

115-3-1. Game birds; legal equipment, taking methods, and possession. (a) Legal hunting equipment for game birds shall consist of the following:

- (1) Shotguns and muzzleloading shotguns not larger than 10 gauge and using only shot;
- (2) archery equipment; and
- (3) falconry equipment; and
- (4) ~~other equipment or methods as allowed by permit.~~

(b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(c) Hunting hours shall be from ~~1/2~~ one-half hour before sunrise to sunset.

(d) Game birds shall be shot only while the ~~bird is~~ birds are in flight.

(e) Any type of apparel may be worn while taking game birds.

(f) Legally taken game birds may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. It shall not be deemed unlawful for a person to relinquish possession of a game bird for the purpose of dressing the bird.

(g) ~~Pheasants~~ Each pheasant in an individual's possession for the purpose of transportation shall retain intact a foot, or plumage, ~~or some part~~ by which the sex can be readily established. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 ~~and K.S.A. 32-1002~~; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended June 1, 2001; amended P-_____.)

APPROVED

MAR 26 2021

DIVISION OF THE BUDGET

APPROVED

MAR 29 2021

DEPT. OF ADMINISTRATION

APPROVED

APR 05 2021

ATTORNEY GENERAL

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

KDWPT
Agency

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Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-3-1
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

This regulation sets legal equipment, taking methods and possession for game birds. The proposed changes would clean up unnecessary language due to a regulation review.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)*

This is not a federal mandate. Oklahoma, Nebraska, Missouri and Colorado all have varying regulations dealing with upland bird seasons and equipment.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed version of the regulation will not enhance or restrict business activities and growth.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed version of the regulation would not impact specific businesses, sectors, public utility ratepayers, individuals or local governments.

C. Businesses that would be directly affected by the proposed rule and regulation;

None.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The proposed version of the regulation cleans up unnecessary language.



- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

There are no negative costs and impacts on businesses associated with this proposal.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

None.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

None.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES ☐ NO ☒

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

None

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES ☐ NO ☒

The agency held public hearings on this regulation on January 14, attended by 52 members of the public and will hold a public hearings on March 25, April 29 and June 17.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.



- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

