

**115-13-3. Field trial permit; small game.** (a) The application for a small game field trial permit shall be submitted on a form provided by the department. A special event permit issued under K.A.R. 115-8-21 shall satisfy the requirement for a small game field trial permit if the application requirements of K.A.R. 115-13-3 are met. Each applicant shall provide the following information:

- (1) The name of the applicant;
- (2) the address of the applicant;
- (3) the telephone number of the applicant;
- (4) a map of the area in which the small game field trial will be held. The map shall identify the site to be used as the event headquarters, shall be drawn on a scale of not less than 1/4 inch to the mile, and shall show county and township roads;
- (5) the estimated number of individuals and dogs participating;
- (6) the requested dates of the small game field trial;
- (7) the daily starting time or times;
- (8) a description of the field trial event, including information on the proposed use of wildlife during the event; and
- (9) other information as required by the secretary.

(b) Each application for a small game field trial permit shall be submitted at least 15 days before an event. This application deadline may be waived by the secretary for extenuating circumstances, if all other application requirements are met. "Extenuating circumstances" shall mean any condition that is caused by an unexpected event that is beyond the applicant's control.

(c) Each applicant for a small game field trial permit may include in the application a listing of all field trial events for the calendar year if the information required under subsection (a) is provided for each event.

(d) Issuance of a small game field trial permit may be denied by the secretary under any of the following circumstances:

- (1) The permit application is unclear or incomplete.

- (2) The event does not conform to requirements of a small game field trial event.
- (3) The requirements of K.A.R. 115-8-21 are not met.
- (4) Issuance of a permit would pose an inordinate risk to the public or wildlife resources.
- (e) Subject to all federal and state laws, rules, and regulations, wildlife may be used

during a small game field trial event as follows:

(1) Pen-raised game birds that have been banded or otherwise marked may be released and shot.

(2) All bands used shall be leg bands and shall be coded with the initials "FT."

(3) Chukar partridge, hungarian partridge, and wild-trapped or pen-raised pigeons, and pen-raised, banded mallard ducks may be released and shot. Steel shot shall be required for the taking of pen-raised mallard ducks.

(4) The banding or marking of chukar partridge, hungarian partridge, and pigeons shall not be required.

(5) The number of game birds killed during a field trial shall not exceed the number of game birds released of the same species.

(6) Wild game birds, except waterfowl, may be pursued, but shall not be possessed, except during established hunting seasons for the taking and possession of that species.

(7) Pen-raised, wild-trapped, or wild cottontail rabbits may be pursued, shot, killed, and possessed during a small game field trial event.

(8) Wildlife shot or killed as authorized by this subsection may be possessed by the permittee or participants in the small game field trial event.

(f) Each small game field trial event held on a controlled shooting area shall be restricted to the licensed controlled shooting area.

(g) Pen-raised game birds that escape after release shall not be recaptured, except as authorized under K.A.R. 115-13-5. Pigeons, chukar partridge, hungarian partridge, and pen-

raised, banded mallard ducks that escape after release may be recaptured.

(h) A separate small game field trial event conducted under a small game field trial permit shall not exceed 14 days in duration and shall be conducted only on the area defined in the permit.

(i) Each permittee shall keep a register of the names and addresses of all participants in each small game field trial event and, upon demand, shall make this register available for inspection to the department and any law enforcement officer authorized to enforce the laws of this state or the regulations of the secretary.

(j) In addition to other penalties prescribed by law, a small game field trial permit may be revoked by the secretary under either of the following circumstances:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(Authorized by K.S.A. 32-807 and K.S.A. 32-954; implementing K.S.A. 32-807, K.S.A. 32-954, and K.S.A. 32-1002; effective Aug. 5, 1991; amended Sept. 27, 2002.)