) for flintlock firearms, the pan is not primed.

(3) Over-and-under combination rifle-shotguns are prohibited.

(i) The following requirements apply to the use of archery equipment under this section:

(1) No person shall use a long bow or compound bow of less than thirty-five (35) pounds pull.

(2) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(3) Poisoned or explosive arrows are unlawful.

(4) Bows drawn, held, or released other than by hand or hand-held releases are unlawful.

(5) A long bow or compound bow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(6) No portion of the bow's riser (handle) or any:

(A) track;

(B) trough;

(C) channel;

(D) arrow rest; or

(E) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(j) The following requirements apply to the use of a crossbow under this section:

(1) No youth shall use a crossbow:

(A) of less than one hundred twenty-five (125) pounds pull; and

(B) that does not have a mechanical safety.

(2) A crossbow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(k) As used in this section, "crossbow" means a device for propelling an arrow by means of traverse limbs mounted on a stock and a string and having a working safety. The crossbow may be drawn, held, and released by a mechanical device. (Natural Resources Commission; 312 IAC 9-3-2.5)

### ***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on February 2, 2006 at 3:00 p.m., at the Indiana Government Center-South, Conference Center Room 14, 402 West Washington Street, Indianapolis, Indiana the Natural Resources Commission will hold a public hearing on a proposed new rule to establish a special youth deer hunting season the weekend before the start of the early archery season (October 1), to allow any youth age 15 years or younger, accompanied by an adult of at least 18 years of age, to be able to take one antlerless deer during this special youth deer season and to require the youth hunter to possess a valid youth hunting license, to have taken a hunter education course, and to comply with all other deer hunting regulations.*

*This proposed rule would not impose any requirements or costs under IC 4-22-2-24(d)(3).*

*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.*

Michael Kiley  
Chairman  
Natural Resources Commission