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

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

Section 1. K.S.A. 2010 Supp. 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 or who is 65 or more years of age;

(3) 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;

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

(5) 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 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;

(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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(A) Either sex white-tailed deer permits valid statewide during
any season with the equipment legal for that season;
(2)(B) either species, either sex archery permits valid statewide;
(3)(C) either species, either sex muzzle loader permits valid in
designated units; or
(4)(D) either species, either sex firearm permits valid in designated
units.

(2) Notwithstanding any rule or regulation adopted by the
secretary, the extended season for female white-tailed deer hunting with
the use of firearms shall not conclude prior to January 23, 2012. The
provisions of this paragraph shall expire on January 24, 2012.

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

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

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

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

3. Nonresident deer permits may be restricted to a particular deer species.

4. Nonresident deer permits shall be restricted to two adjacent deer management units.

5. Nonresident deer hunters shall select one season at the time of application.

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

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

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

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

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

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

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

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

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

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

(3) A nonresident who is a registered full-time student in residence
of a public or private secondary, postsecondary or vocational school
located in this state may purchase licenses, permits, stamps and other
issues of the department, except a lifetime fishing, hunting or furharvester
or combination hunting and fishing license as provided in K.S.A. 32-930,
and amendments thereto, and may engage in any activity authorized by
such license, permit, stamp or other issue under the same conditions as a
resident of this state. Such person shall carry in the person’s possession when fishing, hunting or furharvesting such license, permit, stamp or other issue and a card or other evidence identifying such person as a full time student.

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

Sec. 5. K.S.A. 2010 Supp. 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 $450
- Nonresident applications: maximum $100

Combination hunting and fishing licenses
- Resident: maximum $50
- Lifetime: maximum $1,000; or eight 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 eight 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 eight quarterly payments, each maximum $75
Nonresident: maximum $400

Game breeder permits: maximum $15
Handicapped hunting and fishing permits: maximum $5
Hound trainer-breeder running permits: maximum $25

Hunting licenses
Resident: maximum $25
Lifetime: maximum $500; or eight 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: 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 ½ 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 equal to ½ 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 ½ the fee for a resident furharvester license.

(e) 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).

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

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