

CHAPTER 50

(HB 150)

AN ACT relating to fish and wildlife.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 150.175 is amended to read as follows:

The kinds of licenses and tags authorized by this chapter, and the acts authorized to be performed under the licenses and tags, subject to the other provisions of this chapter and subject to administrative regulations promulgated under this chapter, shall be as follows:

- (1) Statewide resident sport fishing license, which authorizes the holder to take fishes by angling, or take crayfish by a minnow seine, or by hand, to take minnows by the use of a minnow seine, minnow trap, or dip net, or to take fishes by grabbing, giggering, snagging, snaring, jugging, and bow and arrow, and to take frogs and turtles from any waters in any county of this state open for such purposes and subject to the limitations in this chapter and additional limitations that the department may from time to time prescribe. This license shall not authorize the holder to sell fish;
- (2) A short-term sport fishing license, which authorizes the holder to perform all acts authorized by a statewide sport fishing license and subject to the same limitations or prescribed administrative regulations. This license shall not authorize the holder to sell fish;
- (3) A resident commercial fishing license and a nonresident commercial fishing license, which authorize a holder to perform any act authorized by a sport fishing license and to take rough fishes from the waters of the state by the use of commercial fishing gear as prescribed by administrative regulation. The license shall also authorize the holder to sell rough fishes, other than those protected by administrative regulation;
- (4) A commercial fishing gear tag, which shall be attached to each piece of commercial fishing gear including hoop nets, slat traps, trotline, wing nets, and to each one hundred (100) feet of linear gear or portion thereof in use, including commercial seines, gill nets, or trammel nets. Commercial gear tags may be issued only to a person holding a resident or nonresident commercial fishing license;
- (5) Live fish and bait dealer's licenses, resident and nonresident, which authorize the holder to sell bait and live fish as may be prescribed by administrative regulation;
- (6) Musseling licenses, resident and nonresident, which authorize the holder to take mussels for commercial purposes as may be prescribed by administrative regulation;
- (7) A statewide resident hunting license, which authorizes the holder to take or pursue wild animals, wild birds, frogs, and turtles with gun, bow and arrow, dog, or falcon, or to participate in a fox-hunting party engaged in the hunting or pursuing of foxes with dogs for sport, according to the provisions of the laws and administrative regulations of the department;
- (8) A junior statewide hunting license, which may be issued to a person before he or she has reached his or her sixteenth birthday, and which authorizes the holder to exercise all the privileges authorized by a statewide hunting license. No junior hunting license shall be issued without the written permission of parent, guardian, or person having custody of the person under sixteen (16) years of age;
- (9) Trapping licenses, resident and nonresident, which authorize the holder to take wild animals by trapping upon his or her own lands or upon the lands of another person, if the holder of the license has first obtained oral or written consent as provided in KRS 150.092 and administrative regulation;
- (10) A taxidermist ~~license~~ *license* ~~[licenses, commercial and noncommercial]~~, which ~~authorizes~~ *authorizes* the holder to engage in the act of preparing, stuffing, and mounting the skins of wildlife;
- (11) A commercial guide's license, which authorizes the holder to guide hunting and fishing parties according to the provisions of the laws and administrative regulations of the department;
- (12) Fur buyer's licenses, resident and nonresident, which authorize the holder to buy raw furs from licensed trappers and hunters and to sell raw furs so purchased. Applicants for the license shall state the number of premises to be used and shall display at each a copy of the license as furnished by the department, except that the commissioner may limit the number of copies furnished and may revoke the license for violation;

- (13) A fur processor's license, which may be issued only to a resident, a partnership, firm, or corporation of this state and which authorizes the holder to buy raw furs when in legal possession for processing, manufacture, or retention in cold storage or for resale;
- (14) A nonresident sport fishing license, which authorizes the holder to perform any act authorized by a resident statewide sport fishing license. This license shall not authorize the holder to sell fish;
- (15) A nonresident annual hunting license, which authorizes the holder to perform any act authorized by a resident statewide hunting license;
- (16) Shoot-to-retrieve field trial permits, four (4) day and single day, which authorize a permit holder to conduct a shoot-to-retrieve field trial on private or government-owned lands. With a four (4) day permit, all participants, whether residents or nonresidents, shall not be required to possess any other license to participate in the permitted field trial, and the permit shall expire four (4) days after the date on which the field trial began. With the single day permit, the permit is valid for one (1) day and all participants shall have a valid resident or nonresident annual Kentucky hunting license. A permit is not required to conduct a shoot-to-retrieve field trial on a licensed shooting preserve; however, all participants that take or attempt to take game shall have in their possession a resident or nonresident annual Kentucky hunting license;
- (17) Game permits and junior game permits, which, in combination with a valid statewide hunting license or a valid junior statewide hunting license, authorize the holder to take or pursue the specified game species in any designated open area of this state, during the open season and according to the provisions of the laws and administrative regulations governing the hunting;
- (18) A combination hunting and fishing license, which authorizes only resident holders to perform all acts valid under either a sport fishing or hunting license;
- (19) A trout permit, which in combination with a valid statewide fishing license, authorizes the holder to take trout by angling or as may be prescribed by administrative regulation;
- (20) A commercial waterfowl permit, which authorizes the holder to establish and operate a commercial waterfowl hunting preserve;
- (21) A short-term hunting license, which authorizes the holder to perform all acts authorized by a statewide hunting license according to the provisions of the laws and administrative regulations of the department;
- (22) A joint statewide resident sport fishing license issued to a husband and wife which authorizes them to take fish as provided in subsection (1) of this section. The license fee for this joint license shall be ten percent (10%) less than the license fee set by the commission for two (2) statewide resident sport fishing licenses;
- (23) A Kentucky *migratory bird*~~[waterfowl]~~ permit, which in combination with a valid statewide hunting license and compliance with applicable federal law, authorizes the holder to take or pursue waterfowl and migratory shore or upland game birds;
- (24) A pay lake license which authorizes the holder to operate privately owned impounded waters for fishing purposes for which a fee is charged;
- (25) ~~[A migratory game bird permit, which, in combination with a statewide hunting license and compliance with applicable federal law, allows the holder to take migratory shore or upland game birds;~~
- ~~(26) [A *senior*~~[senior/disabled]~~ combination hunting and fishing license, which authorizes the holder to perform all acts valid under a sport fishing license, a sport hunting license, or a state permit to take deer, turkey, trout, waterfowl, or migratory shore or upland game birds, and which shall be available to a Kentucky resident who is *sixty-five (65) years of age or older*;~~
- ~~(a) — Sixty five (65) years of age or older; or~~
- ~~(b) — An American veteran at least fifty percent (50%) disabled as a result of a service connected disability; or~~
- ~~(c) — Declared permanently and totally disabled by the Federal Social Security Administration, the United States Office of Personnel Management, the Teachers' Retirement System of the State of Kentucky, the Department of Workers' Claims, or its equivalent from another state, or the United States Railroad Retirement Board].~~

The ~~senior~~~~senior/disabled~~ combination license shall not be valid unless the holder carries proof of residency and proof of age ~~or disability~~, as the department may require by administrative regulation, on his or her person while performing an act authorized by the license;

- (26) *A senior lifetime combination hunting and fishing license, which remains valid until the death of the holder and authorizes the holder to perform all acts valid under a sport fishing license, a sport hunting license, and a state permit to take deer, turkey, trout, waterfowl, and migratory shore and upland game birds, and which shall be available to a Kentucky resident who is sixty-five (65) years of age or older;*
- (27) *A disabled combination hunting and fishing license, which authorizes the holder to perform all acts valid under a sport fishing license, a sport hunting license, and a state permit to take deer, turkey, trout, waterfowl, and migratory shore and upland game birds, and which shall be available to a Kentucky resident who is:*
- (a) *An American veteran at least fifty percent (50%) disabled as a result of a service-connected disability; or*
- (b) *Declared permanently and totally disabled by the Federal Social Security Administration, the United States Office of Personnel Management, the Kentucky Teachers' Retirement System, the Department of Workers' Claims, or its equivalent from another state, or the United States Railroad Retirement Board.*

The disabled combination license shall not be valid unless the holder carries proof of residency and proof of disability, as the department may require by administrative regulation, on his or her person while performing an act authorized by the license;

- (28) A sportsman's license for residents that includes an annual hunting and fishing license and such permits as allowed by administrative regulations promulgated by the department; and
- (29)~~(28)~~ A special license for residents and nonresidents for the purpose of hunting on licensed shooting areas. This license shall be valid only for the shooting areas for which it was issued and shall remain in effect for one (1) year. If the hunter holds either a nonresident or resident statewide hunting license for the current year, the special license shall not be required.

The department may offer multi-year licenses or permits for any of the annual licenses or permits authorized in subsections (1), (7), (9), (14), (15), (17), (18), (19), (23), and (28) of this section. A multi-year license or permit shall authorize the holder to perform all acts authorized by the same license or permit if purchased annually and shall be issued in accordance with the provisions of this chapter and the administrative regulations promulgated hereunder. Any multi-year licenses or permits offered by the department relating to the annual licenses or permits authorized in subsections (1), (7), (9), (14), (15), (17), (18), (19), (23), and (28) of this section shall be implemented by administrative regulation and may be discontinued at any time.

➔Section 2. KRS 150.603 is amended to read as follows:

- (1) Any person required to possess a hunting license under the provisions of KRS 150.170, except children under sixteen (16) years of age, taking or attempting to take waterfowl within the state shall, in addition to the appropriate hunting license, possess a Kentucky *migratory bird*~~waterfowl~~ permit. The permit shall be carried while hunting waterfowl.
- (2) Any person required to possess a hunting license under the provisions of KRS 150.170, except children under sixteen (16) years of age, taking or attempting to take migratory shore or upland game birds within the state shall, in addition to the appropriate hunting license, possess~~either a Kentucky waterfowl permit or~~ a Kentucky migratory~~game~~ bird permit. The permit shall be carried while hunting migratory shore or upland game birds.
- (3) The Fish and Wildlife Commission shall administer all revenues generated by the sale of the permits. The revenue from the sale of Kentucky *migratory bird*~~waterfowl~~ permits shall be expended for waterfowl projects for the purpose of protecting and propagating migratory waterfowl and for the development, restoration, maintenance, and preservation of wetlands within the state. The intent of this section is to expand waterfowl research and management and increase waterfowl populations in the state without detracting from other programs. The expenditures of funds generated under the provisions of this section shall be included in the annual report provided for in KRS 150.061.

➔Section 3. The following KRS section is repealed:

150.605 Contract for commissioning painting to be used as state waterfowl stamp -- Use of revenue from sale of painting.

Signed by Governor March 21, 2013.