

115-16-6. Wildlife control permit; application and reporting requirements. (a) Each person 16 years of age or older wishing to obtain a wildlife control permit shall apply to the department on a form provided by the department and shall provide the following information:

- (1) The applicant's name, address, and telephone number;
- (2) the wildlife species to be controlled;
- (3) the county or counties where wildlife control activities will be conducted;
- (4) unless specifically exempted by the department based on previous use of the

applicable methods or equipment as an authorized wildlife control operator, proof of completion of the following courses, if applicable:

(A) Department-approved hunter education training, if a firearm would be used to take wildlife; and

(B) department-approved furharvester education training, if furharvester equipment would be used to take wildlife; and

- (5) any other information required by the department.

(b) Each applicant shall take a course of instruction approved by the department, which shall include instruction concerning applicable laws and regulations, methods for wildlife control, methods for handling wildlife, and other relevant material, and which shall include eight hours of instruction or the equivalent. The course may be offered by the department or by other approved agencies or organizations, and may be offered in person, by correspondence, or by electronic transmission. No applicant shall be required to take this course of instruction if the applicant has successfully completed an approved course within the previous five years.

- (c) Successful completion of the course of instruction described in subsection (b) shall

require that the applicant pass a department examination with a minimum score of 80 percent.

No applicant shall be eligible to retake the examination within 30 days of failing the examination, and no applicant shall take the examination more than two times within the period of one year.

(d) A wildlife control permit may be refused issuance, denied, suspended, or revoked by the secretary for any of the following reasons:

(1) The application is incomplete or contains false information.

(2) The applicant does not meet the qualifications specified in this regulation.

(3) The applicant has failed to maintain or to submit required reports.

(4) The applicant has violated department laws or regulations, or has had any other department license or permit revoked or suspended.

(5) Issuance of the permit would not be in the best interests of the public, for reasons including complaints or inappropriate conduct while holding a previous wildlife control permit.

(e) Each wildlife control permit shall expire on December 31, but may be renewed for the next calendar year before expiration.

(f) Each permittee shall be in possession of a valid wildlife control permit while conducting wildlife control activities, in addition to any other federal, state, or local permits that may be required. Upon request by any person in lawful possession of property where control activities are being conducted or by any person requesting control activities, the permittee shall make the wildlife control permit available for inspection. A permittee shall not act as an employee or an agent of the department.

(g) Upon request by any person to control wildlife, a wildlife control permittee shall make a reasonable attempt to identify the wildlife species in question, and shall advise the person requesting assistance of the proposed control method and the estimated cost before conducting any wildlife control activities. In no case shall the permittee conduct wildlife control activities without the authorization of the person in lawful control of the property.

(h) Each wildlife control permittee shall submit an annual report by January 31 following the permit year, on a form supplied by the department. The report shall be kept current and available for inspection throughout the permit year. Each report shall contain the following information:

- (1) The name, address, and permit number of the permittee;
- (2) the date of any control activity;
- (3) the species, number, and condition of the wildlife controlled; and
- (4) the control method or methods used.

(i) Each wildlife control permittee shall retain the following information for a minimum of three years and shall make this information available for inspection by the department on request:

(1) The name and postal zip code of the legal occupant where control activities were conducted; and

(2) the disposition of any wildlife taken, including any of the following:

(A) the name and postal zip code of the person in lawful possession of the property where the wildlife was released and the number of wildlife released;

(B) the method used if wildlife was euthanized; or

(C) the name of any licensed wildlife rehabilitator to whom the wildlife was submitted.

(j) Subject to applicable federal or state laws and regulations, any governmental body may be authorized by the secretary to conduct wildlife control activities. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 19, 2002.)