

HOUSE BILL No. 2295

By Committee on Agriculture and Natural Resources

2-11

1 AN ACT concerning parks and wildlife; relating to the regulation of
2 hunting; amending K.S.A. 2010 Supp. 32-919, 32-932, 32-937, 32-
3 980 and 32-988 and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 32-919 is hereby amended to read as
7 follows: 32-919. (a) Except as otherwise provided by law or rules and
8 regulations of the secretary, a valid Kansas hunting license is required to
9 hunt in this state.

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

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

14 (2) a resident of this state who is less than 16 years of age or who is
15 65 or more years of age;

16 (3) a nonresident who is participating in a field trial for dogs,
17 recognized by rules and regulations adopted by the secretary in
18 accordance with K.S.A. 32-805, and amendments thereto, if such field
19 trial is not conducted on a controlled shooting area;

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

22 (5) a resident of this state hunting only prairie dogs, moles or
23 gophers.

24 (c) The fee for a hunting license shall be the amount prescribed
25 pursuant to K.S.A. 32-988, and amendments thereto.

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

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

33 (1) The secretary may issue a permanent license pursuant to K.S.A.
34 32-929, and amendments thereto;

35 (2) the secretary may issue a lifetime license pursuant to K.S.A. 32-
36 930, and amendments thereto.

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

10 Sec. 2. K.S.A. 2010 Supp. 32-932 is hereby amended to read as
11 follows: 32-932. (a) Any person ~~having a permanent disability to the~~
12 ~~extent that such person cannot physically use a conventional long bow or~~
13 ~~compound bow, as certified by a person licensed to practice the healing~~
14 ~~arts in any state,~~ shall be authorized to hunt and take deer, antelope, elk or
15 wild turkey with a crossbow.

16 (b) The secretary of wildlife and parks shall adopt, in accordance
17 with K.S.A. 32-805, and amendments thereto, rules and regulations
18 requiring permits to hunt deer, antelope, elk or wild turkey pursuant to
19 subsection (a) and providing for the approval of applicants for such
20 permits and the issuance thereof. In addition, the secretary may adopt
21 rules and regulations limiting the times and areas for hunting and taking
22 deer, antelope, elk and wild turkey and limiting the number of deer,
23 antelope, elk and wild turkey which may be taken pursuant to subsection
24 (a).

25 (c) Falsely obtaining or using a permit authorized by this section is a
26 class C misdemeanor.

27 Sec. 3. K.S.A. 2010 Supp. 32-937 is hereby amended to read as
28 follows: 32-937. (a) When used in this section:

29 (1) "Landowner" means a resident owner of farm or ranch land of 80
30 acres or more located in the state of Kansas.

31 (2) "Tenant" means an individual who is actively engaged in the
32 agricultural operation of 80 acres or more of Kansas farm or ranch land
33 for the purpose of producing agricultural commodities or livestock and
34 who: (A) Has a substantial financial investment in the production of
35 agricultural commodities or livestock on such farm or ranch land and the
36 potential to realize substantial financial benefit from such production; or
37 (B) is a bona fide manager having an overall responsibility to direct,
38 supervise and conduct such agricultural operation and has the potential to
39 realize substantial benefit from such production in the form of salary,
40 shares of such production or some other economic incentive based upon
41 such production. Evidence of tenancy, if requested, shall be provided to
42 the department and may include, but is not limited to, natural resource
43 conservation services records, farm service agency records, or written

1 agricultural contract or lease documentation.

2 (3) "Regular season" means a statewide big game hunting season
3 authorized annually which may include one or more seasons restricted to
4 specific types of equipment.

5 (4) "Special season" means a big game hunting season in addition to
6 a regular season authorized on an irregular basis or at different times of
7 the year other than the regular season.

8 (5) "General permit" means a big game hunting permit available to
9 Kansas residents not applying for big game permits as a landowner or
10 tenant.

11 (6) "Nonresident landowner" means a nonresident of the state of
12 Kansas who owns farm or ranch land of 80 acres or more which is
13 located in the state of Kansas.

14 (7) "Nonresident permit" means a big game hunting permit available
15 to individuals who are not Kansas residents.

16 (b) Except as otherwise provided by law or rules and regulations of
17 the secretary and in addition to any other license, permit or stamp
18 required by law or rules and regulations of the secretary, valid big game
19 permits are required to take any big game in this state.

20 (c) The fee for big game permits and game tags shall be the amount
21 prescribed pursuant to K.S.A. 32-988, and amendments thereto.

22 (d) Big game permits are valid throughout the state or such portion
23 thereof as provided by rules and regulations adopted by the secretary in
24 accordance with K.S.A. 32-805, and amendments thereto.

25 (e) Unless otherwise provided by law or rules and regulations of the
26 secretary, big game permits are valid from the date of issuance and shall
27 expire at the end of the season for which issued.

28 (f) The secretary may adopt, in accordance with K.S.A. 32-805, and
29 amendments thereto, rules and regulations for each regular or special big
30 game hunting season and for each management unit regarding big game
31 permits. The secretary is hereby authorized to issue big game permits
32 pertaining to the taking of big game. Separate big game permits may be
33 issued for each species of big game. No big game permits shall be issued
34 until the secretary has established, by rules and regulations adopted in
35 accordance with K.S.A. 32-805, and amendments thereto, a regular or
36 special big game hunting season.

37 (g) The secretary may authorize, by rule and regulation adopted in
38 accordance with K.S.A. 32-805, and amendments thereto, regular
39 landowner or tenant hunt-on-your-own-land big game permits. Members
40 of the landowner's or tenant's immediate family ~~who are domiciled with~~
41 ~~the landowner or tenant~~ may apply for resident big game permits as
42 landowners or tenants, but the total number of landowner or tenant
43 regular hunt-on-your-own-land permits issued to a landowner or tenant

1 and a landowner's or tenant's immediate family members for each big
2 game species shall not exceed one permit for each 80 acres owned by
3 such landowner or operated by such tenant. Evidence of ownership or
4 tenancy, if requested, shall be provided to the department. Such permits
5 and applications may contain provisions and restrictions as prescribed by
6 rule and regulation adopted by the secretary in accordance with K.S.A.
7 32-805, and amendments thereto.

8 (h) Special hunt-on-your-own-land deer permits may be issued to a
9 landowner's or tenant's siblings and lineal ascendants or descendants, and
10 their spouses, whether or not a Kansas resident, by paying the required
11 fee for a general deer permit. The total number of regular and special
12 hunt-on-your-own-land deer permits issued to a landowner's or tenant's
13 siblings and lineal ascendants or descendants, and their spouses, shall not
14 exceed one deer permit for each 80 acres owned by such landowner or
15 operated by such tenant. Evidence of ownership or tenancy, and sibling or
16 lineal ascending or descending relations, if requested, shall be provided to
17 the department.

18 (i) Fifty percent of the big game permits authorized for a regular
19 season in any management unit shall be issued to landowners or tenants,
20 provided that a limited number of big game permits have been authorized
21 and landowner or tenant hunt-on-your-own-land big game permits for
22 that unit have not been authorized. A landowner or tenant is not eligible
23 to apply for a big game permit as a landowner or as a tenant in a
24 management unit other than the unit or units which includes such
25 landowner's or tenant's land. Any big game permits not issued to
26 landowners or tenants within the time period prescribed by rule and
27 regulation may be issued without regard to the 50% limitation.

28 (j)(1) The secretary may issue, by rules and regulations adopted in
29 accordance with K.S.A. 32-805, and amendments thereto, resident deer
30 hunting permits available on a limited basis and valid for a designated
31 species and sex in designated units, and antlerless-only deer permits in
32 designated units as necessary for management purposes, and, any of the
33 following options:

34 ~~(1)(A)~~ Either sex white-tailed deer permits valid statewide during
35 any season with the equipment legal for that season;

36 ~~(2)(B)~~ either species, either sex archery permits valid statewide;

37 ~~(3)(C)~~ either species, either sex muzzle loader permits valid in
38 designated units; or

39 ~~(4)(D)~~ either species, either sex firearm permits valid in designated
40 units.

41 (2) *Notwithstanding any rule or regulation adopted by the*
42 *secretary, the extended season for female white-tailed deer hunting with*
43 *the use of firearms shall not conclude prior to January 23, 2012. The*

1 *provisions of this paragraph shall expire on January 24, 2012.*

2 (k) The secretary may issue permits for deer to nonresident
3 landowners, but any such permit shall be restricted to hunting only on
4 lands owned by the nonresident landowner.

5 (l) The secretary may issue deer hunting permits to nonresidents,
6 subject to the following limitations:

7 (1) The total number of nonresident deer permits that may be issued
8 for a deer season in a management unit and which may be used to take
9 antlered deer shall be established with the goal of meeting demand for
10 those permits, using a formula developed by the department that will
11 consider adjustment factors, including deer population trends, deer-
12 related vehicle accidents, age structure in the harvest, deer damage,
13 landowner desire for nonresident deer permits, general public desires and
14 health of habitat.

15 (2) ~~The 2008~~ Permit numbers shall be based on the adjustment
16 factors and an average of nonresident demand for permits in each
17 management unit from the previous six years, establishing at least a 10%
18 increase but not more than 50% increase in permit numbers in each
19 management unit, except in unit 16, where permit numbers shall not
20 increase more than 100%. ~~In subsequent years, the~~ *Such* formula shall be
21 used to determine permit allocations based on demand and the adjustment
22 factors.

23 ~~(2)(3)~~ Nonresident deer permits may be restricted to a particular deer
24 species.

25 ~~(3)(4)~~ Nonresident deer permits shall be restricted to two adjacent
26 deer management units.

27 ~~(4)(5)~~ Nonresident deer hunters shall select one season at the time of
28 application.

29 ~~(5)(6)~~ For an additional fee, nonresident deer hunters applying for a
30 whitetail either sex archery or muzzle loader permit in a designated mule
31 deer unit may also apply for one of the limited number of mule deer
32 stamps. If they are successful in both drawings, they would be issued a
33 permit that will allow them to take either a whitetail deer or a mule deer
34 in that unit.

35 (m) A big game permit shall state the species, number and sex of the
36 big game which may be killed by the permittee. The secretary may
37 require any big game permittee to provide survey information at the
38 conclusion of the open season.

39 (n) The permittee shall permanently affix the carcass tag to the
40 carcass of any big game animal immediately after killing and thereafter
41 take such killed game to a check station as may be required in the rules
42 and regulations, where a check station tag shall be affixed to the big game
43 carcass if the kill is legal. The tags shall remain affixed to the carcass

1 until the carcass is processed for storage or consumption. The permittee
2 shall retain the carcass tag until the carcass is consumed, given to another
3 or otherwise disposed of.

4 (o) The provisions of this section do not apply to big game animals
5 sold in surplus property disposal sales of department exhibit herds or big
6 game animals legally taken outside this state.

7 Sec. 4. K.S.A. 2010 Supp. 32-980 is hereby amended to read as
8 follows: 32-980. (a) The secretary shall adopt, in accordance with K.S.A.
9 32-805, and amendments thereto, rules and regulations prescribing:

10 (1) Procedures for, the form and content of and the requirements for
11 applications for licenses, permits, stamps and other issues of the
12 department, and duplicates thereof; and

13 (2) procedures for issuance of and the form and content of licenses,
14 permits, stamps and other issues of the department, and duplicates
15 thereof.

16 (b) The secretary shall provide for both resident and nonresident
17 licenses, permits, stamps and other issues of the department, and
18 duplicates thereof, except that:

19 (1) A nonresident who is on active duty with any branch or
20 department of the armed forces of the United States while stationed
21 within this state may purchase licenses, permits, stamps and other issues
22 of the department, except a lifetime fishing, hunting or furharvester or
23 combination hunting and fishing license as provided in K.S.A. 32-930,
24 and amendments thereto, and may engage in any activity authorized by
25 such license, permit, stamp or other issue under the same conditions as a
26 resident of this state. Such person shall carry in the person's possession
27 when fishing, hunting or furharvesting such license, permit, stamp or
28 other issue and a card or other evidence identifying such person as being
29 on active duty in the armed forces of the United States.

30 (2) A person who is on active duty with any branch or department of
31 the armed forces of the United States and who was a resident of this state
32 immediately prior to entry into the armed forces, and any member of the
33 immediate family of such person who is domiciled with such person, may
34 purchase licenses, permits, stamps and other issues of the department and
35 may engage in any activity authorized by such license, permit, stamp or
36 other issue under the same conditions as a resident of this state.

37 (3) A nonresident who is a registered full-time student in residence
38 of a public or private secondary, postsecondary or vocational school
39 located in this state may purchase licenses, permits, stamps and other
40 issues of the department, except a lifetime fishing, hunting or furharvester
41 or combination hunting and fishing license as provided in K.S.A. 32-930,
42 and amendments thereto, and may engage in any activity authorized by
43 such license, permit, stamp or other issue under the same conditions as a

1 resident of this state. Such person shall carry in the person's possession
2 when fishing, hunting or furharvesting such license, permit, stamp or
3 other issue and a card or other evidence identifying such person as a full
4 time student.

5 (c) The forms adopted pursuant to this section for hunting licenses
6 shall include a provision for the applicant to make a ~~voluntary~~ *mandatory*
7 contribution of \$2 or more to support the activities of Kansas hunters
8 feeding the hungry, inc.

9 Sec. 5. K.S.A. 2010 Supp. 32-988 is hereby amended to read as
10 follows: 32-988. (a) The secretary is authorized to adopt, in accordance
11 with K.S.A. 32-805, and amendments thereto, rules and regulations fixing
12 the amount of fees for the following items, subject to the following
13 limitations and subject to the requirement that no such rules and
14 regulations shall be adopted as temporary rules and regulations:

15 Big game permits

16 Resident (other than elk permit): maximum \$100

17 Nonresident (other than elk permit): maximum ~~\$400~~ *\$800*

18 Elk permit: maximum \$350

19 Nonresident mule deer stamp: maximum ~~\$150~~ *\$300*

20 Nonresident applications: maximum ~~\$25~~ *\$50*

21 Combination hunting and fishing licenses

22 Resident: maximum \$50

23 Lifetime: maximum \$1,000; or ~~eight~~ *quarterly* payments, each
24 maximum \$150

25 Nonresident: maximum \$200

26 Commercial dog training permits: maximum \$25

27 Commercial guide permit or associate guide permit

28 Resident: maximum \$250

29 Nonresident: maximum \$1,000

30 Commercial harvest or dealer permits: maximum \$200

31 Commercial prairie rattlesnake harvesting permits

32 Resident or nonresident with valid hunting license: maximum \$5

33 Resident or nonresident nonfirearm without valid hunting license:
34 maximum \$20

35 Controlled shooting area operator license: maximum \$400

36 Duplicate licenses, permits, stamps and other issues of the department:
37 maximum \$10

38 Falconry

39 Permits: maximum \$300

40 Examinations: maximum \$100

41 Field trial permits: maximum \$25

42 Fishing licenses

43 Resident: maximum \$25

- 1 Lifetime: maximum \$500; or *eight* quarterly payments, each
- 2 maximum \$75
- 3 Nonresident: maximum \$75
- 4 Five-day nonresident: maximum \$25
- 5 Institutional group: maximum \$200
- 6 Special nonprofit group: maximum \$200
- 7 Twenty-four-hour: maximum \$10
- 8 Fur dealer licenses
- 9 Resident: maximum \$200
- 10 Nonresident: maximum \$400
- 11 Furharvester licenses
- 12 Resident: maximum \$25
- 13 Lifetime: maximum \$500; or *eight* quarterly payments, each
- 14 maximum \$75
- 15 Nonresident: maximum \$400
- 16 Game breeder permits: maximum \$15
- 17 Handicapped hunting and fishing permits: maximum \$5
- 18 Hound trainer-breeder running permits: maximum \$25
- 19 Hunting licenses
- 20 Resident: maximum \$25
- 21 Lifetime: maximum \$500; or *eight* quarterly payments, each
- 22 maximum \$75
- 23 Nonresident 16 or more years of age: maximum \$125
- 24 Nonresident under 16 years of age: maximum \$75
- 25 Controlled shooting area: maximum \$25
- 26 Forty-eight-hour waterfowl permits: maximum \$25
- 27 Migratory waterfowl habitat stamps: maximum \$8
- 28 Mussel fishing licenses
- 29 Resident: maximum \$200
- 30 Nonresident: maximum \$1,500
- 31 Rabbit permits
- 32 Live trapping: maximum \$200
- 33 Shipping: maximum \$400
- 34 Raptor propagation permits: maximum \$100
- 35 Rehabilitation permits: maximum \$50
- 36 Scientific, educational or exhibition permits: maximum \$10
- 37 Wildlife damage control permits: maximum \$10
- 38 Wildlife importation permits: maximum \$10
- 39 Wild turkey permits
- 40 Resident: maximum \$100
- 41 Nonresident: maximum \$400
- 42 Resident turkey tag: maximum \$20
- 43 Nonresident turkey tag: maximum \$30

1 Special permits under K.S.A. 32-961: maximum \$100

2 Miscellaneous fees

3 Special events on department land or water: maximum \$200

4 Special departmental services, materials or supplies: no maximum

5 Other issues of department: no maximum

6 Vendor bond: no maximum

7

8 (b) The fee for a landowner-tenant resident big game or wild turkey
9 hunting permit shall be an amount equal to $\frac{1}{2}$ the fee for a general
10 resident big game or wild turkey hunting permit.

11 (c) The fee for a big game or wild turkey hunting permit for a
12 resident under 16 years of age shall be an amount equal to $\frac{1}{2}$ the fee for a
13 general resident big game or wild turkey hunting permit.

14 (d) The fee for a furharvester license for a resident under 16 years of
15 age shall be an amount equal to $\frac{1}{2}$ the fee for a resident furharvester
16 license.

17 (e) The secretary may establish, by rules and regulations adopted in
18 accordance with K.S.A. 32-805, and amendments thereto, different fees
19 for various classes and types of licenses, permits, stamps and other
20 issuances of the department which may occur within each item as
21 described under subsection (a).

22 Sec. 6. K.S.A. 2010 Supp. 32-919, 32-932, 32-937, 32-980 and 32-
23 988 are hereby repealed.

24 Sec. 7. This act shall take effect and be in force from and after its
25 publication in the statute book.

26