

# ARKANSAS REGISTER

## Transmittal Sheet

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



Secretary of State  
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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:** 30.20 Paddlefish and Sturgeon Possession Restrictions On Certain Waters

**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 Substantial Compliance with the Arkansas Administrative Procedures Act, ACA 25-15-204, 2016, 2017, 2018, 2019, 2020~~

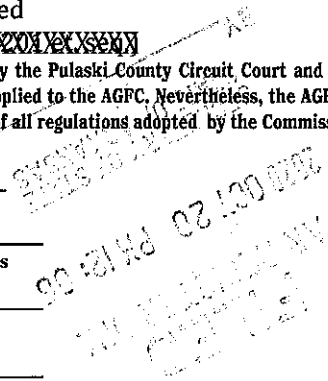
in Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the Arkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally 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 James.F.Goodhart@agfc.ar.gov

Phone Number General Counsel E-mail Address

Title  
October 19, 2020  
Date



# 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.

### **30.20 Paddlefish And Sturgeon Possession Restrictions On Certain Waters**

It is unlawful to, for commercial purposes, take, attempt to take, or possess paddlefish or sturgeon, or their parts including eggs (roe), from:

- A. That part of the White River (including any backwaters) immediately above the Newport Access and proceeding upstream to the boat ramp at Jacksonport State Park.
- B. The following border waters with Louisiana: Red River in Hempstead, Lafayette, Little River, and Miller counties; Ouachita River from the Louisiana state line to 100 yards below Felsenthal Lock and Dam; Bayou Bartholomew from the Louisiana state line to its source in Jefferson County; Bodcau Bayou from the Louisiana state line to the base of Lake Erling Dam; Boeuf River from the Louisiana state line to its source in Chicot County; and Bayou Macon from the Louisiana state line to its source in Desha County.
- C. The portion of the Arkansas River extending from Trimble Lock and Dam upstream to the Oklahoma state line except for during permitted special seasons determined by the Commission.

**PENALTY:** Class 3



**ARKANSAS GAME AND FISH COMMISSION**  
Little Rock, Arkansas

MINUTE ORDER NO: 20-053 SUBJECT: 2021 Commercial Fishing  
 DATE PASSED: October 15, 2020 Regulations  
 PAGE 1 of 1 PAGES LOCATION: Statewide

**WHEREAS,** the Arkansas Game and Fish Commission and its staff have proposed the attached 2021 commercial 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, with the exception of the changes to 30.03 Commercial Fishing Reporting Requirements which will take effect on January 1, 2022.

**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: *B Batten*  
Ben Batten  
Chief

Division: Fisheries

Approved: *Rob Fiskley*  
Director

Approved: *A F Hoodman*  
Legal

Approved: *James Duke*  
Fiscal

**COMMISSION APPROVAL**

*Andrew Parker*  
Andrew Parker  
Chairman

*Joe Morgan*  
Joe Morgan  
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Bobby Martin  
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Anne Marie Doramus  
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