

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
John Thurston  
500 Woodlane, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



Name of Department Legal Division

Agency or Division Name Arkansas Game & Fish Commission

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person April M. Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-223-6327

Name of Rule 9.03 Release of Wildlife Prohibited

Newspaper Name Arkansas Democrat Gazette

Date of Publishing March 22, 23, and 24, 2020 and April 19, 20, and 21, 2020

Final Date for Public Comment May 21, 2020

Location and Time of Public Meeting AGFC Auditorium, 2 Natural Resources Drive, Little Rock AR 72205,  
at 10:00 a.m.

## 9.03 Release of Wildlife Prohibited

It is unlawful to release wildlife ~~from captivity into the wild~~ without prior written approval from the Commission. Birds that are not kept in buildings or covered pens shall be considered to have been released from captivity. To protect the health and safety of the public and the wildlife resources, the Commission and its designees are authorized to recapture or dispatch any wildlife, whether kept legally or illegally, that escapes from or is illegally released from captivity.

### EXCEPTIONS:

- A. Captive-raised northern bobwhite quail, ring-necked pheasant, chukar and mallards may be released in compliance with a Game Bird Shooting Resort Permit
- B. Native wildlife, other than mountain lions, may be released in compliance with a Commission Wildlife Rehabilitation Permit or a U.S. Fish and Wildlife Rehabilitation Permit
- C. Persons may be permitted on a temporary basis to possess, hold captive and release raccoon, fox, coyote, captive-reared mallards, pen-raised northern bobwhite quail, chukar or ring-necked pheasant for the purposes of training dogs 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 or American Coon Hunters Association upon requesting a Shoot-**To Kill** Retrieving Dog Training Permit and/or (for captive-reared mallards) and/or receiving written approval from the Chief of Wildlife Management
- D. In compliance with (Code 09.15)

### PENALTY: Class 3

- A. Any person convicted of violating this regulation shall be liable for the costs accrued by the Commission in the recapture, including all **man hours** of Commission personnel, storage and care of any released and/or recaptured wildlife in connection with the violation
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the released wildlife and shall be liable for the costs of destruction and/or disposal of the released wildlife, as deemed necessary by the Commission for the protection of native wildlife