

As Amended by House Committee

Session of 2010

SENATE BILL No. 380

By Committee on Natural Resources

1-14

10 AN ACT concerning ~~wildlife, parks and recreation, relating to public use~~
11 ~~of cabins on state land~~ **the department of wildlife and parks;**
12 **amending K.S.A. 32-1015 and repealing the existing section.**
13

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

15 Section 1. (a) The secretary ~~of the department~~ of wildlife and parks
16 is authorized, with the approval of the Kansas wildlife and parks com-
17 mission, to establish fees for the public use of cabins owned or operated
18 by the department. At a public meeting, the secretary, with ~~consideration~~
19 **by approval of** the commission, shall set an amount for each fee that
20 encourages use of such cabins and that enables the department to main-
21 tain and operate such cabins.

22 (b) Such fees as described in subsection (a) shall not exceed:

- 23 (1) A maximum of \$250 per night;
24 (2) a maximum of \$1,500 per week; and
25 (3) a maximum of \$5,000 per month.

26 (c) Fees for the use of cabins owned or operated by the department
27 of wildlife and parks shall be exempt from the provisions of K.S.A. 77-
28 415 through 77-437, and amendments thereto.

29 **(d) Public cabins owned or operated by the department shall**
30 **be subject to the transient guest taxes of K.S.A. 12-1692 through**
31 **12-16,100, and amendments thereto.**

32 **(e) Any time a public cabin owned or operated by the depart-**
33 **ment is reserved, the department shall disclose any extra taxes,**
34 **fees, charges or surcharges that will be added to the price of the**
35 **reservation. If the exact amount of any tax, fee, charge or sur-**
36 **charge is not known, an estimate shall be provided.**

37 **“Sec. 2. K.S.A. 32-1015 is hereby amended to read as follows:**
38 **32-1015. (a) It is unlawful for any person to:**

39 **(1) Destroy any muskrat house, beaver dam, mink run or any**
40 **hole, den or runway of any furbearing animal, or cut down or de-**
41 **stroy any tree that is the home, habitat or refuge of any furbearing**
42 **animal;**

43 **(2) hunt deer or elk in this state in an area where a firearms**

1 **season for the taking of deer ~~or elk~~ is occurring, or hunt elk in this**
2 **state in an area where a firearms season for the taking of elk is occurring,**
3 **unless such person is wearing clothing of a highly visible nature in**
4 **a color, an amount worn and a location on such person's body**
5 **prescribed by rules and regulations adopted by the secretary pur-**
6 **suant to K.S.A. 32-805, and amendments thereto;**
7 (3) **do any act or engage in any activity within any state park,**
8 **state lake, recreational ground, wildlife area or sanctuary, natural**
9 **area or other area under the control of the secretary which is in**
10 **violation of or contrary to law or rules and regulations of the sec-**
11 **retary;**
12 (4) **use any manner or means of taking fish which may escape**
13 **from a private water fishing impoundment and kill or endanger**
14 **fish in another such impoundment or in public waters;**
15 (5) **remove fish from a private water fishing impoundment**
16 **without the consent of the owner or tenant having possession and**
17 **control of such impoundment; or**
18 (6) **place, erect or cause to be placed or erected any seine,**
19 **screen, net, weir, fishdam or other obstruction in or across any of**
20 **the waters, rivers, creeks, ponds, streams, sloughs or other water-**
21 **courses within the jurisdiction of this state in such a manner as will**
22 **obstruct the free passage of fish up and down and through such**
23 **watercourses.**
24 (b) **Subsection (a)(1) shall not be construed to prohibit a legal**
25 **owner or occupant of land from cutting trees on such land.**
26 **Sec. 3. K.S.A. 32-1015 is hereby repealed.**
27 **Sec. ~~2~~ 4. This act shall take effect and be in force from and after its**
28 **publication in the statute book.**