

ARKANSAS REGISTER

Transmittal Sheet

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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: J1.02 Approved Species For Commercial Culture Of Aquatic Turtles And Alligators

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 COMPLIANCE WITH THE ARKANSAS ADMINISTRATIVE PROCEDURES ACT, ACT 25-15-204, BY~~

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/s James F. Goodhart

501-223-6327 James.Goodhart@agfc.ar.gov

Phone Number E-mail Address

General Counsel

Title

October 19 , 2020

Date

RECEIVED
OCT 20 2020
AGFC

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

J1.02 Approved Species For Commercial Culture Of Aquatic Turtles And Alligators

Turtles:

The aquatic turtle species listed below are native to Arkansas and may be cultured by those who obtain a Commercial Aquatic Turtle Dealer Permit from the Commission (see Code Chapter 34.00).

Family Chelydridae

Chelydra serpentina (Common snapping turtle)

Family Emydidae

Chrysemys dorsalis (Southern painted turtle)

Graptemys geographica (Common map turtle)

Graptemys ouachitensis (Ouachita map turtle)

Graptemys kohnii (Mississippi map turtle)

Pseudemys concinna (River cooter)

Trachemys scripta (Redeared slider)

Family Kinosternidae

Kinosternon subrubrum (Mississippi mud turtle)

Sternotherus oderatus (Common musk turtle)

Family Trionychidae

Apolone spinifera (Spiny softshell)

Apolone mutica (Midland smooth softshell)

Other Species Covered Under Separate Permits:

The following species are governed by separate code and have their own permit requirements.

Family Alligatoridae

Alligator mississippiensis (American alligator) – Alligator Farmer Permit required (see Code Chapter 33.00)

Family Chelydridae

Macrolemys temminckii (Alligator snapping turtle) – AST Farmer/Dealer Permit required (see Code Chapter 34.00)

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO: 20-052 SUBJECT: 2021 Live Fish Trade 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 live fish trade 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 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.

STAFF APPROVAL
Submitted by: BBB
Ben Batten
Chief
Division: Fisheries
Approved: [Signature]
Director
Approved: AJK
Legal
Approved: [Signature]
Fiscal

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