

SENATE BILL No. 147

AN ACT concerning wildlife and parks; relating to certain fees; amending K.S.A. 32-988, 32-1001 and 32-1172 and repealing the existing sections.

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

Section 1. K.S.A. 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*): ~~minimum \$10~~; maximum \$100
Nonresident (*other than elk permit*): ~~minimum \$30~~; maximum \$400
Elk permit: maximum \$350

Big game tag: maximum \$10
Nonresident applications: maximum \$5

Combination hunting and fishing licenses

Resident: ~~minimum \$10~~; maximum ~~\$30~~ \$50
Lifetime: ~~minimum \$400~~; maximum ~~\$600~~ \$1,000; or 8 quarterly payments, each ~~minimum \$55~~; maximum ~~\$80~~ \$150
Nonresident: ~~minimum \$75~~; maximum ~~\$125~~ \$200

Commercial dog training permits: ~~minimum \$10~~; maximum \$25

Commercial guide permit or associate guide permit: ~~maximum \$50~~

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

Commercial harvest or dealer permits: ~~minimum \$10~~; 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: ~~minimum \$200~~; maximum \$400

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

Falconry

Permits: ~~minimum \$50~~; maximum \$300
Examinations: ~~minimum \$25~~; maximum \$100

Field trial permits: ~~minimum \$10~~; maximum \$25

Fishing licenses

Resident: ~~minimum \$5~~; maximum ~~\$15~~ \$25
Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident: ~~minimum \$15~~; maximum \$50 \$75
Five-day nonresident: ~~minimum \$5~~; maximum ~~\$15~~ \$25

Institutional group: ~~minimum \$100~~; maximum \$200
Special nonprofit group: ~~minimum \$50~~; maximum \$200
Twenty-four-hour: maximum \$3 \$10

Fur dealer licenses

Resident: ~~minimum \$50~~; maximum \$200
Nonresident: ~~minimum \$50~~; maximum \$400

Furharvester licenses

Resident: ~~minimum \$10~~; maximum ~~\$20~~ \$25
Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident: ~~minimum \$50~~; maximum \$400
Game breeder permits: ~~minimum \$2~~; maximum \$15

Handicapped hunting and fishing permits: maximum \$5

Hound trainer-breeder running permits: ~~minimum \$10~~; maximum \$25

Hunting licenses

Resident: ~~minimum \$5~~; maximum ~~\$15~~ \$25
Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident *16 or more years of age*: ~~minimum \$25~~; maximum ~~\$75~~ \$125
Nonresident under 16 years of age: maximum \$75

Controlled shooting area: ~~minimum \$5~~; maximum ~~\$15~~ \$25
Forty-eight-hour waterfowl permits: maximum \$25

Migratory waterfowl habitat stamps: ~~minimum \$3~~; maximum \$5 \$8

Mussel fishing licenses

Resident: ~~minimum \$25~~; maximum \$200
Nonresident: ~~minimum \$50~~; maximum \$1,500

Rabbit permits

Live trapping: maximum \$200
Shipping: ~~minimum \$25~~; 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

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 hunting permit shall be an amount equal to $\frac{1}{2}$ the fee for a general resident big game hunting permit.

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

~~(d) For a resident 65 or more years of age the fee for a hunting license, fishing license, combination hunting and fishing license, lifetime hunting license, lifetime fishing license or lifetime combination hunting and fishing license shall be an amount equal to $\frac{1}{2}$ the fee for a resident 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. 2. K.S.A. 32-1001 is hereby amended to read as follows: 32-1001. (a) It is unlawful for any person to:

(1) Participate or engage in any activity for which such person is required to have obtained a license, permit, stamp or other issue of the department under the wildlife and parks laws of this state or under rules and regulations of the secretary unless such person has obtained a currently valid such license, permit, stamp or other issue issued to such person;

(2) fail to carry in such person's possession a currently valid license, permit, stamp or other issue of the department, issued to such person, while participating or engaging in any activity for which such person is required to have obtained such license, permit, stamp or other issue under the wildlife and parks laws of this state or under rules and regulations of the secretary;

(3) refuse to allow examination of any license, permit, stamp or other issue of the department while participating or engaging in any activity for which such person is required to have obtained such license, permit, stamp or other issue under the wildlife and parks laws of this state or under rules and regulations of the secretary, upon demand by any officer or employee of the department or any officer authorized to enforce the laws of this state or rules and regulations of the secretary;

(4) while participating or engaging in fishing or hunting: (A) Fail to carry in such person's possession a card or other evidence which such person is required to carry pursuant to K.S.A. 32-980 and amendments thereto; or (B) refuse to allow inspection of such card or other evidence upon demand of any officer or employee of the department or any officer authorized to enforce the laws of this state or rules and regulations of the secretary; or

(5) make any false representation to secure any license, permit, stamp or other issue of the department, or duplicate thereof, or to make any alteration in any such license, permit, stamp or other issue.

(b) No person charged with violating subsection (a)(1) for failure to obtain a vehicle or camping permit for use of any state park, or any portion thereof or facility therein, or any other area or facility for which a vehicle or camping permit is required pursuant to rules and regulations of the secretary shall be convicted thereof unless such person refuses to purchase such permit after receiving a permit violation notice, which notice shall require the procurement of: (1) The proper *daily* permit or permits and payment, within 24 hours, of a late payment fee of \$5 \$15; or (2) *an annual vehicle or camping permit, as the case may be, if such permit has been established by rule and regulation and adopted by the secretary. The provisions of this subsection (b)(2) shall expire on December 31, 2002.*

(c) (1) In any prosecution charging a violation of subsection (a)(1) for failure to obtain a permit required by K.S.A. 32-901 and amendments thereto, proof that the particular vehicle described in the complaint was in violation, together with proof that the defendant named in the com-

plaint was at the time of the violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the time when and place where the violation occurred.

(2) Proof of a written lease of, or rental agreement for, a particular vehicle described in the complaint, on the date and at the time of the violation, which lease or rental agreement includes the name and address of the person to whom the vehicle was leased or rented at the time of the violation, shall rebut the prima facie evidence that the registered owner was the person who parked or placed the vehicle at the time when and place where the violation occurred.

(d) No person who is a resident of this state and charged with violating subsection (a)(1) or (a)(2) shall be convicted thereof if such person produces in court or the office of the arresting officer the appropriate license, permit, stamp or other issue of the department, lawfully issued to such person and valid at the time of such person's arrest.

Sec. 3. K.S.A. 32-1172 is hereby amended to read as follows: 32-1172. ~~(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:

- Duplicate registrations, certificates or permits: maximum \$10
- Testing or demonstration boat registrations: ~~minimum \$30~~, maximum \$50
- Additional registrations: ~~minimum \$5~~, maximum \$10
- Vessel registrations: ~~minimum \$9~~, maximum ~~\$18~~ \$30
- ~~Temporary registrations: minimum \$2, maximum \$4~~
- Water event permits: maximum \$50
- Special departmental services, materials or supplies: no maximum

Sec. 4. K.S.A. 32-988, 32-1001 and 32-1172 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE concurred in
HOUSE amendments _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.