

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

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Name of Rule 32.02 Retail Bait Dealer License Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 16, 17, 18, 2020 and September 13, 14, 15, 2020

Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

### 32.02 ~~Fish Dealer License Requirement~~ Retail Bait Dealer License Requirement

It is unlawful to offer for sale or to sell live fish (including baitfish) in a retail bait shop in Arkansas without ~~an Arkansas Fish Dealer License~~ a Retail Bait Dealer License (Resident or Nonresident) ~~or an Arkansas Fish Farmer Permit~~. A license is required for each separate business location. Game fish may not be taken from the wild and sold, except in compliance with Code 26.20. Additionally permit holders must comply with Code 26.27 regarding Arkansas wild caught baitfish and health certificate requirements when importing farm reared baitfish from an AGFC permitted fish farm, fish dealer, or independent live hauler (Resident or Non Resident. It is unlawful to import live wild caught baitfish. Farm reared baitfish must be reared from egg to harvest and obtained from an AGFC permitted Fish Farmer, Fish Dealer, or Independent Hauler.

#### EXCEPTIONS:

- A. ~~Licensed fishing guides are not required to purchase a Fish Dealer License when providing baitfish during the act of guiding.~~
- B. Minnows Baitfish may be sold at the permitted aquaculture facility where grown in compliance with Code 35.01.
- C. Marine and tropical aquatic wildlife fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held **only permanently** in closed aquarium systems and not otherwise prohibited.

**PENALTY:** Class 1