

EXHIBIT C3



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February 27, 2019

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MAR 04 2019

Ms. Donna K. Davis
Arkansas Bureau of Legislative Research
Administrative Rules Review Section
#1 Capitol Mall, 5th Floor
Little Rock, AR 72201

BUREAU OF
LEGISLATIVE RESEARCH

RE: Arkansas Game and Fish Commission Regulations Adopted on February 21, 2019

Dear Ms. Davis:

Enclosed please find for filing hard copies of the following rules/regulations adopted by the Arkansas Game and Fish Commission on February 21, 2019:

1. Captive Wildlife Regulations (multiple AGFC Codes);
2. Regulations for Hard Card & Proof of License, Permit, Stamp or Certificate (amendments to AGFC Codes 01.00-C and 03.10); and
3. AGFC Conservation License Plate Fund Policy and Procedure.

The Commission respectfully requests that these become effective immediately upon public filing or as soon thereafter as possible.

Should you have any questions or comments concerning this filing, please do not hesitate to contact me at (501) 223-6327 at your convenience

Sincerely,

James F. Goodhart
General Counsel

JFG/as
Enclosures

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ARKANSAS GAME AND FISH COMMISSION
Little Rock, Arkansas

BUREAU OF
LEGISLATIVE RESEARCH
Captive Wildlife Regulations

MINUTE ORDER NO: 19-018 SUBJECT: Approval
DATE PASSED: February 21, 2019
PAGE 1 of 2 PAGES LOCATION: Statewide

WHEREAS, pursuant to Minute Order No. 18-051, issued on June 21, 2018, and No. 18-071, issued on October 18, 2018, the Arkansas Game and Fish Commission adopted temporary suspensions on issuance of Wildlife Importation Permits and/or Wildlife Breeder/Dealer Permits for wildlife species that are venomous or poisonous until proposed captive wildlife regulations are considered, formally adopted, and made effective; **and**

WHEREAS, the Commission also charged AGFC staff with studying the existing captive wildlife regulations for other wildlife species and proposing any amendments or new regulations that may be needed to promote sound wildlife conservation and management consistent with Amendment 35; **and**

WHEREAS, the Commission and its staff have proposed the attached regulations to amend existing and adopt new captive wildlife regulations, including to create a Venomous Reptile Possession Permit with associated requirements; to authorize a process for issuance of permits based on staff evaluation of species for risk to human health and safety, native fish and wildlife or populations, or agriculture and humane confinement; to, upon Commission approval, add evaluated species to "unrestricted", "permitted", or "prohibited" species lists; and to allow persons until July 1, 2020, to submit a Wildlife Breeder/Dealer permit application to come into compliance with the final Commission regulations; **and**

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

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

NOW, THEREFORE, BE IT ORDERED this 21st day of February 2019, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, which shall become effective immediately upon public filing or as soon thereafter as possible. The temporary suspension on the issuance of permits shall continue, but only until the attached regulations have become effective, after which the permit suspension shall expire.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached regulations with the Secretary of State, State Library, and Bureau of Legislative Research and incorporating them into the Commission Code Book and Addendum.

STAFF APPROVAL
Submitted by: Brad Carner
Brad Carner
Chief
Division: Wildlife Management
Approved: [Signature]
Director
Approved: [Signature]
Legal
Approved: [Signature]
Fiscal

COMMISSION APPROVAL
[Signature] [Signature]
Ford Overton Bobby Martin
Chairman Commissioner
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Ken Reeves Stan Jones
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Andrew Parker J.D. Neeley
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01.00-C DEFINITION OF TERMS

05-17,

5-18 For the purposes of the Arkansas State Game and Fish 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.

AGFC LICENSE SYSTEM- The point-of-sale system that the Commission uses to sell and dispense Commission-issued licenses, permits, stamps, tags, and other privileges to the public.

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

ALLIGATOR FARMER – Any person, firm or corporation possessing an American alligator (*Alligator mississippiensis*) or other crocodylian species, or any part, nest or eggs thereof in 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, 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 DEER – A doe or a buck having less than 2 inches of hardened bone antler.

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

AQUACULTURE SPECIES – Any species listed on the Approved Aquaculture Species List (Addendum J1.00) and species not listed but allowed under Unlisted or Restricted Species Possession Permits.

AQUATIC WILDLIFE – All aquatic species, including aquatic snails, aquatic turtles, crayfish (crawfish and crawdads), fish (including minnows), frogs, mussels and salamanders.

ARKANSAS RIVER BOUNDARY (Sportfishing Only) – The Arkansas Post Canal from Norrell Lock and Dam No. 1 to the Arkansas River and the Arkansas River from Wilbur D. Mills Dam No. 2 upstream to the Oklahoma state line, including all lakes, bays and tributary streams accessible by boat from the main channel except:

- Big Bayou Meto upstream from Arkansas Highway 11;
- Plum Bayou upstream from U.S. Highway 79;
- Little Maumelle River upstream from Pinnacle Mountain State Park;
- Maumelle River upstream from Lake Maumelle Dam;
- Fourche LaFave upstream from Arkansas Highway 113;
- Palarm Creek upstream from Interstate 40;
- Cadron Creek upstream from the weir;
- Point Remove Creek upstream from Arkansas Highway 113;
- Petit Jean River upstream from Pontoon Boat Ramp at Arkansas Highway 154;
- Illinois Bayou upstream from Russellville Waterworks Dam;
- Big Piney and Little Piney creeks upstream from Arkansas Highway

359;

- Horsehead Creek upstream from Interstate 40;
 - Mulberry River upstream from Interstate 40;
 - Frog Bayou upstream from Arkansas Highway 162 and Lee Creek upstream from Lee Creek Dam,
 - And from the first non-navigable shoal for streams entering the Arkansas River along the right bank descending from the Oklahoma state line to Lake Dardanelle Dam.
- ARTIFICIAL LURE OR FLY** – Terminal fishing tackle made entirely of rubber, wood, metal, glass, feathers, hair, synthetic fibers or plastic, with hook attached.
- BAITFISH** – Minnows, logperch, gizzard and threadfin shad, gar (other than alligator gar), bullhead catfish, crayfish, drum, bowfin under 6 inches, skipjack herring, brook and inland silversides, bigmouth, smallmouth and black buffalo, river carpsucker, banded and Ozark sculpin, bream 4 inches and under, and bream over 4 inches that are caught by hook and line.
- BAITING** – The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other feed that could serve as a lure or attractant for wildlife to, on or over any areas where hunters are attempting to take them.
- BIG GAME** – Alligator, black bear, deer, elk and turkey.
- BLACK BASS** – Largemouth bass, redeye bass, smallmouth bass and spotted bass.
- BLOCKING OUT** – The removal of the head and/or tail associated with the processing of a commercial fish. The blocked-out carcass (bullet) must be at least the minimum length required for the body of water where the commercial fish was harvested (Code 30.11).
- 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 (Code 34.07).
- BREAM** – A species of the genus *Lepomis*, including bluegill, redear, warmouth and other sunfish.
- BUCK** – A male deer (see LEGAL BUCK definition).
- BUCK DEER SEASON** – A deer season in which no deer other than legal buck deer may be taken.
- BUY** – To purchase, barter, exchange or trade, including 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.
- CARCASS** – The body of a dead animal.
- CASE** – A container specifically designed to hold a firearm which completely encloses the firearm by being zipped, snapped, buckled, tied or otherwise fastened with no portion of the firearm exposed.
- CATCH-AND-RELEASE** – The requirement that fish of a designated species must be immediately released into the water where caught.
- CERVID** – A member of the Family Cervidae including without limitation deer, reindeer, moose, elk and caribou.
- CHASE FOR PLEASURE** – To search for, pursue or chase game animals or other wildlife with the use of dogs for recreational purposes only, with no intent of hunting such game animals or wildlife.
- CHECKING WILDLIFE** – The accurate and complete reporting of specific information to the Commission concerning harvest of alligator, bear, deer, elk and turkey by one of the following methods: phoning a designated number to

report bear, deer or turkey harvests, or electronically through the Commission's on-line deer, bear, elk, alligator and turkey checking Web site or mobile applications.

CHRONIC WASTING DISEASE (CWD) – Fatal disease affecting the brain of cervids that belongs to a group of diseases called transmissible spongiform encephalopathies.

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

CITES TAG – a permit that allows shipping of certain animal pelts outside the State of Arkansas and assures compliance with the Convention on the International Trade of Endangered Species.

CLEAN – Having no meat matter or tissue attached to the carcass.

COMPUTER-ASSISTED HUNTING – The use of a computer or any other device, equipment or software to remotely control the aiming and discharge of a firearm, bow or crossbow to kill wildlife located in Arkansas.

COMMERCIAL FISH – Bowfin (over 6 inches), paddlefish, shovelnose, sturgeon, and all species of buffalo, catfish, carp, drum, gar, and sucker family (except silver redhorse).

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

COMMERCIAL TACKLE – Properly licensed tackle used to catch aquatic wildlife for commercial purposes.

COMMERCIAL WILDLIFE HUNTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt native wildlife, other than pen-raised game birds, held in captivity.

Includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for the hunting activities.

COMMERCIAL WILDLIFE PERMIT – Any or all of the following permits: Alligator Farmer/Dealer, Alligator Snapping Turtle Breeder/Dealer, Resident Shell Taker and Seller, Shell Buyer, Non-Resident Shell Buyer, Resident Roe Taker/Seller, Resident Roe Buyer/Exporter, Non-Resident Roe Buyer, Resident Fur Dealer, Non-Resident Fur Dealer, Special Commercial Quail, Game Bird Shooting Resort, Commercial Wildlife Hunting Resort, Wildlife Breeder/Dealer and Wildlife Importation.

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

CONSERVATION CARD – A physical card that the Commission issues to a person and that is linked to that person's AGFC licenses, permits, stamps, and tags. Before engaging in an activity requiring an AGFC license, permit, stamp, or tag, the cardholder must purchase and verify issuance and valid expiration date of all required AGFC licenses, permits, stamps, and tags via www.agfc.com or 1-800-364-GAME. The card itself is not a license and conveys no independent right or privilege beyond the extent of any license, permit, stamp, or tag that has been linked to the card by purchase and has not been suspended, revoked, or expired.

DEFERRED HUNTER EDUCATION (DHE) – Designates a holder of a valid Arkansas hunting license/permit who has deferred completion of the hunter education program.

DISABLED – Any individual who is 100 percent permanently and totally disabled as declared by one or more of the following federal agencies: the U.S. Social Security Administration, the U.S. Department of Veteran's Affairs or the U.S. Railroad Retirement Board.

DOE – A female deer.

DISABLED VETERAN:

(a) any individual whom the United States Department of

Veterans Affairs (VA) has rated 100% permanently and totally disabled as a result of his or her U.S. military service;

(b) any individual whom the VA has rated permanently disabled as a result of his or her U.S. military service and who received the Purple Heart medal as a result of his or her service-connected disability.

DOE DEER SEASON – A deer season in which a doe may be taken.

DROWNING SET – Any leg-hold trap that uses one or more of the following techniques to retain the target animal in water of suitable depth for drowning: a slide wire with lock, a tangle stake or a drowning weight.

DUCKS (includes the following species) – All species of teal, merganser, whistling duck and scaup; American wigeon, American black duck, bufflehead, canvasback, gadwall, common goldeneye, mallard, mottled duck, northern shoveler, redhead, ring-necked duck, ruddy duck, northern pintail and wood duck.

EDIBLE PORTIONS – portions of the following animals are considered edible as stated below:

(a) **Game Mammals:** front quarters, hind quarters, loins and tenderloins.

(b) **Game Fish:** fillets of fish.

(c) **Game Birds:** breasts.

(d) **Frogs:** hind legs.

(e) **Alligators:** tails, legs, flanks, loins and tenderloins.

EITHER-SEX – A male or a female.

EITHER-SEX DEER SEASON – A deer season in which a doe or a legal buck may be taken.

EMERGENCY CONDITION – Any condition involving:

(a) imminent peril to the health, safety, or welfare of the public or the wildlife resources of the State; or

(b) immediate action mandated by federal law or regulation.

ENCLOSE – To surround wildlife 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 – A wildlife species or subspecies endangered or threatened with extinction listed, or proposed as a candidate for listing, by the U.S. Fish and Wildlife Service or any native species or subspecies listed as endangered by the Commission (Addendum P1.00).

FALCONRY – The caring for and training of raptors for pursuit of wild game, and hunting wild game with raptors. It includes the taking of raptors from the wild to use in the sport and caring for training and transporting raptors held for falconry.

FEDERAL WATERS – Waters designated by federal law as federally controlled or under the jurisdiction of a department or agency of the United States Government.

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

FEEDING WILDLIFE- The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other fed that serves or could serve as a lure, attractant, or supplemental food source for wildlife.

FERAL HOG – Any hog, including but not limited to Russian and European wild boar, any Old World swine, or the family Tayassuidae, including without

limitation peccary, javelin, and New World swine, which is roaming freely and is living in a wild or feral state, and is not conspicuously identified as required under §§ 2-34-101 and §§ 2-34-102.

FIREARM – Any device designed, made, or adapted to expel a projectile through a barrel, including without limitation modern guns, air guns and muzzleloaders (see LOADED FIREARM).

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

FISH DEALER – Any person who sells live fish, including baitfish.

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

FISH FARMER (AQUACULTURIST) – A person, firm, partnership or corporation engaged in the propagation or rearing of aquaculture species for sale.

FREEFLOATING FISHING DEVICE – A floating fishing device unanchored or unattached to a stationary object.

FURBEARERS – Badger, beaver, bobcat, coyote, gray fox, red fox, mink, muskrat, nutria, opossum, raccoon, river otter, spotted skunk, striped skunk and weasel.

GAFF – To take or attempt to take fish with a hand- held or handled hook.

GAME ANIMALS – Alligator, black bear, bobcat, coyote, deer, elk, gray fox, red fox, mink, opossum, eastern cottontail rabbit, swamp rabbit, raccoon, gray squirrel and fox squirrel.

GAME BIRD SHOOTING RESORT – A facility, location, business, or operation that offers, for pay or other consideration, an opportunity to hunt captive-raised game birds. Includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for the hunting activities.

GAME BIRDS – Turkey, quail, pheasant, chukar Eurasian collared dove 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, hybrid striped bass, crappie, catfish, trout, bream, goggle-eye, walleye, muskellunge, sauger, saugeye, paddlefish and pickerel.

GEOCACHE – Items in a container (cache) placed or hidden for individuals to subsequently find using a Global Positioning System (GPS) receiver.

GEOCACHING – An outdoor sport, similar to “high-tech treasure hunting,” involving use of a Global Positioning System (GPS) receiver to find a cache.

GUIDE – A 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.

HACKING – The temporary release of a raptor held for falconry to the wild so that it must survive on its own.

HARASS – An intentional or negligent act which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral pattern which include but are not limited to, breeding, feeding, or sheltering.

HAZARDOUS WAKE – Wash or wake upon an approaching, passing or stationary vessel, including but not limited to a wake that causes other vessels to take on water, or a wash or wake that is sufficient to toss occupants of other vessels about in a manner to cause injury or the risk of injury.

HARVEST/HARVESTING – To reduce to possession.

HEN TURKEY – Female turkey with or without a beard.

HIGH-FENCE ENCLOSURE – An enclosure that contains an area of at least 500 contiguous acres, with at least 60 percent 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 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 60 percent 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 – Taking or attempting to take wildlife by any method including but not limited to searching, pursuing, chasing, tracking, luring, or attracting.

HUNTING INCIDENT - When bodily injury above basic first aid or death occurs due to an activity directly related to a hunting or trapping excursion in the field. Examples of such activities would include discharge of a firearm, bow, or crossbow and falls from an elevated platform (tree stand, tower stand, or elevated duck blind).

HUNTING PARTY – Two or more persons hunting together.

HYBRID RAPTORS – A raptor produced from a cross-breeding birds of two different taxa, one or both of which are listed in 50 CFR 10.13, and any offspring of such raptors.

IMPORT OR IMPORTATION – To ship, convey, carry, transport, bring or introduce into Arkansas anything from outside its borders.

IMPRINT – A bird that is hand-raised in isolation from other raptors from two weeks of age until it has fledged and will be considered to be an imprinted bird for its entire life.

JAKE – Sub-adult male turkey having all these characteristics: longer central tail feathers, outermost one or two wing feathers lacking white barring all the way to the tip and a beard 6 inches or less in length.

KILLING DEVICE – Any firearm, bow and arrow, crossbow, compressed gas or spring-powered pistol or rifle, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge a projectile capable of killing wildlife.

LARGE CARNIVORE – *Tigers (Panthera tigris)*, *African Lions (Panthera leo)*, or any hybrid thereof and all species of bears.

LEGAL BUCK – A male deer may be considered legal under the following rules as applied by this Code:

- (a) **Antlered Buck:** A male deer with two inches, or more, of hardened bone antler.
- (b) **Buck of Choice:** A male deer.
- (c) **Button Buck:** A male deer with less than two inches of hardened boned antler.
- (d) **Three-point Rule:** A male deer having both antlers under two inches (including button buck) or at least one antler with at least three points, each a minimum of one inch long, including the tip of the main beam. (Code 21.03).
- (d) **12/15 Rule:** 1) A male deer having both antlers under two inches (including button buck) or 2) a male deer having an inside spread of at least 12 inches or more in width, 3) a male deer having at least one main beam 15 inches or more in length (Code 21.03).
- (e) **15/18 Rule:** 1) A male deer having both antlers under two inches (including button buck) or 2) a male deer having an inside spread of at least 15 inches or more in width 3) a male deer having at least one main beam 18 inches or more in length (Code 21.03).
- (f) **WMA Special Restrictions:** Special restrictions may apply on certain WMAs (Code 21.03).

LEGAL BULL ELK – An elk having at least one antler visible above the hair line.

LEGAL TURKEY – A turkey may be considered legal under the following rules as applied by this Code:

- (a) Hunters 16 years and older a legal turkey is an adult gobbler or bearded hen.
- (b) Hunters 6 to 15 years of age is an adult gobbler, bearded hen or jake.

LENGTH LIMITS –

- (a) **Minimum Length Limit:** The shortest length of a fish of a designated species that can be kept.
- (b) **Maximum Length Limit:** The maximum length of a fish of a designated species that can be kept.
- (c) **Protected Length:** A species/size limit that prohibits anglers from keeping fish within a designated size group. Unless otherwise specified, all fish are measured from the front of the lower jaw with the mouth closed to the tip of the tail with tail lobes pressed together when laid flat on a rule, on its side. All fish not meeting the length limit requirements for a particular water or species must be immediately released into the water where caught.

LIMITS –

- (a) **Daily Limit:** the maximum number of a species allowed to be taken during a specific 24-hour time period (midnight to midnight, unless otherwise specified).
- (b) **Seasonal Limit:** the maximum number of a species allowed to be taken during a specific season.
- (c) **Possession Limit:** the maximum number of species allowed to be possessed at any time. Any fish or wildlife, excluding migratory game birds, legally taken for personal consumption and stored in processed form within a residence of the possessor shall not count toward the possession limit.

LITTER – All waste which has been discarded or otherwise disposed of, including, but not limited to, convenience food and beverage packages or containers, trash, garbage, all other product packages or containers, and other post-consumer solid wastes as referenced in State Law, or discarded game animal carcasses.

LOADED FIREARMS – Firearms are considered loaded if shells or cartridges are in the chamber, magazine or cylinder. Percussion cap muzzleloading firearms are considered loaded if the percussion cap is on the nipple. Flintlock muzzleloading firearms are considered loaded if there is powder in the flashpan. Electronic pulse ignition muzzleloaders are considered loaded if the ignition circuit is charged.

MEDICALLY SIGNIFICANT VENOMOUS REPTILE SPECIES: The following reptiles, including their taxonomic successors, subspecies, or hybrids thereof, are designated as medically significant: *Daboia russelii*, *Dendroaspis spp.*, *Naja spp.*, *Oxyuranus spp.*, *Pseudonaja spp.*, *Notechis spp.*, *Pseudechis spp.*, *Boulengerina spp.*, *Echis spp.*, *Bothrops spp.*, *Aspidelaps spp.*, *Atheris spp.*, *Proatheris spp.*, *Dispholidus spp.*, *Pseudohaje spp.*, *Atropoides spp.*, *Crotalus spp.*, *Lachesis spp.*, *Walterinnesia spp.*, *Calliophis spp.* or *Maticora spp.*, *Bungarus spp.*, *Ophryacus spp.*, *Porthidium spp.*, *Deinagkistrodon spp.*, *Azemiops spp.*, *Bitis spp.*, *Gloydus spp.*, *Protobothrops spp.*, *Vipera spp.*, *Ophiophagus spp.*, *Vermicella spp.*, *Eristocophis spp.*, *Cerrophidion spp.*, *Ovophis spp.*, *Trimeresurus spp.*, *Tropidolaemus spp.*, *Sistrurus spp.*, *Agkistrodon spp.*, *Bothrocophias spp.*, *Bothriechis spp.*, *Hypnale spp.*, *Bothriopsis spp.*, *Calloselasma spp.*, *Mixcoatlus spp.*, *Cerastes spp.*, *Pseudocerastes spp.*, *Micrurus spp.*, *Micruroides spp.* and subfamily Hydrophiinae and *Heloderma spp.*

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

MIGRATORY GAME BIRDS – Coots, crows, doves, Eurasian collared dove, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

MILITARY RETIREE - Any individual at least 60 years old who is entitled to retired pay as a result of his or her United States military service.

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 – A designation made by the Commission based upon a satisfactory showing that a person has a permanent physical condition, verified by a physician duly licensed to practice medicine by a state medical board, which severely impairs the person's mobility and prevents him or her from being able to engage in hunting or fishing activities without the use of an ATV or similar specialized device for transportation.

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

NIGHT – The time period 30 minutes after sunset to 30 minutes before sunrise.

NOODLING – The taking of fish by the use of a pole-mounted breakaway hook that detaches at the time of the strike or catch, or snare type device, with an attached line manipulated by hand when a person is in or under the water.

NONGAME WILDLIFE – All wildlife other than furbearing or game animals, game birds and game fish.

NON-NATIVE WILDLIFE – Any wildlife not defined as native wildlife.

NONRESIDENT – A person not defined as a resident.

NUISANCE WILDLIFE – Any wildlife creating a problem by committing damage to personal property or crops.

OPEN SEASON – A time frame established by the Commission during which a designated species may be lawfully taken.

PEN-RAISED QUAIL – Quail raised or hatched in captivity.

PERSON – Any individual, firm, corporation, association, partnership or other legal entity in singular or plural as the context requires. All pronouns shall include the masculine, feminine and neuter.

PORTABLE HUNTING STAND – Any device or structure used for the purpose of hunting that can be carried in its entirety and erected by hand including but not limited to tripod stands, lean-to stands, lock-on stands, ladder stands, and climbing stands (Box stands are not portable hunting stands).

PORTABLE POP-UP BLIND – A structure used to conceal a person that can be collapsed and carried in its entirety by one person.

POSSESS OR POSSESSION – Having or holding wildlife, or any property in one's power; the exercise of dominion over property. Possession includes actual possession (physical occupancy or control over property) and constructive possession (control or dominion over property without actual possession or custody of the property).

PRIMATE – A live individual animal of the taxonomic order Primates, excluding humans.

PROPAGATE OR PROPAGATION – To allow plants or animals to breed or multiply.

PUBLIC ROAD – The traveled portion and the shoulders on each side of any road maintained for public travel by a city, county, state, or federal government and includes all structures within the limits of the right-of-way of any such road.

PUBLIC WATERS – Waters that members of the public have a legal right to access and use for recreational purposes, including all legally navigable waters.

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 – Migratory bird of the Order Falconiformes, Accipitriformes or the Order Strigiformes.

REAR OR REARING – To maintain plants or animals to increase their size or development.

REHABILITATION – 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.

RESIDENCE – Any dwelling such as a house, manufactured home, or apartment that is permanently fixed in place and is owned, leased, or rented fully or in part by an individual. This term does not include tents; temporary lodging or rental units such as hotels, motels, resorts, or commercial campgrounds; recreational vehicles; mobile travel trailers; or, motor vehicles.

RESIDENT –

(a) A natural person whose domicile currently is in Arkansas and has been for at least sixty (60) consecutive days. "Domicile" means the one and only place where a person has physically established a true, fixed and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. Children younger than 18 are presumed to have the same resident status as their custodial parent or legal guardian unless otherwise documented. A person is not considered a resident under this Code if the person

(i) Resides in the state only for a special or temporary purpose, but not limited to, engaging in hunting, fishing, or trapping, or

(ii) Has been issued any resident license, permit, or tag (except ones that are designated as non-expiring) to hunt, fish or trap in another state or country that is still valid in that state or country.

(b) The following persons also qualify as a "resident" under this Code:

(i) Residents of Arkansas enrolled as full-time students in colleges and universities outside of Arkansas.

(ii) Nonresidents enrolled as full-time students in colleges and universities in Arkansas.

(iii) Nonresident foreign exchange students attending school in Arkansas.

(iv) Resident foreign exchange students attending school outside of Arkansas.

(v) Active-duty military personnel assigned to duty stations in Arkansas.

(vi) Active-duty military personnel who were Arkansas

residents at the time of entering service, regardless of where currently stationed.

(vii) Members of the National Guard who are assigned to an Arkansas Guard Unit.

(c) Applicants for Commission-issued resident, licenses, permits, and tags have the burden of proving they qualify as a "resident" under this Code. Facts that may be considered in establishing proof of current Arkansas residency for the purpose of purchasing Commission-issued resident licenses, permits and tags include but not limited to:

(i) Possession of a valid Arkansas driver's license or official, state-issued Arkansas identification card,*

(ii) Possession of a valid Arkansas vehicle registration in the applicant's name and display of current Arkansas license tags on the applicant's vehicle.*

(iii) Two documents bearing the applicant's current name, address, not issued by himself or herself, including but not limited to:

1. Arkansas voters registration card,* and

2. Income tax returns issued by the Internal Revenue Service and/or the State of Arkansas.

(iv) Documentation from a college or university in Arkansas verifying that the applicant currently is enrolled as a full-time student;

*Items marked with a * must have been issued at least sixty

(60) days prior to the license, permit, or tag application.

(d) Additionally, to be eligible to be issued any of the following resident licenses, permits, or tags, an Arkansas resident must provide proof that he or she has qualified as a resident" under this Code for at least the past one (1) continuous year;

(i) All Non-Expiring Lifetime Licenses and Permits (D1.01);

(ii) Resident Special Guide License (3.14);

(iii) Alligator Farmer/Dealer Permit (33.01);

(iv) Alligator Snapping Turtle Breeder/Dealer Permit (34.02);

(v) Commercial Fisherman's Permit & Sportfishing License (30.01);

(vi) Commercial Fisherman's Helper Permit (30.01);

(vii) Junior/Senior Commercial Fishing Permit (31.01);

(viii) Resident Shell Taker/Seller's License (31.01);

(ix) Shell Taker Helper Permit (31.01);

(x) Shell Buyer's License (31.01);

(xi) Resident Fish Dealer License (31.01);

(xii) Resident Roe Taker/Seller Permit (30.17);

(xiii) Resident Roe Taker/Helper Permit (30.17); and

(xiv) Resident Roe Buyer/Exporter Permit (30.18)

(d) The director or his representative shall make the final determination as to whether a license, permit, or tag applicant qualifies as a "resident" under this Code.

ROUGH FISH – Gars, bowfin, bullhead catfish, common carp, Asian carp (grass carp, bighead carp, silver carp), suckers (including buffalo), drum and yellow bass.

SEINE – A fishing net that hangs vertically in the water where the ends can be drawn together to entrap fish.

SEINING – The act of moving a seine by boat or human power to capture fish.

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

SIMULATED WING MOVEMENT DECOY – Any electric, mechanically-operated, wind-powered, or manually-powered apparatus or device that simulates wing movement, including any device that spins one or more fixed- or stationary-winged decoys around a central axis.

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

SNAG – To take fish or other aquatic animals using conventional rod-and-reel tackle by a repeated drawing motion rather than enticement by live bait or artificial lure, regardless of what terminal tackle is attached to the fishing line.

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

SPORTFISH – See GAME FISH for definition.

TACKLE – An apparatus or device used to take wildlife.

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

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

TRAP OR TRAPPING – A device to catch and hold wildlife.

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

VESSEL – Every description of watercraft, other than a seaplane on the water,

used or capable of being used as a means of transportation, including motorboats and personal watercraft.

WATERFOWL – All species of coots, ducks, geese and swans.

WATERS OF THE STATE – All streams, lakes, ponds, sloughs, bayous, marshes or any other waters either permanent or intermittent located wholly or partially within Arkansas. Provided, however, “waters of the state” shall not include pay lakes and fish farms or any waters that are confined within a pond, tank, or lake, situated entirely on the premises of a single private owner and which, except under abnormal flood conditions, are not connected with any of other flowing stream or body of water that extends beyond the premises of such owner.

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.

WILDLIFE CHECK METHODS – The following are the official wildlife check methods:

- (a)
- (b) the Commission on-line deer, elk, bear and turkey checking Web site and mobile applications;
- (c) Commission online alligator checking website;
- (d) The designated bear checking telephone number or the designated deer, bear and turkey checking telephone number.

WILDLIFE MANAGEMENT AREA (WMA) – Designated areas owned or controlled by the Commission and distinguished by certain markers and considered a separate zone with regard to wildlife regulations including: wildlife management area (WMA), waterfowl rest area (WRA), wildlife demonstration area (WDA), special use area (SUA) and state park-conservation area (SP-CA).

YOUTH –

- (a) for sections of this Code pertaining to big game, “youth” means any individual not less than 6 years old or more than 15 years old.
- (b) for all other sections of this Code, “youth” means an individual less than 16 years of age.

ZONE – An area defined by the Commission where hunting and/or fishing activities are regulated.

03.10 ACCEPTABLE PROOF OF LICENSE, PERMIT, STAMP, EDUCATION CERTIFICATE

- 02-85 (A) When any Commission regulation requires a person to carry a
- 01-17 Commission-issued license, permit, stamp, or hunter education or boater
- 02-19 certificate “on the person,” possession of any of the following will be sufficient to establish compliance: (1) a physical or an electronic copy of said Commission-issued license, permit, stamp or hunter education or boater education certificate or (2) a Commission issued Conservation Card that is linked to the required license, permit, stamp or hunter education or boater education certificate.
- (B) For purposes of this regulation, “electronic copy” shall mean an electronic image produced on a person’s own cellular phone or other type of portable electronic device that clearly displays and accurately reproduces all of the information found on a Commission-issued license, permit,

- stamp, or hunter education or boater education certificate.
- (C) For a state migratory waterfowl hunting stamp, an electronic copy of a person's Commission-issued hunting license coded DSR or DSN, or a Commission-issued Conservation Card linked to same, will be sufficient to establish compliance with Code 03.05
 - (D) For Federal Migratory Bird Hunting E-Stamp, an electronic copy of a person's Commission-issued hunting license coded FDE, or a Commission-issued Conservation Card linked to same, will be sufficient to establish compliance with Code 03.10 for up to 45 days from the date of purchase of the Federal Migratory Bird Hunting E-Stamp.
 - (E) For a Snow, Blue, or Ross's Goose Registration Permit, the following will be sufficient to establish compliance with Code 04.04: (1) an electronic copy of a person's Commission-issued hunting license coded with the Snow, Blue, or Ross's Goose Registration Permit number, (2) separate electronic copies of both a person's Commission-issued hunting license and a person's Commission-issued Snow, Blue, or Ross's Goose Registration Permit, or (3) a Commission-issued Conservation Card linked to one of the previous options.
 - (F) The presentment of proof of an electronic copy of a Commission-issued license, permit, stamp, or hunter education or boater education certificate does not:
 - (1) Authorize a search of any other content of an electronic device without a search warrant or probable cause; or
 - (2) Expand or restrict the authority of a wildlife law enforcement officer to conduct a search or investigation.

EXCEPTIONS:

- (1) Neither a Commission-issued Conservation Card nor electronic proof of tags shall be sufficient to establish compliance with any Commission regulation requiring a person to carry a Commission-issued tag "on the person."
- (2) Neither a Commission-issued Conservation Card nor electronic proof of a Federal Migratory Bird Hunting Stamp coded DFS shall be sufficient to establish compliance with Code 10.03. A Federal Migratory Bird Hunting Stamp coded DFS must be possessed on the person in its original form and signed before harvesting waterfowl. See Code 10.03.
- (3) Neither a Commission-issued Conservation Card nor electronic proof of a Federal Migratory Bird Hunting E-Stamp coded FDE shall be sufficient to establish compliance with Code 10.03 beyond 45 days from the date of purchase. After 45 days from the date of purchase, the Federal Migratory Bird Hunting Stamp must be possessed on the person in its original form and signed to continue harvesting waterfowl. See Code 10.03.
- (4) Neither a Commission-issued Conservation Card nor electronic proof shall be sufficient to establish compliance with Chapter 9 or Code 10.02.

05.27 ENDANGERED SPECIES PROTECTED

06-15 It is unlawful to import, transport, sell, purchase, hunt, harass or possess any threatened or endangered species of wildlife or parts (including without limitation those species listed under the Federal Endangered Species Act, 50 CFR § 17.11, 50 CFR § 17.12 and Addendum Chapter P1.00).

EXCEPTIONS:

- (1) Legally acquired wildlife held under permit or held by a public zoo or museum, wildlife taken legally outside the state, or articles manufactured before Jan. 1, 1973.
- (2) In compliance with Codes 05.01; 09.09; 12.03 and Addendum A1.10.

PENALTY: Class 4

09.01 POSSESSION OF CERTAIN WILDLIFE IN CAPTIVITY PROHIBITED

07-15 It is unlawful to possess, hold captive, confine or enclose any live wildlife, whether native or non-native, migratory or imported, unless otherwise specified herein.

EXCEPTIONS:

- (1) Accredited members of the Association of Zoos and Aquariums
- (2) Persons possessing and holding captive wildlife in compliance with Chapter 09.00.
- (3) Persons possessing and holding captive fish, bullfrogs, mussels, aquatic turtles, alligators and other aquatic wildlife in compliance with 39TChapters 29.0039T; 39T30.0039T; 39T31.0039T; 39T32.0039T; 39T33.0039T; 39T34.0039T; 35.00 and Addendum J1.01
- (4) Persons may be permitted to possess and hold captive on a temporary basis captive-reared mallards, pen-raised quail, coyote, fox, squirrel or raccoon for the sole purpose of dog training or conducting field trials sanctioned by the American Kennel Club, National Field Retriever Association, North American Hunting Retriever Association, Hunting Retrievers Club, United Kennel Club, Professional Kennel Club, or American Coon Hunters Association upon requesting and receiving a Shoot-to-Kill Retrieving Dog Training Permit (for captive-reared mallards) and/or written approval from the Chief of Wildlife Management.
- (5) Persons determined by the Commission to be involved in bona fide scientific research, education or conservation efforts of significant benefit to wildlife or wildlife habitat, in Arkansas may be permitted to possess and hold captive wildlife in compliance with the terms of a special permit issued by the Chief of Wildlife Management.
- (6) Persons with a valid U.S. Department of Agriculture Wildlife Exhibition Permit may possess and hold captive wildlife allowed by that permit. Holders of this permit are not exempt from subsequent regulations in Chapter 09.00.
- (7) Persons with a valid U.S. Fish and Wildlife Service migratory bird permit may possess migratory birds in compliance with the terms of that permit. Holders of this permit are not exempt from subsequent regulations in Chapter 09.00. Holders of a valid U.S. Fish and Wildlife Service Raptor Propagation Permit are not required to obtain a Commission Wildlife Breeder/Dealer Permit to propagate or distribute raptors.
- (8) Persons may possess species listed in Addendum R1.01.
- (9) Persons may possess terrestrial invertebrate species not otherwise prohibited by this Code or by federal or state regulations.

PENALTY: Class 2

- (1) Any wildlife possessed in violation of this regulation may be declared contraband and subject to immediate seizure.
- (2) Upon conviction, or before, if so ordered by a court having legal jurisdiction, title to the wildlife shall be forfeited to the Commission and released or disposed of in compliance with Commission policy.

- (3) Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care, and maintenance of any equipment or wildlife seized in connection with the violation.
- (4) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife and also shall be liable for the costs of destruction and/or disposal of the illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife.

09.02 POSSESSION OF NON-NATIVE WILDLIFE IN CAPTIVITY RESTRICTED

- (A) It is unlawful to possess captive non-native wildlife not excepted under Code 09.01 or **Addendum R1.01**, unless the possessor can produce written documentation that such wildlife was legally obtained and has been certified by an accredited veterinarian to be free of diseases and parasites that may pose an adverse risk to native wildlife.
- (B) It is unlawful for any person to possess mountain lions (*Puma concolor*) except in compliance with Codes 09.07; 09.13.
- (C) It is unlawful to possess tigers, African lions and all species of bears not in compliance with Ark. Code Ann. §§20-19-501-511 or Code 09.07.
- (D) It is unlawful to keep non-native wildlife under inhumane or unhealthy conditions.
- (E) All non-native wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
- (F) Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males or all females within the enclosure have been neutered.
- (G) Owners shall maintain records of proof of legal ownership of such animals including licenses, bills of sale, bills of lading, receipts, invoices and copies of Wildlife Importation Permits or other satisfactory evidence. The date of acquisition, place of origin, and the name, address, and telephone number of the person from whom the wildlife was acquired shall be recorded. Owners shall provide these records to the Commission upon demand.
- (H) It is unlawful for any person to possess a primate except in compliance with Ark. Code Ann. §§20-19-601 through 20-19-610.
- (I) Medically significant venomous reptiles must be kept in accordance with a Venomous Reptile Possession Permit (Code 09.17).

PENALTY: Class 2

- (1) Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care and maintenance of any equipment, wildlife and/or fish seized in connection with the violation.
- (2) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally possessed wildlife, and also shall be liable for the costs of destruction and/or disposal of the illegally possessed wildlife, as deemed necessary by the Commission for the protection of native wildlife.

09.07 WILDLIFE BREEDER/DEALER PERMIT REQUIRED

07-15 It is unlawful to rear, breed, propagate, produce, distribute, sell or offer for sale any wildlife in Arkansas without first obtaining a valid Wildlife Breeder/Dealer Permit from the Commission (Addendum F1.03).

EXCEPTIONS:

- (1) Fish, bullfrogs, mussels, aquatic turtles and alligators in compliance with Code 09.06 and Chapters 29.00; 30.00; 31.00; 32.00; 33.00; 34.00; 35.00.
- (2) Red fox, gray fox and coyote legally trapped in Arkansas may be sold by persons with a valid hunting license and trapping permit.
- (3) Accredited members of the Association of Zoos and Aquariums
- (4) Holders of U.S. Fish and Wildlife Service Raptor Propagation Permits may propagate, distribute and sell raptors without a Commission Wildlife Breeder/Dealer Permit.
- (5) Holders of Game Bird Shooting Resort Permits do not need a Wildlife Breeder/Dealer Permit unless they are actively engaged in rearing, breeding, propagating, producing, distributing, selling or offering for sale, game birds or other wildlife.
- (6) No Wildlife Breeder/Dealer Permit is necessary for wildlife listed in Addendum R1.01. No permit will be issued for wildlife listed in Addendum R1.03. An application for a permit for an unlisted species will be denied if an evaluation by Commission determines that the species poses a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or cannot be safely confined in a humane manner.
- (7) In compliance with Code 09.15.
- (8) Terrestrial invertebrate species not otherwise prohibited by this Code or by federal or state regulations
- (9) Arkansas residents may sell or transfer up to twenty (20) individual wildlife specimens listed in Addendum R1.02 (Permitted Captive Wildlife Species List) per calendar year that were acquired from a permitted Wildlife Breeder/Dealer or imported with a valid Wildlife Importation Permit provided each sale or transfer is registered with the Commission. Registered wildlife may be subsequently sold or transferred in accordance with the preceding sentence.

PENALTY: Class 3

- (1) Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care and maintenance of any equipment or wildlife seized in connection with the violation.
- (2) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife and shall be liable for the costs of destruction and/or disposal of the illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife.

09.09 SCIENTIFIC COLLECTION PERMIT REQUIRED

It is unlawful to take wildlife for scientific study without possessing a valid Commission-issued Scientific Collection Permit in compliance with the permit requirements in Addendum F1.09 and in accordance with state and federal regulations.

PENALTY: Class 3

09.10 WILDLIFE IMPORTATION PERMIT REQUIRED

- 09-07,
07-15
- (A) It is unlawful to import live wildlife into Arkansas without a valid Wildlife Importation Permit issued by the Commission. This permit shall be required regardless of the final destination of the wildlife, whether in Arkansas or points beyond. It also is unlawful for any person to receive, acquire, purchase or possess any wildlife imported into Arkansas in violation of this regulation.
 - (B) It is unlawful for the holder of a Wildlife Importation Permit to cause or permit any wild animal or bird to be imported into Arkansas under inhumane or unhealthy conditions (Addendum F1.04).

EXCEPTIONS:

- (1) Aquatic wildlife other than those species prohibited by Code 26.13. Imports for aquaculture must comply with Code 35.09. Refer to the Approved Aquaculture Species List in Addendum J1.01. Aquatic wildlife may not be released, Code 26.12.
- (2) Wildlife exchanged with other states by the Commission.
- (3) Accredited members of the Association of Zoos and Aquariums
- (4) A Wildlife Importation Permit is not required for a nonresident falconer with a valid Non-Resident Arkansas Hunting License, and possessing a valid falconry permit from another state, to import legally possessed raptors into Arkansas for the purposes of hunting, provided the birds will not stay in Arkansas longer than 30 consecutive days and are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- (5) A Wildlife Importation Permit is not required for a resident falconer with a valid Arkansas Hunting License, and a valid Arkansas falconry permit to import legally possessed raptors into Arkansas, provided they are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- (6) Circuses and others possessing U.S. Department of Agriculture Wildlife Exhibition Permits may import wildlife into or through Arkansas temporarily for the limited purposes of performance or display under terms of a special permit issued by the Chief of Wildlife Management.
- (7) No Wildlife Importation Permit is necessary for wildlife listed in Code 09.01, Exception- &. Addendum R1.01. No Wildlife Importation Permit will be issued for wildlife listed in Addendum R1.03 except in compliance with Code 09.11 Exceptions. An application for a permit for an unlisted species will be denied if an evaluation by Commission staff determines the species poses a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or cannot be safely confined in a humane manner.
- (8) Terrestrial invertebrate species not otherwise prohibited by Commission Code or by Federal or state regulations
- (9) A Wildlife Importation Permit is not required for a resident to return legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days.

PENALTY: Class 3

- (1) All equipment, including any form of legal tender, and all wildlife imported in violation of this regulation may be seized by Enforcement Officers, confiscated by the court, forfeited to the State and disposed of according to law (Code 01.00D).
- (2) Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care and maintenance of any equipment, wildlife and/or fish seized in connection with the violation.
- (3) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally imported wildlife, and also shall be liable for the costs of destruction and/or disposal of the illegally imported wildlife, as deemed necessary by the Commission for the protection of native wildlife.

09.11 IMPORTATION OF CERTAIN LIVING WILDLIFE PROHIBITED

05-16 It is unlawful to import, ship, transport, or carry into Arkansas by any means, or to
10-13 cause to be imported, receive, or to assist in any manner in the importation of any
species listed in Addendum R1.03.

EXCEPTIONS:

- (1) Wildlife exchanged with other states by the Commission.

- (2) These species may be imported on a temporary basis for bona fide scientific, conservation, or educational purposes under terms of a special permit issued by the Chief of Wildlife Management.
 - (3) Large carnivores and mountain lions may be imported only by holders of valid U.S. Department of Agriculture Wildlife Exhibition Permits for large carnivores or mountain lions. Such importation shall be done in compliance with a current Commission Wildlife Importation Permit.
 - (4) Mallards may be imported by a representative of a group designated in Code 09.03, Exception 3, for use in an official field trial in compliance with a current Wildlife Importation Permit provided that ducks are identified as captive reared by one of the following methods 1) banding of one metatarsus with a seamless metal band; 2) removal of the hind toe from the right foot; 3) pinioning of a wing by removal of all or some of the metacarpal bones of one wing, which renders the bird permanently incapable of flight; 4) a readily discernible tattoo of numbers and/or letters on the web of one foot. The permit holder must possess documentation that the waterfowl have originated from a flock participating in the National Poultry Improvement Program and such documentation shall be submitted to the Commission in compliance with reporting requirements in Code 09.10.
 - (5) Mallards may be imported by the holder of a Shoot-To-Kill Retrieving Dog Training Permit in compliance with a current Wildlife Importation Permit provided that ducks are identified as captive reared by one of the following methods 1) banding of one metatarsus with a seamless metal band; 2) removal of the hind toe from the right foot; 3) pinioning of a wing by removal of all or some of the metacarpal bones of one wing, which renders the bird permanently incapable of flight; 4) a readily discernible tattoo of numbers and/or letters on the web of one foot. The permit holder must possess documentation that the waterfowl have originated from a flock participating in the National Poultry Improvement Program and such documentation shall be submitted to the Commission in compliance with reporting requirements in Code 09.10.
 - (6) Available.
 - (7) These species, excluding cervids, may be moved through the state of Arkansas with a Wildlife Importation Permit provided that it is done in accordance with a property issued U.S. Department of Agriculture VS-127 Restricted Movement Document and that the container the animals are in is sealed in the originating state and that seal remains unbroken while in the state of Arkansas.
 - (8) Individuals must provide prior notification to the Wildlife Management Division before any live cervid can be moved through the state of Arkansas.
 - (9) Apes, baboons, and macaques may be imported, shipped, or transported only in accordance with a current Commission Wildlife Importation Permit or special permit issued by the Chief of Wildlife Management, and in accordance with Ark. Code Ann. §§ 20-19-601 through 20-19-610.
 - (10) Accredited members of the Association of Zoos and Aquariums
- PENALTY: Class 3**
- (1) All equipment, including any form of legal tender, and all wildlife imported in violation of this regulation, may be seized by Enforcement Officers, confiscated by the court, forfeited to the State and disposed of according to law (Code 01.00D).
 - (2) Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care, and maintenance of any equipment, wildlife and/or fish seized in connection with the violation.
 - (3) Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally imported wildlife as deemed necessary by the Commission for the protection of native wildlife.

09.14

NATIVE WILDLIFE PETS RESTRICTED

It is unlawful to possess native wildlife as pets except as follows:

- (A) Native wildlife captured from the wild in Arkansas may be possessed as personal pets in compliance with the following restrictions:
- (1) No more than six (6) per household of any combination of the following animals may be possessed as pets:
 - (a) Hand-captured bobcat, coyote, gray fox, red fox, opossum, rabbit, raccoon and squirrel; and
 - (b) Deer that were captured by hand prior to July 1, 2012 may be retained until their death.
 - (c) Hand-captured native non-game wildlife other than birds, bats, alligator snapping turtles, ornate box turtles, hellbenders, Ouachita streambed salamanders, collared lizards, troglodytic species (cave dwellers), or those animals defined as endangered species.
 - (2) It is unlawful for any person to remove such wildlife or their offspring from Arkansas except under the terms of a permit that may be issued by the Chief of Wildlife Management to persons who are moving to another state and have presented proof from that state that it is legal to import the wildlife.
 - (3) The sale or transfer of ownership of such wildlife or their offspring is prohibited except as provided in (A)(7) of this regulation.
 - (4) All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
 - (5) All adult deer kept in compliance with (A) of this regulation shall be confined within an enclosure that complies with the following requirements:
 - (a) Enclosures shall have a perimeter fence that is not less than eight feet in height and shall be constructed so as to prohibit the escape of confined cervids and the ingress of native cervids.
 - (b) The area of the enclosure shall not be less than 200 square feet for the first cervid and shall be increased in size 150 square feet for each additional cervid.
 - (6) Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males within the enclosure have been neutered.
 - (7) Native wildlife, except white-tailed deer, kept as personal pets in compliance with this regulation may be transferred to a wildlife rehabilitator permitted by the Commission (Code 09.12) and released back into the wild in the county where they were captured provided such animals were not confined with commercially obtained, captive born wildlife of the same species.
- (B) Captive born native wildlife: No more than six (6) per household of any commercially obtained, captive born native wildlife not listed in Addendum R1.01 may be possessed as personal pets in compliance with the following restrictions:
- (1) Commercially obtained, captive born wildlife pets and/or their offspring shall not be confined with the same species of wild born animals and/or their offspring.
 - (2) Owners shall maintain records of proof of legal ownership of such animals including licenses, bills of sale, bills of lading, receipts, invoices and copies of Wildlife Importation Permits or other satisfactory evidence. The date of acquisition, place of origin, and the name, address, and telephone number of the person from whom the wildlife was acquired shall be recorded. Owners shall provide these records to the Commission upon demand.

- (3) Commercially obtained, captive born wildlife pets or their offspring shall only be sold in compliance with Code 09.07.
 - (4) Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males within the enclosure have been neutered.
 - (5) Owners of commercially obtained or captive born white-tailed deer or elk that were acquired prior to June 30, 2005, and that are kept as personal pets may retain ownership of such animals provided they registered with the Wildlife Management Division by June 30, 2008, and are in compliance with all provisions of this regulation.
 - (6) Owners must immediately test all deer and elk that die in captivity for CWD and forward copies of test results to the Commission within seven days of receipt.
 - (7) All cervids kept in compliance with (B) of this regulation shall be confined within an enclosure that complies with the following requirements:
 - (a) Enclosures shall have a perimeter fence that is not less than eight (8) feet in height and shall be constructed so as to prohibit the escape of confined cervids and the ingress of native cervids.
 - (b) The area of the enclosure shall not be less than 200 square feet for the first cervid and shall be increased in size 150 square feet for each additional cervid.
 - (8) All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
- (C) It is unlawful for anyone to keep a native wildlife pet under inhumane or unhealthy conditions.
- (D) Beginning July 1, 2020, medically significant venomous reptiles allowed under this Code must be kept in accordance with Addendum F1.08, Sections C and F.

EXCEPTION:

- (1) Aquatic pets taken in compliance with Code 26.26.
- (2) Holders of a Conservation Education Permit may possess more than six native wildlife hand captured from the wild in Arkansas in compliance with Code 09.18.

PENALTY: Class 1

09.17 VENOMOUS REPTILE POSSESSION PERMIT REQUIRED

It is unlawful to possess any medically significant venomous reptile after July 1, 2020, whether native or non-native to Arkansas, without obtaining a valid Venomous Reptile Permit issued by the Commission and complying with all permit requirements in Addendum F1.08. Persons who have submitted a permit application on or before July 1, 2020, may continue to possess existing stock while the application is being processed.

EXCEPTIONS:

- (1) Medically significant venomous reptiles may be transported through Arkansas in accordance with a valid Commission-issued Wildlife Importation Permit.
- (2) No permit is required for native venomous reptiles being kept in accordance with Code 09.14
- (3) No permit is required for accredited members of the Association of Zoos and Aquariums.
- (4) No permit is required for persons possessing native venomous reptiles captured in accordance with a Commission Scientific Collection Permit.
- (5) No permit is required for persons possessing native venomous reptiles in accordance with a Commission Conservation Education Permit.

PENALTY: Class 3

09.18 CONSERVATION EDUCATION PERMIT REQUIRED

It is unlawful to possess more than 6 wildlife individuals captured from the wild in Arkansas except for conservation education purposes in compliance with the Conservation Education Permit requirements in Addendum F1.10 and the following restrictions:

- (A) Species that may be hand captured from the wild in Arkansas for conservation education purposes are listed Code 09.14(A)1, excluding cervids.
- (B) It is unlawful for any person to remove such wildlife or their offspring from Arkansas except under the terms of a permit that may be issued by the Chief of Wildlife Management to persons who are moving to another state and have presented proof from that state that it is legal to import the wildlife.
- (C) Wildlife retained under this regulation may be temporarily transported out of state for conservation education programs or veterinary care in compliance with all state and federal regulations.
- (D) The sale, transfer or intentional breeding of hand captured native wildlife or their offspring is prohibited except as provided in this regulation.
- (E) Native wildlife kept in compliance with this regulation may be transferred to a wildlife rehabilitator permitted by the Commission (Code 09.12) and released back into the wild in the county where they were captured provided such animals were not confined with commercially obtained, captive born wildlife of the same species.

EXCEPTIONS:

- (1) Individuals conducting educational programs using only avian species in accordance with a U.S. Fish and Wildlife Service Migratory Bird Permit.

PENALTY: Class 3

D1.01 LICENSES, PERMITS, STAMPS, TAGS, COSTS AND EXPIRATION DATES

SPORT FISHING: DATE	CODE	COST	EXP.
Alligator Gar Fishing Permit	AGP	Free	Dec. 31
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	\$50.00	**
Non-Resident 7-Day Trip Fishing License	NT7	\$25.00	*
Non-Resident 3-Day Trip Fishing License	NT3	\$16.00	*
Arkansas Trout Permit	TPR	\$5.00	**
Non-Resident Trout Permit	TPN	\$12.00	**
White River Border Lakes License	WRL	\$10.00	**
Resident Guide License/Fishing	GLF	\$25.00	**
Non-Resident Guide License/Fishing	GNF	\$150.00	**
Resident 65 Plus Annual Fishing License	PAF	\$3.50	**
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, throw-lines, limb lines, set hooks) per 100 ft	TL	\$5.00	Dec. 31
Box Traps Turtle Trap	TT	\$2.00	Dec. 31
Commercial Tackle (Seine, Trammel & Gill Nets)			

100 yds. or fractional part thereof per tag Commercial Fisherman's Permit & Sportfishing License	SNS CFS	\$15.00 \$25.00	Dec. 31 Dec. 31
Commercial Fisherman's Helper Permit	CFH	\$25.00	Dec. 31
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
Aquatic Turtle Harvest Permit	THP	\$100.00	Dec. 31
Aquatic Turtle Harvest Helper Permit	TH	\$50.00	Dec. 31
Junior Aquatic Turtle Harvest Permit	JTH	\$25.00	Dec. 31
Aquatic Turtle Dealer Permit	TDR	\$250.00	Dec. 31
Non-Resident Aquatic Turtle Dealer Permit	TDN	\$500.00	Dec. 31
Aquatic Turtle Farmer Permit	TBP	\$100.00	Dec. 31
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 Farm Health Inspection Permit	VHS	\$200.00	+++
Fish Farmer (Aquaculturist) Permit 31++	FF	\$25.00	Dec.
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 Facility Operator's Permit	BDN	\$25.00	Dec. 31
Private Boat House/Irrigation (Single)	BHS	\$30.00	+
Private Pier/Irrigation	DPS	\$30.00	+
Irrigation Permit	IP	\$30.00	+
Put & Take Pay Lake	PLO	\$150.00	Dec. 31
Venomous Reptile Possession Permit	VRP	\$75.00	June 30
Scientific Collection Permit	SCP	Free	*****
Conservation Education Permit	CEP	Free	June 30
HUNTING LICENSE AND PERMITS:			
Deferred Hunter Education	DHE	Free	*
Resident Wildlife Conservation License	HNT	\$10.50	June 30
Resident Sportsman's Permit	RS	\$25.00	June 30
Resident Disabled Hunting 3-Yr License	RDH	\$25.00	+
Resident Disabled Combination 3-Yr License	RDC	\$35.50	+
Non-Resident Annual All Game License	NBG	\$350.00	June 30
Non-Resident 5-Day All Game License	AG5	\$180.00	*
Non-Resident 3-Day All Game License	AG3	\$125.00	*
Non-Resident 1-Day All Game License	AG1	\$55.00	*

Non-Resident Annual Small Game License	NRH	\$110.00	June 30
Non-Resident 5-Day Small Game License	SG5	\$70.00	*
Non-Resident Trappers Permit	NFT	\$125.00	June 30
<u>Private Lands Elk Permit</u>	PLE	<u>\$5.00</u>	****
Arkansas Resident Waterfowl Stamp	DSR	\$7.00	June 30
Arkansas Non-Resident Waterfowl Stamp	DSN	\$35.00	June 30
<u>Arkansas Quail Stamp (Voluntary only)</u>	QS	<u>\$4.50</u>	June 30
Resident 65 Plus Annual Sportsman's Hunting License	PAH	\$3.50	June 30
WMA General Use Permit			
All WMA General Use Permit	WMP	Free	June 30
AGFC Leased Lands Permit (Hunting, Trapping and Camping)			
Casey Jones WMA	LCJ	\$40.00	**
Big Timber WMA	LBT	\$40.00	**
Cherokee WMA	LCH	\$40.00	**
Gum Flats WMA	LGF	\$40.00	**
Howard County WMA	LHC	\$40.00	**
Provo WMA	LPR	\$40.00	**
Lafayette County WMA	LLC	\$40.00	**
Lake Greeson WMA	LLG	\$40.00	**
Jack Mountain WMA	LJM	\$40.00	**
Jim Kress WMA	LJK	\$40.00	**
Falconry Permit Apprentice	FPA	\$25.00	June 30
Falconry Permit General	FPG	\$25.00	June 30
Falconry Permit Master	FPM	\$25.00	June 30
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) Maximum allowed is 6 permits per person per season <u>(As of 2019-20 season not available; refer to code 24.09)</u>			
Bayou Meto WMA	NBM	\$30.50	June 30
Bell Slough/Camp Robinson WMA	NBS	\$30.50	June 30
Beryl Anthony Lower Ouachita WMA	NBA	\$30.50	June 30
Big Lake WMA	NBL	\$30.50	June 30
Dr. Lester Sitzes III Bois d' Arc WMA	NBD	\$30.50	June 30
Cut-Off Creek WMA	NCO	\$30.50	June 30
Dave Donaldson Black River WMA	NDD	\$30.50	June 30
Sheffield Nelson Dagmar WMA	NSD	\$30.50	June 30
Earl Buss Bayou DeView WMA	NEB	\$30.50	June 30
Ed Gordon Point Remove WMA	NEG	\$30.50	June 30
<u>Freddie Black Choctaw Island WMA</u>	NCI	<u>\$30.50</u>	June 30
Frog Bayou WMA	NFB	\$30.50	June 30
Galla Creek WMA	NGC	\$30.50	June 30
Harris Brake WMA	NHB	\$30.50	June 30
Henry Gray Hurricane Lake WMA	NHL	\$30.50	June 30
Holland Bottom WMA	NHO	\$30.50	June 30
Lake Overcup	NLO	\$30.50	June 30
<u>Ozan WMA</u>	NOZ	<u>\$30.50</u>	June 30
Petit Jean River WMA	NPJ	\$30.50	June 30

Rex Hancock Black Swamp WMA	NBS	\$30.50	June 30
Seven Devils WMA	NSD	\$30.50	June 30
Shirey Bay Rainey Brake WMA	NSB	\$30.50	June 30
St. Francis Sunken Lands WMA	NSF	\$30.50	June 30
Steve N. Wilson Raft Creek Bottoms WMA	NRC	\$30.50	June 30
Sulphur River WMA	NSR	\$30.50	June 30
Trusten Holder WMA	NTH	\$30.50	June 30
Craig D Campbell Lake Conway Reservoir	NLC	\$30.50	June 30

HUNTING COMMERCIALIZATION:

Resident Trappers Permit	TP	Free	June 30
Resident Fur Dealer	FD	\$50.00	June 30
Non-Resident Fur Dealer	NFD	\$100.00	June 30
Game Bird Shooting Resort Permit	CSR	<u>\$250.00</u>	June 30
Commercial Wildlife Hunting Resort Permit	CHR	<u>\$600.00</u>	June 30
Wildlife Breeder/Dealer Permit	WBD	<u>\$75.00</u>	June 30
Wildlife Importation Permit	WTP	<u>\$50.00</u>	June 30
Mountain Lion Permit	MLP	\$50.00	June 30
Live Fox and Coyote Permit	FCP	\$25.00	June 30

LIFETIME LICENSE:

Resident Military Retiree Lifetime Fishing License	MRF	\$10.50	Non-Expiring
Resident Military Retiree Lifetime Hunting License	MRH	\$25.00	Non-Expiring
Resident Military Retiree Lifetime Combination License	MRC	\$35.50	Non-Expiring
Resident Military Retiree Lifetime Waterfowl Permit	MRD	\$ 7.00	Non-Expiring
Resident Military retiree Lifetime Trout Permit	MRT	\$ 5.00	Non-Expiring
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
Resident 65 Plus Lifetime Waterfowl Permit	PLD	\$7.00	Non-Expiring
Resident 65 Plus Lifetime Trout Permit	PLT	\$5.00	Non-Expiring
Non-Expiring Lifetime Resident Hunting & Fishing Sportsman's Permit	LSP	\$1,000.00	Non-Expiring
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	VLC	\$3.00	Non-Expiring
Resident Disabled Military Veteran Lifetime Waterfowl Permit	VLD	\$ 7.00	Non-Expiring
Resident Disabled Military Veteran Lifetime			

Trout Permit	VLT	\$ 5.00	Non-Expiring
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COMBINATION LICENSE:

Resident 65 Plus Annual Combination License	PAC	\$4.50	June 30
Resident Combination License (begins March 2017)	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.
- ++Fee applies to initial purchase. No fee for annual renewal.
- +++Permit is annual permit issued in two (2) six month intervals.

F1.03 WILDLIFE BREEDER/DEALER PERMIT REQUIREMENTS

05-17, 7-17 (A) Wildlife Breeder/Dealer Permits may be issued to applicants complying with the following requirements:

- (1) The applicant must be at least 18 years old 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 years of the application date.
 - (2) The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances; and
 - (3) The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- (B) The requested permit shall be denied if:
- (1) The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
 - (2) The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
 - (3) The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.
 - (4) The applicant is seeking to permit a new facility for the rearing, breeding, propagating or distributing of large carnivores, mountain lions, or any member of the Cervidae family.
 - (5) The applicant is seeking to permit a facility for a species listed in Addendum R1.03. However, the Director (or designee) may issue a permit for a species not listed in Addendums R1.02 or R1.03 should an evaluation by Commission staff determine the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture and can be safely confined in a humane manner.
 - (6) The applicant is seeking a Wildlife Breeder/Dealer Permit for waterfowl on properties where poultry is raised for sale, show or exhibition.
- (C) Permit Requirements:
- (1) The applicant shall supply satisfactory evidence stock has been/will be secured from a legal source.
 - (2) Stock may be slaughtered in accordance with established husbandry practices for slaughter of domestic livestock. Purchasers of dressed game birds slaughtered at Wildlife Breeder/Dealer facility shall be issued by a permit holder a receipt with the name and

- address of the facility, date of sale, name of purchaser, and the number of and species of dress birds sold.
- (3) Fencing of enclosures in which deer, elk or other big game animals are to be held shall consist of a permanent deer-proof fence at least 8 feet tall and constructed in a manner that prohibits escape of captive wildlife and prohibits entry of native wildlife.
 - (4) Waterfowl hatched in wildlife breeder/dealer facilities shall be banded with a seamless metal band.
 - (5) Wildlife Breeder/Dealer Permit holders for cervids, blackbuck antelope and black-tailed prairie dogs shall only sale individuals of those species to Arkansas residents who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas. Additionally, Wildlife Breeder/Dealer Permit holders for cervids may sale cervids to Arkansas residents who possess a current Commercial Wildlife Hunting Resort Permit for cervids.
 - (6) Live bobwhite quail sold to Arkansas residents who do not possess a Wildlife Breeder/Dealer Permit or Game Bird Shooting Resort Permit must be banded by the permit holder.
 - (7) Rearing, breeding, propagating, producing or distributing primates shall not be permitted except facilities accredited by the Zoological Association of America.
 - (8) A Wildlife Breeder/Dealer Permit holder is prohibited from moving cervids out of the permitted facility upon written notice by the Commission that a sample taken from a cervid within 25 miles of the facility tested positive for CWD.
- (D) Reporting and Record-keeping Requirements:
- (1) Legible records of all wildlife acquisitions and dispositions, including births, deaths, sales, slaughter and transport, shall be kept.
 - (2) 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. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
 - (3) Records of sale shall include the name, address and telephone number of the person to whom the wildlife was sold, and the number of each species sold to each person.
 - (4) Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
 - (5) Holders of Wildlife Breeder/Dealer Permits shall submit legible, complete quarterly reports (forms available from the Commission) of their inventory and any births, deaths, sales, purchases of wildlife or returned legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days by the fifth day of the following months: March, June, September and December.
 - (6) Wildlife Breeder/Dealer Permit holders who possess cervids in facilities larger than 25 acres where the animals are allowed free range may report an estimated inventory number based on a Commission-approved survey technique.
 - (7) Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method except for stock in possession, and not otherwise prohibited by this Code, for which an application was submitted to the Commission by July 1, 2020, and approved.
 - (8) The Commission shall be notified within 24 hours of the escape of any animals from the facility.
- (E) Disease Testing and Control:
- (1) The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within 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 or flocks that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.

- (2) Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.
- (3) All Cervids that die in captivity must be tested for chronic wasting disease. Copies of test results shall be forwarded to the Commission within seven days of receipt.
- (4) Captive Cervid facilities must be in compliance with all Arkansas Livestock and Poultry Commission requirements.
- (5) Permitted Wildlife Breeder/Dealer facilities in which birds are kept are required to adhere to Arkansas Livestock and Poultry Commission requirements regarding pullorum-typhoid disease tests and are encouraged to participate in the National Poultry Improvement Plan.
- (6) Each Wildlife Breeder/Dealer facility where waterfowl are kept is 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 Commission within seven days of receipt.
- (7) Flocks testing 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.

(F) Facility and Caging Requirements:

All wildlife possessed under a Wildlife Breeder/Dealer Permit in Arkansas shall be maintained in a permanent enclosure, pen, or cage strong enough to prevent escape of the wildlife and protect them from injury. All wildlife shall be maintained in humane and healthy conditions. Birds must be kept in buildings or covered pens that prevent escape and that do not allow entry of wild birds. Enclosures 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 10 days or as specified by the Commission.

- (1) Facilities containing large carnivores and mountain lions shall meet the following requirements:
 - (a) A written plan of action shall be prepared and a copy submitted with permit application for use in the following events: Severe damage to enclosures from fire, wind, floods or other natural forces; animals attacking and/or injuring humans, and animals escaping enclosures. Plans should identify the location of temporary holding facilities and necessary mechanisms to safely transport large carnivores to these facilities. Recapture plans shall outline procedures for handling and recapturing escaped large carnivores. Plans should include a list of safety equipment which shall be available for use. The Commission shall immediately be notified upon the escape of any large carnivores or mountain lions. In the event of sickness, the name, address, phone number, and signature of the veterinarian who has agreed to care for the animal shall be provided.
 - (b) A perimeter fence sufficient to deter entry by the public, at least 8 feet tall shall completely surround cages where animals are housed or exercised outdoors. Perimeter fences that allow objects to be passed through them, such as chain link or welded wire, shall be at least 3 feet from cages or exercise areas.
 - (c) Warning signs must be posted at the entrance to the property.
 - (d) All cages or enclosures shall be equipped with an entrance or device that allows a keeper to enter or exit a cage without providing an avenue of escape to an animal (such as a double-gated entry door, interconnected cages that can be isolated from each other, a lock-down

area, or other comparable device). Safety entrances shall be constructed of materials of equivalent strength as those prescribed for cage construction. Doors or gates in perimeter fences shall be locked when unattended.

(e) Cages shall be equipped with a lockout area that allows the keeper access while the animal is contained in a separate area.

(f) Cages shall be well braced and securely anchored at ground level to prevent escape by digging or erosion. The fasteners and fittings used in construction shall be of equivalent strength to the material required for cage construction.

(g) In facilities containing tigers, African lions and bears cage construction materials shall consist of at least 9-gauge chain link or equivalent materials. In facilities containing mountain lions, cage construction materials shall consist of at least 11-gauge chain link or equivalent materials. Juvenile animals may be kept in incubation or rearing facilities not meeting these standards until they weigh more than 25 pounds.

(h) Cages containing a single African lion, tiger or bear shall have a cage floor at least 300 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.

(i) Cages containing a single mountain lion shall have a cage floor at least 200 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.

(j) Large carnivores and mountain lions may temporarily be housed in cages or enclosures smaller than specified in this chapter while being transported, while in veterinary care or while being quarantined provided temporary caging is large enough for the animal to stand up, lie down and turn around without touching the sides of the enclosure or another animal.

(k) Open-top outdoor exercise areas are allowed providing they have vertical walls at least 12 feet tall, topped by either: an inward-angled overhang at an angle between 35 and 55 degrees, which is at least 2 feet long and of equal strength as the cage walls; or, two strands of electric fencing, one of which is 1 foot below the top of the vertical wall, and the other at the top of the wall or the upper 3 feet of the interior of the fence consists of sheer, solid metal. Animals may not be left in exercise areas overnight.

(l) Permit holders whose facility, including enclosures, pens and cages, is not in compliance with this Commission Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.

(m) If the violation has not been corrected in 10 days of notification, the Commission 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.

(2) **Facilities containing medically significant venomous reptiles shall meet the requirements in Addendum F1.08.**

(G) Inspection:

- (1) Any person issued a Wildlife Breeder/Dealer Permit shall allow entry, at any reasonable hour, to Commission employees or their agents to inspect any wildlife and/or facilities kept under authority of the permit.
- (2) Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by the employee or agent.

(H) Renewal, Transfer, Suspension and Revocation:

- (1) Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Commission Addendum Chapter.
- (2) Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
- (3) If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit

suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.

- (4) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.
- (5) No existing permit can be transferred to another person, firm or corporation rearing, breeding, propagating, producing or distributing any member of the Cervidae family.
- (6) Holders of Wildlife Breeder/Dealer Permits for cervida or large carnivores whose facilities are void of their permitted species for one (1) year shall not have their permit renewed as of July 1, 2018

F1.04

WILDLIFE IMPORTATION PERMIT REQUIREMENTS

04-14

(A) Eligibility and Application Requirements:

- (1) The applicant must be at least 18 years old 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 years of the application date.
- (2) The applicant shall submit a written application (available from the Commission) for each facility to be permitted.

(B) The requested permit shall be denied if:

- (1) The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
- (2) The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
- (3) The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.

(C) Permit Requirements:

- (1) Wildlife Importation Permit holders may import wildlife into or transport wildlife through the state under the following conditions provided that prior to transportation the permit holder possesses the following documentation:
 - (a) Written proof of the origin and destination of each animal.
 - (b) Documentation for each animal to demonstrate they have not been kept in, or originated from, a location from which importation has been restricted in accordance with Code 09.11.
 - (c) A completed state or federal certificate of veterinary inspection form upon which an accredited veterinarian has certified each animal to be free of diseases/parasites. Animals other than cervids originating within Arkansas and that are taken from the state for less than 30 days may re-enter the state without the need for a veterinary exam.
- (2) The Wildlife Importation Permit and issued documentation required in Chapter (C) (1) of this Commission Addendum must accompany each animal during transport.
 - (a) All documentation required in Chapter (C) (1) of this Commission Addendum Chapter shall be submitted by the permit holder to the Commission's Wildlife Management Division within seven days of the permitted importation.
 - (b) Failure to comply may result in suspension or revocation of any existing permit held by the violator, and denial of any future permits. Additionally, criminal charges may be filed.

F1.08 VENOMOUS REPTILE POSSESSION PERMIT REQUIREMENTS

(A) Permit Requirements: A Venomous Reptile Permit may be issued to applicants complying with the following requirements:

(1) The applicant must be at least 18 years old 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 application date.

(2) The applicant shall provide to the Commission, in writing, proof from the appropriate county or municipal jurisdiction, stating that the applicant's possession of medically significant venomous reptiles is in compliance with all local ordinances.

(3) The applicant shall submit a written application (available from the Commission) for each facility to be permitted.

(B) The requested permit shall be denied if:

(1) The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;

(2) The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;

(3) The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.

(4) The species requested in the application are listed in Addendum R1.03.

(C) Caging and Facility Requirements:

Venomous Reptile Possession Permittees shall provide secure housing of all medically significant venomous reptiles as defined herein.

(1) Animal enclosures whether manufactured or constructed (e.g., wood, injection molded plastics, etc.) shall be made in such a way to provide security against escape. The door, lid, or access feature shall be securely latched or locked to prevent escape of enclosed reptiles.

(2) Rooms in buildings or free standing structures housing venomous reptiles shall be locked when not occupied and must be escape proof not limited to doors, windows, ventilation ducts, gaps or cracks in the structure, etc., so as to provide secondary containment of reptiles that escape their enclosure. When a person is inside any room housing venomous reptiles, all escape routes, including doors, serving as secondary containment must remain closed.

(3) Doorways entering rooms containing venomous reptiles shall have prominent warning signage on doors that is clearly visible and states "Warning: Venomous Reptiles."

(4) Permittees temporarily displaying native venomous reptiles to the public must meet the above requirements or alternatively the following:

(a) native venomous reptiles must be kept in keyed or combination locked enclosures;

(b) open-topped exhibition areas must have, at a minimum, 2 physical barriers completely surrounding the exhibition area and separating the public from the venomous reptiles, by at least 3 feet, to provide security against escape and to prevent contact between the public and the snakes;

(c) permit holder or a trained representative must be on-site at all times when venomous reptiles are in temporary exhibition area; when such an individual is not present, venomous reptiles must be kept in secure containers which lock or are stored in locked rooms; and

(d) a detailed safety plan, including a barrier design description, must be approved by the Commission.

(5) Venomous reptiles permanently displayed to the public must be kept in accordance with a detailed safety plan, including a barrier design description, approved by the Commission.

(6) All enclosures or exhibition areas housing venomous reptiles shall be clearly and visibly labeled: (a) "Venomous Reptile"; (b) common and scientific name; and (c) number of animals in the enclosure. The permittee must remove such labeling from empty enclosures.

(D) Reporting and Record-keeping Requirements:

(1) The permittee must retain records evidencing 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. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.

(2) Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.

(3) After July 1, 2020, stock shall only be obtained in the following manner: (1) acquired from Commission-permitted Wildlife Breeder/Dealer; (2) imported into the state in accordance with a Wildlife Importation Permit (Codes 9.10 and 9.11); or (3) legally captured from the wild in Arkansas in accordance with Code 09.14(A). Permits will not be issued to, and existing permits may be revoked for, facilities that have acquired stock by any other method.

(E) Inspections and Escaped Reptiles:

(1) Any facilities and wildlife maintained under the authority of a Venomous Reptile Possession Permit shall be subject to inspection by Commission employees or agents.

(2) Permittees shall be given adequate notification prior to inspections and during reasonable hours.

(3) The Commission shall provide Venomous Reptile Permittees 30 days' written notice to correct any problems identified during an inspection.

(4) A permittee must immediately initiate efforts to capture any escaped animals in their possession. The Commission shall be notified within 24 hours of the escape of any reptiles from the facility.

(F) Transport Requirements:

(1) Medically significant venomous reptiles will be placed in secure ventilated escape-proof containers for transport. Such containers might include secured snake bags inside locking boxes, ventilated buckets or boxes with lids that snap or screw shut, or other secure containers designed specifically for the purpose. All transport containers shall not be left unattended, and shall be clearly labeled "Caution: Venomous Reptiles."

(G) Renewal, Transfer, Suspension and Revocation:

(7) Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.

(8) Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.

(9) If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.

(10) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to

exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

F1.09 SCIENTIFIC COLLECTION PERMIT REQUIREMENTS

(A) **Permit Requirements:** A Scientific Collection Permit may be issued to applicants complying with the following requirements:

(1) The applicant must be at least 18 years old 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 application date.

(2) The applicant shall complete and submit a written application form provided by the Commission.

(3) Special conditions may be applied to the Scientific Collection Permit as deemed necessary by Commission staff.

(B) The requested permit shall be denied if:

(1) The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;

(2) The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;

(3) The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner; or

(4) The applicant fails to provide a report for a previously issued permit.

(C) The requested permit may be denied if the Commission finds through further inquiry or investigation that the proposed methods are not consistent with generally accepted scientific research practices or the proposed research would not significantly contribute to scientific knowledge.

(D) **Caging and Facility Requirements:** All Scientific Collection Permittees shall provide secure housing of all wildlife removed from the wild as defined herein:

(1) All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.

(2) All native medically significant venomous reptiles must be kept in accordance with Addendum F1.08, Sections C and F.

(3) It is unlawful for anyone to keep animals under inhumane or unhealthy conditions.

(E) **Reporting:** Holders of the Scientific Collection Permit shall submit legible, complete annual reports on forms provided by the Commission.

(F) **Renewal, Transfer, Suspension and Revocation:**

(1) Permits may be revoked or suspended for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.

(2) Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.

(3) If, at the end of 20 days, just cause has not been given, the Commission may revoke any existing permit and refuse to issue

- any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
- (4) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

F1.10 CONSERVATION EDUCATION PERMIT REQUIREMENTS

(A) Permit Requirements: A Conservation Education Permit may be issued to applicants complying with the following requirements:

- (1) The applicant must be at least 18 years old 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 application date.

- (2) The applicant shall provide to the Commission, in writing, proof from the appropriate county or municipal jurisdiction, stating that the applicant's possession of wildlife is in compliance with all local ordinances.

- (3) The applicant shall complete and submit a written application form provided by the Commission.

- (4) The applicant shall possess a minimum of 20 hours conservation education experience involving the use of live animals and provide letters of support from at least 2 non-familial individuals familiar with the applicant's experience.

- (5) The applicant shall provide proof of possessing a valid U.S. Department of Agriculture Wildlife Exhibition Permit for all mammal species.

- (6) Special conditions may be applied to the Conservation Education Permit as deemed necessary by Commission staff.

(B) The requested permit shall be denied if:

- (1) The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;

- (2) The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;

- (3) The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner;

- (4) The applicant fails to provide a report for a previously issued permit; or

- (5) The Commission finds, through further inquiry or investigation, that the applicant's proposed conservation education activities do not possess sufficient educational rigor.

(C) Caging and Facility Requirements: All Conservation Education Permittees shall provide secure housing of all wildlife removed from the wild as defined herein:

- (1) All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.

- (2) All native medically significant venomous reptiles must be kept in accordance with Addendum F1.08, Sections C and F, except as otherwise approved in the applicant's permit conditions.

- (3) It is unlawful for anyone to keep animals under inhumane or unhealthy conditions.

- (4) Males and females of the same species must be kept in separate enclosures.

- (D) Reporting: Holders of the Conservation Education Permit shall submit legible, complete annual reports on forms provided by the Commission.
- (E) Transport Requirements:
- (1) All wildlife possessed in captivity shall be transported in ventilated containers or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
- (2) Native, medically significant venomous reptiles shall be transported in accordance with Addendum F1.08(F)(1).
- (F) Renewal, Transfer, Suspension and Revocation:
- (1) Permits may be revoked or suspended for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.
 - (2) Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
 - (3) If, at the end of 20 days, just cause has not been given, the Commission may revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
 - (4) Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

R1.01 UNRESTRICTED CAPTIVE WILDLIFE SPECIES LIST

The following species are exempt from Codes 9.02 (Possession of non-native wildlife in captivity prohibited), 9.07 (Wildlife Breeder/Dealer permit required) and 9.10 (Wildlife Importation permit required).

Buffalo (*Bos bison*)
 House mouse (*Mus musculus*) and Norway rat (*Rattus norvegicus*)
 Congo peacock (*Arfopavo congensis*)
 Coturnix quail (*Coturnix* spp.)
 Emu (*Dromaius novaehollandiae*)
 European domestic ferret (*Mustela putorius*)
 Gerbils (Subfamily Gerbillinae)
 Green peafowl (*Pavo muticus*)
 Guinea pig (*Cavia porcellus*)
 Hamster (*Mesocricetus auratus*, *Phodopus campbelli*, *Phodopus sungorus*, *Cricetulus griseus*, *Phodopus roborovskii*)
 Indian Peafowl (*Pavo cristatus*)
 Llama (*Lama glama*)
 Muscovy duck (*Cairina moschata*)
 Ringneck dove (*Streptopelia risoria*)
 Wolf/dog hybrids
 Sugar glider (*Petaurus breviceps*)
 Long-tailed chinchilla (*Chinchilla lanigera*)
 Four-toed hedgehog, African pygmy hedgehog (*Atelerix albiventris*)

Bactrian and Dromedary Camels (*Camelus bactrianus* and *Camelus dromedaries*)
 African Sideneck Turtle (*Pelomedusa subrufa*)
 Bearded Dragon (*Pogona spp.*)
 Water Dragon (*Physignathus spp.*)
 Ball Python (*Python regius*)
 Blood Python (*Python curtus*)
 Corn Snake (*Pantherophis guttata*)
 Crested Gecko (*Correlophus ciliates*)
 Fattail Gecko (*Hemixtheconyx caudicinctus*)
 Gargoyle Gecko (*Rhacodactylus auriculatus*)
 Leopard Gecko (*Eublepharis macularius*)
 Tokay Gecko (*Gecko gecko*)
 Veiled Chameleon (*Chamaeleo calyptratus*)

Additionally, persons may possess and hold captive fish, bullfrogs, mussels, aquatic turtles, alligators and other aquatic wildlife in compliance with Chapters 26.00, 27.00, 29.00, 30.00, 31.00, 32.00, 39.00, 33.00, 34.00, 35.00 and Addendums I1.00;J1.00,V1.00.

R1.02 PERMITTED CAPTIVE WILDLIFE SPECIES LIST

Permits for the breeding, sale, and importation may be issued for the following species in accordance with Codes 09.07 (Wildlife Breeder/Dealer Permit Required) and 09.10 (Wildlife Importation permit required):

Red-necked (Bennet's) wallaby (*Macropus rufogriseus*)
 African Dwarf Aquatic Frog (*Hymenochirus boettgeri*)
 Boa Constrictor (*Boa constrictor*)
 Horned Frog, Pacman Frog (*Ceratophrys spp.*)
 Moccasins (*Agkistrodon spp.*)
 Pygmy Rattlesnakes (*Sistrurus spp.*)
 Rattlesnakes (*Crotalus spp.*)

All native species of wildlife not listed in Addendum R1.01 (listing species for which the permits are not necessary) or R1.03 (listing species for which permits will not be issued).

Any other unlisted species upon evaluation and determination by the Commission that the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, and that can be safely confined in a humane manner

R1.03 PROHIBITED CAPTIVE WILDLIFE SPECIES LIST

The Commission will not issue permits for breeding, sale or importation of these species other than in accordance with the exceptions listed in Codes 09.07, 09.10, 09.11 and Addendum F1.03.

Possession of some species may be allowed in accordance with Codes 09.02, 09.05, 09.13 and 09.14.

Apes

Baboons (Genus *Papio*)

Bats (Order Chiroptera)

Box turtles (Genus *Terrapene*)

Cervids (Family Cervidae)

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 or Canada.

Foxes (*Urocyon cinereoargenteus* and *Vulpes vulpes*) 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 or Canada.

Large carnivores

Macaques (Genus *Macaca*)

Mountain lions (*Puma concolor*)

Raccoon (*Procyon lotor*)

Rodents (Order Rodentia) captured in the wild from Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, Texas, Utah or Wyoming.

Skunks (Genus *Mephitis* and *Spilogale*)

Waterfowl (except for the importation of hatching eggs or waterfowl acquired from a Commission-permitted Wildlife Breeder/Dealer)

Blackbuck antelope (*Antelope cervicapra*) (possession of these animals and their offspring restricted to only a facilities permitted before February 20, 2019)

Black-tailed prairie dogs (*Cynomys ludovicianus*) (possession of these animals and their offspring restricted to only facilities permitted before February 20, 2019)

FINANCIAL/ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

RECEIVED

DEPARTMENT: Arkansas Game and Fish Commission

BUREAU: Wildlife Management

PERSON COMPLETING THIS STATEMENT: Matthew Warriner

TELEPHONE #: 501-978-7318 **FAX #:** 501-223-6452

EMAIL: matthew.warriner@agfc.ar.gov

SHORT TITLE OF THIS RULE: Captive Wildlife Regulations Revision

MAR 04 2019

BUREAU OF
LEGISLATIVE RESEARCH

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: No:
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: 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.

<u>Current Fiscal Year</u>		<u>Next Fiscal Year</u>	
General Revenue	\$	General Revenue	\$
Federal Funds	\$	Federal Funds	\$
Cash Funds	\$	Cash Funds	\$
Special Revenue	\$	Special Revenue	\$
Other (Identify)	\$	Other (Identify)	\$
Total	\$	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: N/A

Next Fiscal Year: Unknown

The proposed regulations includes the creation of a Venomous Reptile Possession Permit would cost \$75.00 for an annual period expiring June 30 of each year. The current number of individuals and businesses needing such permits is unknown. Generally, individuals, businesses and others have not sought permits for these species.

Party Subject to Rule: Individuals, businesses and other organizations possessing medically significant venomous reptiles (i.e. native and exotic species that can cause significant injury or death to humans).

Effect on Party Subject to Rule: The annual cost of the Venomous Reptile Possession Permit and the costs to comply with caging requirements.

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: N/A

Next Fiscal Year: Unknown

Financial Benefit to Agency: Regulation of medically significant reptile species is necessary to protect the public and native wildlife from substantial injury or death.

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: Of the 12 states in the southeastern United States, 42 percent or 5 states permit venomous reptiles and require permits at either no cost or up to \$100.00. Some states (33% or 4 states) do not allow these species and the others (25% or 3 states) do not regulate.