

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: 37.10 Boat Drain Plug Removal Requirement

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.)

	Date
Legal Notice Published	Aug. 15-18, Sept. 23-15, 2020
Final Date for Public Comment	October 14, 2020
Reviewed by Legislative Council	NA
Adopted by State Agency	October 15, 2020

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

April M. Soman
Contact Person

April.Soman@agfc.ar.gov
E-mail Address

October 19, 2020
Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

~~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.~~

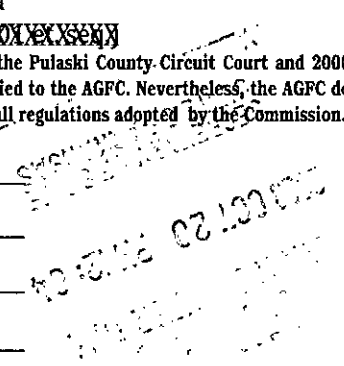
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/s/ James F. Goodhart

501-223-6327 Signature
James.Goodhart@agfc.ar.gov E-mail Address

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

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

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.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:	<u>Ben Batten</u> Ben Batten Chief	<u>Andrew Parker</u> Andrew Parker Chairman
Division:	<u>Fisheries</u>	<u>J. D. Neeley</u> J. D. Neeley Commissioner
Approved:	<u>Joe Morgan</u> Joe Morgan Vice Chairman	<u>Anne Marie Doramus</u> Anne Marie Doramus Commissioner
Approved:	<u>Bobby Martin</u> Bobby Martin Commissioner	<u>Rob Finley</u> Rob Finley Commissioner
Approved:	<u>Stan Jones</u> Stan Jones Commissioner	
Approved:	<u>James Fisher</u> Fiscal	