ARKANSAS REGISTER



Transmittal Sheet

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

Secretary of State
John Thurston

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For Office Use Only: Code Number _____ Effective Date 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: 30.27 RESERVED **Intended Effective Date** Date (Check One) Aug. 15-18, Sept. 23-15, 2020 Emergency (ACA 25-15-204) October 14, 2020 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment Other January 1, 2021
(Must be more than 10 days after filling date.) Reviewed by Legislative Council..... October 15, 2020 Adopted by State Agency Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218) October 19, 2020 April M. Soman April.Soman@agfc.ar.gov Contact Person E-mail Address

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

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 akansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially omply 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. C	Goodhart		<u> </u>	- 0707.
501-223-6327	Signature James.Goodh	art@agfc.ar.gov		05 730 6505
Phone Number	General Counsel	E-mail Address	40:51,40	المزار لارتر المارا
	Title October 19, 2020 Date		- 10°	15.373.37

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

30.27 Possession Of Rare And Endangered Fish By Commercial Fishers Prohibited

RESERVED.

[**Editor's Note:** Moved to Code <u>30.12</u>.]

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DEPARTMENT: Arkansas Game & Fish Commission

PER!	SION: Fisheries SON COMPLETING THIS S EPHONE #: 501-223-6300 patten@agfc.ar.gov	TATEMENT: Bei FAX #: 50		AIL:		
	RT TITLE OF THIS RULE:	2021 General Fish	ning Regulation Chan	ge Prop	osals	
1.	Does this proposed, amended Yes: No: X		regulation have a fina	ncial im	pact?	`
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 \$ Special Revenue \$ Other (Identify) \$ Total \$	N/A	Next Fiscal Year General Revenue Federal Funds Cash Funds Special Revenue Other (Identify) Total	\$ \$ \$ \$ \$	N/A	
4	What is the total estimated co repealed rule? (Estimated cos equipment, construction, labo compliance.) Identify the parties.	st includes fees, adn or, professional servi	ninistrative penalties, reces, revenue loss, or of	eporting her cost	, record keepin s associated w	ig, ith
	Current Fiscal Year: \$	N/A	Next Fiscal Year:	\$	N/A	
	Party Subject to Rule: Anglers	and aquatic recrea	tionalists			
	Effect on Party Subject to Rule	: Neutral				
5.	What is the total estimated co financial benefit to the agency	ost by fiscal year to t y from implementin	the agency to implement g this rule.	at this ru	ıle? Explain th	16
	Current Fiscal Year: \$	N/A	Next Fiscal Year:	\$	N/A	
	Financial Benefit to Agency:	N/A				
6.	Do alternative means exist for burdensome to small business	r accomplishing the ? Yes:	objectives of the rules No: X	that mig	tht be less	
	Why were such alternatives no	ot proposed:				
7.	Compare this rule with federal and state counterparts:					

ITEM NO.	IV(b)	
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ARKANSAS GAME AND FISH COMMISSION Little Rock, Arkansas

MINUTE ORDER NO:		20-051 October 15, 2020		SUBJECT:	2021 Fishing Regulations		
Date Passed:							
Page -	1	of .	1	PAGES	LOCATION:	Statewide	
WHEREA	s,			ansas Game ar 2021 fishing re		sion and its staff have proposed the	
WHEREAS, the attached regulations have been communicated through a vavenues to sportsmen and the general public throughout the state comment for at least the past 30 days; and				olic throughout the state for review and			
WHEREAS, after carefully considerin Regulations Committee, Commission has determin conservation and manage				ions Committee ssion has determation and manages Constitution a	ng the recommendations of Commission staff and the as well as comments received from the public, the ned that the attached regulations promote sound wildlife gement and are consistent with Amendment 35 of the nd that these regulations should now be approved for		
NTARRA (Time		~ n	. T ^		1 00 1 0	000 1 1 1 1 0 1 7 1	

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.

Submitted by	STAFF APPROVAL Ben Batten Chief	COMMISSION APPROVA Andrew Parker Chairman	J. D. Neeley Commissioner
Division:	Fisheries	The Morgany 90	
Approved:	Director	Joe Morgan Vice Chairma Bobby Martin Commissioner	Anne Marie Doramus Commissioner Kob Finley Commissioner
Approved:	AFK oodhart Legal	Stan Jones Commissioner	Commissioner
Approved:	Fisgal July	Continuosionoi	