

HOUSE BILL No. 2530

AN ACT concerning wildlife and parks; relating to the wildlife and parks commission; granting appointing authority to multiple state officers; providing for the election of the chairperson thereof; amending K.S.A. 2023 Supp. 38-805 and repealing the existing section.

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

Section 1. K.S.A. 2023 Supp. 32-805 is hereby amended to read as follows: 32-805. (a) (1) There is hereby created within and as a part of the department the Kansas wildlife and parks commission, and such commission shall be composed of seven members *who are residents of the state of Kansas.* ~~The governor shall appoint residents of this state to be members of the commission. One member of the commission shall be chosen from each fish and wildlife administration region as established by the department. In the appointment of members of the commission, the governor~~

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

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

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

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

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

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

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

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

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

(4) *The appointing authorities for the members of the commission shall give consideration to the appointment of licensed hunters, fishermen and furharvesters, park users and to nonconsumptive users of wildlife and park resources.* ~~No~~ *In no case shall any respective appointing authority appoint a controlled shooting area licensee or any employee of such licensee or any person who provides hunting outfitting services or hunting guide services. Not more than a majority of the members shall be of the same political party. Except as otherwise provided, each member of the commission shall hold office for a term of four years and until a successor is appointed and qualified.* ~~The governor~~ *Each respective appointing authority shall fill any vacancy on the commission prior to the expiration of a term by appointment for the unexpired term. On July 1, 2024, each appointing authority may appoint a new member to replace the current incumbent holding such incumbent's seat. Otherwise, such incumbent may serve for the remainder of such incumbent's term.*

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

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

(d) The commission shall have such powers, duties and functions as prescribed by law *and shall preserve the rights guaranteed by section 21 of the bill of rights of the constitution of the state of Kansas.* Other than rules and regulations pertaining to personnel matters of the department, the secretary shall submit to the commission all proposed rules and regulations. The commission shall either approve, modify and

approve, or reject such proposed rules and regulations. The secretary shall adopt such rules and regulations so approved or so modified and approved. Fees established for licenses, permits, stamps and other issues of the department shall be subject to the approval of the commission. It also shall be the duty of the commission to serve in an advisory capacity to the governor and the secretary in the formulation of policies and plans relating to the department.

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

Sec. 2. K.S.A. 2023 Supp. 32-805 is hereby repealed.

Sec. 3. 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 HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report_____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report_____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.