

# ARKANSAS REGISTER

## Transmittal Sheet

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



Secretary of State

Cole Jester

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

Contact \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Statutory Authority for Promulgating Rules \_\_\_\_\_

Rule Title: \_\_\_\_\_

### Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published ..... \_\_\_\_\_

☐

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

Final Date for Public Comment ..... \_\_\_\_\_

☐

Other \_\_\_\_\_

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

Reviewed by Legislative Council ..... \_\_\_\_\_

Adopted by State Agency ..... \_\_\_\_\_

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

Contact Person

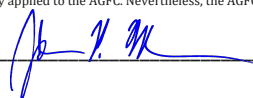
E-mail Address

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.



Signature

Phone Number

E-mail Address

Title

Date

## 18.01 Prohibited Methods For Taking Wild Turkey

It is unlawful to take or attempt to take wild turkey using the following methods:

- A. With the use of traps, snares, nets, hooks, explosives, dogs or live decoys; or by the aid of baiting, or on or over any baited area, where the person hunting knows or reasonably should know that the area is or has been baited. An area is considered baited for 10 days following complete removal of the bait.
- B. While in possession of mechanical or electronic callers.

**PENALTY:** Class 2; Class 3 (baiting)

ITEM NO. V.e

**Arkansas Game and Fish Commission**  
Little Rock, Arkansas

MINUTE ORDER NO: 25-016 SUBJECT: 2025-26 Miscellaneous Hunting  
DATE PASSED: March 20, 2025 Regulations  
PAGE 1 of 2 PAGES LOCATION: Statewide

**WHEREAS,** the Arkansas Game and Fish Commission and its staff have proposed the attached package of Miscellaneous Hunting regulations for 2025-2026, including changes to game hunting seasons, bag limits, geographic zones, wildlife management areas, weapon restrictions, legal attractants used for deer hunting, and manner-of-taking-game requirements for deer and turkey; **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**

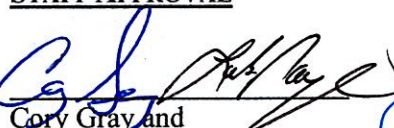
**WHEREAS,** after carefully considering the recommendations of the Interim Director, Commission staff, and the Regulations Committee, as well as comments received from the public, the Commission has determined that all of the attached regulations promote sound fish and wildlife conservation and management,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

**NOW, THEREFORE, BE IT ORDERED** this 20th day of March 2025, that the Arkansas Game and Fish Commission hereby approves and adopts the attached package of 2025-2026 Miscellaneous Hunting 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**

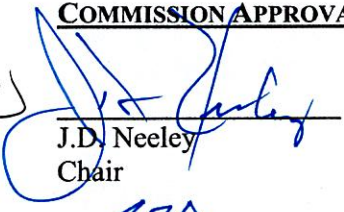
Submitted by:

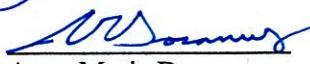
  
Cory Gray and  
Luke Naylor, Chiefs


Division:


Research and Wildlife

**COMMISSION APPROVAL**

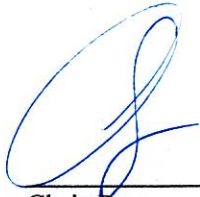
  
J.D. Neeley  
Chair


  
Anne Marie Doramus  
Vice Chair

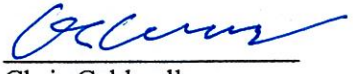
  
Bill Jones  
Commissioner

  
Brandon Adams  
Commissioner

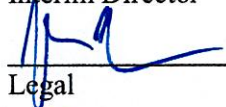
Approved:

  
Chris Racey  
Interim Director

  
Rob Finley  
Commissioner

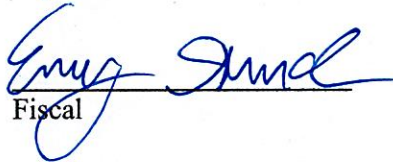
  
Chris Caldwell  
Commissioner

Approved:

  
Legal

  
Philip Tappan  
Commissioner

Approved:

  
Fiscal

## FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

**DEPARTMENT:** Arkansas Game and Fish Commission

**DIVISION:** Wildlife Management

**PERSON COMPLETING THIS STATEMENT:** Matthew Warriner

**TELEPHONE #:** 501-352-0925 **FAX #:** N/A **EMAIL:** matthew.warriner @agfc.ar.gov

**SHORT TITLE OF THIS RULE:** 18.01 Prohibited Methods for Taking Wild Turkey

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

2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: X No: If "Yes," please explain: determining the financial impact of the proposed rule is not economically feasible.

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	\$
Special Revenue	\$
Other (Identify)	\$
Total	\$

**Next Fiscal Year**

General Revenue	\$
Federal Funds	\$
Cash Funds	\$
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:** \$0

**Next Fiscal Year:** \$0

Party Subject to Rule: turkey hunters

Effect on Party Subject to Rule: no effect. The proposed rule adds a requirement back into regulation that was inadvertently removed in May 2024.

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: None

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: N/A

## LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, March 20, 2025, at the AGFC Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. At that time, regulations and business pertaining to the operation of the AGFC 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, March 19, 2025, beginning at 9:00 a.m. at the AGFC Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. All interested persons are invited to attend these meetings.

The Commission meeting on March 20<sup>th</sup> will be live-streamed and a link for easy viewing access will be available on the agency website. Please visit the AGFC website at <https://www.agfc.com> for additional up-to-date details as the meeting dates draw closer.

Items on the agenda for the March 20, 2025 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the February 19-20, 2025 Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the AGFC, including but not limited to:

- Remove the prohibition on the use of natural deer urine and other biofluids while hunting (Code 05.40).
- Add language to the prohibition on hunting wild turkey over bait to indicate that an area is considered baited for 10 days following removal of the bait. This change is a correction of the previous inadvertent removal of such language (Code 18.01).
- Replace the term “legal buck” with “antlered buck” and “doe” with “antlerless deer” in the harvest definitions for Ed Gordon Point Remove WMA, Cove Creek Natural Area WMA, Lake Overcup WMA, and Norfork Lake WMA. Remove the requirement that an antlerless deer be harvested and checked prior to harvesting an antlered buck on Ed Gordon Point Remove WMA (Addendum C1.01).
- Remove the antler size restrictions on harvesting buck deer from Ed Gordon Point Remove WMA (Addendum C1.14).
- Add Conway County to the Chronic Wasting Disease (CWD) Management Zone as a Tier 2 County (Addendum E1.12).

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the March 20, 2025 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 March 10, 2025. Copies of any proposed rules or regulations may be obtained at the AGFC main office and at [www.agfc.com](http://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.

CHRIS RACEY, INTERIM DIRECTOR  
Arkansas Game & Fish Commission  
Game & Fish Commission Building  
2 Natural Resources Drive  
Little Rock, Arkansas 72205





**Chris Racey**  
Interim Director

**Ben Batten**  
Deputy Director

**Brad Carner**  
Deputy Director

**Spencer Griffith**  
Deputy Director

## Arkansas Game and Fish Commission

**John P. Marks**  
General Counsel

**James R. Brown**  
Assistant General Counsel

**Christian N. Parks**  
Sr. Assistant General Counsel

**Dalton B. Swindell**  
Assistant General Counsel

March 21, 2025

Arkansas Register  
Arkansas Secretary of State, Rules & Regulation Filing  
500 Woodlane Drive, Room 26  
Little Rock, AR 72201  
*Via email only:* [arkansasregister@sos.arkansas.gov](mailto:arkansasregister@sos.arkansas.gov)

RE: Legal Notice for Approved Rules or Regulations – March 2025 meetings

Dear Arkansas Register:

Included are five (5) approved regulation changes that were published in the Legal Notice to the Arkansas Democrat Gazette on February 16-18, 2025. 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,

John P. Marks  
General Counsel

JPM/srm  
Attachment

cc: Ms. Rebecca Miller-Rice, Bureau of Legislative Research  
[miller-ricer@blr.arkansas.gov](mailto:miller-ricer@blr.arkansas.gov)  
Ms. Sheri Thomas, Bureau of Legislative Research  
[thomass@blr.arkansas.gov](mailto:thomass@blr.arkansas.gov)  
Mr. Zane Rogers, Bureau of Legislative Research  
[rogersz@blr.arkansas.gov](mailto:rogersz@blr.arkansas.gov)  
Ms. Gina Seaton, Bureau of Legislative Research  
[seatong@blr.arkansas.gov](mailto:seatong@blr.arkansas.gov)  
[aslib-govdocs@ade.arkansas.gov](mailto:aslib-govdocs@ade.arkansas.gov)

2 Natural Resources Drive, Little Rock, AR 72205  
833-345-0325 | 501-207-0326 | [agfc.com](http://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.*