

Wildlife and Parks Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission at 6:30 p.m., Thursday, November 18, 2021 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 and Parks.

An education session for commissioners may be conducted beginning at 9:00 a.m., November 18, at the location listed above. A general discussion and workshop meeting on the business of the Wildlife and Parks Commission will begin at 1:00 p.m., November 18 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 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 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 and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, KS 66612 or to [sheila.kemmis@ks.gov](mailto: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.

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

**K.A.R. 115-4-4a.** This permanent regulation sets legal equipment and taking methods for wild turkeys. The proposed changes would allow handguns meeting minimum qualifications and using shot as legal equipment.

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

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**K.A.R. 115-17-2.** This permanent regulation sets provisions related to commercial sale of fishing bait. The proposed amendments would allow for the sale of additional species of bait to be sold if dead.

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

**K.A.R. 115-25-6.** This exempt regulation sets the spring season, bag limit, permits, and game tags for wild turkeys. This proposed version of the regulation would allow 17-year olds to participate in the youth season.

**Economic Impact Summary:** No substantial negative 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 sets the creel limit, size limit, possession limit and open season for fishing. The proposed version of the regulation would change certain trout waters and update length and creel limits for certain water bodies.

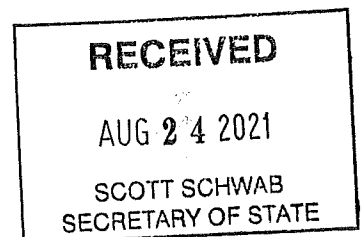
**Economic Impact Summary:** No substantial negative economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

**K.A.R. 115-30-3.** This permanent regulation sets personal flotation device requirements for recreational vessels. The proposed amendments would conform the regulation to changes in state and federal law in reference to personal flotation device labeling.

**Economic Impact Summary:** No substantial negative 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](http://ksoutdoors.com), or by calling (785) 296-2281.

Gerald Lauber, Chairman



**115-4-4a. Wild turkey; legal equipment and taking methods.** (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

(1) Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows using arrows that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a); and

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(2) shotguns and muzzleloading shotguns using only size two shot through size nine shot;

(3) choked handguns and muzzleloading handguns having a minimum barrel length of 10 inches, including the chamber, and using only size two shot through size nine shot.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

(1) Lures; decoys, except live decoys; and nonelectric calls;

(2) blinds and stands;

(3) range-finding devices, if the devices do not project visible light toward the target; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.

(d) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(f) Dogs may be used while hunting turkey, but only during the fall turkey season.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all wild turkey seasons. ~~However, no handgun shall be used to take wild turkeys.~~ (Authorized by and implementing K.S.A. 2019 2020 Supp. 32-807 and K.S.A. 2019 2020 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Dec. 25, 2020; amended P-\_\_\_\_\_.)

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**115-17-2. Commercial sale of fish fishing bait.** (a) The following live species of wildlife may be commercially sold in Kansas for fishing bait:

- (1) The following species of fish:
    - (A) Black bullhead (*Ameiurus melas*);
    - (B) bluegill (*Lepomis macrochirus*), including hybrids;
    - (C) fathead minnow (*Pimephales promelas*), including "rosy reds";
    - (D) golden shiner (*Notemigonus crysoleucas*);
    - (E) goldfish (*Carassius auratus*), including "black saltys";
    - (F) green sunfish (*Lepomis cyanellus*), including hybrids; and
    - (G) yellow bullhead (*Ameiurus natalis*);
  - (2) only species of annelids native to or naturalized in the continental United States;
  - (3) the following species of crayfish:
    - (A) Virile crayfish (*Orconectes virilis*);
    - (B) calico crayfish (*Orconectes immunes*); and
    - (C) white river crayfish (*Procambarus acutus*); and
  - (4) only species of insects native to or naturalized in Kansas.
- (b) The following species of wildlife Gizzard shad (~~*Dorosoma cepedianum*~~) may be

commercially sold only if dead:

- (1) Bighead carp (*Hypophthalmichthys nobilis*);
- (2) emerald shiners (*Notropis atherinoides*);
- (3) gizzard shad (*Dorosoma cepedianum*);
- (4) silver carp (*Hypophthalmichthys molitrix*);

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(5) skipjack herring (*Alosa chrysochloris*); and

(6) threadfin shad (*Dorosoma petenense*).

(c) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 or prohibited from importation pursuant to K.S.A. 32-956, and amendments thereto, shall not be sold.

(d) Live aquatic bait shall be certified free of the following pathogens before import, according to K.A.R. 115-17-2a:

(1) Spring viremia of carp virus;

(2) infectious pancreatic necrosis virus;

(3) viral hemorrhagic septicemia virus; and

(4) infectious hematopoietic virus.

(e) Each distribution tank and each retail tank shall utilize a source of potable water or well water.

This regulation shall be effective on and after January 1, 2019 2022. (Authorized by and implementing K.S.A. 2018 2020 Supp. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012; amended Jan. 1, 2017; amended Jan. 1, 2018; amended Jan. 1, 2019; amended P-\_\_\_\_\_.)

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**115-25-6. Turkey; spring season, bag limit, permits, and game tags.** (a) The open season for the taking of turkey by archery equipment only shall begin on the first Monday after the first Saturday in April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season for use with archery equipment only.

(b) The open season for the taking of turkey by use of firearms or archery equipment shall begin on the second Wednesday after the first Saturday in April and shall continue through the last day in May.

(c)(1) The season for designated persons for the taking of turkey shall begin on the first day of April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season.

(2) The following persons may hunt during the season for designated persons:

(A) Any person having a valid turkey permit or second turkey game tag who is 17 years of age or younger, while under the immediate supervision of an adult who is 18 years of age or older;

(B) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4; and

(C) any person with a disability assistance permit issued according to K.A.R. 115-18-15.

(d) The legal limit shall be one bearded turkey per turkey permit and one bearded turkey per second turkey game tag where game tags are authorized.

(e) The units and the number of permits authorized for the taking of turkey during the established season shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state

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line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state

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**AUG 23 2021**

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**AUG 23 2021**

**DEPT. OF ADMINISTRATION**

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sanctuaries. An unlimited number of permits shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. A total of 500 permits shall be authorized for unit 4, and all youth permits shall also be valid in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with interstate highway I-135, then northwest on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate

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AUG 24 2021

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highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 6.

(f) Turkey permits and second turkey game tags shall be valid only for the unit or units designated on the turkey permit or second turkey game tag, except that youth turkey permits shall be valid in all units and unit 4 turkey permits shall also be valid in adjacent units.

(g) Only those individuals who have purchased a turkey permit shall be eligible to purchase a second turkey game tag.

This regulation shall be effective on and after February 1, 2022. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-969.)

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**115-25-14. Fishing; creel limit, size limit, possession limit, and open season.** (a) The open season for the taking of fish in Kansas shall be January 1 through December 31, with the following exceptions:

(1) The flowing portions and backwaters of the Missouri river and any oxbow lake through which the Kansas-Missouri boundary passes, for which the open snagging season for the taking of paddlefish shall be March 15 through May 15;

(2) the flowing portions of the Kansas river from its origin downstream to its confluence with the Missouri river and the flowing portions of the Arkansas river from its origin downstream to the Kansas-Oklahoma border and on federal reservoirs from 150 yards away from the dam to the upper end of the federal property, for which the open hand-fishing season for the taking of flathead catfish shall be from sunrise to sunset, June 15 through August 31;

(3) for floatline fishing, only on designated federal reservoirs; and

(4) those areas closed by posted notice.

(b) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish on the following waters from November 1 through April 15 (type one waters):

(1) Dodge City Lake Charles;

(2) Coffeyville LeClere Lake;

(3) Colby-Villa High Lake;

(4) Eisenhower State Park Pond;

(5) Fort Scott Gun Park Lake;

(6) Garnett Crystal Lake;

(7) Glen Elder Reservoir Outlet;

(8) Glen Elder State Park Pond;

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AUG 16 2021

DEPT. OF ADMINISTRATION

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AUG 20 2021

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AUG 24 2021

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- (9) Kanopolis Seep Stream;
- (10) KDOT East Lake, located in Wichita;
- (11) Lake Henry, located in Clinton State Park;
- (12) Unit number 30, located in the Mined Land Wildlife Area;
- (13) Pratt Centennial Pond;
- (14) the following Sedgwick County Park waters:
  - (A) Vic's Lake; and
  - (B) Slough Creek;
- (15) Scott State Park Pond;
- (16) Sherman County Smoky Gardens Lake;
- (17) Topeka Auburndale Park;
- (18) Walnut River Area, located in El Dorado State Park;
- (19) Webster Stilling Basin; and
- (20) Willow Lake, located in Tuttle Creek State Park.

(c) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish for and possess trout on the following waters from November 1 through April 15 (type two waters):

- (1) Atchison City Lake No. 1;
- (2) Belleville City Lake (Rocky Pond);
- (3) Cameron Springs, located on Fort Riley;
- (4) Cedar Bluff Stilling Basin;

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**AUG 20 2021**

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- (5) Cherryvale City Lake (Tanko);
- (6) Cimarron Grasslands Pits;
- (7) Great Bend Veterans Memorial Park Lake;
- (8) Great Bend Stone Lake;
- (9) Herington-Father Padilla Pond;
- (10) Holton-Elkhorn Lake;
- (11) Hutchinson Dillon Nature Center Pond;
- (12) Kanopolis State Park Pond;
- (13) Lake Shawnee, located in Shawnee County;
- (14) Meade State Fishing Lake;
- (15) Moon Lake, located on Fort Riley;
- (16) Salina Lakewood Lake;
- (17) Sandsage Bison Range and Wildlife Area Sandpits;
- (18) Scott State Fishing Lake;
- (19) the following Sedgwick County Park waters:
  - (A) Moss Lake; and
  - (B) Horseshoe Lake;
- (20) Solomon River between Webster Reservoir and Rooks County #2 Road; and
- (21) Syracuse-Sam's Pond.

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DEPT. OF ADMINISTRATION

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(d) The following daily creel limits and size limits shall apply to each pond, lake, impoundment, and other water of the state that is open to public fishing access and to all perennial and intermittent watercourses of the state, unless special creel limits and size limits apply pursuant to subsection (f).

<u>Species</u>	<u>Creel Limit</u>	<u>Size Limit</u>
Black bass: largemouth, spotted, or smallmouth	5*	15"
Channel catfish (fewer than 30 rays in the anal fin)	10	--
Blue catfish (30 or more rays in the anal fin)	5	--
Trout	5*	--
Flathead catfish	5	--
Walleye, sauger, saugeye	5*	15"***
Pike family: northern pike, tiger, or muskellunge	2*	30"
Striped bass	5	--
Wiper: striped bass hybrid	5	--
Paddlefish	2**/2#	--
Crappie: white or black	50*	--
All other species	No limit	--

\* The daily creel limit shall be composed of a single listed species or a combination of the species in the listed species group.

\*\* The total snagging creel limit of paddlefish per calendar year shall be six paddlefish.

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DEPT. OF ADMINISTRATION

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\*\*\* The 15" length limit on walleye, sauger, and saugeye shall not apply to streams, rivers, and tailwaters.

# Any individual younger than 16 years of age may use an adult's paddlefish permit while accompanied by that adult with at least one unused carcass tag in possession. Each paddlefish snagged and kept by the individual younger than 16 years of age shall be included as part of the daily creel limit of the permit holder.

(e) The possession limit shall be three daily creel limits.

(f) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department's "Kansas special size limits, creel limits, and bait restriction tables," dated August 2, 2021, which is hereby adopted by reference. All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately.

This regulation shall be effective on and after January 1, 2022. (Authorized by and implementing K.S.A. 2020 Supp. 32-807.)

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AUG 20 2021

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**115-30-3. Personal flotation devices; requirements recreational vessels.** (a) For the purposes of this article of the department's regulations, "PFD" shall mean any type I, II, III, IV or V personal flotation device that is labeled and approved by the United States coast guard for use on recreational vessels.

(b) Each recreational vessel shall have at least one type I, II, or III readily accessible, wearable PFD in serviceable condition on board for each individual in the vessel and at least one type I, II, or III wearable PFD on board for each individual being towed. No operator of any recreational vessel shall operate the vessel or allow the vessel to be operated unless each individual 12 years of age or younger wears an approved wearable PFD while being towed behind the vessel or aboard the vessel, unless the individual is below decks or in an enclosed cabin.

(c) To meet the "serviceable condition" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall meet the requirements defined by of 33 C.F.R. 175.23, as in effect on April 29, 1996, which is hereby adopted by reference, and shall be of the appropriate size and type fit for the individual to whom it the PFD is assigned.

(d) In addition to the provisions of subsection (b), each recreational vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one type IV throwable PFD on board. Each throwable PFD shall be in serviceable condition, labeled as U.S. coast guard-approved, and readily accessible.

(e) Each PFD shall be used in accordance with the requirements of the PFD's label and in accordance with the owner's manual, if the label refers to an owner's manual. A type V personal flotation device may be used to satisfy requirements of subsections (b) or (d) if these conditions are met:

(1) ~~the device is United States coast guard approved;~~

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K.A.R. 115-30-3

Page 2

~~(2) the device is labeled for the activity for which the recreational vessel is being used;~~  
~~(3) the device is used in accordance with requirements on the label; and~~  
~~(4) the device is used in accordance with the requirements in its owner's manual if the label refers to the manual.~~

(f) To meet the "readily accessible" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall be in open view, and A required PFD shall not be stowed in locked or closed compartments or be inside plastic or other packaging material. (Authorized by and implementing K.S.A. 2020 Supp. 32-1119 and K.S.A. 32-1129, as amended by L. 2021, ch. 68, sec. 2; effective Oct. 22, 1990; amended March 20, 1995; amended Feb. 28, 1997; amended P-\_\_\_\_\_.)

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**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-4-4a  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

The regulation sets legal equipment for hunting turkeys. The proposed amendments to the regulation would allow the use of qualified handguns to hunt turkeys.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)***

This is not a federal mandate. Missouri, Oklahoma, Nebraska and Colorado all have varying regulations dealing with legal equipment for hunting turkeys.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The proposed amendments will not enhance or restrict business activities or growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The proposed amendments will have no economic effect on any sector.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

None.

**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

The proposed amendments would allow an additional method to hunting turkeys. There are no costs associated with the proposal.

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- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with this proposal.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs associated with this proposal.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs associated with this proposal.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES ☐ NO ☒

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

There are no implementation or compliance costs with this proposal.

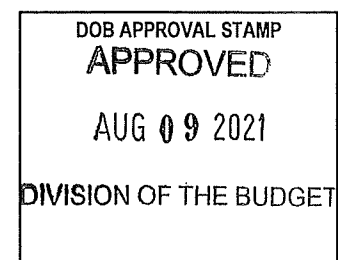
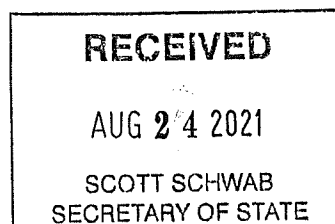
Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES ☐ NO ☒

The agency held a public hearing on this regulation on June 17 in Wichita, where at least 9 members of the public attended and August 5 virtually, where at least 7 members of the public attended. The agency will also hold hearings on September 23 in Beloit and November 18 in Oakley.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.



- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

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**DIVISION OF THE BUDGET**

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-17-2  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

This regulation sets the parameters for the commercial sale of bait. The proposed changes would allow the sale of additional species of bait so long as the species were dead.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)***

This is not a federal mandate. Missouri, Oklahoma, Colorado and Nebraska all have varying regulations for the commercial sale of bait.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The regulation proposal would not likely substantially restrict business activities and growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The regulation changes would not have a significant negative economic effect.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

Bait dealers.

**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

The proposed changes should benefit bait dealers by allowing the commercial sale of additional species so long as they are dead.

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- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

The proposal would likely have no negative economic impact in Kansas.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES ☐ NO ☒

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

None. The proposal would allow additional species of bait to be sold, so long as the bait were dead.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.**

YES ☐ NO ☒

The agency held a public hearing on this regulation on June 17 in Wichita, where at least 9 members of the public attended and August 5 virtually, where at least 7 members of the public attended. The agency will also hold hearings on September 23 in Beloit and November 18 in Oakley.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

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- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

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Proposed

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-6

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

This proposed exempt regulation establishes hunting unit boundaries, bag limit and season dates for the 2021 spring wild turkey seasons. The proposed changes allow 17-year-olds and under to hunt during the youth season, conforming to other youth seasons in Kansas.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)**

The federal government does not manage wild turkeys. Missouri, Oklahoma, Colorado and Nebraska all have spring turkey seasons and manage by units.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The regulation proposal would not likely substantially restrict business activities and growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The regulation changes would not have a significant economic effect.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

None.

**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

The alternative would be to keep the youth season at 16 years of age and younger, contrary to all other youth seasons in Kansas.

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- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

The proposal would likely have little economic impact on any sector in Kansas as spring seasons already exist.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES ☐ NO ☒

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

The total number of spring turkey permits and game tags sold was 45,263 in 2021. In 2021, this generated approximately \$1,449,982.50 for the agency, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable turkey hunter (35,584) goes 11 days afield per year and spends approximately \$1616 per year, generating \$57,503,744.00 for the Kansas economy, based on economic studies provided by the USFWS.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.**

YES ☐ NO ☒

The agency held a public hearing on this regulation on June 17 in Wichita, where at least 9 members of the public attended and August 5 virtually, where at least 7 members of the public attended. The agency will also hold hearings on September 23 in Beloit and November 18 in Oakley.

**If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or**

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school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

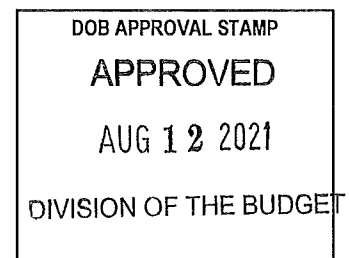
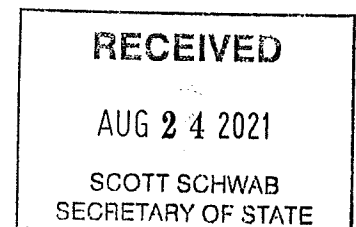
Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.



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Proposed

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT

Agency

Christopher J Tymeson

Agency Contact

785-296-1032

Contact Phone Number

K.A.R. 115-25-14

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

This proposed exempt regulation establishes fishing seasons. The proposed version would add adjust length and creel limits within the reference document as well as standardize the age of youth participation with other regulations. The proposed version would also change some trout waters from type 2 to type 1 waters.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)***

This is not a federal mandate. Missouri, Oklahoma, Colorado and Nebraska all have fishing opportunities managed by dates, times, species and locations.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The regulation proposal would not likely restrict business activities and growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The version of the proposed regulation already allows various types of fishing by species and location. The proposed changes would not have any significant compliance costs.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

Guide businesses, bait retailers, state parks.

**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

Fishing is funded by user fees. License buyers pay the way for public fishing opportunities within Kansas.

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- E. **Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

Again, the proposal and potential alternatives would likely have no substantial measure on the economic impact on businesses because fishing seasons already exist.

- F. **An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES ☐ NO ☒

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

The total number of active fishing licenses was approximately 400,000 in 2020. A smaller number of number of participants is expected in 2021. This generated approximately \$8,898,095.00 for the agency in 2020, all of which accrues to the wildlife fee fund, and is paid by user fees. Additionally, each individually identifiable angler (400,000) goes 8 days afield per year and spends approximately \$933 per year, generating approximately \$373,200,000 for the Kansas economy, based on economic studies provided by the USFWS.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.**

YES ☒ NO ☒

The agency held a public hearing on this regulation on June 17 in Wichita, where at least 9 members of the public attended and August 5 virtually, where at least 7 members of the public attended. The agency will also hold hearings on September 23 in Beloit and November 18 in Oakley.

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- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

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**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-30-3  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

This proposed establishes requirements for personal floatation devices. The proposed changes conform the regulation with federal regulations and state statutory changes in 2021.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)**

This is a federal mandate. The nomenclature for personal floatation devices changed on the federal level and states must follow to authorize the new rating system for personal floatation devices. All currently existing personal floatation devices remain operational as long as they are still serviceable. Missouri, Oklahoma, Colorado and Nebraska all have regulations regarding personal floatation devices.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

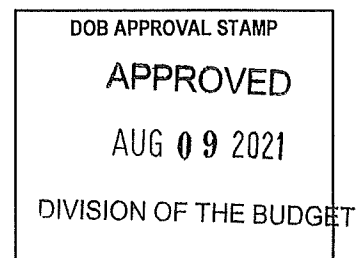
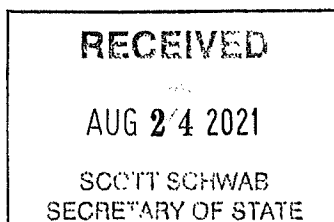
The regulation proposal would not likely substantially restrict business activities and growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The regulation changes would not have a significant economic effect.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

None.



**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

The alternative would be to keep the same language and new personal floatation devices could not be used or sold and be valid in Kansas.

**E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

The proposal would likely have no negative economic impact on any sector in Kansas.

**F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There are no implementation or compliance costs expected to be incurred by business or local governments.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES ☐ NO ☒

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

The proposed version of the regulation would allow the sale and use of newly authorized personal floatation devices under the new rating system. All currently existing personal floatation devices remain legal until they become unserviceable.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.**

YES ☒ NO ☐

The agency held a public hearing on this regulation on June 17 in Wichita, where at least 9 members of the public attended and August 5 virtually, where at least 7 members of the public attended. The agency will also hold hearings on September 23 in Beloit and November 18 in Oakley.

**If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or**

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imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Not applicable.

