

## Wildlife, Parks, and Tourism Commission

### Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7:00 p.m., Thursday, October 18, 2012 at Flint Oak, 2639 Quail Road, Fall River, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A regulatory hearing on business of the Wildlife, Parks, and Tourism Commission will begin at 7:00 p.m., October 18 at the location listed above. There will be public comment periods at the beginning of the evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. October 19 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to [sheila.kemmis@ksoutdoors.com](mailto:sheila.kemmis@ksoutdoors.com) if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-1-1.** This permanent regulation establishes definitions. The proposed amendment would add a definition for artificial lure to clarify the regulations for Alabama rigs.

**Economic Impact Summary:** The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-18-18.** This permanent regulation establishes the hand fishing permit and requirements. The proposed amendment would rescind the reporting requirements following the

end of the hand fishing season.

**Economic Impact Summary:** The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-25-14.** This exempt regulation establishes the creel limit, size limit, possession limit, and open season for fishing. The proposed version of the regulation adds new trout waters and updates the reference document.

**Economic Impact Summary:** The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-7-3.** This permanent regulation establishes taking and use of baitfish or minnows. The proposed amendments would allow taking and use of live baitfish within a drainage except from a designated aquatic nuisance species water, allow the taking and use of bluegill and green sunfish to be used as baitfish anywhere in the state except if taken from a designated aquatic nuisance species water, and restrict importation of out of state baitfish unless they meet the same criteria as Kansas commercial baitfish sales.

**Economic Impact Summary:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-7-10.** This permanent regulation establishes special provisions for fishing. The proposed amendments would allow transport of live fish from designated waters containing aquatic nuisance species during permitted fishing tournaments for weigh-ins, update the reference document designated aquatic nuisance waters, and require persons fishing with baitfish purchased from a commercial bait dealer to possess the purchase receipt while fishing.

**Economic Impact Summary:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-2-2.** This permanent regulation establishes motor vehicle permit fees. The proposed amendments would set a different fee structure for motor vehicle permits and reduce fees for those who purchase the permit when registering their vehicle based on legislative enactment.

**Economic Impact Summary:** If the owners of ten percent of the light trucks and cars registered opted to purchase a park motor vehicle permit, the proposed amendments would generate an additional \$1,800,000 on annual fiscal year basis. Otherwise, the proposed revocation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-4-15.** This new permanent regulation establishes a restitution scoring system for white-tailed deer, mule deer, elk, and antelope for wildlife violations based on legislative enactment.

**Economic Impact Summary:** The proposed regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-8-1.** This permanent regulation establishes provisions related to hunting, furharvesting, and discharge of firearms on department lands and waters. The proposed amendment would update the reference document in relation to possession of alcohol on department lands and waters based on legislative enactment.

**Economic Impact Summary:** The proposed amendment is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-8-19.** This permanent regulation contains provisions, restrictions and penalties for personal conduct on department lands and waters. The proposed amendments would update the regulation in relation to possession of alcohol on department lands and waters based on legislative enactment.

**Economic Impact Summary:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-25-6.** This exempt regulation establishes the spring season, bag limit, and game tags for wild turkeys. The proposed version of the regulation would change management units from 4 units to 6 units to coincide with changes previously made in the fall turkey season, would increase the bag limit in Unit 1 and would allow the use of Unit 4 permits in adjoining units.

**Economic Impact Summary:** The proposed regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-2-1.** This permanent regulation establishes fish and wildlife-related license and permit fees. The proposed amendments would establish license options for individuals 65-74 based on legislative enactment this past session. Options would include hunting or fishing licenses at \$9.00 respectively, a combination hunting and fishing license at \$18.00 or a lifetime senior pass for hunting and fishing at \$40.00.

**Economic Impact Summary:** The proposed amendments would increase department revenue to the wildlife fee fund but depending on the options chosen, any amount would be

purely speculative at this time. Otherwise, the proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-18-22.** This new permanent regulation establishes requirements, restrictions, and permit duration for the senior pass valid for hunting and fishing. The proposed regulation would allow residents 65 and older to purchase the pass, not invalidate the pass if the holder moves out of state, allow the purchase of deer and turkey permits at resident prices if the holder move out of state, and have the license expire on the death of the holder.

**Economic Impact Summary:** The proposed regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at [www.kdwpt.state.ks.us](http://www.kdwpt.state.ks.us), or by calling (785) 296-2281.

Gerald Lauber, Chairman