

As Amended by House Committee

HOUSE BILL No. 2167

By Committee on Commerce, Labor and Economic Development

2-6

<p>Proposed Amendment for HB 2167  As amended by House Committee  Senate Committee on Agriculture and Natural Resources  March 15, 2019  Prepared by: Tamara Lawrence  Office of Revisor of Statutes</p>
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1 AN ACT concerning wildlife; relating to the transferability of deer  
2 permits; hunting;  
3 ; outfitters and guides

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

5 Section 1. (a) The secretary of wildlife, parks and tourism shall  
6 establish a system to approve and administer the transfer of regular  
7 landowner or tenant hunt-on-your-own-land big game permits issued under  
8 K.S.A. 32-937(g), and amendments thereto, from the original recipient of  
9 the permit to a nonresident of the state of Kansas solely for the purpose of  
10 hunting white-tailed deer.

11 (b) The transfer system established under subsection (a) shall meet  
12 the following requirements:

13 (1) Any transfer shall not occur until all nonresident hunting permits  
14 issued under K.S.A. 32-937(l), and amendments thereto, have been filled  
15 in each management unit where the regular landowner or tenant hunt-on-  
16 your-own-land big game permit was issued for the applicable white-tailed  
17 deer season;

18 (2) any recipient of a nonresident hunting permit issued under K.S.A.  
19 32-937(l), and amendments thereto, is not eligible for a transfer under this  
20 section during the applicable white-tailed deer season of the permit issued  
21 under K.S.A. 32-937(l), and amendments thereto;

22 (3) the secretary of wildlife, parks and tourism shall allow the  
23 transferee to designate whether the transferee will hunt both antlered and  
24 antlerless white-tailed deer or only antlerless white-tailed deer pursuant to  
25 the permit transferred under this section;

26 (4) the secretary of wildlife, parks and tourism may charge a transfer  
27 fee, not to exceed half the cost of a nonresident hunting permit issued  
28 under K.S.A. 32-937(l), and amendments thereto, for transfers designated  
29 for antlered and antlerless white-tailed deer, and not to exceed the cost of  
30 the original permit for the regular landowner or tenant hunt-on-your-own-  
31 land big game permits under K.S.A. 32-937(g), and amendments thereto,  
32 for transfers designated for antlerless white-tailed deer;

33 (5) the secretary of wildlife, parks and tourism may restrict the  
34 location that the transferee may hunt white tailed deer to the same  
35 area that the landowner or tenant was eligible to hunt;

36 (6) the number of regular landowner or tenant hunt-on-your-

1 own-land big game permits to be transferred pursuant to the transfer  
2 system established under subsection (a) shall be limited to one per  
3 landowner or tenant; and  
4 ~~(5)(7)~~ the secretary of wildlife, parks and tourism shall not prohibit  
5 nor restrict the sale of regular landowner or tenant hunt-on-your-own-land  
6 big game permits under K.S.A. 32-937(g), and amendments thereto, by the  
7 original permit holder to a nonresident, so long as the transfer is approved  
8 under the transfer system established by the secretary pursuant to this  
9 section.

10 (c) The provisions of this section shall expire on January 31, 2024.

11 Sec. 2. This act shall take effect and be in force from and after its  
12 publication in the statute book.

Sec. 2. (a) As used in this section:

- (1) "Department" means the Kansas department of wildlife, parks and tourism.
- (2) "Guide" means a person who offers or provides direct service to individuals hunting in the field. A "guide" may offer or provide hunting guide services for monetary compensation or be retained by an outfitter for monetary compensation.
- (3) "Landowner" means the owner of 80 acres or more land located in the state of Kansas.
- (4) "Outfitter" means an owner and operator of a hunting guide business who provides individuals guided, semi-guided or unguided hunting opportunities for game animals or game birds, as defined in K.S.A. 32-701, and amendments thereto, or migratory birds, as defined in K.S.A. 32-1008, and amendments thereto, in the state of Kansas for monetary compensation.
- (5) "Secretary" means the secretary of wildlife, parks and tourism.
- (b) (1) Except as provided in subsection (g), any person who desires to provide guide services or outfitter services in this state shall annually register with the department. Such registration shall include an annual registration fee of \$100.
- (2) The department shall issue a unique registration number to each guide and outfitter registered in this state. Each guide and outfitter shall provide their unique registration number to anyone upon request.
- (c) The department shall maintain a list of registered guides and registered outfitters on its website. For each registered guide, the list shall include the individual name of such guide; the name of the hunting guide business, if such guide is retained by an outfitter; and the unique registration number of such guide. For each registered outfitter, the list shall include the individual name of the outfitter, the hunting guide business name of the outfitter and the unique registration number of such outfitter.
- (d) Failure to register pursuant to this section shall be a class C nonperson misdemeanor.
- (e) (1) All moneys collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the conservation officer fund.
- (2) There is hereby established in the state treasury the conservation officer fund which shall be administered by the secretary. All expenditures from such fund shall be used to maintain the list required by subsection (c) and to provide compensation, training and equipment for conservation officers and deputy conservation officers employed by the secretary. All expenditures from the conservation officer fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary or the designee of the secretary.
- (f) The secretary is hereby authorized to promulgate rules and regulations necessary to implement and administer the provisions of this section.
- (g) The provisions of this section shall not apply to:
- (1) A landowner providing guide services or outfitter services exclusively on land owned by such landowner; or
- (2) activity occurring exclusively on land owned, leased or operated under K.S.A. 32-943 et seq., and amendments thereto.

*And by renumbering remaining sections accordingly*