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



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For Office Use Only:		
Effective Date	Code Number	
Name of Agency Arkansas Game a	and Fish Commission	
Department Legal Division		
Contact_James Goodhart, General Cour	nsel E-mail james.goodhart@agfc.ar.gov Phone 50)1-223-6327
Statutory Authority for Promulgat	ing Rules Amendment 35	- Military lands
Rule Title: 37.10 Boat	Drain Plug Removal Requirement	
Intended Effective Date		Date
Emergency (ACA 25-15-204)	Legal Notice Published	Aug. 15-18, Sept. 23-15, 2020
10 Days After Filing (ACA 25-15-	204) Final Date for Public Comment	October 14, 2020
Other January 1, 2021	Reviewed by Legislative Council	NA
(Must be inote than 10 days after in	Adopted by State Agency	October 15, 2020
Electronic Copy of Rule e-mailed from:	(Required under ACA 25-15-218)	
		October 19, 2020
Contact Person	E-mall Address	Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

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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 rkansas 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	. Goodhart			
501-223-6327	Signature James.Good	hart@agfc.ar.gov		7.1236
Phone Number	<u> </u>	E-mail Address	لا رنم زو وسر	•
	General Counsel		1 7 10 m	
	Title		— ' •	
October 19	, 2020			,
	Date	,		r *

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

37.10 Boat Drain Plug Removal Requirement

All aquatic vessel drain plug(s), including, but not limited to, bilges, livewells, baitwells and ballast tanks, must be removed before and during trailering of vessel to and from waterbody access facilities.

EXCEPTIONS:

A. Fishing tournament officials may submit a request to AGFC Fisheries Division for written permission to allow for the transport of fish to an offsite weigh station. All participants must be given a copy of the permit.

B. Transportation of baitfish is allowed in compliance with Code 26.27.

PENALTY: Class 1

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

FAX #: 501-223-6372

SHORT TITLE OF THIS RULE: 2021 General Fishing Regulation Change Proposals

EMAIL:

DEPARTMENT: Arkansas Game & Fish Commission

PERSON COMPLETING THIS STATEMENT: Ben Batten

DIVISION: Fisheries

ben.batten@agfc.ar.gov

1.

TELEPHONE #: 501-223-6300

1.	Does this proposed, a Yes:	amended, No: X	or repealed rule or	regulation have a finar	ncial imp	pact?	\
2.	Do you believe that t prohibitive? Yes:	he develo	opment of a financia No: X If "Ye	l impact statement is s es", please explain:	o specul	ative as to be o	ost
3.	If the purpose of this r for implementing the	ule is to in egulation	nplement a federal r . Please indicate if th	ule or regulation, please the cost provided is the c	e give the	e incremental co e program.	st
	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	repealed rule? (Estime equipment, construction	nated cost on, labor	includes fees, admi , professional servic	y party subject to the nistrative penalties, re es, revenue loss, or of posed rule, and explain	porting, her costs	record keeping associated wit	g, th
	Current Fiscal Year	: \$	N/A	Next Fiscal Year:	\$	N/A	
	Party Subject to Rule:	Anglers a	and aquatic recreation	onalists			
	Effect on Party Subject	to Rule:	Neutral				
5.	What is the total estir financial benefit to the	nated cos e agency	t by fiscal year to th from implementing	e agency to implement this rule.	t this ru	le? Explain the	e
	Current Fiscal Year	: \$	N/A	Next Fiscal Year:	\$	N/A	
	Financial Benefit to A	gency: I	N/A				
6.	Do alternative means burdensome to small	exist for a	accomplishing the o Yes:	bjectives of the rules t No: ${f X}$	hat migl	nt be less	
	Why were such altern	atives no	t proposed:				
7.	Compare this rule wit	h federal	and state counterpar	ts:			

ITEM NO.	IV(b)	
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ob Finley Commissioner

ARKANSAS GAME AND FISH COMMISSION Little Rock, Arkansas

MINUTE ORDER NO: DATE PASSED:		20-051 October 15, 2020		SUBJECT:	2021 Fishing Regulations		
PAGE 1	of.	1	PAGES	LOCATION:	Statewide		
WHEREAS,				and Fish Commis	sion and its staff have proposed the		
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,		Regulati Commis conserva Arkansa	ons Committe sion has determation and man	ce, as well as conmined that the attac agement and are	ndations of Commission staff and the nments received from the public, the thed regulations promote sound wildlife consistent with Amendment 35 of the gulations should now be approved for		
Now, THEREF Commission he January 1, 2021	ereby a	E IT ORD	ERED this 15th and adopts the	h day of October 2 e attached regulation	2020, that the Arkansas Game and Fish ons, which shall become effective on		
filing the attac	hed reg	ulations	with the Secre	on staff is authorize etary of State, Sta mission Code Book	d to proceed with legally certifying and te Library, and Bureau of Legislative and Addendum.		
Submitted by:	R	F APPRO Batten	<u>VAL</u>	COMMISSION Andrew Parke Chairman	Ke Chiley		
Division:	Fishe	eries		Joe Morgan Vice Chairph	Anne Marie Doramus Comprissioner		

Bobby Martin

Stan Jone Commissioner

Approved:

Approved:

Approved: