

**AGENDA**  
**KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM**  
**COMMISSION MEETING AND PUBLIC HEARING**  
**Thursday, August 29, 2013**  
**Conference Call - 10:00 AM**

**Join Call at one of the following locations as we have limited phone lines:**

**Office of the Secretary – 1020 S. Kansas Ave, Ste 200, Topeka**  
**Pratt Headquarters – 512 SE 25<sup>th</sup> Ave, Pratt**

**Region 1 Office – 1426 Hwy 183 Alt, Hays**  
**Region 2 Office – 300 SW Wanamaker Rd, Topeka**  
**Region 3 Office – 1001 W McArtor, Dodge City**  
**Region 4 Office – Great Plains Nature Center, 6232 E 29<sup>th</sup> St N, Wichita**  
**Region 5 – Neosho County Community College, 800 W. 14th St.**  
**Oak Room, # 209, Chanute, KS 66720**

**Kansas City Office – 8304 Hedge Lane Terrace, Shawnee**  
**Emporia Office – 1830 Merchant, Emporia**

- I. CALL TO ORDER AT 10:00 a.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- VI. DEPARTMENT REPORT**

**D. Public Hearing**

- 1. KAR 115-25-19. Doves; management unit, hunting season, shooting hours, and bag and possession limits. (Rich Schultheis)**
- 2. KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation. (Rich Schultheis)**
- 3. 115-25-21. Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits. (Rich Schultheis)**

**XII. OLD BUSINESS**

**XIII. OTHER BUSINESS**

**A. Future Meeting Locations and Dates**

**XIV. ADJOURNMENT**

If necessary, the Commission will recess on August 29, 2013, to reconvene August 30, 2013, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment. If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911. The next commission meeting is scheduled for Thursday, October 17, 2013, Kansas Cosmosphere, 1100 N. Plum, Hutchinson, KS.

# Public Hearing

Document No. \_\_\_\_\_

KANSAS REGISTER  
SUBMISSION FORM

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 Meeting

Desired Date of Publication - July 11, 2013

**ITEMS SUBMITTED IN DUPLICATE**

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  
Title

(785) 296-2281  
Phone

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This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing by Conference Call

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 10:00 a.m., Thursday, August 29, 2013, by conference call, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism. Members of the public may participate at either the Office of the Secretary, 1020 S. Kansas Ave, Suite 200, Topeka, or at the Operations Office, 512 SE 25<sup>th</sup> Ave, Pratt. Additional locations may be available, and interested parties may contact the Commission Secretary for additional information.

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 30-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.

In addition to the previously published regulations, the regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-25-19.** This exempt regulation sets the dove hunting management unit, hunting season, shooting hours, and bag and possession limits. The proposed version increases the possession limit pursuant to changes in federal frameworks.

**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. 115-25-20.** This exempt regulation sets the sandhill crane hunting management unit, hunting season, shooting hours, and bag and possession limits. The proposed version increases the possession limit pursuant to changes in federal frameworks.

**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. 115-25-21.** This exempt regulation sets the snipe, rail, and woodcock hunting management unit, hunting season, shooting hours, and bag and possession limits. The proposed version increases the possession limits for snipe and woodcock pursuant to changes in federal frameworks.

**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.

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



STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

MEMORIAL HALL  
120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
WWW.AG.KS.GOV

July 1, 2013

Chris Tymeson  
Chief Legal Counsel  
Kansas Department of Wildlife, Parks and Tourism  
1020 S. Kansas Ave., Suite 200  
Topeka, KS 66612-1327

**RE: K.A.R. 115-5-1 (post-hearing change); 115-25-19; K.A.R. 115-25-20; K.A.R. 115-25-21**

Dear Chris:

Pursuant to K.S.A. 2012 Supp. 77-420(b), we have determined that the above-referenced regulations are within the statutory authority of your agency and do not present any other legal issues of concern. We have therefore approved the regulations for legality. The regulations are stamped and enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL  
DEREK SCHMIDT

Sarah Fertig  
Assistant Attorney General

Enclosures

cc: Rep. Sharon Schwartz, Chair, Joint Committee on Rules and Regulations  
Sen. Vicki Schmidt, Vice Chair, Joint Committee on Rules and Regulations  
Rep. Jan Pauls, Ranking Minority Member, Joint Committee on Rules and Regulations  
Raney Gilliland, Legislative Research, State Capitol, Room 68-W  
Kenneth V/ilke, Revisor of Statutes, State Capitol, Room 24-E

STATE OF KANSAS

**RANEY L. GILLILAND**

Director

**MELISSA S. CALDERWOOD**

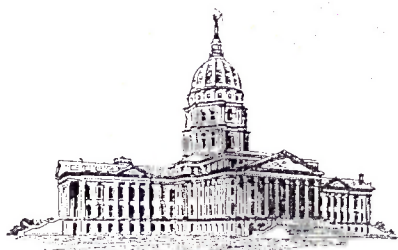
Assistant Director for Research

**J. G. SCOTT**

Chief Fiscal Analyst

**AMY DECKARD**

Assistant Director for Information Management



**STAFF**

LEGISLATIVE COORDINATING COUNCIL

INTERIM COMMITTEES

STANDING COMMITTEES

LEGISLATIVE INQUIRIES

**KANSAS LEGISLATIVE RESEARCH DEPARTMENT**

Room 68-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504

PHONE (785) 296-3181 ♦ FAX (785) 296-3824 ♦ TTY (785) 296-3677

INTERNET: <http://www.kslegislature.org/klrd> E-MAIL: [kslegres@klrd.ks.gov](mailto:kslegres@klrd.ks.gov)

July 26, 2013

Robin Jennison, Secretary  
Kansas Department of Wildlife, Parks and Tourism  
1020 S. Kansas Avenue, Room 200  
BUILDING MAIL

Dear Secretary Jennison:

At its meeting on July 22, 2013, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning KAR 115-25-19, doves, management unit, hunting season, shooting hours, and bag and possession limits; KAR 115-25-20, sandhill crane, management unit, hunting season, shooting hours, bag and possession limits, and permit validation; and KAR 115-25-21, snipe, rail, and woodcock, management unit, hunting season, shooting hours, and bag and possession limits. After discussion, the Committee had no comments.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations which the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

- Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes which have been made following the public hearing.

- Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations.
- Also, please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland  
Director

RLG/db

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**115-25-19. Doves; management unit, hunting season, shooting hours, and bag and possession limits.** (a) The first segment of open season for the taking of doves shall begin on the first day of September and shall continue for 61 days, including the opening day. The second segment of open season shall begin on the first Saturday of November and shall continue for nine days, including the opening day. The third segment of open season shall begin on November 20 and shall continue through February 28 of the following year. The first and second segments of open season shall be for the taking of migratory and exotic doves. The third segment of open season shall be only for the taking of exotic doves.

(b) The entire state shall be open for the taking of doves during the dove season.

(c) Shooting hours shall be from one-half hour before sunrise until sunset.

(d) The aggregate daily bag limit for migratory doves during the first and second segments of open season shall be 15 migratory doves.

(e) The aggregate possession limit for migratory doves during the first and second segments of open season shall be 45 migratory doves.

(f) There shall be no aggregate daily bag limit or aggregate possession limit for exotic doves during any open season, except as provided in this regulation.

(g) Each exotic dove possessed in excess of the aggregate daily bag limit or aggregate possession limit for migratory doves during the first or second open segment shall retain a fully feathered wing.

(h) Each exotic dove possessed during the third open segment shall retain a fully feathered wing.

(i) For the purpose of this regulation, "migratory dove" shall mean any mourning dove or white-

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winged dove, and "exotic dove" shall mean a Eurasian collared-dove or ringed turtledove. (Authorized by and implementing K.S.A. 2012 Supp. 32-807.)

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## ECONOMIC IMPACT STATEMENT

**K.A.R. 115-25-19.** Doves; management unit, hunting season, shooting hours, bag and possession limits.

**DESCRIPTION:** This exempt regulation establishes requirements for hunting doves. The proposed version of the regulation increases the possession limit pursuant to changes in federal frameworks.

**FEDERAL MANDATES:** None.

**ECONOMIC IMPACT:** The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

**ALTERNATIVES CONSIDERED:** Other than to not adopt the proposed amendments, no other alternatives were considered.

**115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession**

**limits, and permit validation.** (a) The open season for the taking of sandhill crane shall begin on the Wednesday after the first Saturday in November and shall continue for 58 days, including the opening day.

(b) The following area shall be open for the taking of sandhill crane during the established hunting season: that part of Kansas bounded by a line from the junction of interstate highway I-35 and the Oklahoma-Kansas state line, then north on interstate highway I-35 to its junction with interstate highway I-135, then north on interstate highway I-135 to its junction with interstate highway I-70, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then west on Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, then south on the Colorado-Kansas state line to its junction with the Oklahoma-Kansas state line, and then east on the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries.

(c) Shooting hours shall be from sunrise until sunset.

(d) The daily bag limit shall be three sandhill cranes.

(e) The possession limit shall be nine sandhill cranes.

(f) Each person hunting sandhill cranes in Kansas shall possess a federal sandhill crane hunting permit that has been issued through and validated by the department. Except as specified in subsection (g), any individual may secure a federal sandhill crane hunting permit upon application to the department and payment of the sandhill crane permit validation fee.

(g) Each person desiring to hunt sandhill cranes in Kansas shall be required to pass an annual,

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online sandhill crane identification examination before meeting the requirements specified in subsection (f). (Authorized by and implementing K.S.A. 2012 Supp. 32-807.)

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## ECONOMIC IMPACT STATEMENT

**K.A.R. 115-25-20.** Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation.

**DESCRIPTION:** This regulation establishes requirements for hunting sandhill cranes. The proposed version of the regulation increases the possession limit pursuant to changes in federal frameworks.

**FEDERAL MANDATES:** None.

**ECONOMIC IMPACT:** The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

**ALTERNATIVES CONSIDERED:** Other than to not adopt the proposed amendments, no other alternatives were considered.

**115-25-21. Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits.** (a) Snipe.

(1) For the purpose of this regulation, "snipe" shall mean any common or Wilson's snipe.

(2) The open season for the taking of snipe shall begin on the first day of September and shall continue through December 16.

(3) The entire state shall be open for the taking of snipe during the snipe season.

(4) Shooting hours shall be from one-half hour before sunrise until sunset.

(5) The daily bag limit shall be eight snipe.

(6) The possession limit shall be 24 snipe.

(b) Rail.

(1) For the purpose of this regulation, "rail" shall mean any Virginia rail or sora.

(2) The open season for the taking of rail shall begin on the first day of September and shall continue through November 9.

(3) The entire state shall be open for the taking of rails during the rail season.

(4) Shooting hours shall be from one-half hour before sunrise until sunset.

(5) The aggregate daily bag limit shall be 25 rails.

(6) The aggregate possession limit shall be 25 rails.

(c) Woodcock.

(1) For the purpose of this regulation, "woodcock" shall mean any American woodcock.

(2) The open season for the taking of woodcock shall begin on the Saturday nearest October 14 and shall continue for 45 days.

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- (3) The entire state shall be open for the taking of woodcock during the woodcock season.
- (4) Shooting hours shall be from one-half hour before sunrise until sunset.
- (5) The daily bag limit shall be three woodcock.
- (6) The possession limit shall be nine woodcock. (Authorized by and implementing K.S.A. 32-807.)

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## ECONOMIC IMPACT STATEMENT

**K.A.R. 115-25-21.** Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits.

**DESCRIPTION:** This new exempt regulation establishes requirements for hunting snipe, rail, and woodcock. The proposed version of the regulation increases the possession limits for snipe and woodcock pursuant to changes in federal frameworks.

**FEDERAL MANDATES:** None.

**ECONOMIC IMPACT:** The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

**ALTERNATIVES CONSIDERED:** Other than to not adopt the proposed amendments, no other alternatives were considered.

**K.A.R. 115-25-21.**  
**Snipe, rail, and woodcock; management unit, hunting season,**  
**shooting hours, and bag and possession limits.**

POSSIBLE AMENDMENT  
Clarifying possession limit related to rails

As a result of internal department comment after consultation with federal authorities in relation to K.A.R. 115-25-21 and as discussed at the previous August 1 Commission meeting, the department suggests that the following amendment be made to the version of the regulation submitted for public comment.

**115-25-21. Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits.**

**1. Amend proposed subsection (b)(6) to read as follows:**

(6) The aggregate possession limit shall be ~~25~~ 75 rails.