

HOUSE BILL No. 2039

By Representative Waymaster

1-17

1 AN ACT concerning wildlife and parks; relating to hunting and fishing
2 licenses; exempting disabled veterans from certain requirements;
3 amending K.S.A. 32-906, 32-919 and 32-988 and repealing the existing
4 sections.

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

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

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

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

22 ~~Section 1.~~ **Sec. 2.** K.S.A. 32-906 is hereby amended to read as
23 follows: 32-906. (a) Except as otherwise provided by law or rules and
24 regulations of the secretary *of wildlife and parks*, a valid Kansas fishing
25 license is required to fish or to take any bullfrog in this state.

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

- 27 (1) A person, or a member of a person's immediate family domiciled
28 with such person, on land owned by such person or on land leased or
29 rented by such person for agricultural purposes;
30 (2) a person who is less than 16 years of age;
31 (3) ~~a resident of this state who is 75 years of age or more;~~
32 **(4) a resident of this state who is 75 years of age or older;**
33 **(4) a person fishing in a private water fishing impoundment unless**
34 **waived pursuant to K.S.A. 32-975, and amendments thereto;**

1 ~~(5)(4)~~**(5)** a resident of an adult care home, as defined by K.S.A. 39-
2 923, and amendments thereto, licensed by the secretary ~~of~~ *for aging and*
3 *disability services*;

4 ~~(6)(5)~~**(6)** a person on dates designated pursuant to subsection (f);

5 ~~(7)(6)~~**(7)** a person fishing under a valid institutional group fishing
6 license issued pursuant to subsection (g); ~~or or~~

7 ~~(8)(7)~~**(8)** a participant in a fishing clinic sponsored or cosponsored by
8 the department, during the period of time that the fishing clinic is being
9 conducted; ~~or~~

10 ~~(8)~~ *a disabled veteran who lives in Kansas.*

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

13 (d) Unless otherwise provided by law or rules and regulations of the
14 secretary, a fishing license is valid throughout the state.

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

19 (1) Permanent license pursuant to K.S.A. 32-929, and amendments
20 thereto;

21 (2) lifetime license pursuant to K.S.A. 32-930, and amendments
22 thereto;

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

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

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

29 (g) (1) The secretary shall issue an annual institutional group fishing
30 license to each facility operating under the jurisdiction of or licensed by
31 the secretary for aging and disability services and to any veterans
32 administration medical center in the state of Kansas upon application by
33 such facility or center to the secretary of wildlife; ~~and parks and tourism~~
34 for such license.

35 (2) All applications for facilities under the jurisdiction of the
36 secretary for aging and disability services shall be made with the approval
37 of the secretary for aging and disability services and shall provide such
38 information as the secretary of wildlife; ~~and parks and tourism~~ requires.
39 All applications for any veterans administration medical center shall be
40 made with the approval of the director of such facility and shall provide
41 such information as the secretary of wildlife; ~~and parks and tourism~~
42 requires. Persons who have been admitted to and are currently residing at
43 the facility or center, not to exceed 20 at any one time, may fish under an

1 institutional group fishing license within the state while on a group trip,
2 group outing or other group activity which is supervised by the facility or
3 center. Persons fishing under an institutional group fishing license shall not
4 be required to obtain a fishing license but shall be subject to all other laws
5 and to all rules and regulations relating to fishing.

6 (3) The staff personnel of the facility or center supervising the group
7 trip, group outing or other group activity shall have in their possession the
8 institutional license when engaged in supervising any activity requiring the
9 license. Such staff personnel may assist group members in all aspects of
10 their fishing activity.

11 (h) (1) The secretary may issue a special nonprofit group fishing
12 license to any community, civic or charitable organization which is
13 organized as a not-for-profit corporation, for use by such community, civic
14 or charitable organization for the sole purpose of conducting group fishing
15 activities for handicapped or developmentally disabled individuals. All
16 applications for a special nonprofit group fishing license shall be made to
17 the secretary or the secretary's designee and shall provide such information
18 as required by the secretary.

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

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

33 ~~(i) The provisions of paragraph (b)(3) shall expire on June 30,~~
34 ~~2020.~~ *As used in this section, "disabled veteran" means a person who:*

35 ~~(1) Was a member of the armed services;~~

36 ~~(2) has separated from the armed services under honorable~~
37 ~~conditions;~~

38 ~~(3) has a disability certified by the Kansas commission on veterans~~
39 ~~affairs office as being service-connected and such service-connected~~
40 ~~disability is equal to or greater than 50%; and~~

41 ~~(4) submits proof of such service-connected disability in the form of~~
42 ~~documentation from the U.S. department of veterans affairs or from a~~
43 ~~branch of the armed services.~~

1 Sec. ~~2~~ **3**. K.S.A. 32-919 is hereby amended to read as follows: 32-
2 919. (a) Except as otherwise provided by law or rules and regulations of
3 the secretary, a valid Kansas hunting license is required to hunt in this
4 state.

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

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

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

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

11 ~~(4)—a resident of this state who is 75 years of age or older;~~

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

16 ~~(5)/(4)(5)~~ a person who holds a valid permit issued to such person
17 pursuant to subsection (f) and who hunts only waterfowl; ~~or or~~

18 ~~(6)/(5)(6)~~ a resident of this state hunting only prairie dogs, moles or
19 gophers; ~~or~~

20 ~~(6)—a disabled veteran who resides in Kansas and hunts only small-~~
21 ~~game as defined in K.S.A. 32-701, and amendments thereto.~~

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

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

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

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

33 (2) the secretary may issue a lifetime license pursuant to K.S.A. 32-
34 930, and amendments thereto.

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

1 ~~(g) The provisions of paragraph (b)(3) shall expire on June 30,~~
 2 ~~2020. As used in this section, "disabled veteran" means a person who:~~
 3 ~~(1) Was a member of the armed services;~~
 4 ~~(2) has separated from the armed services under honorable~~
 5 ~~conditions;~~
 6 ~~(3) has a disability certified by the Kansas commission on veterans~~
 7 ~~affairs office as being service-connected and such service-connected~~
 8 ~~disability is equal to or greater than 50%; and~~
 9 ~~(4) submits proof of such service-connected disability in the form of~~
 10 ~~documentation from the U.S. department of veterans affairs or from a~~
 11 ~~branch of the armed services.~~

12 ~~Sec. 3.~~ **4.** K.S.A. 32-988 is hereby amended to read as follows: 32-
 13 988. (a) The secretary is authorized to adopt, in accordance with K.S.A.
 14 32-805, and amendments thereto, rules and regulations fixing the amount
 15 of fees for the following items, subject to the following limitations and
 16 subject to the requirement that no such rules and regulations shall be
 17 adopted as temporary rules and regulations:

18 Big game permits

19 Resident (other than elk permit): maximum \$100
 20 Nonresident (other than elk permit): maximum \$400
 21 Elk permit: maximum \$350
 22 Nonresident mule deer stamp: maximum \$150
 23 Nonresident applications: maximum \$25

24 Combination hunting and fishing licenses

25 Resident: maximum \$50
 26 Lifetime: maximum \$1,000; or 8 quarterly payments, each maximum
 27 \$150
 28 Nonresident: maximum \$200

29 Commercial dog training permits: maximum \$25

30 Commercial guide permit or associate guide permit

31 Resident: maximum \$250
 32 Nonresident: maximum \$1,000

33 Commercial harvest or dealer permits: maximum \$200

34 Commercial prairie rattlesnake harvesting permits

35 Resident or nonresident with valid hunting license: maximum \$5
 36 Resident or nonresident nonfirearm without valid hunting license:
 37 maximum \$20

38 Controlled shooting area operator license: maximum \$400

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

41 Falconry

42 Permits: maximum \$300
 43 Examinations: maximum \$100

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

- 1 Resident: maximum \$100
2 Nonresident: maximum \$400
3 Resident turkey tag: maximum \$20
4 Nonresident turkey tag: maximum \$30
5 Special permits under K.S.A. 32-961, *and amendments thereto*: maximum
6 \$100
7 Miscellaneous fees
8 Special events on department land or water: maximum \$200
9 Special departmental services, materials or supplies: no maximum
10 Other issues of department: no maximum
11 Vendor bond: no maximum

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

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

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

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

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

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

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

30 ~~(f) For a resident who is at least 65 years of age but less than 75~~
31 ~~years of age:~~

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

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

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

39 **(f) Any person who is a resident of this state and satisfies the**
40 **requirements to be considered a disabled veteran under K.S.A. 32-906 and**
41 **32-919 section 1, and amendments thereto, shall be exempt from the**
42 **hunting and fishing license fees listed in subsection (a).**

43 ~~(g)~~ **(g)** The secretary may establish, by rules and regulations adopted in

1 accordance with K.S.A. 32-805, and amendments thereto, different fees for
2 various classes and types of licenses, permits, stamps and other issuances
3 of the department which may occur within each item as described under
4 subsection (a).

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

6 Sec. ~~4.~~ **5.** K.S.A. 32-906, 32-919 and 32-988 are hereby repealed.

7 Sec. ~~5.~~ **6.** This act shall take effect and be in force from and after its
8 publication in the ~~statute book~~ ***Kansas register.***