

HOUSE BILL No. 2039

AN ACT concerning wildlife and parks; relating to hunting and fishing licenses; exempting disabled veterans from certain requirements; relating to recreation; designating Lehigh Portland state park as part of the state park system; amending K.S.A. 32-837, 32-906, 32-919 and 32-988 and repealing the existing sections.

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

New Section 1. (a) Subject to the provisions of K.S.A. 32-920, and amendments thereto, the secretary of wildlife and parks or the secretary's designee shall issue, free of charge, a permanent license to hunt and fish to any person residing in the state who submits to the secretary satisfactory proof that the person is a disabled veteran. Any such person hunting or fishing in this state shall be subject to the provisions of all rules and regulations relating to hunting or fishing.

(b) As used in this section, "disabled veteran" means a person who:

- (1) Was a member of the armed services;
- (2) has separated from the armed services under honorable conditions; and
- (3) has a disability certified by the Kansas commission on veterans affairs office as being service-connected and such service-connected disability is equal or greater than 30%.

Sec. 2. K.S.A. 32-837 is hereby amended to read as follows: 32-837. (a) The following parks have been designated as a part of the state park system: (1) Kanopolis-Mushroom Rock state park in Ellsworth county; (2) Cross Timbers state park at Toronto Lake in Woodson county; (3) Fall River state park in Greenwood county; (4) Cedar Bluff state park in Trego county; (5) Tuttle Creek state park in Pottawatomie and Riley counties; (6) Pomona state park in Osage county; (7) Cheney state park in Kingman and Reno counties; (8) Lake Crawford state park in Crawford county; (9) Lovewell state park in Jewell county; (10) Lake Meade state park in Meade county; (11) Prairie Dog state park in Norton county; (12) Webster state park in Rooks county; (13) Wilson state park in Russell county; (14) Milford state park in Geary county; (15) Historic Lake Scott state park in Scott county; (16) Elk City state park in Montgomery county; (17) Perry state park in Jefferson county; (18) Glen Elder state park in Mitchell county; (19) El Dorado state park in Butler county; (20) Eisenhower state park in Osage county; (21) Clinton state park in Douglas and Shawnee counties; (22) Sand Hills state park in Reno county; (23) Hillsdale state park in Miami county; (24) Kaw River state park in Shawnee county; (25) Prairie Spirit rail trail state park in Franklin, Anderson and Allen counties; (26) Flint Hills trail state park in Miami, Franklin, Osage, Lyon, Morris and Dickinson counties; ~~and~~ (27) Little Jerusalem Badlands state park in Logan county; *and* (28) *Lehigh Portland state park in Allen county.*

(b) No state park named in subsection (a) shall be removed from the state park system without legislative approval.

(c) The hours that Kaw River state park in Shawnee county is open to the public may be limited to those hours that parks of the city of Topeka are open, except that such state park shall be open at all hours for prescheduled events.

(d) The requirements found in K.S.A. 65-171d(j)(2), and amendments thereto, shall not apply to subsection (a)(25) or (a)(26).

(e) For any state park listed in subsection (a) containing a recreational trail created pursuant to 16 U.S.C. § 1247(d), the Kansas department of wildlife; *and parks and tourism* shall carry out the duties listed in K.S.A. 58-3212(a)(1) through (a)(11), and amendments thereto.

Sec. 3. K.S.A. 32-906 is hereby amended to read as follows: 32-906. (a) Except as otherwise provided by law or rules and regulations of the secretary of wildlife and parks, a valid Kansas fishing license is required to fish or to take any bullfrog in this state.

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

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

- (2) a person who is less than 16 years of age;
 - (3) a resident of this state who is 75 years of age or ~~more~~ *older*;
 - (4) a person fishing in a private water fishing impoundment unless waived pursuant to K.S.A. 32-975, and amendments thereto;
 - (5) a resident of an adult care home, as defined by K.S.A. 39-923, and amendments thereto, licensed by the secretary ~~of~~ *for aging and disability services*;
 - (6) a person on dates designated pursuant to subsection (f);
 - (7) a person fishing under a valid institutional group fishing license issued pursuant to subsection (g); or
 - (8) a participant in a fishing clinic sponsored or cosponsored by the department, during the period of time that the fishing clinic is being conducted.
- (c) The fee for a fishing license shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.
- (d) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid throughout the state.
- (e) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid from the date of issuance and expires on December 31 following its issuance, except that the secretary may issue a:
- (1) Permanent license pursuant to K.S.A. 32-929, and amendments thereto;
 - (2) lifetime license pursuant to K.S.A. 32-930, and amendments thereto;
 - (3) nonresident fishing license valid for a period of five days; and
 - (4) resident or nonresident fishing license valid for a period of 24 hours.
- (f) The secretary may designate by resolution two days each calendar year during which persons may fish by legal means without having a valid fishing license.
- (g) (1) The secretary shall issue an annual institutional group fishing license to each facility operating under the jurisdiction of or licensed by the secretary for aging and disability services and to any veterans administration medical center in the state of Kansas upon application by such facility or center to the secretary of wildlife; ~~and parks and tourism~~ for such license.
- (2) All applications for facilities under the jurisdiction of the secretary for aging and disability services shall be made with the approval of the secretary for aging and disability services and shall provide such information as the secretary of wildlife; ~~and parks and tourism~~ requires. All applications for any veterans administration medical center shall be made with the approval of the director of such facility and shall provide such information as the secretary of wildlife; ~~and parks and tourism~~ requires. Persons who have been admitted to and are currently residing at the facility or center, not to exceed 20 at any one time, may fish under an institutional group fishing license within the state while on a group trip, group outing or other group activity which is supervised by the facility or center. Persons fishing under an institutional group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and to all rules and regulations relating to fishing.
- (3) The staff personnel of the facility or center supervising the group trip, group outing or other group activity shall have in their possession the institutional license when engaged in supervising any activity requiring the license. Such staff personnel may assist group members in all aspects of their fishing activity.
- (h) (1) The secretary may issue a special nonprofit group fishing license to any community, civic or charitable organization which is organized as a not-for-profit corporation, for use by such community, civic or charitable organization for the sole purpose of conducting group fishing activities for handicapped or developmentally disabled individuals. All applications for a special nonprofit group fishing license shall be made to the secretary or the secretary's designee and

shall provide such information as required by the secretary.

(2) ~~Handicapped or developmentally disabled individuals~~ *Persons with a physical or developmental disability*, not to exceed 20 at any one time, may fish under a special nonprofit group fishing license while on a group trip, outing or activity which is supervised by the community, civic or charitable organization. Individuals fishing under a special nonprofit group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and rules and regulations relating to fishing.

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

~~(i) The provisions of paragraph (b)(3) shall expire on June 30, 2020.~~

Sec. 4. K.S.A. 32-919 is hereby amended to read as follows: 32-919. (a) Except as otherwise provided by law or rules and regulations of the secretary, a valid Kansas hunting license is required to hunt in this state.

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

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

(2) a resident of this state who is less than 16 years of age;

(3) a resident of this state who is 75 years of age or ~~more~~ *older*;

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

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

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

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

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

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

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

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

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

~~(g) The provisions of paragraph (b)(3) shall expire on June 30, 2020.~~

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

regulations shall be adopted as temporary rules and regulations:

- Big game permits
 - Resident (other than elk permit): maximum \$100
 - Nonresident (other than elk permit): maximum \$400
 - Elk permit: maximum \$350
 - Nonresident mule deer stamp: maximum \$150
 - Nonresident applications: maximum \$25
 - Combination hunting and fishing licenses
 - Resident: maximum \$50
 - Lifetime: maximum \$1,000; or 8 quarterly payments, each maximum \$150
 - Nonresident: maximum \$200
 - Commercial dog training permits: maximum \$25
 - Commercial guide permit or associate guide permit
 - Resident: maximum \$250
 - Nonresident: maximum \$1,000
 - Commercial harvest or dealer permits: maximum \$200
 - Commercial prairie rattlesnake harvesting permits
 - Resident or nonresident with valid hunting license: maximum \$5
 - Resident or nonresident nonfirearm without valid hunting license: maximum \$20
 - Controlled shooting area operator license: maximum \$400
 - Duplicate licenses, permits, stamps and other issues of the department: maximum \$10
 - Falconry
 - Permits: maximum \$300
 - Examinations: maximum \$100
 - Field trial permits: maximum \$25
 - Fishing licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident: maximum \$75
 - Five-day nonresident: maximum \$25
 - Institutional group: maximum \$200
 - Special nonprofit group: maximum \$200
 - Twenty-four-hour: maximum \$10
 - Fur dealer licenses
 - Resident: maximum \$200
 - Nonresident: maximum \$400
 - Furharvester licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident: maximum \$400
 - Game breeder permits: maximum \$15
 - ~~Handicapped~~ *Persons with a physical or developmental disability* hunting and fishing permits: maximum \$5
 - Hound trainer-breeder running permits: maximum \$25
 - Hunting licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident 16 or more years of age: maximum \$125
 - Nonresident under 16 years of age: maximum \$75
 - Controlled shooting area: maximum \$25
 - Forty-eight-hour waterfowl permits: maximum \$25
 - Migratory waterfowl habitat stamps: maximum \$8
 - Mussel fishing licenses
 - Resident: maximum \$200
 - Nonresident: maximum \$1,500
 - Rabbit permits
 - Live trapping: maximum \$200
 - Shipping: maximum \$400

Raptor propagation permits: maximum \$100
Rehabilitation permits: maximum \$50
Scientific, educational or exhibition permits: maximum \$10
Wildlife damage control permits: maximum \$10
Wildlife importation permits: maximum \$10
Wild turkey permits
Resident: maximum \$100
Nonresident: maximum \$400
Resident turkey tag: maximum \$20
Nonresident turkey tag: maximum \$30
Special permits under K.S.A. 32-961, *and amendments thereto*:
maximum \$100
Miscellaneous fees
Special events on department land or water: maximum \$200
Special departmental services, materials or supplies: no maximum
Other issues of department: no maximum
Vendor bond: no maximum

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

(c) The fee for a big game or wild turkey hunting permit for a resident under 16 years of age shall be an amount not to exceed $\frac{1}{2}$ the fee for a general resident big game or wild turkey hunting permit.

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

(e) For a resident who is at least 65 years of age, but less than 75 years of age:

(1) The fee for an annual hunting license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual hunting license;

(2) the fee for an annual fishing license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual fishing license; and

(3) the fee for an annual combination hunting and fishing license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual combination hunting and fishing license.

(f) *Any person who is a resident of this state and satisfies the requirements to be considered a disabled veteran under section 1, and amendments thereto, shall be exempt from the hunting and fishing license fees listed in subsection (a).*

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

~~(g) The provisions of subsection (c) shall expire on June 30, 2020.~~

Sec. 6. K.S.A. 32-837, 32-906, 32-919 and 32-988 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.