

SESSION OF 2023

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2039**

As Amended by Senate Committee on  
Agriculture and Natural Resources

**Brief\***

HB 2039, as amended, would require the Secretary of Wildlife and Parks (Secretary), or the Secretary's designee, to issue a free permanent hunting and fishing license to any person residing in the state upon providing proof to the Secretary that such person is a disabled veteran.

"Disabled veteran" would be defined as a member of the armed services, separated from such service under honorable conditions, who has a service-connected disability certified by the Kansas Commission on Veterans Affairs Office of at least 30 percent.

Persons receiving a license pursuant to the bill would be subject to rules and regulations related to hunting and fishing and to applicable hunter education requirements established elsewhere in statute.

The bill would remove sunset provisions applicable to residents aged 75 years or older in sections of law exempting certain persons from hunting and fishing license requirements. [Note: The 2012 Legislature passed SB 314, which included sunset provisions that caused this exemption for senior residents to expire on June 30, 2020.]

The bill would also amend the statute authorizing the Secretary to set fee amounts for various types of licenses and permits to exempt any person who is a disabled veteran, as

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

defined in the bill, from paying applicable hunting and fishing license fees.

The bill would also make technical changes.

The bill would be in effect upon publication in the *Kansas Register*.

## **Background**

The bill was introduced by Representative Waymaster.

### ***House Committee on Veterans and Military***

In the House Committee hearing on January 24, 2023, a representative of the Military Officers Association of America testified as a **proponent** of the bill and requested an amendment to make the definition of “disabled veteran” contained in the bill consistent with federal regulation. Written-only proponent testimony was provided by Representative Waymaster.

Written-only neutral testimony was submitted by a representative of the Congressional Sportsmen’s Foundation.

The Secretary testified as an **opponent** of the bill, expressing concerns related to enforcement of the bill’s provisions and the potential for the Kansas Department of Wildlife and Parks (KDWP) loss of revenue and loss of federal funding as a result of the amendments proposed in the bill.

On February 7, 2023, the House Committee amended the bill to:

- Remove a sunset provision on the exemption for persons aged 75 or older;

- Reinsert current statutory language regarding half-priced licenses for persons aged 65 to 74; and
- Create a new section of law providing for a free permanent license for veterans with a disability rating of at least 30 percent. [*Note:* As introduced, the bill would have exempted veterans with service-connected disabilities of at least 50 percent from obtaining annual hunting, fishing, or combination licenses or lifetime license and would have prohibited KDWP from charging such disabled veterans any associated fees.]

### ***Senate Committee on Agriculture and Natural Resources***

In the Senate Committee hearing on March 22, 2023, written-only **proponent** testimony was provided by Representative Waymaster. A representative of KDWP provided written-only neutral testimony.

No other testimony was provided.

The Senate Committee amended the bill to change the effective date to upon publication in the *Kansas Register*.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDWP estimates a loss of \$28,158 in federal funds each year starting in FY 2024 based on the bill's change from 30 percent to 50 percent disability rating. KDWP also stated that if current license holders who fall between 30 and 50 percent disabled do not purchase a license under this bill, then KDWP would see a reduction in federal funds each year; however, the agency cannot estimate the amount of fee and federal funds that could be lost if the bill is enacted. [*Note:* The amendment

changing the disability rating was not retained by the House Committee on final action.]

For the removal of half-priced licenses for those 65 to 74 years of age, KDWP estimates that it would receive an additional \$8,888 each year in license fees that would be deposited into the Wildlife Fee Fund. [Note: The amendment removing half-priced licenses for this age group was not retained by the House Committee on final action.]

In addition, the agency stated that requiring those 75 years and older to obtain an annual hunting or fishing license cannot be estimated since that age group currently is not required to purchase a license. However, the agency does anticipate this change would increase Wildlife Fee Fund and federal fund revenues. [Note: The amendment removing the senior license exemption was not retained by the House Committee on final action.]

The Kansas Commission on Veterans Affairs Office states that enactment of the bill would not have a fiscal effect because the agency already verifies the service-connected disabled veterans who apply for hunting and fishing licenses. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Hunting and fishing licenses; disabled veterans; Kansas Department of Wildlife and Parks