

SESSION OF 2025

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 211**

As Amended by Senate Committee of the Whole

**Brief\***

SB 211, as amended, would modify the appointment of members to the Kansas Wildlife and Parks Commission (Commission) and modify how proposed rules and regulations are acted upon by the Commission.

***Appointment of Commission Members***

The bill would change the appointment process to the Commission to allow for the appointment of:

- Four members appointed by the Governor who represent:
  - Fish and Wildlife Administration Region (Region) One (currently, at-large);
  - Region Two (currently, Region One);
  - Region Three (currently, Region Two); and
  - Region Four (currently, Region Five);
- One at-large member appointed by the Speaker of the House (Speaker); and
- One at-large member appointed by the President of the Senate (President).

The bill would also allow for continuing law regarding one at-large member appointed by the Attorney General.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

[*Note:* While the Kansas Department of Wildlife and Parks (KDWP) has consisted of five regions in the past, the current KDWP consists of four regions.]

#### ***Appointment Prohibition***

The bill would not allow more than two at-large appointments to be made from the same region.

#### ***Terms of Commission Members***

The bill would allow on July 1, 2026, each appointing authority to appoint a new member to replace the incumbent Commission member; otherwise, the incumbent member would continue to serve for the remainder of their term.

The bill would authorize the Commission members appointed by the Speaker and President to serve at the will of the Speaker and the President, respectively. The bill would clarify the Governor and Attorney General could remove a Commission member after an opportunity for a hearing in accordance with the Kansas Administrative Procedure Act.

#### ***Rules and Regulations***

The bill would authorize the development of proposed rules and regulations by the Secretary, a member of the Commission, or through approval of the Commission directing the Secretary to develop a specific proposed rule and regulation.

#### ***Technical Amendments***

The bill would make technical amendments to continuing law.

## **Background**

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Tyson.

### ***Senate Committee on Agriculture and Natural Resources***

In the Senate Committee hearing, the Kansas Attorney General and a Commission member provided **proponent** testimony, advocating that an increased amount of decision-making authority regarding rules and regulations be given to the Commission to ensure informed decision-making and modify the Secretary's rules and regulations authority.

Written-only proponent testimony was provided by a Commission member and a representative of the Kansas Outfitters and Landowners Association.

Neutral testimony was provided by a representative of KDWP, who expressed concerns over the removal of longstanding practices and procedure conducted by the department and disruptions that may occur should commissioners be able to propose their own regulations.

**Opponent** testimony was provided by a former Commission member and a representative of The Nature Conservancy, who expressed a desire to maintain the current structure that allows for checks and balances on the Secretary's rules and regulations.

The Senate Committee amended the bill to:

- Adjust the appointment, term expiration, number of appointees from the same Region, and removal of Commission members;
- Prohibit appointment to the Commission if a person has had a certain license or employment within five years prior to appointment;

- Allow members of the Commission to directly submit potential rules and regulations, and by majority vote, direct the Secretary to draft a report on or develop any proposed rules and regulations; and
- Make technical amendments.

### ***Senate Committee of the Whole***

The Senate Committee of the Whole amended the bill to:

- Remove language that prohibits a member from being appointed if the person has been a controlled shooting area licensee, an employee of a licensee, or a person who provides hunting outfitting services on hunting guide services;
- Clarify that not more than two at-large members would be from the same fish and wildlife administration region;
- Remove language providing that each member of the Commission appointed by the Attorney General, Speaker, and President would hold office for a term of two years and until a successor is appointed and qualified;
- Clarify that proposed rules and regulations could be developed by the Secretary, a member of the Commission, or through approval of the Commission directing the Secretary to develop a specific proposed rule and regulations.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDWP would require

\$85,000 from its fee funds to hire 1.0 Legal Assistant position starting in FY 2026. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Wildlife and Parks; rules and regulations; Kansas Wildlife and Parks Commission; fish and wildlife