The following regulations have been adopted and published in the Kansas Register. They will become effective on the final date listed in the history section that follows each regulation. Regulations become effective 15 days after publication in the Kansas Register unless a later effective date is given in the body of the regulation.

State of Kansas
Department of Health and Environment

Permanent Administrative Regulations

Article 4.—MATERNAL AND CHILD HEALTH

28-1-520. Definitions. In addition to the terms defined in K.S.A. 65-1,241 and K.S.A. 65-2401 and amendments thereto, each of the following terms, as used in this regulation and in K.A.R. 28-4-521, shall have the meaning specified in this regulation:

(a) “Abnormal condition” means any condition established at conception or acquired in utero that results in a morphologic, metabolic, or functional disorder requiring medical or other intervention.

(b) “Birth defects information system” means the Kansas birth defects reporting system, which collects, maintains, analyzes, and disseminates information regarding abnormal conditions, birth defects, and congenital anomalies of each stillbirth and of children from live birth to five years of age pursuant to K.S.A. 65-101, and amendments thereto.

(c) “Congenital anomaly” means an error of morphogenesis that is established at conception or acquired during intrauterine life.

(d) “Notifiable condition” means any abnormal condition or congenital anomaly diagnosed by a physician in a child from live birth to five years of age or stillbirth. (Authorized by and implementing K.S.A. 65-1,245; effective Dec. 3, 2010; amended Oct. 7, 2022.)


Janet Stanek
Secretary

Doc. No. 050522

State of Kansas
Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATION AND OTHER CHARGES

115-2-1. Amount of fees. The following fees and discounts shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

Resident hunting license (valid for one year from date of purchase) ...........................................$25.00
Resident disabled veteran hunting license (valid for one year from date of purchase, 30 percent or more service-connected disabled) ........ 12.50
Resident senior hunting license (valid for one year from date of purchase, 65 years of age through 74 years of age) .................. 12.50
Resident youth hunting license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) .................. 40.00
Nonresident hunting license (valid for one year from date of purchase) ................................... 95.00
Nonresident junior hunting license (under 16 years of age) .................................................. 40.00
Resident big game hunting permit:
General resident: either-sex elk permit ........................................................................ 300.00
General resident: antlerless-only elk permit .............................................................. 150.00
General resident youth (under 16 years of age): either-sex elk permit .................. 125.00
General resident youth (under 16 years of age): antlerless-only elk permit ........ 50.00
Landowner/tenant: either-sex elk permit .............................................................. 150.00
Landowner/tenant: antlerless-only elk permit .................................................... 75.00
Hunt-on-your-own-land: either-sex elk permit .................................................. 150.00
Hunt-on-your-own-land: antlerless-only elk permit ........................................... 75.00
General resident: deer permit ............................................................................. 40.00
General resident youth (under 16 years of age): deer permit ................................. 10.00
General resident: antlerless-only deer permit .................................................. 20.00
General resident youth (under 16 years of age): antlerless-only deer permit ........ 7.50
Landowner/tenant: deer permit ........................................................................ 20.00
Hunt-on-your-own-land: deer permit .............................................................. 20.00
Special hunt-on-your-own-land: deer permit .................................................. 85.00
General resident: antelope permit ..................................................................... 50.00
General resident youth (under 16 years of age): antelope permit ..................... 10.00
Landowner/tenant: antelope permit ................................................................. 25.00
Antelope preference point service charge ......................................................... 10.00
Any-deer preference point service charge ...................................................... 10.00
Application fee for elk permit ................................................................. 10.00
Wild turkey permit:
General resident: turkey permit (1-bird limit) .................................................. 25.00
General resident youth (under 16 years of age): turkey permit (1-bird limit) ........ 5.00
Resident landowner/tenant: turkey permit (1-bird limit) .......................................... 12.50
Nonresident: fall turkey permit (1-bird limit) ...................................................... 50.00
Nonresident tenant: fall turkey permit (1-bird limit) ................................................ 12.50
Nonresident tenant: spring turkey permit (1-bird limit) ...................................... 25.00
Nonresident: spring turkey permit (1-bird limit) .................................................. 30.00
Nonresident youth (under 16 years of age): ............................... 60.00

Resident youth hunting license (valid for one year from date of purchase) .................. 40.00
Resident disabled veteran hunting license (valid for one year from date of purchase, 30 percent or more service-connected disabled) ........ 12.50
Resident senior hunting license (valid for one year from date of purchase, 65 years of age through 74 years of age) .................. 12.50
Resident youth hunting license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) .................. 40.00
Nonresident hunting license (valid for one year from date of purchase) ................................... 95.00
Nonresident junior hunting license (under 16 years of age) .................................................. 40.00
Resident big game hunting permit:
General resident: either-sex elk permit ........................................................................ 300.00
General resident: antlerless-only elk permit .............................................................. 150.00
General resident youth (under 16 years of age): either-sex elk permit .................. 125.00
General resident youth (under 16 years of age): antlerless-only elk permit ........ 50.00
Landowner/tenant: either-sex elk permit .............................................................. 150.00
Landowner/tenant: antlerless-only elk permit .................................................... 75.00
Hunt-on-your-own-land: either-sex elk permit .................................................. 150.00
Hunt-on-your-own-land: antlerless-only elk permit ........................................... 75.00
General resident: deer permit ............................................................................. 40.00
General resident youth (under 16 years of age): deer permit ................................. 10.00
General resident: antlerless-only deer permit .................................................. 20.00
General resident youth (under 16 years of age): antlerless-only deer permit ........ 7.50
Landowner/tenant: deer permit ........................................................................ 20.00
Hunt-on-your-own-land: deer permit .............................................................. 20.00
Special hunt-on-your-own-land: deer permit .................................................. 85.00
General resident: antelope permit ..................................................................... 50.00
General resident youth (under 16 years of age): antelope permit ..................... 10.00
Landowner/tenant: antelope permit ................................................................. 25.00
Antelope preference point service charge ......................................................... 10.00
Any-deer preference point service charge ...................................................... 10.00
Application fee for elk permit ................................................................. 10.00
Wild turkey permit:
General resident: turkey permit (1-bird limit) .................................................. 25.00
General resident youth (under 16 years of age): turkey permit (1-bird limit) ........ 5.00
Resident landowner/tenant: turkey permit (1-bird limit) .......................................... 12.50
Nonresident: fall turkey permit (1-bird limit) ...................................................... 50.00
Nonresident tenant: fall turkey permit (1-bird limit) ................................................ 12.50
Nonresident tenant: spring turkey permit (1-bird limit) ...................................... 25.00
Nonresident: spring turkey permit (1-bird limit) .................................................. 30.00
Nonresident youth (under 16 years of age): ............................... 60.00
<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
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<tr>
<td>Turkey permit (1-bird limit)</td>
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<td>Resident: turkey preference point service charge</td>
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<td>Wild turkey game tag:</td>
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<td>Resident: turkey game tag (1-bird limit)</td>
<td>15.00</td>
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<td>Resident youth (under 16 years of age):</td>
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<td>turkey game tag (1-bird limit)</td>
<td>5.00</td>
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<tr>
<td>Nonresident: turkey game tag (1-bird limit)</td>
<td>30.00</td>
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<tr>
<td>Nonresident youth (under 16 years of age):</td>
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<tr>
<td>turkey game tag (1-bird limit)</td>
<td>10.00</td>
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<tr>
<td>Spring wild turkey permit and game tag combination (2-bird limit, must be</td>
<td></td>
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<tr>
<td>purchased before April 1 of year of use):</td>
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<tr>
<td>General resident: turkey permit and game tag combination (2-bird limit)</td>
<td>35.00</td>
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<td>General resident youth (under 16 years of age):</td>
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<td>turkey permit and game tag combination (2-bird limit)</td>
<td>20.00</td>
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<tr>
<td>Nonresident big game hunting permit:</td>
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<tr>
<td>Nonresident hunt-on-your-own-land:</td>
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<tr>
<td>deer permit</td>
<td>85.00</td>
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<tr>
<td>Nonresident tenant: deer permit</td>
<td>85.00</td>
</tr>
<tr>
<td>Nonresident: deer permit (antlered deer)</td>
<td>400.00</td>
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<tr>
<td>Nonresident youth (under 16 years of age):</td>
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<td>deer permit (antlered deer)</td>
<td>75.00</td>
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<tr>
<td>Nonresident: deer permit (antlerless only)</td>
<td>50.00</td>
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<tr>
<td>Nonresident: combination 2-deer permit (antlered deer and antlerless white-</td>
<td>415.00</td>
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<tr>
<td>tailed deer)</td>
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<tr>
<td>Nonresident youth (under 16 years of age):</td>
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<tr>
<td>combination 2-deer permit (antlered deer and antlerless white-tailed deer)</td>
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<td>Nonresident: antelope permit (archery only)</td>
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<tr>
<td>Nonresident tenant: antelope permit</td>
<td>85.00</td>
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<tr>
<td>Nonresident youth (under 16 years of age):</td>
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<tr>
<td>antelope (archery only)</td>
<td>100.00</td>
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<td>Nonresident tenant: either sex elk permit</td>
<td>300.00</td>
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<td>Nonresident: antlerless-only elk permit (antlered only)</td>
<td>150.00</td>
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<td>Nonresident: deer permit application fee</td>
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<td>Nonresident: mule deer stamp</td>
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<td>Field trial permit: game birds</td>
<td>20.00</td>
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<tr>
<td>Lifetime hunting license</td>
<td>500.00</td>
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<tr>
<td>or eight quarterly installment payments of</td>
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<tr>
<td>Migratory waterfowl habitat stamp</td>
<td>8.00</td>
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<tr>
<td>Sandhill crane hunting permit: validation fee</td>
<td>5.00</td>
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<tr>
<td>Disabled person hunt-from-a-vehicle permit</td>
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<tr>
<td>(b) Fishing licenses and permits.</td>
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<tr>
<td>Resident fishing license (valid for one year from date of purchase)</td>
<td>25.00</td>
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<tr>
<td>Resident fishing license (valid for five years from date of purchase)</td>
<td>100.00</td>
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<tr>
<td>Resident disabled veteran fishing license (valid for one year from date of</td>
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<td>purchase, 30 percent or more service-connected disabled)</td>
<td>12.50</td>
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<tr>
<td>Resident senior fishing license (valid for one year from date of purchase,</td>
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<td>65 years of age through 74 years of age)</td>
<td>12.50</td>
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<tr>
<td>Resident youth fishing license (one-time purchase, valid from 16 years of</td>
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<td>age through 20 years of age, expiring at the end of that calendar year)</td>
<td>40.00</td>
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<tr>
<td>Nonresident fishing license (valid for one year from date of purchase)</td>
<td>50.00</td>
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<tr>
<td>Resident calendar day fishing license</td>
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<tr>
<td>Nonresident calendar day fishing license</td>
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<td>Three-pole permit (valid for one year from date of purchase)</td>
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<td>Tournament bass pass (valid for one year from date of purchase)</td>
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<tr>
<td>Paddlefish permit (six carcass tags)</td>
<td>10.00</td>
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<tr>
<td>Paddlefish permit youth (under 16 years of age)</td>
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<tr>
<td>(six carcass tags)</td>
<td>5.00</td>
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<tr>
<td>Hand fishing permit</td>
<td>25.00</td>
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<tr>
<td>Lifetime fishing license</td>
<td>500.00</td>
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<tr>
<td>or eight quarterly installment payments of</td>
<td>67.50</td>
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<tr>
<td>Five-day nonresident fishing license</td>
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<td>Institutional group fishing license</td>
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<td>Special nonprofit group fishing license</td>
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<td>Trout permit (valid for one year from date of purchase)</td>
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<tr>
<td>Youth trout permit (under 16 years of age, valid for one year from date of</td>
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<tr>
<td>For more service-connected disabled)</td>
<td></td>
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<tr>
<td>Resident combination hunting and fishing license (valid for one year from</td>
<td>45.00</td>
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<td>date of purchase)</td>
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<tr>
<td>Resident combination hunting and fishing license (valid for five years from</td>
<td>180.00</td>
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<tr>
<td>date of purchase)</td>
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<tr>
<td>Resident disabled veteran combination hunting and fishing license (valid for</td>
<td>22.50</td>
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<td>one year from date of purchase, 30 percent or more service-connected</td>
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<td>disabled)</td>
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<tr>
<td>Resident senior combination hunting and fishing license (valid for one year</td>
<td>22.50</td>
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<tr>
<td>from date of purchase, 65 years of age through 20 years of age, expiring</td>
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<td>at the end of that calendar year)</td>
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<tr>
<td>Resident combination youth hunting and fishing license (one-time purchase,</td>
<td>70.00</td>
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<td>valid from 16 years of age through 20 years of age, expiring at the end of</td>
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<td>that calendar year)</td>
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<tr>
<td>Resident lifetime combination hunting and fishing license</td>
<td>960.00</td>
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<tr>
<td>or eight quarterly installment payments of</td>
<td>130.00</td>
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<tr>
<td>Resident senior lifetime combination hunting and fishing license (one-time</td>
<td></td>
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<tr>
<td>purchase, valid for 65 years of age and older)</td>
<td>40.00</td>
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<tr>
<td>Resident Kansas kids lifetime combination hunting and fishing license</td>
<td>135.00</td>
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<tr>
<td>5 years of age or younger</td>
<td>300.00</td>
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<tr>
<td>6 through 7 years of age</td>
<td>500.00</td>
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<tr>
<td>Nonresident combination hunting and fishing license (valid for one year</td>
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<td>from date of purchase)</td>
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</tbody>
</table>
(d) Furharvester licenses.
Resident furharvester license (valid for one year from date of purchase) ............... 25.00
Resident junior furharvester license (valid for one year from date of purchase) .......... 12.50
Lifetime furharvester license ........................................ 500.00
or eight quarterly installment payments of .... 67.50
Nonresident furharvester license (valid for one year from date of purchase) ............... 250.00
Nonresident bobcat permit (1-bobcat limit per permit) ........................................ 100.00
Resident fur dealer license ........................................... 100.00
Nonresident fur dealer license ................... 400.00
Field trial permit: furbearing animals .......... 20.00

(e) Commercial licenses and permits.
Controlled shooting area hunting license (valid for one year from date of purchase) .... 25.00
Resident mussel fishing license ......................... 75.00
Nonresident mussel fishing license ............... 1,000.00
Mussel dealer permit ........................................ 200.00
Missouri river fishing permit ................................ 25.00
Game breeder permit ............................................. 10.00
Controlled shooting area operator license ..... 200.00
Commercial dog training permit ............... 20.00
Commercial fish bait permit (three-year permit) ........... 50.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license) .... 20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement) . 5.00
Commercial prairie rattlesnake dealer permit . 50.00
Prairie rattlesnake round-up event permit ....... 25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.
Scientific, educational, or exhibition permit ........ 10.00
Raptor propagation permit ...................................... 0
Rehabilitation permit ........................................... 0
Wildlife damage-control permit ..................... 0
Wildlife importation permit ......................... 10.00
Threatened or endangered species: special permits .... 0

(g) Falconry.
Apprentice permit ............................................... 75.00
General permit ............................................... 75.00
Master permit ............................................... 75.00
Testing fee ............................................... 50.00

(h) Miscellaneous fees.
Duplicate license, permit, stamp, and other issues of the department ................................ 0
Special departmental services, materials, or supplies ........................................... At cost
Vendor bond
For bond amounts of $5,000.00 and less .......... 50.00
For bond amounts of more than $5,000.00 .......... 50.00
plus $6.00 per additional $1,000.00 coverage or any fraction thereof. 50.00

(i) Discounts.
Discount for five or more licenses, permits, stamps, or other issues of the department purchased by an individual at the same time....................... five percent of the total price


Article 4.—BIG GAME

115-4-11. Big game and wild turkey permit applications. (a) General application provisions.
(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant’s odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a deer permit that allows the tak-
ing of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual wants to apply for a preference point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) If an individual is a final recipient of a commission permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June. Any nonresident applicant may select, at the time of application, one management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either-species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of June.

(6) Applications for resident any-season white-tailed either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) Antelope permit applications. In awarding antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit and does not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through October 30.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any permit made available during an extended application period, or any other permit that is available on an unlimited basis. If the applicant receives a permit made available during an extended application period or on an unlimited basis, that individual shall not receive a preference point in the same calendar year as the calendar year in which the individual receives that other permit.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining a permit, by a random draw system, an elk permit that allows the
taking of an elk.
(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.
(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.
(iv) If an individual wants to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.
(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.
(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.
(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.
(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.
(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.
(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.
(e) Wild turkey permit applications.
(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.
(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:
(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.
(B) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.
(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.
(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.
(E) If an individual wants to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.
(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.
(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the season or until all turkey permits are issued.
(5) Spring wild turkey permits in unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season. (Authorized by K.S.A. 32-807, K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; implementing K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011; amended May 24, 2013; amended Nov. 30, 2015; amended April 21, 2017; amended April 26, 2019; amended Oct. 7, 2022.)

Article 9.—LICENSES, PERMITS, STAMPS, AND OTHER DEPARTMENT ISSUES

115-9-3. Purchase of lifetime hunting or lifetime combination hunting and fishing licenses without certificate of completion of an approved hunter education course. (a) Any individual may purchase a lifetime hunting or lifetime combination hunting and fishing license for a Kansas resident born after July 1, 1957, pursuant to K.S.A. 32-920 and amendments thereto, before issuance
to that resident of a certificate of completion of an approved hunter education course.

(b) Any resident may purchase a lifetime hunting or lifetime combination hunting and fishing license or a resident Kansas kids lifetime combination hunting and fishing license before issuance of a certificate of completion of an approved hunter education course to that resident.

(c) Each lifetime license purchased under subsection (a) or (b) shall be issued with a notice that the lifetime license is not valid until the recipient of the lifetime license has been issued a certificate of completion of an approved hunter education course. (Authorized by K.S.A. 32-807 and K.S.A. 32-920; implementing K.S.A. 32-920 and 2022 HB 2456, sec. 1; effective Dec. 26, 1989; amended Oct. 14, 2022.)

Brad Loveless
Secretary

State of Kansas
Board of Nursing
Permanent Administrative Regulations

Article 11.—ADVANCED PRACTICE REGISTERED NURSES (APRN)


60-11-103. Licensure and educational requirements for advanced practice registered nurses. (a) Licensure as an advanced practice registered nurse. Each applicant for licensure as an advanced practice registered nurse shall meet the following requirements:

(1) File with the board a completed application on a form adopted by the board and pay the application fee prescribed by K.A.R. 60-11-119;

(2) be fingerprinted and submit to a state and national criminal history record check;

(3) submit proof of APRN certification in the applicant’s specific role and population focus granted by a national certifying organization that is recognized by the board and whose certification standards are approved by the board as equal to or greater than the corresponding standards established by the board for initial licensure applications submitted on and after July 1, 2023;

(4) submit proof of malpractice insurance coverage if the applicant renders professional clinical services as an APRN,

unless the advanced practice registered nurse meets one of the exceptions listed in K.S.A. 65-1130 as amended by 2022 S Sub for HB 2279, sec. 1, and amendments thereto; and

(5) within 180 days after the board’s receipt of the application, submit proof that all qualifications for licensure, as specified in K.S.A. 65-1130 and K.S.A. 65-1131 and amendments thereto, have been met. If the applicant does not meet this requirement, the application shall be deemed abandoned and closed.

(b) Licensure in the roles of clinical nurse specialist, nurse anesthetist, nurse-midwife, and nurse practitioner. To be issued a license as an advanced practice registered nurse in any of the roles of advanced practice, as identified in K.A.R. 60-11-102, each applicant shall meet at least one of the following requirements:

(1) Complete a formal, post-basic nursing education program located or offered in Kansas that has been approved by the board and prepares the nurse to function in the advanced role for which application is made;

(2) complete a formal, post-basic nursing education program that is not located or offered in Kansas but is determined by the board to meet the standards for program approval established by K.A.R. 60-17-101 through 60-17-108;

(3) have completed a formal, post-basic nursing education program that is no longer in existence but is determined by the board to meet standards at least as stringent as those required for program approval by the board at the time of graduation;

(4) hold a current license to practice as an advanced practice registered nurse in the role for which application is made and demonstrate to the board’s satisfaction that both of the following requirements are met:

(A) The license was issued by a nursing licensing authority of another jurisdiction; and

(B) the applicant has met the requirements for licensure pursuant to K.S.A. 48-3406, and amendments thereto; or

(5) complete a formal educational program of post-basic study and clinical experience that can be demonstrated by the applicant to have sufficiently prepared the applicant for practice in the role of advanced practice for which application is made. The applicant shall show that the curriculum of the program is consistent with public health and safety policy and that the program prepared individuals to perform acts generally recognized by the nursing profession as capable of being performed by persons with post-basic education in nursing.

(c) Licensure in the roles of clinical nurse specialist and nurse practitioner. Each applicant for a license as an advanced practice registered nurse in a role other than anesthesia or midwifery shall meet the following requirements:

(1) Have met one of the requirements of subsection (b) before July 1, 1994;

(2) if none of the requirements in subsection (b) were met before July 1, 1994, meet one of the requirements of subsection (b) and hold a baccalaureate or higher degree in nursing; or

(3) if none of the requirements in subsection (b) were met before July 1, 2002, meet one of the requirements of
subsection (b) and hold a master’s or higher degree in a clinical area of nursing.

d) Licensure in the role of nurse anesthetist. Each applicant for a license as an advanced practice registered nurse in the role of anesthesia shall meet one of the following requirements:

(1) Have met one of the requirements of subsection (b) before July 1, 2002; or

(2) if none of the requirements in subsection (b) were met before July 1, 2002, meet one of the requirements of subsection (b) and hold a master’s degree or a higher degree in nurse anesthesia or a related field.

e) Licensure in the role of nurse-midwife. Each applicant for a license as an advanced practice registered nurse in the role of midwifery shall meet one of the following requirements:

(1) Have met one of the requirements of subsection (b) before July 1, 2000;

(2) if none of the requirements in subsection (b) were met before July 1, 2000, meet one of the requirements of subsection (b) and hold a baccalaureate degree in nursing; or

(3) if none of the requirements in subsection (b) were met before January 1, 2010, meet one of the requirements of subsection (b) and hold a master’s degree or a higher degree in nursing, midwifery, or a related field.

f) National nursing organization certification for licensure. National nursing organizations with certification standards that meet the standard specified in paragraph (a)(3) shall be identified by the board, and a current list of national nursing organizations with certification standards approved by the board shall be maintained by the board. Any licensee may request that a certification program be considered by the board for approval and, if approved, included by the board on its list of national nursing organizations with approved certification standards.

g) Advanced pharmacology education requirement. Each applicant who completes an advanced practice registered nurse program after January 1, 1997 shall have completed three college hours in advanced pharmacology or the equivalent.

h) Advanced pathophysiology and advanced health assessment education requirement. Each applicant who completes an advanced practice registered nurse program after January 1, 2001 in a role other than anesthesia or midwifery shall have completed three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent.

i) Advanced pathophysiology and advanced health assessment education requirement after July 1, 2009. Each applicant who completes an advanced practice registered nurse program after July 1, 2009 shall have completed three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent.

j) Refresher course requirement. In spite of the provisions of subsections (b) through (i), each applicant for a license as an advanced practice registered nurse who has not gained 1,000 hours of advanced nursing practice during the five years preceding the date of application shall be required to successfully complete a refresher course as defined by the board.

k) Verification of current Kansas license. Verification of a current Kansas license shall be provided to other state boards upon the applicant’s request and payment of the fee prescribed by K.A.R. 60-4-101.

l) Licensure for endorsement pursuant to K.S.A. 48-3406, and amendments thereto.


(2) “Active practice” shall mean that in a calendar year, the applicant worked for at least 1,000 hours in the scope of practice for which licensure is sought.

m) Temporary emergency licensure. Each applicant for a temporary emergency license shall submit an application on a form adopted by the board to practice advanced nursing during a state of emergency declared by the legislature and submit proof that either of the following qualifications for licensure has been met:

(1) For licensure as a registered professional nurse, the applicant is currently licensed or has been licensed as a registered professional nurse by a state licensing board within five years of the application date.


60-11-104. Functions of the advanced practice registered nurse in the role of nurse practitioner. Each advanced practice registered nurse in the role of nurse practitioner shall function in an advanced role at a specialized level, through the application of advanced knowledge and skills and shall be authorized to perform the following:

(a) Provide health promotion and maintenance, disease prevention, and independent nursing diagnosis, as defined in K.S.A. 65-1113 and amendments thereto, and treatment, as defined in K.S.A. 65-1113 and amendments thereto, of acute and chronic diseases;

(b) develop and manage the medical plan of care for patients or clients;

(c) provide health care services for which the nurse practitioner is educationally prepared and for which
competency has been established and maintained. Educational preparation may include academic coursework, workshops, institutes, and seminars if theory or clinical experience, or both, are included;

(d) provide health care for individuals by managing health problems encountered by patients and clients; and

(e) provide innovation in evidence-based nursing practice based upon advanced clinical expertise, decision making, and leadership skills and serve as a consultant, researcher, and patient advocate for individuals, families, groups, and communities to achieve quality, cost-effective patient outcomes and solutions. (Authorized by and implementing K.S.A. 2021 Supp. 65-1113 and K.S.A. 65-1130, as amended by 2022 S Sub for HB 2279, sec. 1; effective May 1, 1984; amended, T-85-16, June 5, 1984; amended May 1, 1985; amended Sept. 4, 2009; amended May 18, 2012; amended, T-60-7-18-22, July 18, 2022; amended Oct. 14, 2022.)

**60-11-104a. Prescription orders.** (a) Any advanced practice registered nurse may perform the following:

(1) Prescribe durable medical equipment;

(2) prescribe, procure, and administer any drug consistent with the licensee’s specific role and population focus, except any drug that is intended to cause an abortion; and

(3) prescribe, procure, or administer any drug that is a controlled substance in accordance with the uniform controlled substances act as specified in K.S.A. 65-4101, and amendments thereto.

(b) Each prescription order in written form shall meet the following requirements:

(1) Include the name, address, and telephone number of the practice location of the advanced practice registered nurse;

(2) be signed by the advanced practice registered nurse with the letters A.P.R.N.; and

(3) contain the D.E.A. registration number issued to the advanced practice registered nurse when a controlled substance, as defined in K.S.A. 65-4101, and amendments thereto, is prescribed.

(c) Nothing in this regulation shall be construed to prohibit any registered nurse or licensed practical nurse or advanced practice registered nurse from conveying a prescription order orally or administering a drug if acting under the lawful direction of a person licensed to practice either medicine and surgery or dentistry or licensed as an advanced practice registered nurse.


**60-11-105. Functions of the advanced practice registered nurse in the role of nurse-midwife.** Each advanced practice registered nurse in the role of nurse-midwife shall function in an advanced role through the application of advanced skills and knowledge of women’s health care through the life span and shall be authorized to perform the following:

(a) Provide independent nursing diagnosis, as defined in K.S.A. 65-1113 and amendments thereto, and treatment, as defined in K.S.A. 65-1113 and amendments thereto;

(b) develop and manage the medical plan of care for patients or clients;

(c) provide health care services for which the nurse-midwife is educationally prepared and for which competency has been established and maintained. Educational preparation may include academic coursework, workshops, institutes, and seminars if theory or clinical experience, or both, are included;

(d) in a manner consistent with subsection (c), provide health care for women, focusing on gynecological needs, pregnancy, childbirth, the postpartum period, care of the newborn, and family planning, including indicated partner evaluation, treatment, and referral for infertility and sexually transmitted diseases; and

(e) provide innovation in evidence-based nursing practice based upon advanced clinical expertise, decision making, and leadership skills and serve as a consultant, researcher, and patient advocate for individuals, families, groups, and communities to achieve quality, cost-effective patient outcomes and solutions. (Authorized by and implementing K.S.A. 2021 Supp. 65-1113 and K.S.A. 65-1130, as amended by 2022 S Sub for HB 2279, sec. 1; effective May 1, 1984; amended, T-85-16, June 5, 1984; amended May 1, 1985; amended Sept. 4, 2009; amended May 18, 2012; amended, T-60-7-18-22, July 18, 2022; amended Oct. 14, 2022.)

**60-11-107. Functions of the advanced practice registered nurse in the role of clinical nurse specialist.** Each advanced practice registered nurse in the role of clinical nurse specialist shall function in an advanced role to provide evidence-based nursing practice within a specialty area focused on specific patients or clients, populations, settings, and types of care. Each clinical nurse specialist shall be authorized to perform the following:

(a) Provide independent nursing diagnosis, as defined in K.S.A. 65-1113 and amendments thereto, and treatment, as defined in K.S.A. 65-1113 and amendments thereto;

(b) develop and manage the medical plan of care for patients or clients;

(c) provide health care services for which the clinical nurse specialist is educationally prepared and for which competency has been established and maintained. Educational preparation may include academic coursework, workshops, institutes, and seminars if theory or clinical experience, or both, are included;

(d) provide care for specific patients or clients or specific populations, or both, utilizing a broad base of advanced scientific knowledge, nursing theory, and skills in assessing, planning, implementing, and evaluating health and nursing care; and

(e) provide innovation in evidence-based nursing practice based upon advanced clinical expertise, decision making, and leadership skills and serve as a consultant, researcher, and patient advocate for individuals, families, groups, and communities to achieve quality, cost-effective patient outcomes and solutions. (Authorized by and implementing K.S.A. 2021 Supp. 65-1113 and
Article 1.—HEARING

Definitions. (a) Except as specified in subsection (b), the following definitions shall apply to all of the department’s regulations:

(1) “Arrow” means a missile shot from a bow or a crossbow.

(2) “Artificial lure” means a man-made fishing made of artificial or nonedible natural materials used to mimic prey. Each device mimicking individual prey shall be limited to no more than three hooks. Each device mimicking multiple prey shall be limited to no more than five hooks.

(3) “Bag limit” means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(4) “Bait fish” means a member of the minnow or carp family (Cyprinidae), sucker family (Catostomidae), top minnows or killifish family (Cyprinodontidae), shad family (Clupeidae), and sunfish family (Centrarchidae), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(5) “Bird dog” means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(6) “Bow” means a handheld device with a cord that connects both of its two ends and is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(7) “Bridle path” means an established, maintained, and marked pathway for the riding of animals.

(8) “Camping” means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(9) “Camping unit” means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(10) “Cast net” means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(11) “Creel limit” means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(12) “Crossbow” means a transverse-mounted bow with a cord that connects the two ends and is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(13) “Culling” means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(14) “Department lands and waters” means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the juris-
...diction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(15) “Depth finder” means an electronic device used to locate fish or determine underwater structures.

(16) “Dip net” means a handheld net that has rigid support about the mouth and is used to land fish.

(17) “Draft livestock” means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

(18) “Drag event” means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(19) “Dryland set” means any trapping device that is placed or set on land or is not in contact with water.

(20) “Eyass” means a young of the year raptor not yet capable of flight.

(21) “Falconer” means the holder of a falconry permit.

(22) “Falconry” means the taking of wildlife with a trained raptor.

(23) “Field trial event for dogs” means a competitive event involving at least six dogs that are judged on hunting or running ability.

(24) “Firearm” means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(25) “Fire ring” means an open-topped, man-made, fire-retaining device.

(26) “Fireplace” means an enclosed, man-made, fire-retaining device.

(27) “Fishing line” means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(28) “Fish trap” means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(29) “Fully automatic firearm” means a firearm capable of firing more than one round with a single trigger pull.

(30) “Gaff” means a hook attached to a rigid pole.

(31) “Gig” means a hand-operated spear with one or more prongs with or without barbs.

(32) “Group camping area” means any area within a state park designated by posted notice for camping by organized groups.

(33) “Haggard” means an adult raptor in mature plumage.

(34) “Hook” means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(35) “Imping” means the repair of damaged feathers.

(36) “Kill site” means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(37) “Length limit” means the minimum length of a fish allowed in order to take it and not release it to the water immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(38) “Moorage site” means a location designated for the fastening or securing of a vessel.

(39) “Non-sport fish” means common carp, silver carp, bighead carp, black carp, grass carp, drum, threadfin and gizzard shad, goldfish, gar, suckers including carp-suckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(40) “Orthopedic device” means a device that attaches to the body and is required to enable a handicapped person to walk.

(41) “Overflow camping area” means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

(42) “Pen-raised wildlife” means any wildlife raised in captivity.

(43) “Pets” means domesticated wildlife, including dogs and cats.

(44) “Possession limit” means the maximum total number of a species that can be retained per person at any one time.

(46) “Prime camping site” means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

(47) “Raptors” means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

(48) “Raw pelt” means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

(49) “Recreational vehicle” means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

(50) “Running” means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

(51) “Sanctioned or licensed coyote field trial” means a competitive event that involves only sight or trail hounds and has been advertised in one of the national foxhound journals at least 30 days before the event.

(52) “Sanctioned or licensed furbearer field trial” means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(54) “Set line” means a string or cord that is anchored at one point by an anchor weighing at least 25 pounds or is attached to a fixed and immovable stake or object, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(55) “Sight hound” means a dog used to pursue fur-
bears, rabbits, hares, or coyotes by sight.
(56) “Skin and scuba diving” means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.
(57) “Snagging” means the hooking of a fish in any part of its anatomy other than the inside of the mouth.
(58) “Speargun” means a device used to propel a spear through the water by mechanical means or compressed gas.
(59) “Sport fish” means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.
(60) “State fishing lake” means a department facility that contains the words “state fishing lake” in the name of the area.
(51) “Tip-up” means an ice fishing device designed to signal the strike of a fish.
(62) “Trail hound” means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.
(63) “Transfer” means either of the following:
(A) To reassign one’s license, permit, or other issue of the department to another individual; or
(B) to exchange any license, permit, or other issue of the department between individuals.
(64) “Trot line” means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.
(65) “Turkey” means wild turkey.
(66) “Unattended fishing line” means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.
(67) “Wake” means the waves thrown by a vessel moving on water.
(68) “Water race” means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.
(69) “Water set” means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.
(b) Exceptions to the definitions in this regulation shall include the following:
(1) The context requires a different definition.

Article 7.—FISH AND FROGS

115-7-1. Fishing: legal equipment, methods of taking, and other provisions. (a) Legal equipment and methods for taking sport fish shall be the following:
(1) Fishing lines with not more than two baited hooks or artificial lures per line. If two artificial lures are used, the fishing line shall not exceed six hooks;
(2) trotlines, except that all float material used with a trotline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A “closed-cell” construction shall mean a solid body incapable of containing water;
(3) setlines, except that any float material used with a setline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A “closed-cell” construction shall mean a solid body incapable of containing water;
(4) tip-ups;
(5) using a person’s hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:
(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;
(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;
(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;
(D) each individual hand fishing shall take fish only from natural objects or natural cavities;
(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;
(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand fishing; and
(G) an individual hand fishing shall not take fish within 150 yards of any dam;
(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:
(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day;
(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest; and
(C) each individual snagging for paddlefish shall use barbless hooks while snagging for paddlefish. “Barbless hook” shall mean a hook without barbs or upon which the barbs have been bent completely closed;
(7) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the following requirements:
(A) All floatlines shall be under the immediate supervision of the angler setting the floats. “Immediate supervision” shall mean that the angler has visual contact with the floatlines set while the angler is on the water body
(B) all floatlines shall be removed when float fishing ceases;
(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;
(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A “closed-cell” construction shall mean a solid body incapable of containing water;
(8) bow and arrow with a barbed head and a line attached from bow to arrow; and
(9) crossbow and arrow with a barbed head and a line attached from arrow to crossbow.
(b) Legal equipment and methods for taking nonsport fish shall be the following:
(1) Fishing lines with not more than two baited hooks or artificial lures per line;
(2) trotlines;
(3) setlines;
(4) tip-ups;
(5) bow and arrow with a barbed head and a line attached from bow to arrow;
(6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;
(7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;
(8) gigging;
(9) snagging in waters posted by the department as open to snagging; and
(10) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the requirements specified in paragraphs (a)(7) (A) through (D).
(c) Dip nets and gaffs may be used to land any legally caught or hooked fish.
(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.
(e) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.
(f) Fish may be taken by legal means from vehicles.
(g) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:
(1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.
(2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.
(3) The equipment and method specified in paragraphs (b)(9) and (b)(10) shall be legal only from sunrise to sunset.
(h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal, except on rivers and streams, only for the following species of sport fish where no size limit exists for any of these species of fish:
(1) Blue catfish;
(2) channel catfish; and
(3) flathead catfish.

115-7-4. Fish; processing and possession. (a) Each person who takes any fish subject to any length limit; either statewide or water body-specific, shall leave the head, body, and tail fin attached while the person has possession of the fish on the water.
(b) Each person who has taken any fish shall retain the fish in that person’s possession until any of the following occurs:
(1) The fish is consumed or processed for consumption.
(2) The fish is transported to the person’s domicile or given to another person. Legally taken sport fish may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor’s printed name, signature, address, and permit or license number.
(3) The fish is transported to a place of commercial preservation or place of commercial processing for consumption.
(4) The fish is returned unrestrained to the waters from which the fish was taken.
(5) The fish is disposed of at a location designated for fish disposal or at a designated fish cleaning station.
(c) Each paddlefish permittee shall meet either of the following requirements:
(1) Nonelectronic carcass tags. The paddlefish permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately before reducing the paddlefish to permanent possession. The carcass tag shall remain attached to the carcass until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the carcass tag until the paddlefish is consumed, given to another, or otherwise disposed of.
(2) Electronic carcass tags. Using the department’s electronic carcass tag system, the paddlefish permittee shall record the county, the date, and the time of kill and enter a photograph of the entire carcass, with sufficient clarity to display the species immediately before reducing the paddlefish to permanent possession. The paddlefish permittee shall possess the confirmation number until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the confirmation number until the paddlefish is consumed, given to another, or otherwise disposed of.
(d) For paddlefish parts, the following additional requirements shall apply:
(1) No person shall possess any eggs that are attached
to the egg membrane of more than one paddlefish.

(2) No person shall possess more than three pounds of processed paddlefish eggs or fresh paddlefish eggs removed from the membrane. “Processed paddlefish eggs” shall mean any eggs taken from a paddlefish that have gone through a process that turns the eggs into caviar or into a caviar-like product.

(3) No person shall ship into or out of, transport into or out of, have in possession with the intent to transport, or cause to be removed from this state any raw unprocessed paddlefish eggs, processed paddlefish eggs, or frozen paddlefish eggs.


Article 17.—WILDLIFE, COMMERCIAL USES AUTHORIZED

115-17-3. Commercial fish bait permit; requirement, application, and general provisions. (a) A commercial fish bait permit shall be required for the harvest, sale, or purchase for resale of fish bait, except that a commercial fish bait permit shall not be required for the sale of nonliving, commercially packaged fish bait, the harvest or sale of annelids or insects, or the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

(c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.

(d) Each commercial fish bait permit shall authorize the permittee to perform any of the following:

(1) Sell fish bait to any person for use as fish bait;

(2) purchase fish bait for resale as fish bait, if the purchase is made from a person who meets at least one of the following requirements:

(A) Possesses a valid commercial fish bait permit;

(B) is a commercial fish grower, as defined by K.S.A. 32-974 and amendments thereto; or

(C) is authorized by another state to export and sell fish

(e) Each permittee harvesting or purchasing fish bait shall maintain records of the following information and, if requested by the secretary, shall provide a report to the department containing the following information:

(1) The permittee’s name;

(2) the permit number;

(3) the number, location, and species of wildlife harvested;

(4) the number and species of wildlife sold;

(5) for each permittee purchasing fish bait, the name, address, and phone number of each individual distributor or producer from whom the permittee purchased; and

(6) for each permittee purchasing fish bait, the delivery date of each purchase.

(f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.

(g) Each permittee shall make the fish and the distribution or retail holding tanks that are subject to sample testing pursuant to K.A.R. 115-17-2a available for inspection by any law enforcement officer or department employee upon demand.

(h) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.

(i) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if either 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.

(j) Each commercial fish bait permit shall expire three years after the date the permit is issued.


Brad Loveless
Secretary

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