

**SUMMARY FOR COMMITTEE ITEM**  
**Removal of the 30 Horsepower Limit on Outboard Motors**  
**Operating on the Eleven Point River Proposal**

**Committee:** Regulations Committee

**Date:** July 15, 2015

**Title:** Removal of the 30 Horsepower Limit on Outboard Motors  
Operating on the Eleven Point River Proposal

**Explanation:**

The Fisheries Division recommends removing the restriction of greater than 30 horsepower outboard motors on the Eleven Point River. This change will align AGFC code to reflect Arkansas State House Bill 1179 which repealed the State code that placed a maximum 30 hp motor limit on the Eleven Point River (Arkansas Code § 15-23-105). A Minute Order will be brought before the Regulations Committee at the August, 2015 meeting for approval.

**Prepared by:** Chris Racey  
Chief of Fisheries

## **Proposed Regulation Change to Remove the Outboard Size Restriction on the Eleven Point River**

Currently, AGFC Code prohibits the use of greater than 30 horsepower outboard motors on the Eleven Point River. This regulation matched Arkansas Code § 15-23-105. In the 2015 regular legislative session, House Bill 1179 repealed Arkansas Code § 15-23-105. To align with Arkansas State Code, Fisheries Division recommends removing the restriction of greater than 30 horsepower outboard on the Eleven Point River (AGFC Code 37.09).

<del>37.09</del>	<del><b>OUTBOARD MOTOR RESTRICTIONS ON ELEVEN POINT RIVER</b></del>
<del>06-15</del>	<del>It is unlawful to use outboard motors larger than 30 horsepower at the propeller or jet pump on the Eleven Point River.</del>
	<del><b>PENALTY:</b> <u>Class 1</u></del>

## FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY  
(Attach additional pages if needed)

**DEPARTMENT:** Arkansas Game & Fish Commission

**BUREAU:** Fisheries

**PERSON COMPLETING THIS STATEMENT:** Cody Wyatt

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**EMAIL:**

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**SHORT TITLE OF THIS RULE:** Removal of the 30 Horsepower Limit on Outboard Motors  
Operating on the Eleven Point River.

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?  
Yes: No: **X**
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: **X** If "Yes", please explain:
3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

### Current Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

### Next Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

**Current Fiscal Year:** \$ N/A **Next Fiscal Year:** \$ N/A

Party Subject to Rule: **Boaters on the Eleven Point River**

Effect on Party Subject to Rule: **Positive**

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

**Current Fiscal Year:** \$ N/A **Next Fiscal Year:** \$ N/A

Financial Benefit to Agency: **N/A**

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: **X**

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts:

## **INSTRUCTIONS FOR COMPLETING THIS FORM:**

1. ECONOMIC IMPACT - In compliance with Governor's Proclamation EO 05-04, this form must be completed for **commercial licenses and permits** and submitted at the time a regulation is proposed to the Commission. The form will be forwarded to the Chief of Fiscal Services Division for review. After review, the form will be submitted to:

Director  
Arkansas Department of Economic Development  
One Capitol Mall  
Little Rock, AR 72201

2. FINANCIAL IMPACT - After passage of any regulation changes which have a financial impact (including all sport, lifetime, and commercial licenses) this form must be completed and submitted to the Chief of the Legal Division. The form is required for filing regulation changes with the Secretary of State.