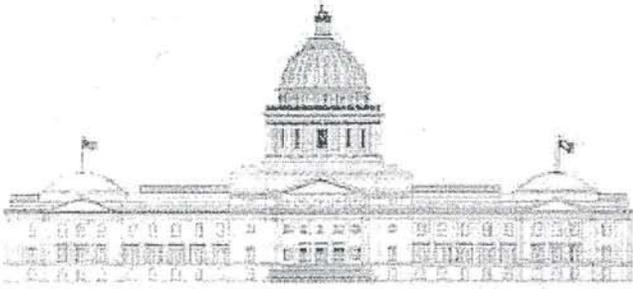


ARKANSAS REGISTER

Transmittal Sheet



Charlie Daniels
Secretary of State
State Capitol Room 026
Little Rock, Arkansas 72201-1094
(501) 682-3527

For Office Use Only: Effective Date _____ Code Number 002.00.04--007

Name of Agency Arkansas Game and Fish Commission
Department Legal
Contact James F. Goodhart E-mail jfgoodhart@agfc.state.ar.us Phone 501-223-6327
Amendment 35
Statutory Authority for Promulgating Rules _____

Rule Title: Hunting and Fishing Regulations

Intended Effective Date	Date
<input checked="" type="checkbox"/> Emergency Reg. 03.16 Ark. Non-Resident Waterfowl Stamp	<u>6/23-25/04</u>
<input checked="" type="checkbox"/> 10 Days After Filing Eff. 9/1/04	<u>7/15/04</u>
<input type="checkbox"/> Other _____	_____
Reviewed by Legislative Council	_____
Adopted by State Agency	<u>7/22/04</u>

Electronic Copy of Rule Provided (per Act 1478 of 2003)

Electronic Copy of Rule to be e-mailed from: _____

Contact Person

Email Address

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

James F. Goodhart
Signature

501-223-6327 jfgoodhart@agfc.state.ar.us

Phone Number

E-mail Address

James F. Goodhart

Title

August 2, 2004

Date

FILED

AUG - 5 2004

CHARLIE DANIELS
SECRETARY OF STATE

APPROVED 2004-2005 HUNTING CODES

Approved Changes - Red Ink

01.00-C
07-04

DEFINITION OF TERMS. For the purposes of the Arkansas Game and Fish Commission Code of Regulations, the following terms shall be construed, respectively, to mean and include:

ADULT GOBBLER – Male turkeys having at least one of the following characteristics: a) tail feathers which are the same length, b) wing feathers that have white barring all the way to the tip or c) a beard more than six (6) inches in length.

ALLIGATOR DEALER – Any person, firm or corporation engaging in the sale, purchase, barter, or exchange of an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in the State of Arkansas.

ALLIGATOR FARMER – Any person, firm or corporation possessing an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in the State of Arkansas for the purpose of propagation production or rearing.

ALLIGATOR SNAPPING TURTLE DEALER - Any person, firm or corporation engaged in the sale or purchase of alligator snapping turtles.

ALLIGATOR SNAPPING TURTLE BREEDER - Any person, firm or corporation possessing alligator snapping turtles for the purpose of propagation, production or rearing or sale.

ANIMAL – An organism of the animal kingdom, as distinguished from the plant kingdom, including any part, product, egg, or offspring thereof.

ANTLERLESS ELK - Any elk (male or female) not meeting requirements to be a legal bull elk

AQUATIC WILDLIFE – Aquatic Snails, Aquatic Turtles, Crayfish (Crawfish, Crawdads), Fish (including Minnows), Frogs, Mussels and Salamanders.

ARKANSAS RIVER BOUNDARY (Sportfishing Only) - The Arkansas Post Canal from Lock and Dam #1 to the Arkansas River and the Arkansas River from Dam #2 upstream to the Oklahoma state line including all lakes, bays and tributary streams accessible by boat from the main channel except that portion of Big Bayou Meto upstream from Hwy 11, Plum Bayou upstream from Hwy 79, Little Maumelle River upstream from Pinnacle State Park, Maumelle River upstream from Lake Maumelle Dam, Fouché LaFave upstream from Hwy 113, Palarm Creek upstream from Interstate 40, Cadron Creek upstream from the weir, Point Remove Creek upstream from Hwy 113, Petit Jean River upstream from Pontoon Boat Ramp at Hwy 154, Illinois Bayou upstream from Russellville Waterworks Dam, Big Piney and Little Piney Creeks upstream from Hwy 359, Horsehead Creek upstream from Interstate 40, Mulberry River upstream from Interstate 40, Frog Bayou

FILED

AUG - 5 2004

CHARLIE DANIELS
SECRETARY OF STATE

BY

upstream from Hwy 162 and Lee Creek upstream from Lee Creek Dam, and from the first non-navigable shoal for streams entering the Arkansas River along the left bank ascending from Lake Dardanelle Dam to the Oklahoma State Line.

ARTIFICIAL LURE/FLY - Terminal fishing tackle made by the method of fly tying, or made entirely of rubber, wood, metal, glass, feathers, hair, synthetic fibers, or plastic, with hook attached.

BAG LIMIT - The number of species allowed to be taken in a time period - 24 hours (12 o'clock midnight to 12 o'clock midnight) unless otherwise specified.

BAITFISH - Minnows (including bluntnose minnows, bullhead minnows, chubs, crayfish, dace, fatheads, common carp under 6 inches, small goldfish, shiners and stonerollers), logperch (also called sand pike or zebra minnows), shad, gar (other than alligator gar), drum, bowfin under 6 inches, skipjack herring, silversides (brook and inland), buffalo (bigmouth, smallmouth and black), river carpsucker, sculpin (banded and Ozark) and bream 4" and under.

BAITING - The direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for wildlife to, on, or over any areas where hunters are attempting to take them.

BIG GAME - Bear, deer, elk and turkey.

BLACK BASS - Largemouth bass, redeye bass, smallmouth bass, and spotted bass.

BONUS DEER - A harvested deer that is not included in a hunter's statewide bag limit.

BOX TYPE TURTLE TRAP - A floating trap designed to capture aquatic turtles, but does not permit capture of fish (see Code 39.04 for restrictions).

BREAM - Any species of the genus *Lepomis*, including bluegill, redear, warmouth and other sunfish.

BUCK - A male deer (See LEGAL BUCK definition).

BUCK DEER SEASON - Any deer season whereby no deer other than legal buck deer may be taken.

BULL ELK (legal) - Any elk having at least one antler visible above the hair line.

BUY - To purchase, barter, exchange, or trade and includes any offer to purchase, barter, exchange, or trade.

CAPTIVITY or HOLD CAPTIVE - The holding of living wildlife in a controlled environment that is manipulated by man for the purpose of exercising ownership, possession or control of the wildlife, and that has boundaries designed to prevent selected species from entering or leaving the controlled environment.

CASE - A container specifically designed for the purpose of housing a gun which completely encloses such gun by being zipped, snapped, buckled, tied or otherwise fastened with no portion of the gun exposed.

CATCH-AND-RELEASE – The requirement that fish of a designated species must be immediately released into the water where caught.

CHUMMING – To dislodge or deposit any substance not attached to a hook which may attract fish.

CITY, COUNTY, STATE, OR FEDERALLY MAINTAINED ROAD - Any road graded or otherwise repaired by any city, county, state, or federal agency in the state of Arkansas.

COMMERCIAL FISH – Bowfin (over 6 inches), buffalo, catfish, carp, drum, gar, paddlefish, sucker family, white amur and sturgeon.

COMMERCIAL FISHERMAN - Any person who fishes with tackle designated as commercial tackle requiring a license and/or tag issued by the Commission.

GAME BIRD SHOOTING RESORT - Any person, firm, or corporation engaged, for pay or other consideration, who provides pen-raised birds for harvest by hunters.

COMMISSION - The Arkansas State Game and Fish Commission, unless otherwise designated.

DISABLED - Any individual who is 100% permanently and totally disabled as declared by the following federal agencies: the United States Social Security Administration, the United Department of Veteran's Affairs, or the United States Railroad Retirement Board.

DOE – A female deer.

DOE DEER SEASON – Any deer season whereby a doe may be taken.

DROWNING SET - Any leg hold trap that utilizes one or more of the following techniques to retain the target animal in water of suitable depth for drowning. These are: (1) a slide wire with lock; (2) tangle stake; or (3) drowning weight.

EITHER-SEX – A male or a female.

EITHER-SEX DEER SEASON – Any deer season whereby a doe or a legal buck may be taken.

ENCLOSE – To surround species of wildlife on all sides using man-made barriers, including but not limited to fencing, walls, structures or other devices, so that the wildlife are not free to leave a particular environment.

ENCLOSURE – Any area surrounded by a man-made barrier, including but not limited to fencing, walls, structures or other devices that prevent wildlife from leaving a particular environment.

ENDANGERED SPECIES - any wildlife species or subspecies endangered or threatened with extinction listed by the U. S. Department of Interior and the following native species hereby designated in Arkansas:

MAMMALS:

Gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*).

BIRDS:

Bald eagle (*Haliaeetus leucocephalus*), least tern (*Sterna antillarum*), Bachman's warbler (*Vermivora bachmanii*), red-cockaded woodpecker (*Dendrocopos borealis*)

REPTILES:

American alligator (Alligator mississippiensis),

FISHES:

Ozark cavefish (Amblyopsis rosae), leopard darter (Percina pantherina), pallid sturgeon (Scaphirhynchus albus);

MOLLUSKS:

Scaleshell mussel, Curtis' pearly mussel, (Epioblasma florentina curtisi), fat pocketbook pearly mussel (Potamilus capax), pink mucket mussel (Lampsilis abrupta), turgid blossom mussel (Epioblasma turgidula), speckled pocketbook mussel (Lampsilis streckeri), Arkansas fatmucket mussel (Lampsilis powelli), winged mapleleaf mussel (Quadrula fragosa), Magazine Mountain shagreen land snail (Inflectarius magazinensis); scaleshell mussel (Leptodea leptodon), Ouachita rock pocketbook mussel (Arkansia wheeleri);

ARTHROPODS:

Cave crayfish (Cambarus zophonastes) and (Cambarus aculabrum);

INSECTS:

American burying beetle (Nicrophorus americanus);

PLANTS:

Geocarpon minimum (no common name), pondberry, (Lindera melissifolia), Missouri bladderpod (Lesquerella filiformis), Harperella (Ptilimnium nodosum), Eastern prairie fringed orchid (Platanthera leucophaea), running buffalo clover (Trifolium stoloniferum).

FEE LAKE - A lake in which there is a charge for fishing privileges. All persons 16 years of age and older must possess an Arkansas fishing license. Daily limits apply.

FERAL HOG - Any hog (Sus scrofa), including Russian and European wild boar, which is roaming freely upon public lands and is living in a wild or feral state.

FIREARMS, LOADED - Firearms shall be considered to be loaded if shells or cartridges are in either the chamber, magazine, or cylinder; percussion cap muzzle-loading firearms are considered loaded if the percussion cap is on the nipple; flintlock muzzle-loading firearms are considered to be loaded if there is powder in the flashpan.

FISH or FISHING - To lure, attract, collect, or pursue fish species or aquatic wildlife for the purpose of taking or attempting to take such fish species or aquatic wildlife by any method.

FISH FARM - Waters and adjacent premises confined within a pond, tank, or lake not connected with public waters, and under management by a commercial fish farmer.

FISH FARMER - Any person, firm, partnership or corporation engaged in the propagation and/or production of crawfish, fish and/or minnows for sale.

FREEFLOATING FISHING DEVICE - Any floating fishing device unanchored or unattached to a stationary object.

FURBEARERS - Badger, beaver, bobcat, civet cat, coyote, gray fox, red fox, mink, muskrat, nutria, opossum, raccoon, river otter, skunk, and weasel.

GAFFING FISH - Taking or attempting to take fish with a hand held or handled hook prior to being caught on hook and line.

GAME ANIMALS - Black bear, bobcat, coyote, deer, elk, fox, mink, opossum, rabbit, raccoon, and squirrel.

GAME BIRDS - Turkey, quail, pheasant, chuckar, and all birds classified by the U. S. Fish and Wildlife Service as migratory game birds.

GAME FISH - Alligator gar, black bass, white bass, striped bass, striped bass hybrid, crappie, catfish, trout, bream, sunfish, goggle-eye, walleye, northern pike, muskellunge, sauger, paddlefish, and pickerel.

GUIDE - Any person who provides, for monetary or any other compensation, that person's personal services for the purpose of assisting others to locate, pursue, catch or hunt wildlife.

HIGH FENCE ENCLOSURE - An enclosure that contains an area of at least 500 contiguous acres, with at least sixty percent (60%) of the acreage in forested cover that has been classified as timberland by the local county tax assessor, that has a perimeter fence at least eight (8) feet high, with no cross fencing that has the effect of reducing the size of the area to less than 500 contiguous acres with at least sixty percent (60%) of the acreage in forested cover as herein provided.

HOGGING - the taking of fish by the use of hands only in or under the water.

HUNT or HUNTING - To search for, pursue, chase, track, lure, attract, or lie in wait of game animals or other wildlife for the purpose of taking or attempting to take such game animals or wildlife by any method.

HUNTING PARTY - Two or more persons hunting together.

IMPORT - To land on, bring into, or introduce into any place within the jurisdiction of the State of Arkansas.

IMPORTATION - To ship, convey, carry or transport wildlife into or through the state by any means.

JAKE - Sub-adult turkeys having all of following characteristics: a) longer central tail feathers, b) outermost 1 or 2 wing feathers lacking white barring all the way to the tip and c) a beard six (6) inches or less in length.

KILLING DEVICE - Any firearm, bow and arrow, crossbow, pellet gun, or any other device capable of killing wildlife.

LEGAL BUCK - A buck having both antlers under two inches (including button buck) or at least one antler with at least three points including the main beam, each a minimum of one inch long. (Ref: Code 21.03)

MIGRATORY BIRDS - All birds protected by the federal Migratory Bird Treaty Act of 1918 and subsequent amendments.

MIGRATORY GAME BIRDS - Coots, crows, doves, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

MINIMUM LENGTH LIMIT - The shortest length of a fish, of a designated species, measured from the front of the lower jaw with the mouth closed to the tip of the tail with tail lobes pressed together, that an angler may keep. All fish not meeting the minimum length requirement for a particular water or species must be immediately released into the water where caught.

MINNOWS - small nongame fish commonly used for bait including bluntnose minnows, bullhead minnows, chubs, dace, fatheads, common carp under 6 inches, goldfish, shiners, and stonerollers.

MOBILITY IMPAIRED - Individuals who are mobility impaired in accordance with criteria on the Game and Fish application for the mobility impaired card.

NATIVE WILDLIFE - Those species and sub-species of wildlife that have established, naturally reproducing, free-ranging, wild populations within the state of Arkansas.

NIGHT - thirty (30) minutes after sunset to thirty (30) minutes before sunrise.

NONGAME WILDLIFE - all wildlife other than furbearing or game animals, birds and fish.

NON-RESIDENT - Any person not defined as resident.

NOODLING - The taking of fish by the use of hook or snare type device, with or without an attached line no longer than 4 feet in length, manipulated by hand when a person is in or under the water.

NUISANCE ANIMALS - Any wild animal creating a problem by committing damage to personal property (Depredation Permit available).

NUISANCE FURBEARING ANIMALS - Beaver, muskrat, and nutria.

OPEN SEASON - that season during which protected wildlife may be lawfully taken.

PEN-RAISED QUAIL - Quail that are hatched from eggs of quail raised in captivity in pens or cages.

PERSON - Any individual, firm, corporation, association, or partnership in singular or plural as the context requires.

POSSESS or POSSESSION - To have under control. The manual or ideal custody of wildlife or anything that may be the subject of property, for one's use and enjoyment, either as owner or as the proprietor of a qualified right in it, and either held personally or by another who exercises it in one's place and name. Possession includes the act or state of possessing and that condition of facts under which one can exercise his power over a corporeal thing at his pleasure to the exclusion of all other persons. Possession includes constructive possession, which means not actual but assumed to exist, where one claims to hold by virtue of some title, without having actual custody.

PROTECTED SLOT LIMIT - A species/size limit which prohibits anglers from keeping fish within a designated size group, and requires fish of that size and species to be immediately released into the water where caught.

PROTECTED WILDLIFE - all wildlife in the state unless a declared open season has been established by the Commission.

PUT AND TAKE PAY LAKE - Private waters open to public fishing for a fee, after being licensed by the Commission and where no fishing license or daily limit of fish is imposed.

RAPTOR - Any migratory bird of the Order Falconiformes or the Order Strigiformes except bald or golden eagle.

REHABILITATION – The practice of providing medical treatment or other care to orphaned, sick or injured wild animals that have come into human possession with the goal of returning the animal to the wild.

RESIDENT - Any person who has established a bona fide or actual residence of at least 60 days prior to applying for a license, and who declares intentions of becoming a citizen of Arkansas. Also, the following students, carrying proof of full-time enrollment in schools, colleges or universities while hunting or fishing in Arkansas, are eligible to purchase a resident license:

- (1) Resident foreign exchange students attending school outside of Arkansas.
- (2) Non-resident foreign exchange students attending school in Arkansas.
- (3) Residents of Arkansas enrolled as full-time students in colleges and universities outside of Arkansas.
- (4) Non-residents enrolled as full-time students in colleges and universities in Arkansas.

Possession of Arkansas real estate by persons living outside the state does not qualify the owner as a resident.

Servicemen and women stationed (permanently assigned) in Arkansas are granted resident privileges for hunting and fishing. Servicemen and women who were Arkansas residents at the time of entering service are also granted resident privileges for hunting and fishing, regardless where stationed.

65 Plus Lifetime Licenses, \$1,000 Sportsman's permit, Resident Disabled 3-Year Licenses, Special Guide License, Alligator Farmer/Dealer Permit, Alligator Snapping Turtle Breeder/Dealer Permit, Commercial Fisherman's Permit & Sportfishing License, Commercial Fisherman's Helper Permit, Junior/Senior Commercial Fishing Permit, Resident Shell Taker/Seller Permit, Shell Taker Helper Permit, Shell Buyer, Resident Fish Dealer, Resident Roe Taker/Seller Permit, Resident Roe Taker Helper Permit and Resident Roe Buyer/Exporter Permit: Any person who has established a bona fide or actual residence of at least 12 months (one year) prior to applying for a license, and has declared citizenship in Arkansas. 65 Plus Lifetime Licenses: Any person who has established a bona fide or actual residence of at least 36 months (three years) prior to applying for a license, and has declared citizenship in Arkansas.

The Director or his representative shall make the final determination as to resident status of any license applicant.

ROUGH FISH – Gars, bowfin, common carp, asian carp (grass carp, bighead carp, silver carp), suckers (including buffalo), freshwater eel and drum.

SELL – To exchange or deliver for money or its equivalent; to offer for sale, barter, exchange, or trade or the act of selling, bartering, exchanging or trading.

SHELL BUYER - Anyone who buys mussels or mussel parts from a Taker. An agent purchasing for a licensed buyer is not a buyer.

SMALL GAME – Furbearers, migratory birds, quail, rabbit and squirrel.

SNAGGING – A method of taking fish using conventional rod and reel tackle where the fish is impaled by the forceful retrieval of one or more hooks.

SNAGLINE - Commercial tackle consisting of a horizontal line with hooks or drops less than 24 inches apart.

TACKLE - Any rod, reel, pole, line, net, yo-yo, seine, or any other apparatus or device used to take fish.

TAKE - To shoot, kill, injure, trap, net, snare, spear, catch, capture, or reduce to possession.

TAXIDERMY - The art of preparing, stuffing and/or mounting of wildlife and parts thereof.

TRANSLOCATION – To ship, convey, carry or transport wildlife from one location to another by any means, including importation, exportation, interstate and intrastate movement.

TROUT – Any members of the Salmonidae family including rainbow trout, brown trout, brook trout, lake trout and cutthroat trout.

WATERS OF THE STATE - All streams, lakes, sloughs, bayous, marshes, or any other water wholly or partially within the State. Pay lakes and fish farms are excluded from the above.

WILD - to be living in a state of nature and not domesticated.

WILDLIFE - All wild birds, mammals, fish, reptiles, amphibians and other wild aquatic forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife, including animals living in a captive state and which lack a genetic distinction from members of the same species living in the wild.

WILDLIFE CHECK STATION – An official wildlife check station is a Commission designated (1) county check station, (2) Commission employee, (3) deer camp or (4) Commission on-line checking web site <http://www.agfc.com>.

WILDLIFE HUNTING RESORT – A Wildlife Hunting Resort is any facility, location, business or operation that is engaged in offering the opportunity to hunt or attempt to hunt captive wildlife other than pen-raised game birds.

WILDLIFE MANAGEMENT AREA (WMA) - Designated areas set aside by the Commission and distinguished by certain markers and considered a separate zone with regard to wildlife regulations. (Referred to as "WMA", "Waterfowl Rest Area (WRA)", "Wildlife Demonstration Area (WDA)", "Field Trail Area (FTA)", "State Park-Conservation Area (SP-CA)" or "National Wildlife Refuge (NWR)".

ZONE - Any area defined or delineated by the Commission where hunting and/or fishing activities are regulated for that specific area.

02.13B
07-04

ARKANSAS WILDLIFE HARVEST CHECKING REQUIREMENTS.

It shall be unlawful to fail to comply with the following provisions:

- (A) Upon taking each deer, turkey or bear (See Exception No. 3 below), every hunter must, within 24 hours of harvest, check said game at an Official Wildlife Check Station (see code 01.00C Definition of Terms) (~~designated county check stations, designated commission employees, designated deer camps or the commission's on-line checking web site~~). In checking deer or turkey said hunter shall provide information requested by check station and immediately attach the appropriate transportation tag to the deer or turkey. The transportation tag shall remain on the deer or turkey until final processing and storage by the hunter. Game may be field dressed prior to checking, but evidence of sex must remain until checked.

EXCEPTIONS:

- (1) Black bears must be checked within 24 hours after harvest by calling the toll free number listed in the Arkansas Hunting Guidebook. Hunters are required to extract a first upper or lower premolar from the carcass and give to the check station operator for age determination.
- (2) Elk must be checked within 12 hours in accordance with permit provisions at a designated elk check station or by a designated Commission employee. Elk may be quartered in the field to prevent spoilage due to difficulties resulting from large animals taken in remote areas. Evidence of sex must remain until checked and the animal's head must be presented for checking.
- (3) Black bear and deer may be quartered in the field to prevent spoilage due to difficulties resulting from large animals taken in remote areas.
- (4) Hunters in the Check Sheet Program must check deer or turkey immediately upon return to the camp and in no case more than four hours after harvest.
- (5) Hunters checking a deer or turkey on the Commission on-line checking web site <http://www.agfc.com>.

PENALTY: \$250.00 to \$1,000.00

03.03
07-04

HUNTING LICENSE REQUIREMENTS. It shall be unlawful for any resident or non-resident to take or attempt to take any wild animal or bird by any means in Arkansas without having on the person the appropriate Arkansas Hunting License as provided herein:

- (A) To hunt deer, turkey, bear or elk the hunter must have physical possession of an official hunting license with a "Record of Game" on the back of the license. A temporary internet license is not valid

- for hunting these species. A confirmation/authorization number from a telephone license order is not valid for hunting these species.
- (B) Arkansas Resident (16 years of age and older) - **SMALL GAME**: Resident Wildlife Conservation License; **BIG GAME** (deer, bear, elk and turkey): Resident Sportsman's License; Resident Combination Sportsman's License; **FURBEARERS** (Hunting and Trapping): Any valid hunting license. Holders of the following licenses are entitled to hunt all game, except if taking waterfowl, an Arkansas Resident Waterfowl Stamp, Federal Waterfowl Stamp and HIP are required. Resident Lifetime Hunting and Fishing Sportsman's Permit; Resident 65 Plus Lifetime Sportsman's Hunting License (or 65 Plus Lifetime Combination License); Resident Disabled Lifetime Sportsman's Hunting License (or Resident Disabled Lifetime Combination License) Resident Disabled Hunting 3-Year License (or Resident Disabled combination 3-Year License).
- (C) Non-Residents hunting small game only (excluding deer, elk, turkey and bear).
Requirements: Non-Resident Annual Small Game License, or Non-Resident 5-Day Small Game License for a period of said license, and Non-Resident Fur-Takers Permit if hunting furbearers. Small game may also be taken on the Non-Resident All Game Licenses. If hunting waterfowl, an Arkansas Non-Resident Waterfowl Stamp, Federal Waterfowl Stamp and HIP are required.
- (D) Non-Residents hunting deer, bear, elk and/or wild turkey.
Requirements: Non-Resident Annual All Game License; Non-Resident 3-Day All Game License; or a Non-Resident 5-Day All Game License and a Non-Resident Fur-Takers Permit if hunting or trapping furbearers.

EXCEPTIONS:

- (1) Residents and Non-Residents engaging in hunting activities on a licensed Game Bird Shooting Resort and Wildlife Hunting Resort in compliance with regulations pertaining to Game Bird Shooting Resorts and Wildlife Hunting Resorts.
- (2) Non-Residents under 16 years of age prior to killing a deer, turkey, elk or bear providing said non-resident under 16 years of age obtains a Non-Resident Annual All Game License, or a Non-Resident 3-Day All Game License, or a Non-Resident 5-Day All Game License after taking a deer, elk, turkey or bear.

PENALTY: Residents - \$100.00 to \$1,000.00.

Non-Residents - \$300.00 to \$1,000.00.

03.03-A
07-04

STATE MIGRATORY WATERFOWL HUNTING STAMP

REQUIREMENTS. It shall be unlawful to take or attempt to take migratory waterfowl without first obtaining and having on the person an Arkansas Resident or Non-Resident Migratory Waterfowl Hunting Stamp

(Duck Stamp) and to fail to validate said stamp by signing (signature) in ink across the face thereof:

EXCEPTIONS:

- (1) Persons under sixteen (16) years of age.
- (2) Persons holding a Lifetime Hunting and Fishing Sportsman's License.
- (3) Persons possessing a Resident 65 Plus Lifetime Waterfowl Permit.
- (4) ~~Persons holding a universal license form issued by the Commission coded DSM (good for 30 days only from date of issue) or a duplicate form coded DS.~~ Persons (Resident or Non-Resident) holding a universal license form issued by the Commission or it's representative coded DSR or DSN within 30 days of purchase.

PENALTY: \$100.00 to \$1,000.00.

03.16 LICENSES, PERMITS, STAMPS, TAGS, COSTS AND
07-04 EXPIRATION DATES

SPORT FISHING:

	<u>CODE</u>	<u>COST</u>	<u>EXP. DATE</u>
Resident Fisheries Conservation License.....	FSH	\$ 10.50	**
Resident 3-Day Trip License	RT3	\$ 6.50	*
Non-Resident Annual Fishing License.....	NRF	\$ 32.00	**
Non-Resident 14-Day Trip Fishing License..	N14	\$ 22.00	*
Non-Resident 7-Day Trip Fishing License....	NT7	\$ 17.00	*
Non-Resident 3-Day Trip Fishing License....	NT3	\$ 11.00	*
Arkansas Trout Permit.....	TPR	\$ 5.00	**
Non-Resident Trout Permit.....	TPN	\$ 12.00	**
White River Border Lakes License.....	WRL	\$ 10.00	**
Guide License/Fishing.....	GLF	\$ 25.00	**
Non-Resident Guide License/Fishing	GNF	\$150.00	**

SPECIAL AND COMMERCIAL FISHING:

Hoop Nets (with or w/o leads), turtle nets...	HN	\$ 4.00	Dec. 31
Slat Traps & Fiddler Nets.....	FS	\$ 12.50	Dec. 31
Commercial Trotlines (inc. snaglines, throwlines, limb lines, set hooks) per 100 ft, & box type turtle box traps (ea.).....	TL	\$ 2.00	Dec. 31
Commercial Tackle (Seine, Trammel & Gill Nets) 100 yds. or fractional part thereof per tag.....	SNS	\$ 15.00	Dec. 31
Resident Commercial Fisherman's Permit & Sportfishing License...	CFS	\$ 25.00	Dec. 31
Commercial Fisherman's Helper Permit.....	CFH	\$ 25.00	Dec. 31
Ark. Resident Junior/Senior Commercial Fishing Permit.....	JSC	\$ 14.50	Dec. 31
Alligator Farmer/Dealer Permit.....	AFP	\$200.00	June 30

Alligator Tags.....		\$ 4.00	June 30
Alligator Snapping Turtle Breeder/ Dealer Permit.....	AST	\$100.00	June 30
Resident Shell Taker and Seller.....	STS	\$100.00	Dec. 31
Shell Taker Helper Permit.....	SH	\$100.00	Dec. 31
Shell Buyer.....	SBR	\$1,000.00	Dec. 31
Non-Resident Shell Buyer.....	SBN	\$2,000.00	Dec. 31
Shell Buyer's Agent Permit.....	SA	\$100.00	Dec. 31
Resident Fish Dealer.....	MD	\$ 10.00	Dec. 31
Non-Resident Fish Dealer.....	FDN	\$250.00	Dec. 31
Minnow Dealer Tackle (Minnow (Seine, Traps or Lifts).....	MS	\$ 5.00	Dec. 31
Fish Farmer (Aquaculturist) Permit	FF	\$ 25.00	Dec. 31
Bull Frog Permit (Must have valid Fish Farmer Permit).....	BP	\$ 25.00	Dec. 31
Resident Roe Taker/Seller Permit	RTS	\$500.00	Dec. 31
Resident Roe Taker/Helper Permit	RH	\$100.00	Dec. 31
Resident Roe Buyer/Exporter Permit	RBE	\$1,000.00	Dec. 31
Non-Resident Roe Buyer Permit	RBN	\$2,000.00	Dec. 31
Commercial Boat Dock Permit.....	BDN	\$ 25.00	Dec. 31
Commercial Boat Dock (User Fee).....	BPL	\$150.00	Dec. 31
Private Boat House (Single).....	BHS	\$ 5.00	Dec. 31
Private Boat House (Double or Joint).....	BHD	\$ 10.00	Dec. 31
Private Boat Dock (Single).....	DPS	\$ 5.00	Dec. 31
Private Boat Dock (Double or Joint).....	DPD	\$ 10.00	Dec. 31
Put & Take Pay Lake.....	PLO	\$150.00	Dec. 31

HUNTING LICENSE AND PERMITS:

Resident Wildlife Conservation License.....	HNT	\$ 10.50	**
Resident Sportsman's Permit.....	RS	\$ 25.00	**
Resident Combination Sportsman's License.....	CS	\$ 35.50	**
Non-Resident Annual All Game License	NBG	\$225.00	June 30
Non-Resident 5-Day All Game License	AG5	\$125.00	*
Non-Resident 3-Day All Game License	AG3	\$100.00	*
Non-Resident Annual Small Game License.	NRH	\$ 80.00	**
Non-Resident 5-Day Small Game License..	SG5	\$ 55.00	*
Non-Resident Fur Takers.....	NFT	\$100.00	**
Private Lands Elk Permit.....	PLE	\$ 35.00	****
Arkansas Resident Waterfowl Stamp.....	DSR	\$ 7.00	June 30
Arkansas Non-Resident Waterfowl Stamp	DSN	\$ 20.00	June 30
AG&F Leased Lands Permit (Hunting, Trapping and Camping)			
Casey Jones WMA.....	LCJ	\$ 20.00	**
Big Timber WMA.....	LBT	\$ 20.00	**
Cherokee WMA.....	LCH	\$ 20.00	**

Gum Flats WMA.....	LGF	\$ 20.00	**
Provo WMA.....	LPR	\$ 20.00	**
Lafayette County WMA.....	LLC	\$ 20.00	**
Falconry Permit Apprentice.....	FPA	\$ 25.00	***
Falconry Permit General.....	FPG	\$ 25.00	***
Falconry Permit Master.....	FPM	\$ 25.00	***
Resident Guide License/Hunting.....	GLH	\$ 25.00	June 30
Non-Resident Guide License/Hunting	GNH	\$150.00	June 30
Resident Special Guide License.....	GLS	\$150.00	June 30
Non-Resident WMA Waterfowl Hunting Permit (5-day trip for each WMA).....	*****	\$ 10.00	*
Non-Resident WMA Seasonal Waterfowl Hunting Permit (for each WMA).....	*****	\$100.00	June 30

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

**Good from 1 year of purchase date.

***Falconry Permit will expire on July 31, 1998, then 2001, etc., in line with the Federal program.

****When 10 elk have been harvested.

*****Good for that season only.

*****Permits are available for 25 WMAs and are valid only for the WMA indicated on permit

HUNTING COMMERCIALIZATION:

Resident Fur-Dealer.....	FD	\$ 50.00	June 30
Non-Resident Fur Dealer.....	NFD	\$200.00	June 30
Special Commercial Quail Permit.....	CQP	\$ 25.00	June 30
Game Bird Shooting Resort Permit.....	CSR	\$150.00	June 30
Wildlife Hunting Resort Permit.....	CHR	\$ 500.00	June 30
Wildlife Breeder/Dealer Permit.....	WBD	\$ 25.00	June 30
Wildlife Translocation Permit.....	WTP	\$ 25.00	June 30
Resident Live Fox and Coyote Permit.....	FRC	\$ 100.00	June 30
Non-Resident Live Fox and Coyote Permit..	FNC	\$ 250.00	June 30

LIFETIME LICENSE:

Resident 65 Plus Lifetime Fishing License.....	PLF	\$ 10.50	Non-Expiring
Resident 65 Plus Lifetime Sportsman's Hunting License and Permit.....	PLH	\$ 25.00	Non-Expiring
Resident 65 Plus Lifetime Combination License.....	PLC	\$ 35.50	Non-Expiring
Non-Expiring Lifetime Resident Hunting & Fishing Sportsman's Permit.....	LSP	\$1,000.00	Non-Expiring

15.01 POSSESSION OF CERTAIN WILDLIFE IN CAPTIVITY

PROHIBITED. It shall be unlawful to hold captive, confine, enclose or otherwise possess alive in the State of Arkansas any furbearer, game animal, game bird, game fish or other wildlife, whether native or non-native, migratory or imported, unless authorized or excepted as specified herein. Any wildlife possessed in violation of this regulation or any other regulation in Section 15 may be declared to be contraband and subject to immediate seizure by the Arkansas Game and Fish Commission. Upon conviction of the offender (or earlier if the court having jurisdiction so orders), title to the wildlife shall be forfeited to the Commission and such wildlife released or disposed of in accordance with Commission policy.

EXCEPTIONS:

- (1) Any furbearer, game animal, game bird or game fish legally taken during an authorized season in compliance with all applicable hunting, trapping and fishing restrictions in this Code Book may be possessed.
- (2) Commission employees may hold captive and possess wildlife as necessary to perform authorized duties.
- (3) Wildlife (except for fish, bullfrogs, mussels, aquatic turtles and alligators) may be held captive and possessed in compliance with the following Commission Codes:
 - (A) Commission Codes 15.08 et seq. (Game Bird Shooting Resort Requirements);
 - (B) Commission Codes 15.04 et seq. (Wildlife Hunting Resort Permit);
 - (C) Commission Code 15.12 et seq. (Wildlife Commercial Breeder/Dealer permit);
 - (D) Commission Codes 15.14 et seq. (Special Commercial Quail Permit Requirements);
 - (E) Commission Code 15.16 et seq. (Native Wildlife Pet Restrictions);
 - (F) Commission Codes 14.03 et seq. (Falconry Permit);
 - (G) Commission Codes 15.02 et seq. (Captive Non-Native Wildlife).
 - (H) Commission Code 15.19 (Wildlife Rehabilitation Permit).
- (4) Fish, bullfrogs, mussels, aquatic turtles and alligators may be held captive and possessed in compliance with the following Commission codes:
 - (A) Commission Code Section 36.00 (Bull Frog Regulations);
 - (B) Commission Code Section 37.00 (Minnow Regulations);
 - (C) Commission Code Section 38.00 (Fresh Water Mussel Regulations);
 - (D) Commission Code Section 39.00 (Aquatic Turtle Regulations);
 - (E) Commission Code Section 40.00 (Alligator Farming Regulations);

- (F) Commission Code Section 41.00 (Commercial Fishing Regulations);
- (G) Commission Code Section 42.00 (Fish Farmer Regulations).
- (5) Organizations that are accredited members of the American Zoo and Aquarium Association (AZAA) and municipal zoos and aquariums.
- (6) Individuals or organizations may be permitted to hold captive and possess on a temporary basis raccoon, fox, coyote, or pen-raised quail for the purpose of dog training or AKC, UKC and ACHA field trails upon requesting and receiving written approval from the Chief of Wildlife.
- (7) Individuals or organizations that are determined to be involved in bona fide scientific research, education or conservation efforts of significant benefit to wildlife or wildlife habitat in the State of Arkansas may be permitted to hold captive and possess wildlife in compliance with the terms of a special-issued permit.
- (8) Individuals or organizations in possession of a USDA exhibitor and/or rehabilitation permit that are not engaged in rehabilitation of sick, injured, orphaned, or impaired native wildlife and/or those only rehabilitating migratory birds under a U. S. Fish and Wildlife Service migratory bird rehabilitation permit.

PENALTY: \$100.00 to \$1,000.00.

15.08
07-04

GAME BIRD SHOOTING RESORT REQUIREMENTS. It shall be unlawful to operate any game bird shooting resort other than as specified herein:

- (A) On any day, before hunting is allowed on a shooting resort, the resort operator must have released at least as many ~~captive-raised-quail, pheasant, and/or chukar~~ game birds as the number of these birds intended to be harvested that day, less the number of the birds released the previous hunt that were not harvested.
- (B) All acreage in the shooting resort will be contiguous and not exceed 1,500 acres.
- (C) The exterior boundaries of each game bird shooting resort must be clearly defined and posted with signs erected around the perimeter at intervals of 300 feet or less and bearing the words, "Game Bird Shooting Resort."

EXCEPTION:

- (1) On any day hunting is allowed, the resort operator must release only the number of captive raised mallards as will be harvested that day.

PENALTY: \$100.00 to \$1,000.00.

15.09
07-04

GAME BIRD SHOOTING RESORT RECORD REQUIREMENTS.

It shall be unlawful for owners or operators of game bird shooting resorts to fail to keep legible records on a form provided by the Commission showing the name, complete address, date, number and type of birds released each day and the number taken by each hunter. These records shall be filed submitted to with the Commission not later than May 1 of each year.

PENALTY: \$100.00 to \$1,000.00.

15.11
11-00/07-04

GENERAL PROVISIONS APPLICABLE TO CAPTIVE WILDLIFE PERMITS. The following general requirements shall apply with respect to all captive wildlife permits listed below:

- (i) Wildlife ~~Commercial~~ Breeder/Dealer Permit
- (ii) Wildlife ~~Commercial~~ Hunting Resort Permit
- (iii) ~~Commercial~~ Game Bird Shooting Resort License
- (iv) Special Commercial Quail Permit
- (v) Falconry Permit
- (vi) Wildlife Translocation Permit
- (vii) Wildlife Rehabilitation Permit

(A) Eligibility and Application Requirements

No permit shall be issued to any person unless the applicant shall demonstrate satisfactory compliance with the following requirements:

- (1) The applicant shall be at least 18 years of age and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five (5) years of the date of application.
- (2) The applicant must first obtain certification from the county and any municipal planning commission or board stating that the applicant's operation shall be in compliance with all applicable local ordinances.
- (3) An application for a permit must be submitted in writing on a form supplied by the Commission.
- (4) A separate application shall be made for each facility.
- (5) Using the information submitted by the applicant, the Commission shall determine whether the applicant has met the issuance criteria set forth in this Code section and in the

section specifically governing the activity for which the permit is requested, including whether the proposed facility is adequate to comply with all legal requirements and would not result in harm to the wildlife resources of the State. If the Commission determines the applicant has met all requirements, the applicant will be notified of preliminary approval of the requested permit, and the applicant's facility shall be inspected and approved by the Commission prior to final issuance of the permit. The requested permit shall be denied if:

- (a) The applicant fails to meet any of the issuance criteria set forth in this Code section or in the section specifically governing the activity for which the permit is requested;
- (b) The applicant fails to disclose material information required, or has made false statements as to any material fact in connection with the application;
- (c) The applicant fails to demonstrate a valid justification for the permit and a showing of responsibility; or
- (d) The Director or Commission's issuing officer finds through further inquiry or investigation that the applicant is not qualified or the issuance of the permit may be potentially harmful to the wildlife resources of the State.

(B) Facility and Caging Requirements

All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and protect them from injury. Carnivores must be confined in enclosures equipped with a structural safety barrier, that prevents any physical contact between the animal and the public. Birds must be kept in buildings or covered pens that prevent them from leaving the facility and that do not allow entry of wild birds. Cages, fencing, and guardrails shall be kept in good repair at all times and gates shall be securely fastened with latches or locks. Enclosures, pens, or cages considered unsafe by Commission personnel must be repaired or reconstructed within sixty (60) days or less, as specified by the Commission.

(C) Disease Testing and Control

The Director of the Arkansas Game and Fish Commission, in consultation with the Director of the Arkansas Livestock and Poultry Commission (or their designees), shall determine the diseases and parasites of concern and the mechanisms and procedures for control of diseases and parasites in captive wildlife within the state of Arkansas. Such mechanisms and procedures shall include but not be limited to examination, testing, quarantine and slaughter or destruction of individual animals and/or herds that are, or in the opinion of the Commission may be, infected with ~~or affected by~~ a diseases ~~and/or parasites~~ that may have significant detrimental

effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of the state of Arkansas. Such examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner of such wildlife. As a condition of any permit issued under this Code chapter, the Commission may require the captive wildlife be quarantined for the period specified by the Commission.

- (1) Gray foxes, red foxes and coyotes must be vaccinated against rabies with a 3-year duration of immunity killed virus vaccine approved by the USDA for use in dogs, vaccinated for canine distemper, treated with the antihelminthic Praziquantel, and treated with Ivermectin. All live foxes and coyotes that die in captivity of non-hunting related causes or during transport must be submitted for examination to the Arkansas Livestock and Poultry Commission laboratory or to a Commission Regional Office within 72 hours of the time of death.
 - (2) All Cervids that die in captivity must be tested for chronic wasting disease and the results of such testing submitted to the Commission within 7 days of receipt by the owner.
 - (3) Captive Cervids and camelids must demonstrate proof of compliance with applicable Arkansas Livestock and Poultry Commission requirements for entry, exhibition and change of ownership.
- (D) Reporting & Recordkeeping
- Records shall include evidence of legal possession of all wildlife kept under the permit, including licenses, bills of sale, bills of lading, receipts, invoices, or other satisfactory evidence of ownership. The date of acquisition, place of origin, and the name, address and telephone number of the person from which the wildlife was acquired must also be recorded. A record also must be kept of all wildlife acquisitions and dispositions, including births, deaths, sales, slaughter, and transport. All records must be either typed or written in plain and legible English, and must be retained throughout the time the wildlife is possessed by the permittee or for a period of five (5) years, whichever is longer. Permit holder shall submit reports to the Commission in accordance with the permit requirements.
- (E) Inspection
- Any person accepting and holding a permit under this Code chapter consents to and shall allow entry by employees or agents of the Commission upon premises where the permitted activity is conducted at any reasonable hour. Commission employees or agents may enter such premises to inspect the location; any books, records, or permits required to be kept; and any wildlife and facilities kept under authority of the permit. Each permittee shall pen the captive wildlife in suitable pens and restrain them for

inspection at any reasonable time when requested to do so by an employee or agent of the Commission.

(F) **Permit Renewal, Transfer, Suspension & Revocation**

Permits may be revoked by the Director for failure to comply with the terms of the permit or this chapter of the Commission Code. Persons in violation of the terms of the permit or the Commission Code shall be notified in writing and shall have ten (10) days to correct the violation. If at the end of that time the violation is not corrected, the Director may revoke any existing permit and may refuse to issue any future permit. Such revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed. Upon revocation, permit holder must legally remove captive wildlife within the time designated in the revocation not to exceed sixty (60) days and failure to do so shall result in the Commission taking action at the permit holder's expense.

(G) **Red Deer Facilities**

Wildlife Commercial breeding facilities containing red deer may not exist or be constructed within the following counties: Newton, Searcy, Carroll, Boone, Madison, Johnson, Pope, Benton, Van Buren, Stone, Marion, and Baxter.

PENALTY: \$100.00 to \$1,000.00

15.12
07-04

WILDLIFE ~~COMMERCIAL~~ BREEDER/DEALER PERMIT REQUIREMENTS.

- (A) It shall be unlawful for a person to rear, breed, propagate, produce or distribute any fur-bearing animals, game animals, game birds, or other wildlife for commercial purposes without a Wildlife ~~Commercial~~ Breeder/Dealer Permit.
- (B) Wildlife ~~Commercial~~ Breeder/Dealer Permits for new facilities rearing, breeding, propagating, producing or distributing any member of the cervidae family, including, but not limited to white-tailed deer and elk shall not be issued after October 17, 2002.
- (C) Closure of Commercial Trade in Box Turtles (*genus Terrapene*). Wildlife Breeder/Dealer Permits shall not be issued after September 1, 2004 for any person or operations engaged in the importation, propagation, sale, transfer, barter, or distribution of box turtles (*genus Terrapene*). The importation, propagation, sale, transfer, barter, or distribution of any *Terrapene* will be prohibited after June 30, 2005.

EXCEPTIONS:

- (1) Fish, bullfrogs, mussels, aquatic turtles, and alligators in compliance with the following Commission Codes:
- (a) Commission Code Section 36.00 (Bull Frog Regulations);
 - (b) Commission Code Section 37.00 (Minnow Regulations);
 - (c) Commission Code Section 38.00 (Fresh Water Mussel Regulations);

- (d) Commission Code Section 39.00 (Aquatic Turtle Regulations);
- (e) Commission Code Section 40.00 (Alligator Farming Regulations);
- (f) Commission Code Section 41.00 (Commercial Fishing Regulations);
- (g) Commission Code Section 42.00 (Fish Farmer Regulations);
- (h) Game birds legally killed on a Game Bird Shooting Resort. Ref. Code 15.08 (Game Bird Shooting Resort License).

PENALTY: \$100.00 to \$1000.00

15.13

11-00/07-04

**WILDLIFE ~~COMMERCIAL~~ BREEDER/DEALER PERMIT
GENERAL PROVISIONS.**

- (A) The applicant must supply satisfactory evidence that stock has been/will be secured from a legal source other than the wild stock of the state.
- (B) Stock may be slaughtered in accordance with established husbandry practices for slaughter of domestic livestock.
- (C) Fencing of enclosures in which deer, elk, or other big game animals are to be held must consist of a permanent deer-proof fence at least eight (8) feet in height and constructed in a manner so as to prohibit escape of captive wildlife and the possible ingress of native wildlife.
- (D) It shall be unlawful for owners or operators of commercial wildlife breeder/dealer facilities to fail to submit legible and complete reports by the 5th of each month on a form provided by the Commission of their inventory on the last day of the month, the number of animals of each species that were born or died that month, the species and number of each species acquired or distributed each month, and the name, current address and phone number of each person from whom wildlife was acquired or to whom it was distributed.
- (E) Permits for Wildlife Breeder/Dealer facilities in which waterfowl will be kept will not be issued when poultry is housed on the same property.
- (F) Permitted Wildlife Breeder/Dealer facilities in which birds are kept are required to adhere to applicable Arkansas Livestock and Poultry Commission requirements regarding pullorum-typhoid disease tests and are encouraged to participate in the National Poultry Improvement Plant.
- (G) Each Wildlife Breeder/Dealer facility in which waterfowl are kept are required to test 60 birds for duck virus enteritis using the PCR technique every May. Facilities containing less than 60 birds shall test all birds in stock. Samples shall be taken by a licensed veterinarian and submitted to the Arkansas Livestock and Poultry Commission at the owner's expense. Copies of test results shall be forwarded to the Arkansas Game and Fish Commission within 7

days of receipt. Flocks that test positive for duck virus enteritis shall be quarantined or destroyed by the owner or operator within 14 days and the carcasses disposed of in accordance with Arkansas Livestock and Poultry Commission regulations. Waterfowl hatched in the facility shall be banded with a seamless metal band.

EXCEPTION:

- (1) Red fox, gray fox and coyote that have originated from the wild in Arkansas and are in compliance with the disease control provisions of Commission Code 15.11C, may be reared, bred, propagated, produced or distributed by individuals with a current Wildlife Commercial Breeder/Dealer Permit.

PENALTY: \$100.00 to \$1000.00

15.17

11-00/07-04

WILDLIFE TRANSLOCATION PERMIT REQUIREMENTS. A

translocation permit, authorized by the Arkansas Game and Fish Commission, shall be required to import wildlife into or transport wildlife through the state of Arkansas.

- (A) Wildlife Translocation Permit holders may import wildlife into or transport wildlife through the state under the following conditions provided that prior to transport the owner possesses the following documentation:
 - (1) Written proof of the origin and destination of each animal.
 - (2) Documentation for each animal to demonstrate that they have not been kept in, or originated from, a location from which importation has been restricted as per ~~the Arkansas Game and Fish Commission Wildlife Importation Disease/Parasite Examination Requirements approved by the Director in accordance with Code 15.11(C)18.~~
 - (3) A completed Arkansas Game and Fish Commission Veterinary Examination Record Form upon which an accredited veterinarian has certified each animal to be free of ~~diseases/parasites as described in the Arkansas Game and Fish Commission Wildlife Importation Disease/Parasite Examination Requirements approved by the Director of the Arkansas Game and Fish Commission~~ in accordance with ~~Code 15.11 (C).~~
 - (4) All cervids imported into Arkansas must have a permanent tag or other marker that will allow identification of individual animals recorded in these documents.
 - (5) All waterfowl imported into Arkansas must have a seamless metal band on one leg that identifies them as a captive-raised bird. The permit holder must possess documentation that the waterfowl have originated from a flock participating in the National Poultry Improvement Program and have tested negative for duck virus enteritis within 60 days before entry into the state.

- (B) A copy of the owner's Wildlife Translocation Permit and the documentation required in Section A of this code (15.17) must accompany each animal during transport.
- (C) Within seven (7) days of entry of an animal into the state, the owner must submit to the Commission all documentation required in Section A of this code (15.17).

PENALTY: \$100.00 to \$1,000.00

15.18 **WILDLIFE IMPORTATION RESTRICTIONS.** It shall be unlawful to import, ship, transport, or carry into the state by any means any of the following animals:

05-02/07-04

- (A) Any live member of the cervidae family, including, but not limited to white-tailed deer and elk.
- (B) Raccoons.
- (C) Bats.
- (D) Skunks.
- (E) Coyotes that originate from or have lived in Alaska, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Texas, Wisconsin, Wyoming and Canada.
- (F) Gray and Red Foxes that originate or have lived in Alaska, Arizona, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New York, North Dakota, Ohio, South Dakota, Texas, Vermont, Wisconsin, Wyoming and Canada.
- (G) Rodents captured in the wild from Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, Texas, Utah and Wyoming.
- (H) All box turtles of the genus *Terrapene* (Effective June 30, 2005).

PENALTY: \$500.00 to \$1000.00

18.01 **HUNTING WILDLIFE IN CLOSED SEASON PROHIBITED.** It shall be unlawful to take, attempt to take, or possess any species of wildlife, or portions thereof, other than during a season open by the Commission.

07-04

EXCEPTIONS:

- (1) In compliance with Commission Code 15.16 (Native Wildlife Pet Restrictions);
- (2) In compliance with Commission Code 18.09 (Depredation Permits);
- (3) In compliance with Commission Code 10.03 (Nuisance Furbearing Animal Trapping Restrictions);
- (4) In compliance with Commission Code 10.04 (Nuisance Animal Trapping Requirements);
- (5) In compliance with Commission Code Section 15.00 (Captive Wildlife/ Hunting Resorts);
- (6) Wildlife legally obtained or brought from outside the state and accompanied by verification;
- (7) Nuisance Furbearing Animals (Beaver, Muskrat, Nutria);

- (a) Beaver taken the entire year with firearms during daylight hours only and/or by trapping in water sets only outside the declared furbearing animal season.
- (b) Muskrat and Nutria trapping in compliance with Commission Code 10.03 (B) and taken the entire year with firearms during daylight hours only, by landowners, controllers or their designees on their property where damage is being committed.
- (c) Taken with firearms at night in compliance with Commission Code 18.09 (Depredation Permit).
- (8) Nuisance nongame animals that pose reasonable threat or endangerment to persons or property, excluding migratory birds and endangered species.
- (9) In compliance with Commission Code 39.01 (Permit/License Requirements for ~~Taking~~ the Commercial Harvest and Sale of Aquatic Turtles).
- (10) In compliance with Commission Code 42.01 (Fish Farmer Permit Requirements).
- (11) Armadillos (*Dasyus novemcinctus*), house mice (*Mus musculus*), black rats (*Rattus rattus*) and Norway Rats (*Rattus norvegicus*).

PENALTY: \$500.00 to \$1,000.00.

In addition, a jail sentence not to exceed 10 days may be imposed and hunting privileges may be suspended in accordance with Code 11.05, Revocation of Privileges. Equipment used in such violations (including but not limited to killing devices and lights) may be confiscated by the court, forfeited to the State, and disposed of according to law.

18.03
07-04

SELLING WILDLIFE RESTRICTIONS. It shall be unlawful to purchase, sell, offer for sale, barter or trade any species of wildlife or portions thereof.

EXCEPTIONS:

- (1) Furbearer pelts and carcasses taken during a furbearer season.
- (2) In compliance with Section 15.00 (Captive Wildlife/Hunting Resorts).
- (3) In compliance with Commission Code 36.04 (License Requirements for Sale of Bullfrogs by Fish Farmers).
- (4) In compliance with Commission Code 41.07 (Requirements for Selling Commercial Fish).
- (5) In compliance with Commission Code 42.01 (Fish Farmer Permit Requirements).
- (6) In compliance with Commission Code 39.01 (Permit/License Requirements for ~~Taking~~ the Commercial Harvest and Sale of Aquatic Turtles).
- (7) In compliance with Commission Code 37.02 (Minnow Dealers License Requirements).

- (8) In compliance with Commission Code 38.01 (Mussel Shell Taker Buyer, and Seller License Requirements).
- (9) In compliance with 31.07-A (Sale of Bait Prohibited).
- (10) Squirrel tails, deer antlers, deer hides and feathers from non-migratory game birds legally taken.
- (11) Wild animals legally acquired outside the state and accompanied by verification.
- (12) Coyote (In compliance with Comm. Codes 10.02, 10.04, 10.05, 10.06, 10.07, 10.08, 10.13 & 10.14).

PENALTY: \$500.00 to \$2,000.00. Also, a jail sentence not to exceed one (1) year may be imposed.

22.01
07-04

DOG RESTRICTIONS ON WMAs. It shall be unlawful to take, attempt to take, or pursue wildlife or feral hogs by the use of dogs on any Wildlife Management Area.

EXCEPTIONS:

- (1) Permitted AKC, UKC and ACHA field trials when approved by the Commission.
- (2) Quail and Rabbit Dog Training: September 1-April 1, except during firearms deer hunts where dogs are not allowed.
- (3) Training dogs on Camp Robinson WDA, Wylie Cox Field Trial Area and J. Perry Mikles/Blue Mountain WDA requires a current Arkansas hunting license and these areas are closed to dog training during organized field trials.
- (4) Dogs are required for raccoon hunting at night only from July 1 - March 31.
- (5) J. Perry Mikles/Blue Mountain WDA is open for training raccoon dogs at night only and rabbit dogs year around except during field trials. Quail Dog Training from October 1 - April 1 except during firearms deer hunts where dogs are not allowed.
- (6) Waterfowl retrievers during open migratory bird seasons.
- (7) Dogs allowed for fall squirrel and rabbit hunting where no modern gun or muzzleloader deer season is open or where dogs are allowed for modern gun deer hunting.
- (8) Dogs allowed for spring squirrel hunting, except on White River NWR.
- (9) Quail hunting with bird dog breeds only, during open season.
- (10) Modern Gun deer hunting November 13 -21 and November 25 - December 5, 2004 on Cherokee WMA, November 29 - December 12, 2004 on Gum Flats and Provo WMAs and November 25 - December 5, 2004 on Lake Greeson and Mt. Magazine WMAs.
- (11) Dogs allowed for coyote, fox and bobcat hunting on Casey Jones and Cherokee WMAs during the declared furbearer season when a firearms deer season is closed.
- (12) Dogs allowed for modern gun deer season on Blue Mountain, Lloyd Millwood/Nimrod, Dardanelle and Ozark Lake WMAs, except no

dogs on islands except waterfowl retrievers during waterfowl season and hunting furbearers at night.

- (13) Dogs allowed for fall squirrel hunting on the Casey Jones, Big Timber, Ozark National Forest, Piney Creeks and White Rock WMAs.
- (14) Dogs allowed for training and/or hunting under the conditions and during the seasons provided by the required annual refuge hunting permit on all NWRs. Field trials prohibited unless authorized by refuge Special Use Permit.
- (15) Quail and Rabbit Dog Training on Camp Robinson WDA from September 15 – April 1, except during firearms deer hunts where dogs are not allowed.
- (16) Employees of the Arkansas Game and Fish Commission, the National Park Service or their designees engaged in official duties.

PENALTY: \$100.00 to 1,000.00.

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO: 04-045 SUBJECT: Misc. Codes (2004-2005)
 DATE PASSED: July 22, 2004
 PAGE 1 of 1 PAGES LOCATION: Statewide

WHEREAS, the Arkansas Game and Fish Commission, meeting in-regular session on July 22, 2004, has carefully reviewed and approved the attached hunting regulation proposals for statewide application; **and**

WHEREAS, the various sections of the AGFC Code Book affected by the adoption of these regulations must be replaced or amended, and then legally certified to the Secretary of State, the Arkansas State Library and the Bureau of Legislative Research in accordance with applicable law;

NOW, THEREFORE, BE IT ORDERED, THIS July 22, 2004 the Arkansas Game and Fish Commission hereby approves and adopts the attached hunting regulations for the 2004-2005 hunting license year, and authorizes the Commission staff to proceed with making the appropriate AGFC Code Book revisions and legal certification.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>	
Submitted by:	<u>Donny Hartis</u> Donny Hartis	<u>Louise Wood</u> Chairman	<u>Juddie Blaw</u> Commissioner
Division:	<u>Wildlife</u>	<u>Michelle Gray</u> Vice Chairman	<u>Sherrill May</u> Commissioner
Approved:	<u>Scott Henderson</u> Director	<u>Debbie Anderson</u> Commissioner	<u>Commissioner</u>
Approved:	<u>A.F. Woodhart</u> Legal	<u>Jim Carney</u> Commissioner	
Approved:	<u>Roy Kalen</u> Fiscal		

FILED

AUG - 5 2004

BY CHARLIE DANIELS
SECRETARY OF STATE

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Game and Fish Commission
DIVISION Wildlife
PERSON COMPLETING THIS STATEMENT Donny Harris
TELEPHONE NO. 501-223-6359 FAX NO. 501-223-6452 EMAIL:
dmharris@agfc.state.ar.us

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

- Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes _____ No _____
- If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
- 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 _____

New Fiscal Year

General Revenue _____
Federal funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

- What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

- What is the total estimated cost by fiscal year to the agency to implement this rule?

Current Fiscal Year

Next Fiscal Year