

Document No. _____

KANSAS REGISTER
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Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

Agency Address - 1020 S. Kansas Ave., Suite 200

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - September 17, 2020

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name


Liaison officer's signature

Department Attorney

(785) 296-2281

Title

Phone

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Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, November 19, 2020 at the Buffalo Bill Cultural Center, 3083 US Highway 83, Oakley, Kansas, to consider the approval and adoption of the proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on the business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., November 19 at the location listed above. The meeting will recess at approximately 5:00 p.m. and then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and 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. November 20 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 the 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@ks.gov 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. To provide all parties with an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 115-1-1. This permanent regulation establishes definitions. The proposed changes would clean up and clarify language about the definition of carp.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-2-1. This permanent regulation establishes amounts of fees. The proposed

changes would establish a price for nonresident landowner and tenant elk permits, reduce resident and nonresident calendar day fishing licenses, and create a reduced price youth trout permit.

Economic Impact Summary: The changes collectively could result in a reduction to the wildlife fee fund in the amount of \$72,355. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-4-4a. This permanent regulation establishes legal equipment and taking methods for wild turkeys. The proposed changes would allow the use of draw locking devices, similar to recent changes for big game legal equipment.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-7-3. This permanent regulation establishes provisions for the taking and use of baitfish or minnows. The proposed changes would allow the use of silver carp and bighead carp larger than 12 inches in total length to be used as baitfish, provided the two carp types are not transported from the water live.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-7-10. This permanent regulation establishes special provisions for fishing. The proposed changes would update the reference document in relation to designated aquatic nuisance species waters.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-18-7. This permanent regulation establishes the application, permit and general provisions for the use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities. The regulation is proposed for revocation as those equipment types are now authorized for general use.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-18-10. This permanent regulation establishes prohibitions, permit requirements and restrictions for importation and possession of certain wildlife. The proposed changes would add species already listed as injurious by federal law, which already prohibits possession of these species.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-18-12. This permanent regulation establishes requirements, restrictions and

permit duration for the trout permit. The proposed changes would remove the exemption for persons under 16 from obtaining a trout permit in conjunction with changes in other regulations for take and price structure.

Economic Impact Summary: The economic impact is contained in K.A.R. 115-2-1. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

K.A.R. 115-25-14. This exempt regulation establishes creel limits, size limits, possession limits and open seasons for fishing. The proposed version of the regulation would update the reference document for size and length limits at various waterbodies throughout the state and adjust the trout creel limit for youths.

Economic Impact Summary: If fishing license and permit sales are similar to 2019, the proposal would generate approximately \$6,794,800 to the agency and an additional \$292,962,000 to the Kansas economy. Otherwise, no substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

Copies of the complete text of each regulation and its respective economic impact statement may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

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September 4, 2020

Chris Tymeson
Chief Counsel
Kansas Department of Wildlife Parks and Tourism
1020 S. Kansas Ave
Topeka, KS 66612

RE: **K.A.R. 115-1-1, 115-4-4a, 115-7-3, 115-7-10, 115-18-7, 115-18-10, 115-18-12,
115-25-14**

Dear Chris:

Pursuant to the Rules and Regulations Filing Act, K.S.A. 77-415, *et seq.*, we have reviewed the above-referenced regulations and finding no issues of concern, have approved them. The stamped original regulations are enclosed with this letter. The stamped economic impact statements are also enclosed.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

A handwritten signature in dark ink, appearing to read "Philip R. Michael".

Philip R. Michael
Assistant Attorney General

PRM:PRM
Enclosures

cc: Sen. Caryn Tyson, Chair, Joint Committee on Rules and Regulations
Rep. Ron Highland, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on
Rules and Regulations
Jill Shelley, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



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September 9, 2020

Chris Tymeson, General Counsel
Kansas Department of Wildlife, Parks & Tourism
1020 S. Kansas Ave.
Topeka, KS 66612

RE: **K.A.R. 115-2-1**

Dear Mr. Tymeson:

Pursuant to the Rules and Regulations Filing Act, K.S.A. 77-415, *et seq.*, we have reviewed the above-referenced regulation and finding no issues of concern, have approved it. The stamped original regulation is enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

A handwritten signature in dark ink, appearing to read "P. Michael", is written over the typed name.

Philip R. Michael
Assistant Attorney General

PRM:sb

Enclosure

cc: Sen. Caryn Tyson, Chair, Joint Committee on Rules and Regulations
Rep. Ron Highland, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on
Rules and Regulations
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