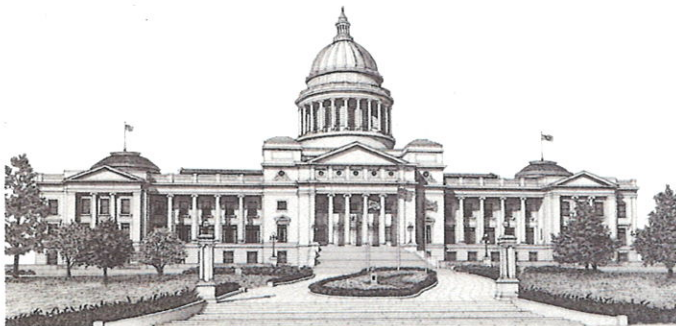


ARKANSAS REGISTER



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

www.sos.arkansas.gov



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 501-382-3807

Statutory Authority for Promulgating Rules Amendment 35

Rule Title: D1.01 - Licenses, Permits, Stamps, Tags, Costs, And Expiration Dates

Intended Effective Date

(Check One)

Date

☒ Emergency (ACA 25-15-204)

Legal Notice Published October 1-3, 2023

☐ 10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment October 31, 2023

☐ Other _____
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council NA

Adopted by State Agency October 31, 2023

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

Sarah Milligan

Sarah.Milligan@agfc.ar.gov

October 31, 2023

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

XX

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.

James Goodhart

501-382-3807

Phone Number

Signature

James.Goodhart@agfc.ar.gov

E-mail Address

Chief Counsel

Title

October 31, 2023

Date

D1.01 -- Licenses, Permits, Stamps, Tags, Costs, And Expiration Dates

SPORT FISHING:

NAME	CODE	COST	EXP. DATE
Resident Fisheries Conservation License	FSH	\$10.50	**
Resident 3-Day Trip License	RT3	\$6.50	*
Resident Disabled Fishing 3-Yr License	RDF	\$10.50	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual Fishing License	NRF	\$60	**
Non-Resident 3-Day Trip Fishing License	NT3	\$30	*
Arkansas Trout Permit	TPR	\$10	**
Non-Resident Trout Permit	TPN	\$20	**
White River Border Lakes License	WRL	\$10	**
Resident Guide License/Fishing	GLF	\$25	**
Non-Resident Guide License/Fishing	GNF	\$500	**
Resident 65 Plus Annual Fishing License	PAF	\$3.50	**

SPECIAL AND COMMERCIAL FISHING:

NAME	CODE	COST	EXP. DATE
Hoop Nets (with or w/o leads), Turtle Nets	HN	\$4	Dec. 31
Slat Traps and Fiddler Nets	FS	\$12.50	Dec. 31
Commercial Trotlines (inc. snaglines, throw-lines, limb lines, set hooks) per 100 ft.	TL	\$5	Dec. 31
Box Traps Turtle Trap	TT	\$2	Dec. 31
Commercial Tackle (Seine, Trammel and Gill Nets) 100 yds. or fractional part thereof per tag	SNS	\$15	Dec. 31
Resident Commercial Fishing Permit and Resident Fisheries Conservation License	CFS	\$25	Dec. 31
Resident Commercial Fishing Helper's Permit	CFH	\$25	Dec. 31
Junior/Senior Commercial Fishing Permit	JSC	\$14.50	Dec. 31
Alligator Farmer/Dealer Permit	AFP	\$200	June 30
Alligator Tags		\$4	June 30
Alligator Snapping Turtle Breeder/Dealer Permit	AST	\$100	June 30
Aquatic Turtle Harvest Permit	THP	\$100	Dec. 31
Aquatic Turtle Harvest Helper Permit	TH	\$50	Dec. 31
Aquatic Turtle Farmer/Dealer Permit	TDR	\$250	Dec. 31
Resident Shell Taker and Seller	STS	\$100	Dec. 31

NAME	CODE	COST	EXP. DATE
Shell Taker Helper Permit	SH	\$100	Dec. 31
Shell Buyer	SBR	\$1,000	Dec. 31
Non-Resident Shell Buyer	SBN	\$2,000	Dec. 31
Shell Buyer's Agent Permit	SA	\$100	Dec. 31
Retail Bait Fish Dealer	MD	\$10	Dec. 31
Minnow Dealer Tackle (Minnow, Seine, Traps or Lifts)	MS	\$5	Dec. 31
Fish Farm Health Inspection Permit	VHS	\$200	+++
Resident Fish Farmer (Aquaculturist) Permit	RFF	\$25	Dec. 31
Non-Resident Fish Farmer (Aquaculturist) Permit	NFF	\$100	Dec. 31
Resident Fish Dealer/Independent Hauler Permit	DHR	\$25	Dec. 31
Non-Resident Fish Dealer/Independent Hauler Permit	DHN	\$100	Dec. 31
Research/Educational/Exhibition/State and Federal Culture Facility Permit	AQU	Free	Dec. 31
Bull Frog Permit (Must have valid Fish Farmer Permit)	BP	\$25	Dec. 31
Resident Roe Taker/Seller Permit	RTS	\$500	Dec. 31
Resident Roe Taker/Helper Permit	RH	\$100	Dec. 31
Resident Roe Buyer/Exporter Permit	RBE	\$1,000	Dec. 31
Non-Resident Roe Buyer Permit	RBN	\$2,000	Dec. 31
Commercial Facility Operator's Permit	BDN	\$25	Dec. 31
Private Boat House/Irrigation (Single)	BHS	\$30	Dec. 31
Private Pier/Irrigation	DPS	\$30	Dec. 31
Irrigation Permit	IP	\$30	Dec. 31
Put and Take Pay Lake	PLO	\$150	Dec. 31
Venomous Reptile Possession Permit	VRP	\$75	June 30
Scientific Collection Permit	SCP	Free	*****
Conservation Education Permit	CEP	Free	June 30
Conditional Species Possession Permit	CSP	Free	Dec. 31
Unlisted Aquaculture Species Permit	UAS	Free	Dec. 31
Trout Importation and Stocking	TIS	Free	++++

HUNTING LICENSE AND PERMITS:

NAME	CODE	COST	EXP. DATE
Deferred Hunter Education	DHE	Free	*
Resident Wildlife Conservation License	HNT	\$10.50	June 30
Resident Sportsman's Permit	RS	\$25	June 30

NAME	CODE	COST	EXP. DATE
Resident Disabled Hunting 3-Yr License	RDH	\$25	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual Hunting License (6 deer)	NBG	\$410	June 30
Non-Resident 5-Day Hunting License (2 deer)	AG5	\$225	*
Non-Resident 3-Day Deer Hunting License (1 deer)	AG3	\$175	*
Non-Resident 1-Day Deer Hunting License (1 deer)	AG1	\$100	*
Non-Resident Annual Small Game Hunting License	NRH	\$110	June 30
Non-Resident 5-Day Small Game Hunting License	SG5	\$80	*
Non-Resident Trappers Permit	NFT	\$125	June 30
Non-Resident Bear (must have NBG)	NRB	\$300	June 30
Non-Resident Turkey (must have NBG) per turkey, limit 2	NRT	\$100	****
Non-Resident Elk (must have NBG)	NRE	\$300	
Non-Resident Alligator (must have NBG)	NRG	\$300	June 30
Non-Resident Dog Permit	NDP	\$20	****
Private Lands Elk Permit	PLE	\$5	****
Private Lands Alligator Permit	PLA	\$5	****
Arkansas Resident Waterfowl Stamp	DSR	\$7	June 30
Arkansas Non-Resident Waterfowl Stamp	DSN	\$50	June 30
Arkansas Quail Stamp (Voluntary only)	QS	\$9.50	June 30
Arkansas Turkey Stamp (Voluntary only)	TS	\$9.50	June 30
Resident 65 Plus Annual Sportsman's Hunting License	PAH	\$3.50	June 30
WMA General Use Permit	WMP	Free	June 30
Harvest Information Program	HIP	Free	June 30
Snow Goose Registration	SGR	Free	June 30
AGFC Leased Lands Permit (Hunting, Trapping and Camping):			
Casey Jones WMA	LCJ	\$40	June 30
Big Timber WMA	LBT	\$40	**
Cedar Mountain WMA	LCM	\$40	**
Cherokee WMA	LCH	\$40	**
Gum Flats WMA	LGF	\$40	**
Howard County WMA	LHC	\$40	**
Provo WMA	LPR	\$40	**
Lafayette County WMA	LLC	\$40	**
Lake Greeson WMA	LLG	\$40	**
Jack Mountain WMA	LJM	\$40	**
Jim Kress WMA	LJK	\$40	**
Falconry Permit Apprentice	FPA	\$25	June 30

NAME	CODE	COST	EXP. DATE
Falconry Permit General	FPG	\$25	June 30
Falconry Permit Master	FPM	\$25	June 30
Resident Guide License/Hunting	GLH	\$25	June 30
Non-Resident Guide License/Hunting	GNH	\$500	June 30
Resident Special Guide License	GLS	\$150	June 30
Non-Resident WMA Waterfowl Hunting Permit (5-day trip) (Code 24.09)	NW5	\$40.00	June 30
Non-Resident WMA Waterfowl Hunting Permit (30-days) (Code 24.09)	NW30	\$200.00	June 30
WMA Camping Permit (annual permit)	WMC	\$5.00	June 30
Camp Robinson SUA (daily permit)	CRD	\$15.00	June 30

HUNTING COMMERCIALIZATION:

NAME	CODE	COST	EXP. DATE
Resident Trappers Permit	TP	Free	June 30
Resident Fur Dealer	FD	\$50	June 30
Non-Resident Fur Dealer	NFD	\$100	June 30
Game Bird Shooting Resort Permit	CSR	\$250	June 30
Commercial Wildlife Hunting Resort Permit	CHR	\$600	June 30
Wildlife Breeder/Dealer Permit	WBD	\$75	June 30
Wildlife Importation Permit	WTP	\$50	June 30
Live Fox and Coyote Permit	FCP	\$25	June 30

LIFETIME LICENSE:

NAME	CODE	COST	EXP. DATE
Resident Military Retiree Lifetime Fishing License	MRF	\$10.50	Non-Expiring
Resident Military Retiree Lifetime Hunting License	MRH	\$25	Non-Expiring
Resident Military Retiree Lifetime Combination License	MRC	\$35.50	Non-Expiring
Resident Military Retiree Lifetime Waterfowl Permit	MRD	\$7	Non-Expiring
Resident Military Retiree Lifetime Trout Permit	MRT	\$10	Non-Expiring

NAME	CODE	COST	EXP. DATE
Resident 65 Plus Lifetime Fishing License	PLF	\$10.50	Non-Expiring
Resident 65 Plus Lifetime Hunting License	PLH	\$25	Non-Expiring
Resident 65 Plus Lifetime Combination License	PLC	\$35.50	Non-Expiring
Resident 65 Plus Lifetime Waterfowl Permit	PLD	\$7	Non-Expiring
Resident 65 Plus Lifetime Trout Permit	PLT	\$10	Non-Expiring
Resident Sportsman's Lifetime Combination License and Permit (includes Hunting, Fishing, Trout, and Waterfowl)	LSP	\$1,000	Non-Expiring
Resident Disabled Military Veteran Lifetime Fishing License	VLF	\$1.50	Non-Expiring
Resident Disabled Military Veteran Lifetime Hunting License	VLH	\$1.50	Non-Expiring
Resident Disabled Military Veteran Lifetime Combination License (includes Hunting and Fishing only)	VLC	\$3	Non-Expiring
Resident Disabled Military Veteran Lifetime Waterfowl Permit	VLD	\$7	Non-Expiring
Resident Disabled Military Veteran Lifetime Trout Permit	VLT	\$10	Non-Expiring
Resident Disabled Military Veteran Lifetime Combination License and Permit (includes Hunting, Fishing, Trout, and Waterfowl)	VLL	\$52.50	Non-Expiring
Resident Natural State Lifetime Combination License and Permit (includes Hunting, Fishing, Trout, and Waterfowl) (Age 10 and under)	NSLL	\$500	Non-Expiring^

COMBINATION LICENSE:

NAME	CODE	COST	EXP. DATE
Resident 65 Plus Annual Combination License	PAC	\$4.50	June 30
Resident Combination License	CS	\$35.50	June 30

*Good from requested day of issue for period of license.

**Good for 1 year from date of purchase.

***Expires when the zone quota has been reached (Addendum [A1.09](#)).

*****Good for that season only.

*****Good for 1 year from date of issuance.

+Good for 3 years from date of purchase.

+++Permit is annual permit issued in (2) six-month intervals.

++++Expiration date printed on permit.

^Limited availability not to exceed 1,000 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.

ARKANSAS GAME AND FISH COMMISSION

Little Rock, Arkansas

MINUTE ORDER NO:	<u>23-053</u>	SUBJECT:	<u>2023-24 Miscellaneous Hunting and</u>
DATE PASSED:	<u>October 31, 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 amended regulations for multiple purposes, including: amending the Resident Natural State Lifetime Combination License and Permit to increase its availability for residents who are age 10 or younger from "not to exceed 500" per fiscal year to "not to exceed 1,000" per fiscal year (July 1 through June 30); and amending the Non-Resident WMA Waterfowl Hunting Permit Requirement to create a 30-day permit for \$200 fee and provide that non-resident hunters may purchase either one or more 5-day permits (each usable for 5 or fewer consecutive days from the list of available dates only) or a 30-day permit that is usable for all available dates for WMA hunting by non-residents, etc.; **and**

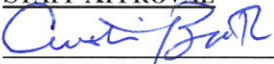
WHEREAS, the seasons for modern-gun deer hunting and migratory waterfowl hunting are scheduled to begin very soon and it is important these regulation amendments take effect promptly to allow hunters to properly plan for the upcoming seasons and benefit from the new license and permit opportunities; **and**

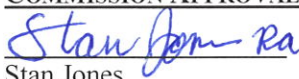
WHEREAS, the attached regulations have been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; **and**

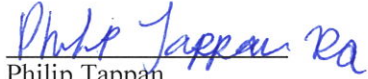
WHEREAS, after carefully considering the recommendations of Commission staff and the Regulations Committee, as well as comments received from the public, the Commission has determined that the attached regulations promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

NOW, THEREFORE, BE IT ORDERED this 31st day of October 2023, that the Arkansas Game and Fish Commission hereby declares that an emergency exists, and 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.

Submitted by: Staff APPROVAL

Austin Booth
Director

Commission APPROVAL

Stan Jones
Chair


Philip Tappan
Commissioner

Division: Administrative

Approved: *Cristi Zoot*
Director

Approved: *A F Goodhart*
Legal

Approved: *Delia for Emily Stumate*
Fiscal

J D Neeley RA *Bill Jones RA*
J. D. Neeley Vice Chair Bill Jones Commissioner

AN Doramus RA *Brandon Adams RA*
Anne Marie Doramus Commissioner Brandon Adams Commissioner

Rob Finley RA
Rob Finley Commissioner

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Administration / Legal

PERSON COMPLETING THIS STATEMENT: Ben Batten

TELEPHONE #: (501) 382-3358 FAX #: EMAIL: James.Goodhart@agfc.ar.gov

SHORT TITLE OF THIS RULE: D1.01 Licenses, Permits, Stamps, Tags, Costs, & Expiration Dates

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: (\$40 savings to certain hunters **Next Fiscal Year:** \$0
and \$500 savings to residents who are ten (10) years of age or younger)

Party Subject to Rule: **Nonresident Waterfowl Hunters and Residents of Arkansas who are ten (10) years of age or younger.**

Effect on Party Subject to Rule: **The addition of a 30-day nonresident waterfowl permit will allow a potential total savings of \$40 for nonresident waterfowl hunters who otherwise would choose to purchase six 5-day Nonresident Waterfowl Hunting Permits at a current cost of \$40 per permit (\$240 total cost for six 5-day permits). Also this regulation will increase the total number of Resident Natural State Lifetime Combination License and Permit sales from not to exceed 500 to not to exceed 1000 per fiscal year to allow for additional savings to young residents and their families. This voluntary lifetime license is 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).**

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: **N/A**

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:

LEGAL NOTICE

The Arkansas Game and Fish Commission will hold a special meeting beginning at 9:00 a.m. Tuesday, October 31, 2023, at the Arkansas Game and Fish Commission Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. 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. All interested persons are invited to attend this meeting.

This special Commission meeting will be live-streamed and a link for easy viewing access will be available on the agency website. Please visit the Arkansas Game and Fish Commission website at <https://www.agfc.com> for additional up-to-date details as the meeting date draws closer.

Items on the agenda for the special meeting will include discussion and/or adoption of proposed regulations that previously were considered at the September 28, 2023 special Commission meeting, 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:

- **Resident Natural State Lifetime Combination License and Permit** – Amend existing regulation to increase availability of this lifetime license and permit for residents who are age 10 or younger from “not to exceed 500” per fiscal year to “not to exceed 1,000” per fiscal year (July 1 through June 30).
- **Non-Resident WMA Waterfowl Hunting Permit Requirement** – Amend existing regulations to create a 30-day permit for \$200 fee and provide that non-resident hunters may purchase either one or more 5-day permits (each usable for 5 or fewer consecutive days from the list of available dates only) or a 30-day permit that is usable for all available dates (first 9 days of regular duck season; December 27 through January 5; and January 21 through January 31) for WMA hunting by non-residents.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the October 31, 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 October 21, 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.

If you need assistance to participate in this public meeting due to a disability as defined under the Americans with Disabilities Act, please contact AGFC's ADA Coordinator in Human Resources at 501-382-3813 at least three (3) business days prior to the scheduled meeting to request an accommodation. Every reasonable effort will be made to meet your request.

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

Chris Racey
Chief of Staff

Ben Batten
Deputy Director



Brad Carner
Deputy Director

Spencer Griffith
Deputy Director

Arkansas Game and Fish Commission

Austin Booth
Director

James F. Goodhart
General Counsel

John P. Marks
Sr. Assistant General Counsel
Phone: 501-382-3807

Christian N. Parks
Assistant General Counsel

James R. Brown
Assistant General Counsel
Fax: 501-223-6463

October 31, 2023

Arkansas Registrar
Arkansas Secretary of State, Rules & Regulation Filing
500 Woodlane Drive, Room 26
Little Rock, AR 72201
Via email only: register@sos.arkansas.gov

RE: Legal Notice for Approved Rules or Regulations – October 2023 Special Meeting

Dear Arkansas Registrar:

Included are two (2) approved regulation changes that were published in the Legal Notice to the Arkansas Democrat Gazette on October 1-3, 2023. Should you have any questions or comments concerning this filing, please do not hesitate to contact Sarah Milligan or me at (501) 382-3807 at your convenience.

Sincerely,

James F. Goodhart
General Counsel

JFG/srm
Attachment

cc: Ms. Rebecca Miller-Rice, Bureau of Legislative Research
miller-ricer@blr.arkansas.gov
Ms. Sheri Thomas, Bureau of Legislative Research
thomass@blr.arkansas.gov
Mr. Matthew Beaver, Bureau of Legislative Research
beaverm@blr.arkansas.gov
aslib-govdocs@ade.arkansas.gov

2 Natural Resources Drive, Little Rock, AR 72205
833-345-0325 | 501-207-0326 | agfc.com

The Arkansas Game and Fish Commission's mission is to conserve and enhance Arkansas's fish and wildlife and their habitats while promoting sustainable use, public understanding and support.