

## **Hunting and Fishing Licenses for Resident Seniors; Pre-rut Antlerless Deer Rifle Season; Crossbow Use; Trespassing and Big Game Hunting; SB 314**

**SB 314** amends the law regarding hunting and fishing license fees for resident seniors; requires the Secretary of Wildlife, Parks and Tourism to develop and implement a pre-rut antlerless deer rifle season by deer management units and allow for crossbow use during an archery big game season by anyone issued a big game permit; and impacts trespassing and big game hunting.

### ***Hunting and Fishing Licenses for Resident Seniors***

The bill amends the law regarding hunting and fishing license fees for resident seniors. Specifically, the bill:

- Increases the age of a person exempt from purchasing hunting or fishing licenses from 65 or more years of age to 75 or more years of age;
- Creates a resident senior hunting and fishing pass (senior pass) for those 65 years old or older, at a cost that does not exceed one-eighth of the fee for a general combination lifetime hunting and fishing license;
- Establishes an annual hunting or fishing license fee for residents who are 65 to 74 years of age at a cost of an amount equal to one-half the fee for a general annual hunting or fishing license;
- Establishes an annual combination hunting and fishing license for residents who are age 65 to 74 that will cost an amount equal to one-half the fee for a general annual combination hunting and fishing license;
- Sunsets the provisions of the senior pass and the annual hunting, fishing, and combination license fees on June 30, 2020; and
- Provides authority to the Secretary of Wildlife, Parks and Tourism (Secretary) to establish rules and regulations for various classes and types of licenses, permits, stamps, and other agency issuances.

### ***Pre-rut Antlerless Deer Rifle Season; Crossbow Use***

The bill also requires the Secretary to develop and implement a pre-rut antlerless deer rifle season by deer management units prior to April 30, 2013. Provisions authorizing the pre-rut antlerless deer rifle season will sunset on July 1, 2015. The bill requires the Secretary to develop and implement a combination antlered and antlerless deer permit prior to April 30, 2013, through the adoption of rules and regulations.

In addition, the bill requires the Secretary to develop and implement a deer crossbow hunting pilot project, which could be implemented in no more than four deer management units. The Secretary will be required to study the effects of the pilot project on the state's deer population and the number of crossbow users in each deer management unit where the pilot

project is conducted. A report with these findings is required to be submitted to the House Committee on Agriculture and Natural Resources and the Senate Committee on Natural Resources by January 31, 2014. The provisions authorizing the pilot project will sunset on January 31, 2014.

The bill also allows any person who has been issued a big game permit to use a crossbow during an archery big game season.

### ***Trespassing and Big Game Hunting***

The bill further makes amendments to the law impacting trespassing and big game hunting. Among those changes are the following:

- Clarifies that nothing in the provisions of KSA 58-3201 *et seq.*, and amendments thereto, is to be construed as granting an easement over land by the landowner or over land by adverse possession;
- Provides that, if premises or property are posted as provided by provisions in the statutes dealing with wildlife and parks, individuals could be guilty of criminal trespass;
- Permits a court convicting a person of the crime of commercialization of wildlife to not only confiscate all equipment used in the commission of the crime (continuing law), but to revoke all licenses and permits issued to the convicted person by the Kansas Department of Wildlife, Parks and Tourism (KDWPT) for a period of up to 20 years;
- Modifies the penalty for the unlawful intentional taking of a trophy big game animal from \$5,000 to not less than \$5,000;
- Creates restitution values for deer, elk, and antelope if taken in violation of certain statutes relating to KDWPT by using a gross score for each (if more than 125 inches for deer, more than 250 inches for elk, and more than 75 inches for antelope);
- Provides that the Secretary establish rules and regulations to determine gross scores by taking measurements;
- Establishes formulas governing calculation of the restitution value for each species;
- Provides that no drying time be required for the measurement to occur; and
- Requires that moneys collected from restitution penalties be dedicated to the Wildlife Fee Fund.