

Substitute for SENATE BILL No. 125

By Committee on Natural Resources

2-25

AN ACT relating to wildlife and parks; creating the big game management fund; also creating the big game management stamp; amending K.S.A. 2002 Supp. 32-988 and 32-1047 and repealing the existing sections.

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

New Section 1. (a) (1) Commencing January 1, 2004, 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, a valid big game management stamp is required for each big game permit to hunt big game in this state.

(2) The provisions of this subsection do not apply to hunting, by legal means, by a person not required by K.S.A. 32-919, and amendments thereto, to possess a hunting license.

(3) The stamp required by this subsection is valid throughout the state. The stamp required by this subsection is valid from the date of issuance and expires on June 30 following its issuance.

(4) Each big game management stamp shall be validated by the signature of the stamp holder written across the face of the stamp.

(b) The secretary, in accordance with K.S.A. 32-805, and amendments thereto, may adopt rules and regulations necessary to carry out the provisions of this section.

New Sec. 2. (a) All moneys received pursuant to the issuance of the big game management stamps shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the big game management fee fund, which is hereby created. All expenditures from such fund shall be in accordance with appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary.

(b) All of the moneys credited to the big game management fee fund shall be used only to increase public access to private land for the purpose of big game hunting.

(c) In identifying parcels of private land for which public hunting

1 access will be sought pursuant to this section, the secretary shall give
2 priority to parcels: (1) That are in geographical areas in which significant
3 damage to private property has been caused or is being caused by large
4 populations of big game; (2) on which additional public hunting access
5 would tend to lessen damage to private property that has been caused or
6 is being caused by big game populations; and (3) which are owned or
7 leased for agricultural purposes by persons who have suffered significant
8 crop loss or other significant property damage caused by big game
9 populations.

10 Sec. 3. K.S.A. 2002 Supp. 32-988 is hereby amended to read as fol-
11 lows: 32-988. (a) The secretary is authorized to adopt, in accordance with
12 K.S.A. 32-805 and amendments thereto, rules and regulations fixing the
13 amount of fees for the following items, subject to the following limitations
14 and subject to the requirement that no such rules and regulations shall
15 be adopted as temporary rules and regulations:

16 Big game permits

17 Resident (other than elk permit): maximum \$100

18 Nonresident (other than elk permit): maximum \$400

19 Elk permit: maximum \$350

20 Big game tag: maximum \$10

21 Nonresident applications: maximum \$5

22 *Big game management stamp: maximum \$10*

23 Combination hunting and fishing licenses

24 Resident: maximum \$50

25 Lifetime: maximum \$1,000; or 8 quarterly payments, each maximum \$150

26 Nonresident: maximum \$200

27 Commercial dog training permits: maximum \$25

28 Commercial guide permit or associate guide permit

29 Resident: maximum \$250

30 Nonresident: maximum \$1,000

31 Commercial harvest or dealer permits: maximum \$200

32 Commercial prairie rattlesnake harvesting permits

33 Resident or nonresident with valid hunting license: maximum \$5

34 Resident or nonresident nonfirearm without valid hunting license: maximum \$20

35 Controlled shooting area operator license: maximum \$400

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

37 Falconry

38 Permits: maximum \$300

39 Examinations: maximum \$100

40 Field trial permits: maximum \$25

41 Fishing licenses

42 Resident: maximum \$25

43 Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75

- 1 Nonresident: maximum \$75
- 2 Five-day nonresident: maximum \$25
- 3 Institutional group: maximum \$200
- 4 Special nonprofit group: maximum \$200
- 5 Twenty-four-hour: maximum \$10
- 6 Fur dealer licenses
- 7 Resident: maximum \$200
- 8 Nonresident: maximum \$400
- 9 Furharvester licenses
- 10 Resident: maximum \$25
- 11 Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
- 12 Nonresident: maximum \$400
- 13 Game breeder permits: maximum \$15
- 14 Handicapped hunting and fishing permits: maximum \$5
- 15 Hound trainer-breeder running permits: maximum \$25
- 16 Hunting licenses
- 17 Resident: maximum \$25
- 18 Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
- 19 Nonresident 16 or more years of age: maximum \$125
- 20 Nonresident under 16 years of age: maximum \$75
- 21 Controlled shooting area: maximum \$25
- 22 Forty-eight-hour waterfowl permits: maximum \$25
- 23 Migratory waterfowl habitat stamps: maximum \$8
- 24 Mussel fishing licenses
- 25 Resident: maximum \$200
- 26 Nonresident: maximum \$1,500
- 27 Rabbit permits
- 28 Live trapping: maximum \$200
- 29 Shipping: maximum \$400
- 30 Raptor propagation permits: maximum \$100
- 31 Rehabilitation permits: maximum \$50
- 32 Scientific, educational or exhibition permits: maximum \$10
- 33 Wildlife damage control permits: maximum \$10
- 34 Wildlife importation permits: maximum \$10
- 35 Special permits under K.S.A. 32-961: maximum \$100
- 36 Miscellaneous fees
- 37 Special events on department land or water: maximum \$200
- 38 Special departmental services, materials or supplies: no maximum
- 39 Other issues of department: no maximum
- 40 Vendor bond: no maximum
- 41 (b) The fee for a landowner-tenant resident big game hunting permit
- 42 shall be an amount equal to $\frac{1}{2}$ the fee for a general resident big game
- 43 hunting permit.

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

4 (d) The secretary may establish, by rules and regulations adopted in
5 accordance with K.S.A. 32-805 and amendments thereto, different fees
6 for various classes and types of licenses, permits, stamps and other issu-
7 ances of the department which may occur within each item as described
8 under subsection (a).

9 Sec. 4. K.S.A. 2002 Supp. 32-1047 is hereby amended to read as
10 follows: 32-1047. The department is hereby empowered and directed to
11 seize and possess any wildlife which is taken, possessed, sold or trans-
12 ported unlawfully, and any steel trap, snare or other device or equipment
13 used in taking or transporting wildlife unlawfully or during closed season.
14 The department is *hereby* authorized *and directed* to:

15 (a) Sell the seized item, *including wildlife parts with a dollar value,*
16 and remit the proceeds to the state treasurer in accordance with the
17 provisions of K.S.A. 75-4215, and amendments thereto. *If the seized item*
18 *is a firearm that has been forfeited pursuant to K.S.A. 21-4206, and*
19 *amendments thereto, then it may be sold unless: (1) The firearm is sig-*
20 *nificantly altered in any manner; or (2) the sale and public possession of*
21 *such firearm is otherwise prohibited by law.* Upon receipt of each such
22 remittance, the state treasurer shall deposit the entire amount in the state
23 treasury to the credit of the ~~fee fund designated by the secretary~~ *big game*
24 *management fee fund*; or

25 (b) retain the seized item for educational, scientific or department
26 operational purposes.

27 New Sec. 5. The secretary shall identify local geographical areas in
28 which deer populations are causing significant property damage. The sec-
29 retary is hereby authorized and directed to take such actions as are nec-
30 essary to reduce the deer populations in such areas for the purpose of
31 reducing damage to private property.

32 New Sec. 6. The secretary, in consultation with the secretary of ag-
33 riculture, shall establish by rules and regulations a process by which land-
34 owners or tenants engaged in crop production who suffer damage to crops
35 in excess of \$2,500 as a result of deer eating or trampling field crops may
36 certify such loss. Notwithstanding any other provision of law, the secretary
37 shall issue, without fee or charge, to each such landowner or tenant one
38 nonresident deer permit for each \$2,500 in certified crop loss. Any permit
39 issued pursuant to this subsection shall be transferable, with or without
40 consideration, to any resident or nonresident through the secretary at the
41 request of the landowner or tenant. Any nonresident deer permit issued
42 pursuant to this subsection shall be in addition to any other nonresident
43 deer permits which such landowner or tenant may be allowed under any

1 other provision of law. Any nonresident deer permit issued pursuant to
2 this subsection shall not be subject to any other provision of law limiting
3 the number or issuance of such permits.

4 Sec. 7. K.S.A. 2002 Supp. 32-988 and 32-1047 are hereby repealed.

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

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