

HOUSE BILL No. 2672

By Committee on Agriculture and Natural Resources Budget

Requested by Representative Corbet

2-1

1 AN ACT concerning wildlife; relating to hunting permits; establishing
2 transferable landowner appreciation permits for the hunting of white-
3 tailed deer; allowing one landowner appreciation permit for every 80
4 acres of land owned, up to 10 permits; establishing application and
5 transfer requirements and providing for no-fee applications therefor;
6 amending K.S.A. 32-937 and K.S.A. 2023 Supp. 32-988 and repealing
7 the existing sections.

8
9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 32-937 is hereby amended to read as follows: 32-
11 937. (a) When used in this section:

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

14 (2) "Tenant" means an individual who is actively engaged in the
15 agricultural operation of 80 acres or more of Kansas farm or ranch land for
16 the purpose of producing agricultural commodities or livestock and who:
17 (A) Has a substantial financial investment in the production of agricultural
18 commodities or livestock on such farm or ranch land and the potential to
19 realize substantial financial benefit from such production; or (B) is a bona
20 fide manager having an overall responsibility to direct, supervise and
21 conduct such agricultural operation and has the potential to realize
22 substantial benefit from such production in the form of salary, shares of
23 such production or some other economic incentive based upon such
24 production. Evidence of tenancy, if requested, shall be provided to the
25 department and may include, but is not limited to, natural resource
26 conservation services records, farm service agency records; or written
27 agricultural contract or lease documentation.

28 (3) "Regular season" means a statewide big game hunting season
29 authorized annually ~~which~~ *that* may include one or more seasons restricted
30 to specific types of equipment.

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

34 (5) "General permit" means a big game hunting permit available to
35 Kansas residents not applying for big game permits as a landowner or

1 tenant.

2 (6) "Nonresident landowner" means a nonresident of the state of
3 Kansas who owns farm or ranch land of 80 acres or more ~~which~~ that is
4 located in the state of Kansas.

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

7 (8) *"Landowner appreciation permit" means a hunting permit valid*
8 *for any white-tailed deer hunting season that uses equipment that is legal*
9 *during the established season.*

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

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

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

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

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

31 ~~(g) The secretary may authorize, by rules and regulations adopted in~~
32 ~~accordance with K.S.A. 32-805, and amendments thereto, regular~~
33 ~~landowner or tenant hunt-on-your-own-land big game permits. Members~~
34 ~~of the landowner's or tenant's immediate family who are domiciled with~~
35 ~~the landowner or tenant may apply for resident big game permits as~~
36 ~~landowners or tenants, but the total number of landowner or tenant regular~~
37 ~~hunt-on-your-own-land permits issued to a landowner or tenant and a~~
38 ~~landowner's or tenant's immediate family members for each big game~~
39 ~~species shall not exceed one permit for each 80 acres owned by such~~
40 ~~landowner or operated by such tenant. Evidence of ownership or tenancy,~~
41 ~~if requested, shall be provided to the department. Such permits and~~
42 ~~applications may contain provisions and restrictions as prescribed by rules~~
43 ~~and regulations adopted by the secretary in accordance with K.S.A. 32-~~

1 805, and amendments thereto.

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

13 *(1) (A) The annual application period for landowner appreciation*
14 *permits shall be from February 1 through February 28.*

15 *(B) Each issued landowner appreciation permit shall be valid from*
16 *the date of issuance through the following February 1.*

17 *(2) (A) The total number of landowner appreciation permits issued to*
18 *a landowner each application period shall not exceed one permit for each*
19 *80 acres owned by such landowner, up to 10 permits.*

20 *(B) As part of the application process, such landowner shall submit*
21 *to the secretary a copy of each property deed necessary to establish:*

22 *(i) The number of permits that may be issued to the landowner for*
23 *such application period; and*

24 *(ii) the properties where a holder of a permit shall be authorized to*
25 *hunt.*

26 *(3) The holder of a landowner appreciation permit may only hunt on*
27 *the property shown on the deed copies submitted by the landowner during*
28 *the application process for the permit. If a permit holder violates this*
29 *requirement, the landowner who was originally issued the permit shall be*
30 *ineligible to apply for any landowner appreciation permits during the next*
31 *application period.*

32 *(4) If the landowner transfers ownership of any portion of such*
33 *deeded property:*

34 *(A) Any landowner appreciation permit issued to such landowner*
35 *shall no longer be valid upon such transferred portion of the deeded*
36 *property; and*

37 *(B) no additional landowner appreciation permit shall be issued for*
38 *such transferred portion of the deeded property until the following*
39 *February 1.*

40 *(5) (A) Each issued landowner appreciation permit shall be*
41 *transferable to Kansas residents and nonresidents pursuant to the*
42 *requirements of this section, except that such permit may not be sold.*

43 *(B) A landowner appreciation permit may not be transferred until the*

1 *landowner who was originally issued the permit has submitted a transfer*
 2 *form to the secretary and the secretary has approved the form.*

3 *(C) The secretary shall review and approve or deny any submitted*
 4 *transfer form within five business days of receiving such transfer form.*

5 *(D) Each transfer form submitted to the secretary shall include the*
 6 *following information of the landowner, transferor, if not the landowner,*
 7 *and transferee:*

8 *(i) Valid Kansas hunting license number, unless such landowner,*
 9 *transferor or transferee is exempt from the requirement to hold a valid*
 10 *Kansas hunting license to hunt in this state, in which case the applicable*
 11 *exemption shall be listed in lieu thereof;*

12 *(ii) name;*

13 *(iii) address;*

14 *(iv) age; and*

15 *(v) sex.*

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

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

32 *(1) Either sex white-tailed deer permits valid statewide during any*
 33 *season with the equipment legal for that season;*

34 *(2) either species, either sex archery permits valid statewide;*

35 *(3) either species, either sex muzzle loader permits valid in*
 36 *designated units; or*

37 *(4) either species, either sex firearm permits valid in designated units.*

38 ~~(j)~~ *(j) The secretary may issue permits for deer to nonresident*
 39 *landowners, but except that any such permit shall be restricted to hunting*
 40 *only on lands owned by the nonresident landowner.*

41 ~~(k)~~ *(k) The secretary may issue deer hunting permits to nonresidents,*
 42 *subject to the following limitations:*

43 *(1) The total number of nonresident deer permits that may be issued*

1 for a deer season in a management unit and ~~which~~ may be used to take
2 antlered deer shall be established with the goal of meeting demand for
3 those permits, using a formula developed by the department that will
4 consider adjustment factors, including deer population trends, deer-related
5 vehicle accidents, age structure in the harvest, deer damage, landowner
6 desire for nonresident deer permits, general public desires and health of
7 habitat. The 2008 permit numbers shall be based on the adjustment factors
8 and an average of nonresident demand for permits in each management
9 unit from the previous six years, establishing at least a 10% increase but
10 not more than 50% increase in permit numbers in each management unit,
11 except in unit 16, where permit numbers shall not increase *by* more than
12 100%. In subsequent years, the formula shall be used to determine permit
13 allocations based on demand and the adjustment factors.

14 (2) Nonresident deer permits may be restricted to a particular deer
15 species.

16 (3) Nonresident deer permits shall be restricted to two adjacent deer
17 management units.

18 (4) Nonresident deer hunters shall select one season at the time of
19 application.

20 (5) For an additional fee, nonresident deer hunters applying for a
21 whitetail either sex archery or muzzle loader permit in a designated mule
22 deer unit may also apply for one of the limited number of mule deer
23 stamps. ~~If they such hunters~~ are successful in both drawings, ~~they would~~
24 *such hunters shall* be issued a permit that will allow them to take either a
25 whitetail deer or a mule deer in that unit.

26 ~~(m)(l)~~ A big game permit shall state the species, number and sex of
27 the big game ~~which~~ *that* may be killed by the permittee. The secretary may
28 require any big game permittee to provide survey information at the
29 conclusion of the open season.

30 ~~(m)~~(m) (1) Prior to April 30, 2013, the secretary shall develop and
31 implement a combination antlered and antlerless deer permit and adopt
32 rules and regulations for the administration thereof.

33 (2) Prior to April 30, 2013, the secretary shall develop and implement
34 a pre-rut antlerless deer rifle season by deer management unit. The
35 provisions of this paragraph shall expire on July 1, 2015.

36 (3) The secretary shall develop and implement a deer crossbow
37 hunting pilot project. Such pilot project shall be implemented in ~~no~~ *not*
38 more than four deer management units. The secretary of wildlife, parks
39 and tourism shall study the effects of such pilot project on the deer
40 population and the number of crossbow users in such deer management
41 units and report to the house committee on agriculture and natural
42 resources and the senate committee on natural resources prior to January
43 31, 2014. The provisions of this paragraph shall expire on January 31,

1 2014.

2 (n) The permittee shall permanently affix the carcass tag to the
3 carcass of any big game animal immediately after killing and thereafter
4 take such killed game to a check station as may be required in the rules
5 and regulations, where a check station tag shall be affixed to the big game
6 carcass if the kill is legal. The tags shall remain affixed to the carcass until
7 the carcass is processed for storage or consumption. The permittee shall
8 retain the carcass tag until the carcass is consumed, given to another or
9 otherwise disposed of.

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

13 Sec. 2. K.S.A. 2023 Supp. 32-988 is hereby amended to read as
14 follows: 32-988. (a) The secretary is authorized to adopt, in accordance
15 with K.S.A. 32-805, and amendments thereto, rules and regulations fixing
16 the amount of fees for the following items, subject to the following
17 limitations and ~~subject to~~ the requirement that no such rules and
18 regulations shall be adopted as temporary rules and regulations:

- 19 Big game permits
 - 20 Resident (other than elk or landowner appreciation permit):
 - 21 maximum \$100
 - 22 Nonresident (other than elk or landowner appreciation permit):
 - 23 maximum \$400
 - 24 Elk permit: maximum \$350
 - 25 Nonresident mule deer stamp: maximum \$150
 - 26 Nonresident applications: maximum \$25
- 27 Combination hunting and fishing licenses
 - 28 Resident: maximum \$50
 - 29 Lifetime: maximum \$1,000; or 8 quarterly payments, each
 - 30 maximum \$150
 - 31 Nonresident: maximum \$200
- 32 Commercial dog training permits: maximum \$25
- 33 Commercial guide permit or associate guide permit
 - 34 Resident: maximum \$250
 - 35 Nonresident: maximum \$1,000
- 36 Commercial harvest or dealer permits: maximum \$200
- 37 Commercial prairie rattlesnake harvesting permits
 - 38 Resident or nonresident with valid hunting license: maximum \$5
 - 39 Resident or nonresident nonfirearm without valid hunting license:
 - 40 maximum \$20
- 41 Controlled shooting area operator license: maximum \$400
- 42 Duplicate licenses, permits, stamps and other issues of the department:
- 43 maximum \$10

- 1 Falconry
- 2 Permits: maximum \$300
- 3 Examinations: maximum \$100
- 4 Field trial permits: maximum \$25
- 5 Fishing licenses
- 6 Resident: maximum \$25
- 7 Lifetime: maximum \$500; or 8 quarterly payments, each maximum
- 8 \$75
- 9 Nonresident: maximum \$75
- 10 Five-day nonresident: maximum \$25
- 11 Institutional group: maximum \$200
- 12 Special nonprofit group: maximum \$200
- 13 Twenty-four-hour: maximum \$10
- 14 Fur dealer licenses
- 15 Resident: maximum \$200
- 16 Nonresident: maximum \$400
- 17 Furharvester licenses
- 18 Resident: maximum \$25
- 19 Lifetime: maximum \$500; or 8 quarterly payments, each maximum
- 20 \$75
- 21 Nonresident: maximum \$400
- 22 Game breeder permits: maximum \$15
- 23 *Landowner appreciation permit (including application, tag and*
- 24 *miscellaneous fees): \$0*
- 25 Persons with a physical or developmental disability hunting and fishing
- 26 permits: maximum \$5
- 27 Hound trainer-breeder running permits: maximum \$25
- 28 Hunting licenses
- 29 Resident: maximum \$25
- 30 Lifetime: maximum \$500; or 8 quarterly payments, each maximum
- 31 \$75
- 32 Nonresident 16 or more years of age: maximum \$125
- 33 Nonresident under 16 years of age: maximum \$75
- 34 Controlled shooting area: maximum \$25
- 35 Forty-eight-hour waterfowl permits: maximum \$25
- 36 Migratory waterfowl habitat stamps: maximum \$8
- 37 Mussel fishing licenses
- 38 Resident: maximum \$200
- 39 Nonresident: maximum \$1,500
- 40 Rabbit permits
- 41 Live trapping: maximum \$200
- 42 Shipping: maximum \$400
- 43 Raptor propagation permits: maximum \$100

- 1 Rehabilitation permits: maximum \$50
- 2 Scientific, educational or exhibition permits: maximum \$10
- 3 Wildlife damage control permits: maximum \$10
- 4 Wildlife importation permits: maximum \$10
- 5 Wild turkey permits
 - 6 Resident: maximum \$100
 - 7 Nonresident: maximum \$400
 - 8 Resident turkey tag: maximum \$20
 - 9 Nonresident turkey tag: maximum \$30
- 10 Special permits under K.S.A. 32-961, and amendments thereto: maximum
- 11 \$100
- 12 Miscellaneous fees
 - 13 Special events on department land or water: maximum \$200
 - 14 Special departmental services, materials or supplies: no maximum
 - 15 Other issues of department: no maximum
 - 16 Vendor bond: no maximum

17
18 (b) The fee for a landowner-tenant resident big game or wild turkey
19 hunting permit shall be an amount equal to $\frac{1}{2}$ the fee for a general resident
20 big game or wild turkey hunting permit.

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

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

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

29 (1) The fee for an annual hunting license shall be an amount equal to
30 $\frac{1}{2}$ the fee for a general annual hunting license;

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

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

36 (f) Any person who is a resident of this state and satisfies the
37 requirements to be considered a disabled veteran under K.S.A. 2023 Supp.
38 32-934, and amendments thereto, shall be exempt from the hunting and
39 fishing license fees listed in subsection (a).

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

1 subsection (a).

2 Sec. 3. K.S.A. 32-937 and K.S.A. 2023 Supp. 32-988 are hereby
3 repealed.

4 Sec. 4. This act shall take effect and be in force from and after its
5 publication in the statute book.