

## 2012 Kansas Statutes

**32-701. Definitions.** As used in the wildlife, parks and tourism laws of this state, unless the context otherwise requires or specifically defined otherwise:

- (a) "Big game animal" means any antelope, deer or elk.
- (b) "Commission" means the Kansas wildlife, parks and tourism commission created by K.S.A. 32-805, and amendments thereto.
- (c) "Department" means the Kansas department of wildlife, parks and tourism.
- (d) "Fish," as a verb, means take, in any manner, any fish.
- (e) "Furbearing animal" means any badger, beaver, bobcat, grey fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, red fox, spotted skunk, striped skunk, swift fox or weasel.
- (f) "Furharvest" means:
  - (1) Take, in any manner, any furbearing animal; or
  - (2) trap or attempt to trap any coyote.
- (g) "Game animal" means any big game animal, wild turkey or small game animal.
- (h) "Game bird" means any grouse, partridge, pheasant, prairie chicken or quail.
- (i) "Hunt" means:
  - (1) Take, in any manner, any wildlife other than a fish, bullfrog, furbearing animal or coyote; or
  - (2) take, in any manner other than by trapping, any coyote.
- (j) "Motor vehicle" means a vehicle, other than a motorized wheelchair, which is self-propelled.
- (k) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person that is incapable of a speed in excess of 15 miles per hour.
- (l) "Nonresident" means any person who has not been a bona fide resident of this state for the immediately preceding 60 days.
- (m) "On a commercial basis" means for valuable consideration.
- (n) "Person" means any individual or any unincorporated association, trust, partnership, public or private corporation or governmental entity, including foreign governments, or any officer, employee, agent or agency thereof.
- (o) "Private water fishing impoundment" means one or more water impoundments:
  - (1) Constructed by man rather than natural, located wholly within the boundary of the lands owned or leased by the person operating the private water impoundments; and
  - (2) entirely isolated from other surface water so that the impoundment does not have any connection either continuously or at intervals, except during periods of floods, with streams or other bodies of water so as to permit the fish to move between streams or other bodies of water and the private water impoundments, except that the private water impoundments may be connected with a stream or other body of water by a pipe or conduit if fish will be prevented at all times from moving between streams or other bodies of water and the private water impoundment by screening the flow or by other means.
- (p) "Resident" means any person who has maintained the person's place of permanent abode in this state for a period of 60 days immediately preceding the person's application for any license, permit, stamp or other issue of the department. Domiciliary intent is required to establish that a person is maintaining the person's place or permanent abode in this state. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes or obtains a driver's license.
- (q) "Secretary" means the secretary of wildlife, parks and tourism.
- (r) "Small game" means any game bird, hare, rabbit or squirrel.
- (s) "Species" includes any subspecies of wildlife and any other group of wildlife of the same species or smaller taxa in common spatial arrangement that interbreed when mature.
- (t) "Take" means harass, harm, pursue, shoot, wound, kill, molest, trap, capture, collect, catch, possess or otherwise take, or attempt to engage in any such conduct.
- (u) "Wildlife" means any member of the animal kingdom, including, without limitation, any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate, and includes any part, product, egg or offspring thereof, or the dead body or parts thereof. Wildlife does not include agricultural livestock (cattle, swine, sheep, goats, horses, mules and other equines) and poultry (domestic chickens, turkeys and guinea fowl).

**History:** L. 1989, ch. 118, § 1; L. 1992, ch. 166, § 6; L. 1993, ch. 185, § 1; L. 1995, ch. 164, § 1; L. 2004, ch. 99, § 1; L. 2012, ch. 47, § 20; July 1.