

115-17-10. Commercial harvest of fish; permit requirement and application, authority, reports, general provisions and permit revocation. (a) Except as authorized ~~under~~ in K.A.R. 115-17-13, a commercial fishing permit shall be required for the taking of fish for commercial purposes from that portion of the Missouri River bordering on this state.

(b) Each application for a commercial fishing permit shall be submitted on forms provided by the department ~~and include the following information:~~

~~(1) The name of the applicant;~~

~~(2) the address and telephone number of the applicant;~~

~~(3) the business locations and the business telephone numbers of the applicant;~~

~~(4) the location of equipment storage;~~

~~(5) the location of fish storage or sale, if different from the business locations; and~~

~~(6) other information as required by the secretary and completed in full by the applicant. Each incomplete application shall be returned to the applicant.~~

(c) ~~Each~~ Any permittee may possess, sell, transport, or trade those species of fish as authorized under K.A.R. 115-17-12.

(d) Each permittee shall maintain a current record of activity and shall submit monthly reports to the department on forms provided by the department. The reports shall be submitted not later than 15 days following the end of the month for which the report is prepared. A permit shall not be renewed until all reports due have been received by the department.

~~(e) The records and reports shall include the following information:~~

- ~~(1) The name of the permittee;~~
- ~~(2) the permit number of the permittee;~~
- ~~(3) the address and telephone number of the permittee;~~
- ~~(4) the species and pounds of fish taken by gear types;~~
- ~~(5) the species and pounds of fish sold including:~~
 - ~~(A) A separate entry for each sale stating pounds of fish sold by species;~~
 - ~~(B) the date of each sale; and~~
 - ~~(C) the name and address of person to whom fish were sold; and~~
- ~~(6) other information as required by the secretary.~~

~~(f)~~ Each Any permittee may sell fish taken under a commercial fishing permit to any person.

~~(g)~~ (f) Any person may purchase fish from a commercial fish permittee for commercial purposes or for personal use.

~~(h)~~ (g) Any Each person purchasing fish from a commercial fish permittee for resale purposes shall retain a bill of sale in possession while in possession of the fish.

~~(i)~~ (h) In addition to other penalties prescribed by law, a commercial fishing application or permit may be denied or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information; ~~;~~
- (2) The permittee fails to meet permit requirements or violates permit conditions; ~~or.~~

(3) The permittee violates any provision of law or ~~rules and~~ regulations related to commercial fishing on the Missouri River.

(j) (i) A Each commercial fishing permit shall expire on December 31 of the year for which the permit was issued.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 1990 Supp. 32-807 and K.S.A. 1990 Supp. 32-941; implementing K.S.A. 1990 Supp. 32-807, K.S.A. 1990 Supp. 32-941 and K.S.A. 1990 Supp. 32-1002; effective May 27, 1991; amended P-_____.)