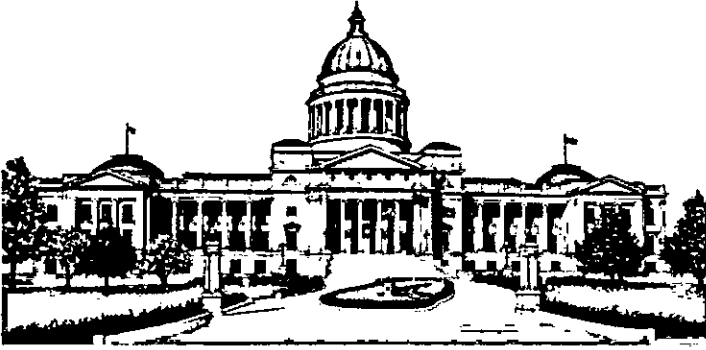


ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State
John Thurston
500 Woodlane, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Game and Fish Commission

Department Legal Division

Contact James Goodhart, General Counsel E-mail james.goodhart@agfc.ar.gov Phone 501-223-6327

Statutory Authority for Promulgating Rules Amendment 35

Rule Title: 28.01 Spearing Game Fish Restricted

Intended Effective Date
(Check One)

Emergency (ACA 25-15-204)

10 Days After Filing (ACA 25-15-204)

Other January 1, 2021
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

Aug. 15-18, Sept. 23-15, 2020

October 14, 2020

NA

October 15, 2020

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

April M. Soman

April.Soman@agfc.ar.gov

October 19, 2020

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

~~IN COMPLIANCE WITH THE ARKANSAS ADMINISTRATIVE PROCEDURES ACT, ACT 25-15-204~~

a Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the Arkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially comply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity for comment, and filing of all regulations adopted by the Commission.

_____/s/ James F. Goodhart

501-223-6327

Signature

James.Goodhart@agfc.ar.gov

Phone Number

General Counsel

E-mail Address

Title
October 19, 2020

Date

FILED
AR REGISTER DIV.
OCT 20 PM 12:03
SECRETARY OF STATE
ARKANSAS

Arkansas Game and Fish Commission

Code Book

The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

28.01 Spearing Game Fish Restricted

It is unlawful to take game fish with spearguns other than as specified below:

- A. June 15-March 15 from sunrise to sunset in the following waters: Beaver, Blue Mountain, Bull Shoals, Catherine, Conway, DeGray, DeQueen, Dierks, Erling, Gillham, Greers Ferry, Greeson, Hamilton, Harris Brake, Millwood, Nimrod, Norfolk, Ouachita, and Table Rock lakes, and all impoundments created by the locks and dams on the Arkansas River;
- B. The taking of black bass is prohibited in the following waters: Beaver, Bull Shoals, Norfolk, and Table Rock lakes;
- C. The taking of flathead catfish is prohibited March 15-July 15;
- D. No more than half of the daily game fish limit (Codes 25.01, 25.02) may be taken by speargun, or the lesser whole number nearest half when the limit is an odd number; and
- E. The possession of spearguns in public waters other than waters specified in this section is prohibited.

PENALTY: Class 1

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO: 20-051 SUBJECT: 2021 Fishing Regulations
 DATE PASSED: October 15, 2020
 PAGE 1 of 1 PAGES LOCATION: Statewide

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached 2021 fishing regulations; and


WHEREAS, the attached regulations have been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; and

WHEREAS, after carefully considering the recommendations of Commission staff and the Regulations Committee, as well as comments received from the public, the Commission has determined that the attached regulations promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

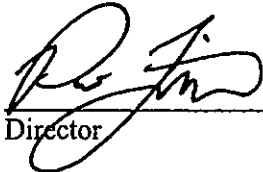
NOW, THEREFORE, BE IT ORDERED this 15th day of October 2020, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, which shall become effective on January 1, 2021.

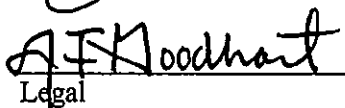
BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached regulations with the Secretary of State, State Library, and Bureau of Legislative Research and incorporating them into the Commission Code Book and Addendum.

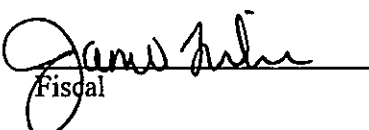
STAFF APPROVAL

Submitted by: 
Ben Batten
Chief


Division: Fisheries


Approved: 
Director

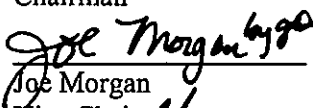
Approved: 
Legal

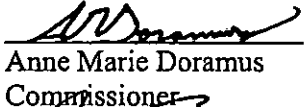
Approved: 
Fiscal


COMMISSION APPROVAL

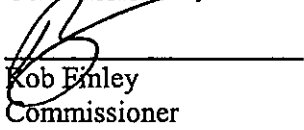

Andrew Parker
Chairman

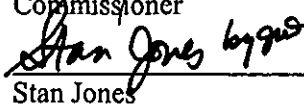

J. D. Neeley
Commissioner


Joe Morgan
Vice Chairman


Anne Marie Doramus
Commissioner


Bobby Martin
Commissioner


Rob Finley
Commissioner


Stan Jones
Commissioner