ARKANSAS REGISTER



Contact Person

Transmittal Sheet

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

Secretary of State **John Thurston**

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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 Date (Check One) Legal Notice Published 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 Reviewed by Legislative Council..... (Must be more than 10 days after filing date.) October 15, 2020 Adopted by State Agency Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218) April M. Soman April.Soman@agfc.ar.gov October 19, 2020

CERTIFICATION OF AUTHORIZED OFFICER

E-mail Address

I Hereby Certify That The Attached Rules Were Adopted

n 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 filling of all regulations adopted by the Commission.

s/s James F	. Goodhart	SALES STORY
501-223-6327	Signature James.Goodh	art@agfc.ar.gov
Phone Number		E-mail Address - 📉 🔏 🔾
	General Counsel	00,000
	Title	
October 19	, 2020	The state of the s
	Date	V 1 mm ⁻²

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.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 <u>34.00</u>).

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

Macroclemys temminckii (Alligator snapping turtle) – AST Farmer/Dealer Permit required (see Code Chapter <u>34.00</u>)

FINANCIAL / ECONOMIC IMPACT STATEMENT

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

DIVIS PERS TELE ben.b	ARTMENT: Arkansas (SION: Fisheries SON COMPLETING TI EPHONE #: 501-223-630 atten@agfc.ar.gov RT TITLE OF THIS RU	HIS STA 00	ATEMENT: Ben I FAX #: 501-2	Batten 223-6372	EMZ	AIL:	
1.	Does this proposed, am	nended, o	r repealed rule or re	egulation have a	a fina	ncial imp	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.						
4	Federal Funds Cash Funds Special Revenue Other (Identify) Total What is the total estimates	\$ \$ \$ ted cost b	N/A by fiscal year to any	Next Fiscal Y General Rever Federal Funds Cash Funds Special Reven Other (Identify Total	ue ue y) to the	\$ \$ \$ \$ \$ propose	N/A ed, amended, or
	repealed rule? (Estimat equipment, construction compliance.) Identify the	ı, labor, p	professional service	es, revenue loss,	or ot	her costs	associated with
	Current Fiscal Year:	\$	N/A	Next Fiscal Y	ear:	\$	N/A
	Party Subject to Rule: Li	ve Fish T	rade Industry				
one-tir	Effect on Party Subject to ne with no renewal fee.	Rule: Y	early increase of \$	25 for license fe	e ren	ewal; for	rmerly the fee was
5.	What is the total estima financial benefit to the a	ted cost b agency fr	by fiscal year to the com implementing t	e agency to imp this rule.	lemer	nt this ru	le? Explain the
	Current Fiscal Year:	\$	N/A	Next Fiscal Y	ear:	\$	N/A
	Financial Benefit to Age	ency: N/.	A				
6.	Do alternative means ex burdensome to small bu	ist for ac siness?	complishing the ob Yes:	pjectives of the 1	rules 1	that migl	at be less
	Why were such alternati	ives not r	proposed:				

7. Compare this rule with federal and state counterparts:

ITEM NO.	IV(c)	
TTEM INC.	(-)	

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 attached 2021 live fish tra		sion and its staff have proposed the		
Whereas,		the general pub	municated through a variety of media olic throughout the state for review and		
Whereas,	Regulations Committee, Commission has determin conservation and manage	as well as comments received from the public, the ned that the attached regulations promote sound wildlife ement and are consistent with Amendment 35 of the ned that these regulations should now be approved for			
			020, that the Arkansas Game and Fish, which shall become effective January		
filing the attached re		y of State, Stat	d to proceed with legally certifying and te Library, and Bureau of Legislative and Addendum.		

Submitted by:	STAFF APPROVAL Ben Batten Chief	COMMISSION APPROVAL Andrew Parker Chairman	J. D. Neeley Commissioner
Division:	Fisheries	Joe Magan by go	W
Approved:	Director Director	Och Morgan Vice Chairman Bobby Martin Commissioner	Anne Marie Doramus Commissioner Rob Finley Commissioner
Approved:	A.F. Godhart	Stan Jones 49	*
Approved:	Legal Fiscal	Stan Jones V Commissioner	