

SENATE BILL No. 395

By Senator D. Schmidt

1-18

9 AN ACT concerning wildlife and parks; relating to hunting and fishing;
10 relating to licenses for disabled veterans; also concerning vehicle per-
11 mits for parks; amending K.S.A. 32-901 and 32-919 and K.S.A. 2005
12 Supp. 32-906 and repealing the existing sections.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 32-901 is hereby amended to read as follows: 32-
16 901. (a) Except as otherwise provided by law or rules and regulations of
17 the secretary, a valid park and recreation motor vehicle permit is required
18 to use a motor vehicle in any state park, or any portion thereof, or in any
19 other area designated by the secretary pursuant to subsection (f), which
20 is posted in accordance with subsection (g).

21 (b) (1) The secretary shall issue annual and temporary park and rec-
22 reation motor vehicle permits.

23 (2) The annual permit shall be issued to certificate of titleholders for
24 each calendar year as provided in K.S.A. 32-983, 32-984 and 32-985, and
25 amendments thereto, and shall not be transferable. An additional vehicle
26 permit may be issued to the owner of an original annual permit. The fee
27 for an annual permit and the fee for an additional vehicle permit shall be
28 fixed by the secretary by rules and regulations adopted in accordance with
29 K.S.A. 32-805, and amendments thereto. The fee for an annual permit
30 for a motor vehicle of any Kansas resident certificate of title holder who
31 is 65 or more years of age or who is a person with a disability and displays
32 a special license plate or placard issued pursuant to K.S.A. 8-1,125 and
33 amendments thereto shall be an amount equal to $\frac{1}{2}$ the fee fixed by the
34 secretary for other annual park and recreation motor vehicle permits,
35 except a nonresident regardless of age shall pay the full fee. A duplicate
36 permit may be issued upon proof of loss of the original permit for the
37 remainder of the calendar year for a fee fixed by the secretary by rules
38 and regulations adopted in accordance with K.S.A. 32-805, and amend-
39 ments thereto. If the motor vehicle for which an annual permit has been
40 issued is sold or traded during the calendar year for which the permit
41 was issued and the original permit is surrendered to the department, a
42 new permit effective for the remainder of the calendar year may be issued
43 to the person who sold or traded the motor vehicle for a fee fixed by the

1 secretary by rules and regulations adopted in accordance with K.S.A. 32-
2 805, and amendments thereto. Before any duplicate or new permit is
3 issued, the purchaser thereof must show by evidence that the purchaser
4 was issued the original permit and that the purchaser is the holder of a
5 valid certificate of title to the motor vehicle for which the duplicate or
6 new permit is issued.

7 (3) A temporary permit shall be issued for a day, shall be issued for
8 a specific vehicle and shall not be transferable. The fee for such a tem-
9 porary permit shall be fixed by the secretary by rules and regulations
10 adopted in accordance with K.S.A. 32-805, and amendments thereto. The
11 fee for a temporary permit for a motor vehicle of any Kansas resident
12 certificate of title holder who is 65 or more years of age or who is a person
13 with a disability and displays a special license plate or placard issued
14 pursuant to K.S.A. 8-1,125 and amendments thereto shall be an amount
15 equal to $\frac{1}{2}$ the fee fixed by the secretary for other temporary park and
16 recreation motor vehicle permits, except a nonresident regardless of age
17 shall pay the full fee.

18 (c) The provisions of subsection (a) do not apply to:

19 (1) A motor vehicle used in the operation or maintenance of state
20 parks or other areas under the secretary's control, emergency motor ve-
21 hicles, state-owned motor vehicles, law enforcement motor vehicles or
22 private or government motor vehicles being operated on official business
23 for a governmental agency;

24 (2) a motor vehicle of a nonresident who secures a special fee, license
25 or permit required by rules and regulations adopted by the secretary in
26 accordance with K.S.A. 32-805, and amendments thereto, relating to the
27 use of the park or other area;

28 (3) a motor vehicle for which a special permit or pass has been issued
29 pursuant to subsection (d);

30 (4) a motor vehicle in a state park or other area to which subsection
31 (d) applies on dates designated pursuant to subsection (e); ~~or~~

32 (5) a motor vehicle in an area or at a time not designated pursuant
33 to subsection (f) as an area or time which requires a permit; *or*

34 (6) *a motor vehicle of a member of any branch of the military.*

35 (d) The secretary may issue a special permit or pass for a motor ve-
36 hicle used for the purpose of sightseeing, attending a church service,
37 attending an approved special event by members of the news media or
38 emergency reasons, as provided by rules and regulations adopted by the
39 secretary in accordance with K.S.A. 32-805, and amendments thereto.

40 (e) The secretary may designate by resolution two days each calendar
41 year during which persons may use motor vehicles in state parks and other
42 areas under the secretary's control without having a valid park and rec-
43 reation motor vehicle permit.

1 (f) The secretary shall designate the state parks and other areas under
2 the secretary's control, or portions thereof, and the time periods in which
3 motor vehicle permits shall be required hereunder.

4 The secretary shall cause signs to be posted and maintained at the
5 entrances to all such designated state parks or other areas, or portions
6 thereof, which signs shall display a legend that a motor vehicle entering
7 and using the state park or area, or portion thereof, is required to display
8 on the motor vehicle a permit of the type described in this section.

9 (g) All fees, licenses and other charges, and rules and regulations
10 relating to the use of and conduct of persons in a state park or other area
11 under the secretary's control, or any facility therein, shall be posted in a
12 convenient and conspicuous place in each such park, area or facility. Ex-
13 cept as otherwise provided in this section, each and every person using
14 any such park, area or facility shall be charged the same fees, licenses and
15 every other charge.

16 Sec. 2. K.S.A. 2005 Supp. 32-906 is hereby amended to read as fol-
17 lows: 32-906. (a) Except as otherwise provided by law or rules and reg-
18 ulations of the secretary, a valid Kansas fishing license is required to fish
19 or to take any bullfrog in this state.

20 (b) The provisions of subsection (a) do not apply to fishing by:

21 (1) A person, or a member of a person's immediate family domiciled
22 with such person, on land owned by such person or on land leased or
23 rented by such person for agricultural purposes;

24 (2) a resident of this state who is less than 16 years of age or who is
25 65 or more years of age;

26 (3) a nonresident who is less than 16 years of age;

27 (4) a person fishing in a private water fishing impoundment unless
28 waived pursuant to K.S.A. 32-975 and amendments thereto;

29 (5) a resident of an adult care home, as defined by K.S.A. 39-923 and
30 amendments thereto, licensed by the secretary of aging;

31 (6) an inmate in an honor camp operated by the secretary of correc-
32 tions, pursuant to an agreement between the secretary of corrections and
33 the secretary of wildlife and parks;

34 (7) a person on dates designated pursuant to subsection (f);

35 (8) a person fishing under a valid institutional group fishing license
36 issued pursuant to subsection (g); ~~or~~

37 (9) a participant in a fishing clinic sponsored or cosponsored by the
38 department, during the period of time that the fishing clinic is being
39 conducted; *or*

40 (10) *a disabled veteran.*

41 (c) The fee for a fishing license shall be the amount prescribed pur-
42 suant to K.S.A. 32-988 and amendments thereto.

43 (d) Unless otherwise provided by law or rules and regulations of the

1 secretary, a fishing license is valid throughout the state.

2 (e) Unless otherwise provided by law or rules and regulations of the
3 secretary, a fishing license is valid from the date of issuance and expires
4 on December 31 following its issuance, except that the secretary may
5 issue a:

6 (1) Permanent license pursuant to K.S.A. 32-929 and amendments
7 thereto;

8 (2) lifetime license pursuant to K.S.A. 32-930 and amendments
9 thereto;

10 (3) nonresident fishing license valid for a period of five days; and

11 (4) resident or nonresident fishing license valid for a period of 24
12 hours.

13 (f) The secretary may designate by resolution two days each calendar
14 year during which persons may fish by legal means without having a valid
15 fishing license.

16 (g) The secretary shall issue an annual institutional group fishing li-
17 cense to each facility operating under the jurisdiction of or licensed by
18 the secretary of social and rehabilitation services and to any veterans ad-
19 ministration medical center in the state of Kansas upon application by
20 such facility or center to the secretary of wildlife and parks for such
21 license.

22 All applications for facilities under the jurisdiction of the secretary of
23 social and rehabilitation services shall be made with the approval of the
24 secretary of social and rehabilitation services and shall provide such in-
25 formation as the secretary of wildlife and parks requires. All applications
26 for any veterans administration medical center shall be made with the
27 approval of the director of such facility and shall provide such information
28 as the secretary of wildlife and parks requires. Persons who have been
29 admitted to and are currently residing at the facility or center, not to
30 exceed 20 at any one time, may fish under an institutional group fishing
31 license within the state while on a group trip, group outing or other group
32 activity which is supervised by the facility or center. Persons fishing under
33 an institutional group fishing license shall not be required to obtain a
34 fishing license but shall be subject to all other laws and to all rules and
35 regulations relating to fishing.

36 The staff personnel of the facility or center supervising the group trip,
37 group outing or other group activity shall have in their possession the
38 institutional license when engaged in supervising any activity requiring
39 the license. Such staff personnel may assist group members in all aspects
40 of their fishing activity.

41 (h) The secretary may issue a special nonprofit group fishing license
42 to any community, civic or charitable organization which is organized as
43 a not-for-profit corporation, for use by such community, civic or chari-

1 table organization for the sole purpose of conducting group fishing activ-
2 ities for handicapped or developmentally disabled individuals. All appli-
3 cations for a special nonprofit group fishing license shall be made to the
4 secretary or the secretary's designee and shall provide such information
5 as required by the secretary.

6 Handicapped or developmentally disabled individuals, not to exceed
7 20 at any one time, may fish under a special nonprofit group fishing
8 license while on a group trip, outing or activity which is supervised by the
9 community, civic or charitable organization. Individuals fishing under a
10 special nonprofit group fishing license shall not be required to obtain a
11 fishing license but shall be subject to all other laws and rules and regu-
12 lations relating to fishing.

13 The staff personnel of the community, civic or charitable organization
14 supervising the group trip, outing or activity shall have in their possession
15 the special nonprofit group fishing license when engaged in supervising
16 any activity requiring the special nonprofit group fishing license. Such
17 staff personnel may assist group members in all aspects of their fishing
18 activity.

19 Sec. 3. K.S.A. 32-919 is hereby amended to read as follows: 32-919.

20 (a) Except as otherwise provided by law or rules and regulations of the
21 secretary, a valid Kansas hunting license is required to hunt in this state.

22 (b) The provisions of subsection (a) do not apply to hunting by:

23 (1) A person, or a member of a person's immediate family domiciled
24 with such person, on land owned by such person or on land leased or
25 rented by such person for agricultural purposes;

26 (2) a resident of this state who is less than 16 years of age or who is
27 65 or more years of age;

28 (3) a nonresident participating in a field trial for dogs, recognized by
29 rules and regulations adopted by the secretary in accordance with K.S.A.
30 32-805 and amendments thereto;

31 (4) a person who holds a valid permit issued to such person pursuant
32 to subsection (f) and who hunts only waterfowl; ~~or~~

33 (5) a person hunting only moles or gophers; *or*

34 (6) *a disabled veteran.*

35 (c) The fee for a hunting license shall be the amount prescribed pur-
36 suant to K.S.A. 32-988 and amendments thereto.

37 (d) Unless otherwise provided by law or rules and regulations of the
38 secretary, a hunting license is valid throughout the state, except that the
39 secretary may issue a special controlled shooting area license which is
40 valid only for licensed controlled shooting areas.

41 (e) Unless otherwise provided by law or rules and regulations of the
42 secretary, a hunting license is valid from the date of issuance and expires
43 on December 31 following its issuance, except that:

1 (1) The secretary may issue a permanent license pursuant to K.S.A.
2 32-929 and amendments thereto;

3 (2) the secretary may issue a lifetime license pursuant to K.S.A. 32-
4 930 and amendments thereto.

5 (f) A 48-hour waterfowl permit may be issued which authorizes hunt-
6 ing of waterfowl in this state subject to all other provisions of law and
7 rules and regulations of the secretary. The fee for such permit shall be
8 the amount prescribed pursuant to K.S.A. 32-988 and amendments
9 thereto. Such permit is valid throughout the state, is valid from the time
10 designated on the permit and expires 48 hours after such time. Purchase
11 of such permit shall not affect the requirement to purchase any federal
12 migratory bird hunting and conservation stamp or state migratory water-
13 fowl habitat stamp.

14 Sec. 4. K.S.A. 32-901 and 32-919 and K.S.A. 2005 Supp. 32-906 are
15 hereby repealed.

16 Sec. 5. This act shall take effect and be in force from and after its
17 publication in the statute book.