

SENATE BILL No. 211

By Committee on Federal and State Affairs

2-5

1 AN ACT concerning wildlife and parks; relating to rules and regulations;
2 requiring members of the wildlife and parks commission to submit
3 proposed rules and regulations to such commission; amending K.S.A.
4 2024 Supp. 32-805 and repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2024 Supp. 32-805 is hereby amended to read as
8 follows: 32-805. (a) (1) There is hereby created within and as a part of the
9 department the Kansas wildlife and parks commission, and such
10 commission shall be composed of seven members who are residents of the
11 state of Kansas.

12 (2) Such members shall be appointed as follows:

13 (A) One at-large member appointed by the governor;

14 (B) one member appointed by the governor who represents fish and
15 wildlife administration region one;

16 (C) one member appointed by the governor who represents fish and
17 wildlife administration region two;

18 (D) one member appointed by the governor who represents fish and
19 wildlife administration region five;

20 (E) one member appointed by the speaker of the house of
21 representatives who represents fish and wildlife administration region
22 four;

23 (F) one member appointed by the president of the senate who
24 represents fish and wildlife administration region three; and

25 (G) one at-large member appointed by the attorney general.

26 (3) The members appointed by the speaker of the house of
27 representatives, the president of the senate and the attorney general shall
28 serve an initial term of two years and, thereafter, shall be appointed to a
29 term of four years.

30 (4) The appointing authorities for the members of the commission
31 shall give consideration to the appointment of licensed hunters, fishermen
32 and furharvesters, park users and to nonconsumptive users of wildlife and
33 park resources. In no case shall any respective appointing authority
34 appoint a controlled shooting area licensee or any employee of such
35 licensee or any person who provides hunting outfitting services or hunting
36 guide services. Not more than a majority of the members shall be of the

1 same political party. Except as otherwise provided, each member of the
2 commission shall hold office for a term of four years and until a successor
3 is appointed and qualified. Each respective appointing authority shall fill
4 any vacancy on the commission prior to the expiration of a term by
5 appointment for the unexpired term. ~~On July 1, 2024, each appointing~~
6 ~~authority may appoint a new member to replace the current incumbent~~
7 ~~holding such incumbent's seat. Otherwise, such incumbent may serve for~~
8 ~~the remainder of such incumbent's term.~~

9 (b) Each member of the commission shall take and subscribe an oath
10 or affirmation as required by law before taking office.

11 (c) Each respective appointing authority may remove a commissioner
12 after opportunity for a hearing in accordance with the provisions of the
13 Kansas administrative procedure act. If the commissioner is removed, the
14 respective appointing authority shall file in the office of the secretary of
15 state a complete statement of all charges made against such commissioner
16 and the respective appointing authority's findings thereon, together with a
17 complete record of the proceedings.

18 (d) The commission shall have such powers, duties and functions as
19 prescribed by law and shall preserve the rights guaranteed by section 21 of
20 the bill of rights of the constitution of the state of Kansas. Other than rules
21 and regulations pertaining to personnel matters of the department, the
22 secretary *or members of the commission* shall submit to the commission all
23 proposed rules and regulations. The commission shall either approve,
24 modify and approve, or reject such proposed rules and regulations. The
25 secretary shall adopt such rules and regulations so approved or so modified
26 and approved. Fees established for licenses, permits, stamps and other
27 issues of the department shall be subject to the approval of the
28 commission. It also shall be the duty of the commission to serve in an
29 advisory capacity to the governor and the secretary in the formulation of
30 policies and plans relating to the department.

31 (e) The members of the commission shall elect one commission
32 member to serve as chairperson of the commission for a term not to exceed
33 two years and until a successor has been elected. In the event of a vacancy
34 in the position of chairperson, the members shall elect a successor for the
35 remainder of the chairperson's term. Upon the expiration of the
36 chairperson's two-year term, during the commission's first meeting of the
37 calendar year, the members shall elect a new chairperson. Members of the
38 commission attending meetings of the commission, or attending a
39 subcommittee meeting thereof authorized by the commission, shall be paid
40 compensation, subsistence allowances, mileage and other expenses as
41 provided in K.S.A. 75-3223, and amendments thereto. A majority of the
42 members of the commission shall constitute a quorum for the transaction
43 of business. Meetings may be called by the chairperson and shall be called

1 on the request of a majority of the members of the commission.

2 Sec. 2. K.S.A. 2024 Supp. 32-805 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.