

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



Revised 7/2015 to reflect new legislation passed in the 2015 Regular Session (Act 1258). This act changed the effective date from 30 days to 10 days after filing the rule.

03.05 -- State Migratory Waterfowl Hunting Stamp Requirements

It is unlawful to hunt migratory waterfowl without having purchased the appropriate Arkansas Resident or Nonresident Migratory Waterfowl Hunting Stamp, as indicated by holding a valid universal license form issued by the Commission or its representative, coded DSR or DSN (Addendum [D1.01](#)).

EXCEPTIONS:

- A. Youths.
- B. Persons possessing a valid Resident Sportsman's Lifetime Combination License and Permit; Resident Natural State Lifetime Combination License and Permit; or Resident Disabled Military Veteran Lifetime Combination License and Permit.
- C. Persons possessing a valid Resident Military Retiree Lifetime Waterfowl Permit; Resident 65 Plus Lifetime Waterfowl Permit; or Resident Disabled Military Veteran Lifetime Waterfowl Permit.
- D. In compliance with Code [04.04](#) and Addenda [B1.14](#), [H1.03](#).

PENALTY: Class 1

ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

MINUTE ORDER NO:	<u>23-044</u>	SUBJECT:	<u>2023-24 Miscellaneous Hunting and</u>
DATE PASSED:	<u>September 21, 2023</u>		<u>Fishing Regulations</u>
PAGE <u>1</u> of <u>2</u> PAGES		LOCATION:	<u>Statewide</u>

WHEREAS, the Arkansas Game and Fish Commission and its staff have proposed the attached new and amended regulations for multiple purposes, including: establishing a new Resident Natural State Lifetime Combination License and Permit available for residents who are age 10 or younger; deleting a requirement that a hunter must physically tag a turkey immediately after harvesting and prior to moving the turkey; requiring that, prior to hunting bear, a hunter must obtain and have in physical possession a free Resident Bear Tag; requiring for participation in various special deer-hunting programs that a hunter must obtain and have in physical possession a free Deer Management Assistance Program Management Tag, Private Land CWD Management Tag, CWD Replacement Tag, and/or Urban Deer Hunt Management Tag; and clarifying that possession of certain valid Resident Lifetime Licenses and Permits are exceptions to the State Migratory Waterfowl Hunting Stamp requirements or the Trout Permit requirements, etc.; **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 21st day of September 2023, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, which shall become effective immediately upon public filing or as soon thereafter as possible.

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: Brad Carner
Brad Carner
Deputy Director

COMMISSION APPROVAL
Stan Jones
Stan Jones
Chair

Philip Tappan
Philip Tappan
Commissioner

Division: Administrative

 I.D. Neeley
Vice Chair
 Bill Jones
Commissioner

Approved: Custer Booth
Director

 Anne Marie Doramus
Commissioner
 Brandon Adams
Commissioner

Approved: A.F. Hoodhart
Legal

 Rob Finley
Commissioner

Approved: Emily Shumac
Fiscal

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Administration

PERSON COMPLETING THIS STATEMENT: Brad Carner

TELEPHONE #: (501) 627-5901

FAX #:

EMAIL: Bradley.carner@agfc.ar.gov

SHORT TITLE OF THIS RULE: Miscellaneous Regulations Regarding Tagging and Game Check Processes as well as Establishment of Resident Natural State Lifetime Combination License (voluntary)

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: **X** No:
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.

Current Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

Next Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

Current Fiscal Year: \$500

Next Fiscal Year: \$0

Party Subject to Rule: **Residents of Arkansas who are ten (10) years of age or younger**

Effect on Party Subject to Rule: **This regulation will establish a voluntary license available to Arkansas Residents who are ten (10) years of age or younger at a reduced cost of \$500 from the existing Resident Lifetime Combination License (\$1,000). This is a voluntary lifetime license that is not required of the parties subject to this rule.**

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$0

Next Fiscal Year: \$0

Financial Benefit to Agency: **Undetermined**

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: **X**

Why were such alternatives not proposed: **N/A**

7. Compare this rule with federal and state counterparts:

INSTRUCTIONS FOR COMPLETING THIS FORM:

1. ECONOMIC IMPACT - In compliance with Governor's Proclamation EO 05-04, this form must be completed for **commercial licenses and permits** and submitted at the time a regulation is proposed to the Commission. The form will be forwarded to the Chief of Fiscal Services Division for review. After review, the form will be submitted to:

Director
Arkansas Department of Economic Development
One Capitol Mall
Little Rock, AR 72201

2. FINANCIAL IMPACT - After passage of any regulation changes which have a financial impact (including all sport, lifetime, and commercial licenses) this form must be completed and submitted to the Chief of the Legal Division. The form is required for filing regulation changes with the Secretary of State.

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, September 21, 2023, at Riverwind Lodge at the Buffalo Outdoor Center located at 4699 AR-43, Ponca, AR 72670. At that time, regulations and business pertaining to the operation of the Game and Fish Commission and other fiscal and administrative matters will be considered and acted upon. Additionally, Committee meetings attended by Commissioners and agency staff members will be held throughout the day on Wednesday, September 20, 2023, beginning at 8:00 a.m. at Riverwind Lodge at the Buffalo Outdoor Center located at 4699 AR-43, Ponca, AR 72670. All interested persons are invited to attend these meetings (live-streaming will not be available). Visit the Arkansas Game and Fish Commission website at <https://www.agfc.com> for additional up-to-date details as the September meeting dates draw closer.

Items on the agenda for the September 21, 2023 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the August 16-17, 2023 Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the Arkansas Game and Fish Commission, including but not limited to:

- **Miscellaneous Hunting and Fishing Regulations** – Amend existing regulations to:
 - Establish a new Resident Natural State Lifetime Combination License and Permit available for residents who are age 10 or younger; and also provide that limited availability is not to exceed 500 per fiscal year (July 1 through June 30), subject to the Director's discretion, sold on a first-come, first-served basis and only to be issued to an Arkansas resident who either (a) has not attained his or her 11th birthday on the date of purchase or (b) had not attained his or her 11th birthday on August 1, 2023, and the date of purchase is no later than December 31, 2023. All purchases are subject to availability and while quantities last.
 - Delete the requirement that a hunter must physically tag a turkey immediately after harvesting and prior to moving the turkey;
 - Require that, prior to hunting bear, a hunter must obtain and have in physical possession a free Resident Bear Tag; and
 - Require for participation in various special deer-hunting programs that a hunter must obtain and have in physical possession a free Deer Management Assistance Program (DMAP) Management Tag, Private Land CWD Management Tag, CWD Replacement Tag, and/or Urban Deer Hunt Management Tag, and clarify that a hunter must physically tag a deer with the particular special program tag immediately after harvesting and prior to moving the deer.
 - Clarify that possession of certain valid Resident Lifetime Licenses and Permits are exceptions to the State Migratory Waterfowl Hunting Stamp requirements.
 - Clarify that possession of certain valid Resident Lifetime Licenses and Permits are exceptions to the Trout Permit requirements.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the September 21, 2023 meeting (preferably by 4:30 p.m. on the day before). Any request to make an oral presentation at the meeting should be submitted in writing to this office on or before September 11, 2023. Copies of any proposed rules or regulations may be

obtained at the Arkansas Game and Fish Commission main office and at www.agfc.com, or through a written request mailed to the address below.

AUSTIN BOOTH, DIRECTOR
Arkansas Game & Fish Commission
Game & Fish Commission Building
2 Natural Resources Drive
Little Rock, Arkansas 72205