

MINUTES OF THE HOUSE COMMITTEE ON TOURISM AND PARKS.

The meeting was called to order by Chairperson Becky Hutchins at 3:40 p.m. on February 17, 2003 in Room 243-N of the Capitol.

All members were present.

Committee staff present: Mary Torrence, Revisor of Statutes' Office
Hank Avila, Legislative Research Department
Russell Mills, Legislative Research Department
Sarah Samuelson, Committee Secretary

Conferees appearing before the committee:

proponents: Chad Luce, Department of Wildlife and Parks (Attachment 1)
Will Carpenter, Commissioner, Department of Wildlife and Parks (Att 2)
Governor Mike Hayden, Secretary, Department of Wildlife and Parks (Att 3-4)
Steve Swaffar, Kansas Farm Bureau (Att 5)
Dan Rudman, private citizen (Att 6)
Mark Lohrding, private citizen (Att 7)
Mike Beam, Kansas Livestock Association (Att 8)
Ron Klataske, private citizen

written testimony: Shawn Harding, Kansas Bowhunters Association (Att 9)
Larry Konrade, Tamarack Outfitters (Att 10)
David Clawson, private citizen (Att 11)
Kent Jarnagin, private citizen (Att 12)

opponents: Bob Thomas, private citizen (Att 13)
Keaton Kelso, outfitter (Att 14)
Spencer Tomb, Kansas Wildlife Federation (Att 15)

Others attending: see attached list

HB 2078 - Deer hunting permits and commercialization of wildlife

Proponents:

Chad Luce, representing the Department of Wildlife and Parks, addressed the committee as a proponent of the bill (Attachment 1). He explained to the committee the strategies the KDWP has taken to control the deer herd; these include increasing the availability of permits; extending the season into January; increasing the amount of private land available for public hunting; issuing deer control permits to farmers experiencing crop damage; and instituting a referral system whereby landowners can request a list of hunters who can help them control the deer on their land.

Will Carpenter, a commissioner of the Department of Wildlife and Parks, addressed the committee as a proponent of the bill (Attachment 2). He described the final report of the Deer Management Working Group as a set of compromises. The current system of transferrable nonresident deer permits is a bad idea, because many of the permits are not used on the land owned by the person who obtains the permit. The landowner requesting the permit is profiting without providing any benefit (such as the use of his land for hunting). The current bill would balance things out, so that those providing the land and receiving crop damage would be the ones benefitting from the sale of permits.

Governor Mike Hayden, Secretary of the Department of Wildlife and Parks, addressed the committee as a proponent of the bill (Attachment 3). He said the reason for this bill is that the current law, passed in 2000, will expire in 2004. He explained what the bill does: it gradually increases the number of nonresident permits offered by the Department; it restricts the validity of transferrable nonresident permits to the lands controlled by the applicant for such permits; it raises the statutory caps on the price of deer game tags and on nonresident application fees; and it increases the value of deer taken for commercial purposes, to assist in law enforcement operations. He provided a copy of the final report of the Kansas Deer Management Work Group (Attachment 4), which he assembled from a variety of organizations and whose compromises produced this bill.

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Steve Swaffar, representing the Kansas Farm Bureau, addressed the committee as a proponent of the bill (Attachment 5). He said that deer constitute both a nuisance to farmers in the form of crop damage, and also an opportunity to farmers in the form of sales of transferrable hunting permits. He stated that the KFB supports the increase of non-resident permits proposed in the bill, since it would allow farmers and ranchers to obtain and sell more of these permits; this would greatly benefit the currently-poor agriculture economy. He asked the committee to expand the area of use of a transferrable permit to a larger subunit within the existing deer management units, so that the farmers could derive greater benefit from the sale of these permits.

Dan Rudman, a private citizen, addressed the committee as a proponent of the bill (Attachment 6). He agrees with the bill's provision restricting transferrable tags to the land controlled by the applicant, but he would prefer that transferrable tags be abolished altogether; there are much better ways to help farmers, and wildlife management should be left to the wildlife managers. Also, privatization of natural resources causes conflict for the management of resources, restricts hunting access to the rich, and decreases the quality of life for the majority of Kansas residents involved.

Mark Lohrding, a private citizen, addressed the committee as a proponent of the bill (Attachment 7). He compared the deer harvest season to the wheat harvest season of earlier years, in terms of increased economic activity in rural areas; he opined that the future of the rural Kansas economy lies more in tourism and hunting than in agriculture. He agreed with the bill's provision restricting transferrable tags to the land controlled by the applicant. He suggested that "Hunt-Own-Land" permits could be made transferrable, with an increased fee of \$205.50, to allow landowners to sell more hunts and also to provide more revenue to the state. He suggested that individual landowners could submit individual deer management plans, which, upon approval of the Department of Wildlife and Parks, would guarantee them a certain number of transferrable permits. He also suggested that the number of acres under an applicant's control could be used as a factor to weight the permit lottery, so that the owner of 5000 acres would have a better chance of drawing a permit than the owner of 80 acres.

Mike Beam, representing the Kansas Livestock Association, addressed the committee as a proponent of the bill (Attachment 8). He supports the bill's increases in transferrable permits, because for Kansas landowners to fully profit from these permits, a greater number of permits needs to be available to insure that landowners who apply for permits can get them.

Ron Klataske, a private citizen, addressed the committee as a proponent of the bill. (He will provide written testimony to the committee at a later time.) He said that the value of wildlife killed illegally should be increased, in order to discourage poaching by giving prosecutors more leverage. \$200 or \$400 is not a sufficient deterrent for killing a deer whose antlers are worth several thousand dollars on e-Bay; antlered deer values should perhaps be based on the point system of buck deer. Also, Mr. Klataske opposes the phrase "for big-game purposes" on lines 34 and 41 of page 4 of the bill; he believes that those who lease land for hunting should not have the same rights as farmers and ranchers, who operate land for agricultural purposes. There is no need for middlemen; rather, those who provide the habitat for the deer should reap the benefits directly.

Questions for proponents:

Representative Schwab asked how many permits are sold. Chad Luce replied that the number is approximately 7300 for non-residents, and about 3600 of these are distributed through Kansas landowners. Representative Schwab asked if this includes outfitters. Governor Hayden replied that it does, that the outfitters work with the landowners, and the landowners request the permits, then sell them to the outfitters, who often put together a consortium of landowners whose combined land is then available to clients of the outfitters.

Representative Kauffman asked why the number of resident hunters is declining. Governor Hayden replied that it was probably not because of these current policies, but because the permits are now available to all residents, they aren't as desirable as when they were scarce. Also, the percentage of people interested in hunting continues to decline. (This is not true of fishermen.) This is a societal trend; people in our current culture and generation don't have the connection to the land that Kansans once did.

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The KDWP is trying to address this problem with programs like Pass It On, to interest younger people in hunting and wildlife issues.

Representative Kauffman asked whether this bill would restrict hunting access to the very rich; Governor Hayden replied that it would not, because there are still one million acres of free hunting open to the public (of which maps will be supplied to the committee), and attempts are being made to increase this public access; however, access for everyone is something that should certainly be protected.

Representative Osborne asked whether the KDWP is monitoring the deer population by region, because the population is not evenly spread over the state. Governor Hayden replied that several indices are being maintained by region from year to year, such as deer-related auto accidents and number of deer taken. This allows the KDWP to keep track of how the population is doing. Also, since each person can take only one antlered deer but several antlerless deer, this acts as an equalizer of population.

Representative Osborne requested comment from the Department of Wildlife and Parks on Mr. Lohrding's statement that he would rather pay extra money for a "Hunt-Own-Land" permit, if he then would be allowed to transfer that permit. Governor Hayden replied that this would be inadvisable in that if landowner permits were not limited by the waning desire of landowners to hunt on their own land, there would be far too many of permits sold, and a rush for land by people wishing to profit from the permits. This would diminish the control of the KDWP over who gets the permits. Sales of "Hunt-Own-Land" permits are declining because of the unit-wide permits now available to all Kansans.

Representative Osborne suggested raising the minimum land-ownership requirement from 80 acres to, perhaps, 200 or 400 acres. Governor Hayden replied that the Deer Management Work Group considered such an action, but decided that this would constitute a changing of the rules, unfair to those who had already purchased 80 acres with the hope of hunting there.

Representative Hutchins asked about the bill's minimum requirements for nonresident license sales; if requests for those licenses are not up to the minimum, what happens to the excess licenses available? Governor Hayden responded that the minimum requirement is merely a requirement for the Department to offer such a percentage, and make those licenses available; if there are extras, they simply are not sold. However, this scenario is unlikely in the foreseeable future, since, at present, demand so greatly exceeds supply. Last year, the KDWP returned about \$2 million in application fees to those who requested, but did not draw, nonresident permits.

Opponents:

Bob Thomas, a private citizen, addressed the committee as an opponent of the bill ([Attachment 13](#)). He said that he is not opposed to nonresident permits, but he is concerned that with the raised percentages offered to nonresidents, these nonresidents will take only the antlered deer and not help with controlling the deer population, leaving the less desirable animals to Kansans. It will make it much more difficult for residents to find land to hunt on.

Keaton Kelso, a private citizen, addressed the committee as an opponent of the bill ([Attachment 14](#)). He said that he was glad to address the Tourism Committee because outfitting is a tourist business that brings many people and many more dollars into the Kansas economy. He opposed making the transferrable permits landowner-specific because this would make small farmers' permits non-marketable. The unit-specific system now in place is much better because it gives these small farmers' permits more value. Mr. Kelso estimated that, with the 227 guides in the state of Kansas, each with a generously-estimated average of 10,000 acres of land leased, this adds up to total outfitter access to 4.3% of the land area of Kansas, leaving 95% available for non-outfitter hunting.

Spencer Tomb, representing the Kansas Wildlife Federation, addressed the committee as an opponent of the bill ([Attachment 15](#)). Attached to his written testimony is a resolution from the Kansas Wildlife Federation in support of sound deer management in Kansas. He said one attraction to live in Kansas is the hunting available; this bill, by expanding the definition of "control" to include those who lease the land for big-game hunting, would diminish the quality of life by making it necessary for residents to hunt on

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leased land. Wildlife should belong to all Kansans, and should not be sold to the highest bidder.

Questions for opponents:

Representative Long asked whether, as an outfitter, he receives exclusive hunting rights by leasing a particular portion of land. Mr. Kelso replied that he does, but usually these rights are for specific game such as whitetail deer.

Representative Long asked whether he notifies the landowners when he has contracted with hunters. Mr. Kelso replied that he does inform the landowners of which days the hunters will be on their property.

Representative Merrick asked about the figure Mr. Kelso mentioned, that only 4.3% of the land in Kansas is controlled by the 227 licensed outfitters, whether this figure includes the large sports clubs in Kansas City. Mr. Kelso responded that the figure was an estimate, which does not include any national or out-of-state companies, but only Kansas-based outfitters.

Written testimony:

Chairperson Hutchins called the attention of the committee to the written testimony of Shawn Harding, representing the Kansas Bowhunters Association (Attachment 9), Larry Konrade of Tamarack Outfitters (Attachment 10), David Clawson, private citizen (Attachment 11), and Kent Jarnagin, private citizen (Attachment 12).

Chairperson Hutchins closed the hearing on HB 2078.

Chairperson Hutchins appointed a subcommittee to examine this bill, consisting of Representatives Ray Merrick (chairperson), Gary Hayzlett, and Tom Thull. The subcommittee will consider HB 2078 and report to the full committee on February 24 with their recommendations.

Chairperson Hutchins called the attention of the committee to materials distributed, relating to the February 12 meeting. Michael Pickering of the Travel Industry Association of Kansas supplied a comparative chart showing the 1999-2000 advertising budget of each state (Attachment 16). Staff member Hank Avila supplied two National Conference of State Legislatures Legisbriefs showing information on other states' handling of tourism funding and of cultural tourism (Attachment 17).

Chairperson Hutchins reminded the committee of the plan this Wednesday to tour the Czars exhibit. The committee will meet to carpool on the first floor south entrance of the Capitol at 3:00 p.m.

The minutes from Feb 12 were distributed and approved without amendment.

Chairperson Hutchins adjourned the meeting at 5:20 p.m.

The committee will tour the Czars exhibit on February 19. The next regular meeting is scheduled for February 24, 2003.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
1020 S Kansas Ave., Room 200
Topeka, KS 66612-1327
Phone: (785) 296-2281 FAX: (785) 296-6953



Chad Luce

Kansas Deer Management

What has the department done to control the deer herd?

- 1. Increased Permit Availability** -- KDWP has more than doubled the availability of resident deer permits in the past six years, with the vast majority of these permits targeted at antlerless, or female deer. Antlerless (doe) deer harvest is critical to controlling deer numbers. A single buck will breed numerous does during the breeding season. Each fertile doe will give birth to 1-2 fawns. By focusing the harvest on does, or antlerless deer, the department is utilizing the most effective means of population control.
- 2. Extended Season** -- Since 1998, an extended deer season has been held each January. During this extended season, all unfilled permits revert to whitetail antlerless-only. Again, the focus is on reducing female deer numbers.
- 3. Increased Public Land**--Through the Walk-In Hunting Area (WIHA) program over 900,000 acres of private land are available to the hunting public. Most of these leases are open to firearms deer hunting.
- 4. Reduced Price for Landowners**--Landowners, tenants, and managers are guaranteed a "Hunt-Own-Land" permit at one-third the cost of a regular permit. Family members living with the landowner, tenant, or manager may also obtain a "Hunt-Own-Land" permit, or the permits may be transferred to another relative that wishes to hunt.
- 5. Deer Control Permits** - Where crop damage is a problem, landowners can also apply for deer damage control permits. These permits allow the landowner to harvest a prescribed number of deer on his or her property outside of the normal season dates, free of charge (with the emphasis on doe harvest). In conjunction with normal seasons, these permits allow nearly unlimited harvest, 365 days per year.
- 6. Landowner-Hunter Referral Service** - KDWP encourages landowners to allow hunters to harvest deer on their property. In an effort to put hunters in touch with landowners who wish to increase harvest on their property, the department has implemented a landowner referral system. Under this system, a landowner may obtain from the department a list of hunters who have registered an interest in harvesting does in the area. While the response from landowners has been disappointing, over 14,000 hunters have indicated an interest in helping reduce deer numbers on private property.

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Why is it taking so long to control deer numbers?

Access is the key factor in the reduction of deer numbers. If a landowner does not allow hunting, even if the areas around their property do allow hunting, a refuge is created. Deer quickly learn where these safe havens are located. Deer in these specific areas will continue to multiply, regardless of the number of permits issued.

Deer numbers grow exponentially, and cannot be reduced overnight. The effects of a particular deer season are usually not measurable until two years after that season. This is due to the fact that fawns that would have been carried to term are removed by harvesting does during the season. It takes two years until they enter the adult population.

Leasing land for deer hunting is growing in popularity. The lessees are not interested in fewer deer on their property. In fact, the commercial value of deer is only realized if they are a sustainable resource. While the department supports the landowner's right to lease his or her property for hunting, the consequences of the lease may affect their neighbor's property, and even the number of deer/vehicle accidents in that area.

Why not offer unlimited nonresident permits?

Most nonresidents will not come to Kansas to harvest a doe. While not wholly ineffective, taking a buck does not contribute heavily to reducing deer numbers. All nonresidents are allowed to purchase up to four game tags (\$10.50 each). These tags allow the harvest of antlerless whitetails.

Secondly, Kansas has a trophy deer population because of the restrictive nature of the permitting system. If everyone was allowed to enter the state and harvest a buck, the quality of the deer herd would diminish, as would the demand for nonresident hunting deer hunting in Kansas.

Why not offer unlimited permits to landowners for resale?

Recent legislative action has allowed landowners to purchase and sell a ½ of the number of nonresident permits, and House Bill 2078 would increase this number further. However, the department is focused on the reduction of deer numbers. Because these permits are for the harvest of antlered deer, they will have little effect on reducing deer numbers.

Will Carpenter
Wildlife and Parks Commissioner
Testimony on HB 2078
February 17, 2003

Thank you for the opportunity to testify on House Bill 2078. This bill is the result of the final report of the Deer Management Working Group, a group I served on as a Wildlife and Parks Commissioner. The diverse Working Group was made up of 16 different organizations.

Many of the Working Group's consensus findings were the result of compromises. With that said, should any of the recommendations agreed upon by the Working Group be amended, I certainly reserve the right to voice my opposition at that time.

The most important item in the Working Group's final report is the issue of transferrable nonresident deer permits. This permit class was originally created in 2000 by SB 568, with the intent of financially benefitting farmers and ranchers, by allowing additional hunting opportunities on their land. Unfortunately, as many as one-half of the folks applying for, and receiving, these permits have no intention of providing anything for the hunter on their land. They are simply buying the permit and then selling it the higher bidder, sometimes for more than \$1500, again, with no intention of that permit being used on their land.

I believe there is something inherently wrong the current system, a system that does not allow farmers and ranchers who want to provide value-added hunting opportunities on their own property, and quality deer habitat, any advantage in the process. For instance, a farmer with 5000 acres of quality deer habitat has no better chance of getting a permit than a landowner with 80 acres of grass.

These permits and other pressures, such as leasing, have added value to the Kansas farmers and ranchers bottom line. I said in 2000, when SB 568 was passed, that in five years, anyone who wanted to hunt deer in Kansas would have to own or lease property. At the current rate, this statement may come true.

I make this statement to illustrate that this process is a balancing act between resident and nonresident deer hunting opportunities. The current system of allowing an entire unit open to transferrable permits is creating further access problems for our resident hunters, the hunters who are doing their part to reduce deer numbers in problem areas.

This bill has the potential to balance things out. No more and no more less.

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Office of the Secretary
1020 S Kansas Ave., Room 200
Topeka, KS 66612-1327
Phone: (785) 296-2281 FAX: (785) 296-6953



Gov. Mike Hayden

HOUSE BILL 2078
Testimony provided to
House Committee on Tourism and Parks
February 17, 2003

The Kansas Deer Management Working Group was assembled to provide the department with recommendations to maintain responsible deer management policies through legislative and management proposals that will govern the future of deer hunting in Kansas.

The working group included individuals representing a wide array of groups and agencies, such as the Kansas Guides and Outfitters Association, Kansas Farm Bureau, Kansas Bowhunters Association, the Kansas Wildlife Federation, the Kansas Legislature, Kansas Livestock Association, Kansas Wildlife Society, Kansas Wildlife and Parks Commission, Kansas Muzzleloader Association, Kansas Sport hunting Association, Kansas Rifle Association, Travel and Tourism, Meat Processors, K-State Extension, Fort Riley, and KDWP staff.

In their final report, the Working Group recommended numerous administrative, regulatory, and legislative changes to deer management in Kansas. Based on the Working Group's findings, the department is requesting the following legislative changes:

1. Gradual increase in the percentage of nonresident permits available.

Current statutory limits for nonresident permits are set at 10% of the total firearms permits sold, and 15% of archery permits. The department is proposing a 2% annual increase in each category, with a cap at 20% for firearms and 25% for archery.

This proposal provides for planned growth and offers greater management flexibility and budget planning without addressing the legislation on an annual or irregular basis. Since the limitations provided by statute are maximums, it provides the Wildlife and Parks Commission the discretion to adopt reduced percentage allocations, should deer management require such action.

2. Transferrable nonresident permits to be valid only on lands controlled by the applicant.

This proposal is aimed at a number of problems, most significant being "scalping" and the receiving a permit when the lands owned or operated by the applicant provide little or no deer habitat. Limiting the permit to land owned or controlled through written agreement should help ensure that the landowner receives the benefit from the transferrable permit program.

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3. Raise the statutory caps on the price deer game tags and nonresident application fees.

The Department recommends splitting resident and nonresident pricing for big game tags with statutory caps at the \$20 range for residents and \$40 for nonresidents. Through later Commission regulatory action, the department will leave resident pricing at the current level of \$10 and raise nonresident price levels to \$20.

The Working Group also recommended raising the statutory cap on nonresident applications to \$25. The increase in the statutory caps would allow greater flexibility for the Commission in setting future pricing for big game tags, and application fees, should permit pricing also increase.

4. Increase the value of a deer taken for commercial purposes to assist in law enforcement operations.

This recommendation of the Working Group focuses on the illegal commercialization of deer. Current statute places the minimum value of deer at \$200. The federal guidelines for felony commercialization of wildlife are set at \$350. By raising the commercial value of deer, the state will have increased flexibility in prosecuting violators who take deer for illegal commercial purposes, or illegally import or export deer for profit.

Finally, the department would like to ask the Committee to amend the bill to become effective on January 1, 2004. This change would allow the department ample time to inform resident and nonresident hunters of the impending changes in this bill.

FINAL REPORT
KANSAS DEER MANAGEMENT WORK GROUP

Prepared by:
Spencer Amend
Dynamic Solutions Group LLC
Rocky Mountain Regional Office
1466 North Buck Creek Road
Casper, WY 82604-1855
307-262-1420
email: spencer.a@attbi.com

BACKGROUND AND APPROACH

The Kansas deer resource and its management have long attracted a great deal of attention from many different constituent groups. This attention seems to have escalated in recent years due in part to the economics of non-resident hunters attracted to the high quality deer resource and to the advent of transferable permits. The Kansas Department of Wildlife and Parks (KDWP) chose to seize the opportunities provided by this increased interest and chartered a work group to develop recommendations that will guide future deer management. Specifically, work group members were charged with a task "...to develop recommendations to the Kansas Department of Wildlife and Parks to maintain responsible deer management policies through legislative and management proposals that will govern the future of deer hunting in Kansas." The Department hired an experienced planning consultant/facilitator to help define and manage the process in an objective, unbiased fashion.

Steps in the overall process included: (1) create the work group, (2) design the project, (3) public scoping, (4) work group develop recommendations, and (5) lessons learned.

Public Scoping. Slightly fewer than 200 Kansas citizens attended one of the five scoping meetings during the first week of August 2002. Meeting locations were Topeka, Independence, Salina, Garden City, and Colby. All meetings were run according to essentially the same format. After an opening statement by the facilitator, either Mike Hayden or Keith Sexson gave an opening statement explaining the purpose of the work group and public meetings and welcoming people to the meeting. The facilitator then structured the meeting to obtain (1) ranking of the 10 issue areas assigned by KDWP to the work group, (2) the identification of additional issues and concerns, and (3) answers or suggestions for dealing with deer management issues. The summarized public input was available to the work group as they began their deliberations.

Work Group Meetings. The organizational, first work group meeting was August 1, 2002, in Topeka. All other meetings were held in Salina: September 4, September 25, October 22-23, and November 13. These facilitated meetings were operated with a set of ground rules that included making decisions by consensus [where the definition of

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consensus was: "Everyone can live with the decision; although members might not be entirely supportive of the decision, or think it to be the best alternative, they will not oppose it."]. In this spirit of seeking workable solutions, most, if not all, work group members were observed occasionally accepting recommendations/decisions that compromised some of their previous positions. An important benefit of this approach was that the interactions and communications between these people representing various special interest groups resulted in increased understanding and strengthened bonds between them. It is expected that this experience may help defuse conflicts, confrontation and controversy in the future.

WORK GROUP MEMBERS

Jim Aller	Kansas Outfitters Association
*Mike Beam	Kansas Livestock Association
*Karen Beard	KDWP
*Will Carpenter	Wildlife & Parks Commission
Brad Dicckmann	Kansas Meat Processors Association
Richard Ford	Kansas Rifle Association
Bob Funke	KDWP
Sam Graham	Kansas Animal Health Department
*Dan Haines	Kansas Chapter The Wildlife Society
Lee Hawes	Kansas Guides & Outfitters
Gary Hayzlett	Representative
*Kent Hensley	KDWP
*Alan Hynek	Fort Riley Wildlife Program
*Charles Lee	Kansas State University Extension Unit
Todd Lewis	Kansas Sport Hunting Association
*Brad Odle	KDWP
*Ralph Renfro	Kansas Bowhunters Association
Steve Sorensen	Kansas Wildlife Federation
*Steve Swaffar	Kansas Farm Bureau
Mark Taddiken	Senator
*Dave Tasset	Kansas Muzzleloaders Association
*denotes members who attended all work group meetings	

WORK GROUP RECOMMENDATIONS

Recommendations are organized by issue area assigned by Kansas Department of Wildlife and Parks (KDWP) in its charge to the Work Group. Issue areas are presented in descending order of Work Group interest/priority. Recommendation numbers are for tracking purposes only, and do not indicate priority. Following each recommendation is a concise statement of clarification/rationale supporting that recommendation.

Following the consensus recommendations within each issue area are lists of additional recommendations that were discussed and evaluated by the Work Group without achieving consensus.

Issue Area 1: Transferable Landowner/Nonresident Permits

1. The KDWP should implement a preference point draw system for transferable landowner/nonresident permits.

Clarification/Rationale: This recommendation is aimed at the problem of landowners, guides & outfitters not being able to predictably obtain transferable permits.

2. KDWP, the Wildlife and Parks Commission and the Kansas Legislature should ensure that landowners receive benefits from the transferable permit program.

Clarification/Rationale: This recommendation is aimed at the problems of scalping and of not meeting the original intent of the program.

3. Hunting with a transferable permit shall only be legal on land(s) controlled by the applicant.

Clarification/Rationale: This recommendation is aimed at a number of problems, most significant being "scalping", area permit useful on, and receiving a permit with no habitat.

4. In figuring nonresident permit allocation, KDWP shall add hunt-own-land (HOL) permit sales to general residents, according to the following formula: 75% to firearms and 25% to archery.

Clarification/Rationale: This issue is about a reallocation by deer management unit (DMU). HOL permits sold to residents would be estimated for each DMU and 75% of the number sold the year before would be added to the number of white-tailed either sex (WTES) permits, then 10% of that value would be the allocation for nonresident WTES the next year. Nonresident archery would be 15% of the total of 25% of the HOL permits and 100% of the resident statewide archery. For example, using 2001 HOL numbers, this change would have resulted in 995 firearms permits (allocated by unit) and 331 statewide archery permits. This recommendation is aimed at the problems of not providing enough revenue from the program and allowing additional nonresident opportunities.

Discussed without reaching consensus:

- Do away with transferable permits; return to across-the-board draw
- Require transferable permit holder to be farmer/rancher
- Make archery permit unit specific
- Enable larger landowners to obtain more than one permit
- Increase the size of the pool of transferable permits
- Tie transferee (final recipient) by name to the permit being applied for
- Eliminate the "middle man" to discourage scalping
- Check deer before they are taken from the state
- Make nonresident landowners eligible
- Require permits to be valid on land controlled by guiding operations
- Require landowners to have deer habitat to qualify
- Allow hunt-own-land permits to be transferable to anyone
- Preference points for deer habitat development

- Landowner meeting minimum acreage requirements to be guaranteed a permit
- Eliminate HOL permits – increase number of whitetail general resident permits [to increase nonresident numbers]

Issue Area 2: Deer Management Goals and Objectives

5. KDWP shall have separate management strategies for mule deer and whitetails, including separate permitting systems.

Clarification/Rationale: This recommendation is aimed at the problem that needs and management issues for whitetails and mule deer are different.

6. KDWP should include depredation program brochures with landowner/HOL permit applications & mailed HOL permits.

Clarification/Rationale: This recommendation is aimed at the problems of providing education about deer management issues and opportunities, and creating awareness of deer depredation program.

7. KDWP should provide information to hunters, and others, about chronic wasting disease (CWD).

Clarification/Rationale: This recommendation is aimed at the problem of fear and misunderstanding of risks associated with CWD.

8. KDWP should create urban deer hunting opportunities.

Clarification/Rationale: This recommendation is aimed at the problems of deer management not including urban control mechanisms, increasing urban populations, and the impact of development on habitat loss.

9. Whatever steps are necessary by KDWP, the Wildlife and Parks Commission, and the Kansas Legislature should be taken to provide mandatory penalties for deer poaching convictions.

Clarification/Rationale: This recommendation is aimed at the problem of poaching and enforcement difficulties, especially that county attorneys don't take deer cases seriously.

10. The mandatory minimum penalty for a deer poaching conviction should be a \$3000 fine, plus a 3-year revocation of hunting rights.

Clarification/Rationale: This recommendation, too, is aimed at the problem of poaching and enforcement difficulties, providing more details on suggested penalties thought to represent appropriate levels of punishment.

11. KDWP should set deer management goals and objectives on a unit by unit, species by species basis, and statewide.

Clarification/Rationale: This recommendation is aimed at the problems of uncertainty as to management targets for deer and the fact that deer management challenges and opportunities vary across the state.

Discussed without reaching consensus:

- Implement check stations to collect better and more timely biological information
- Implement unit management concept utilizing field staff input
- Set or develop deer management goals either by unit or statewide
- Define "quality" hunt opportunity
- Have draw for HOL mule deer permits [sub topic of mule deer/whitetail management strategies]

Issue Area 3: Leasing hunting rights on private land

(No consensus recommendations reached for this issue area; there was little interest in trying to develop recommendations in an area where there seemed to be little opportunity for control/impact.)

Issue Area 4: Resident Deer Hunting Opportunities

12. KDWP should design a program to provide incentive for landowners to allow access. Such a program could include coupons redeemable by landowners.

Clarification/Rationale: This recommendation is aimed at the problems of loss of hunting access, primarily related to resident hunters, and providing potential income to landowners.

13. KDWP, the WP Commission, and the Legislature should do all within their power to enhance law enforcement, including mandatory/statutory punishment for violations.

Clarification/Rationale: This recommendation is aimed at the problem of poaching, enforcement difficulties and county attorneys not taking deer violations seriously.

14. The providing of public information should be a more substantial part of the KDWP deer management program, including specific efforts targeted at landowners as well as hunters.

Clarification/Rationale: This recommendation is aimed at the problem of hunters and landowners alike not fully understanding challenges and opportunities associated with deer and deer management.

15. KDWP should create urban deer hunting opportunities.

Clarification/Rationale: This recommendation is aimed at the problems of increasing urban populations, and the impact of development on habitat loss.

16. KDWP should evaluate the entire Walk-in Hunting Area (WIHA) process as it relates to deer management, including wording of contracts, what we lease for, and the worth of WIHA lands.

Clarification/Rationale: This recommendation is aimed at the problems of not enough free access for hunters, not enough WIHA available during muzzleloader season, not all WIHA is good for deer hunting, and some hunters are losing access to nonresident outfitters.

17. KDWP should seek to enhance their understanding of landowner motivations as related to deer and deer management.

Clarification/Rationale: This recommendation is meant to provide economic and sociological studies done independently at a university. It addresses the problem that program development is frequently based on assumptions about landowner motivation and needs.

18. KDWP should provide more special hunt opportunities on public lands.

Clarification/Rationale: This recommendation is aimed at the problem of providing access for disabled sportsmen, youths or women – and other groups we particularly want to recruit. It could also include providing quality deer hunting with less open access.

19. KDWP should clarify and inform landowners and others on liability issues related to deer and deer management.

Clarification/Rationale: This recommendation is aimed at the problems of liability concerns being assumed by outfitters leasing properties, and landowner perception of safety and liability concerns.

20. KDWP should encourage guides and outfitters to provide as much public use of leased lands as possible. KDWP should inform and educate the public about guides and outfitters place in deer management.

Clarification/Rationale: This recommendation is aimed as several problems, including restricted access, the public relations problems of guides and outfitters, and misunderstandings about the place of guides and outfitters in deer management.

21. KDWP should demonstrate and publicize sound deer management principles by providing them in its management on public lands.

Clarification/Rationale: This recommendation is aimed at the problem of loss of quality deer hunting opportunities on private and public lands.

22. KDWP should maintain deer hunting opportunities commensurate with what the deer resource can biologically tolerate.

Clarification/Rationale: This recommendation is aimed at the problem of maintaining the type of sound deer resource that stimulates the types of high demands currently being placed on it.

23. KDWP should incorporate long term considerations in its deer management program.

Clarification/Rationale: This recommendation is aimed at the problem of maintaining a healthy, sound deer herd to meet future demands.

24. KDWP should implement a preference point system for mule deer hunting.

Clarification/Rationale: This recommendation is aimed at the problems of different management needs and considerations for mule deer and whitetails, and the high demands for mule deer hunting.

Discussed without reaching consensus:

- Purchase/acquire additional public lands

Issue Area 5: General Nonresident Deer Permits

25. KDWP should create a nonresident game tag at a price of \$30.

Clarification/Rationale: This recommendation is aimed at the problems of fees being too low and the need to raise added revenue.

26. KDWP should implement a preference point system for general nonresident permits.

Clarification/Rationale: This recommendation is aimed at the problem of the need to raise additional revenue.

27. KDWP should propose raising the application fee cap to \$25, with the Wildlife and Parks Commission to decide the fee.

Clarification/Rationale: This recommendation is aimed at the problem of the need to raise additional revenue.

Discussed without reaching consensus:

- Match the number of nonresident permits to the level the deer resource can sustain
- Increase nonresident firearms deer permit allocation from 10% to 15% of permits sold to residents
- Find a way to capture \$2million refunded – either through permit fee increases or permit number increases
- Increase nonresident fee from \$200 to \$250
- Allow no nonresident mule deer permits

Issue Area 6: Economic Factors

28. KDWP should monitor the health of the deer herd.

Clarification/Rationale: This recommendation is aimed at the problem of disease concerns, especially diseases potentially transmissible from deer to livestock.

29. KDWP and the Kansas Animal Health Department should cooperate in securing training for more KDWP and U.S. Fish and Wildlife Service personnel to monitor deer disease problems.

Clarification/Rationale: This recommendation, too, is aimed at the problem of disease concerns, especially diseases potentially transmissible from deer to livestock.

30. KDWP should support State efforts to develop more labs for testing for chronic wasting disease (CWD).

Clarification/Rationale: This recommendation, too, is aimed at the problem of disease concerns, especially diseases potentially transmissible from deer to livestock.

31. KDWP should support efforts by others to develop and approve new CWD test procedures.

Clarification/Rationale: This recommendation, too, is aimed at the problem of disease concerns, especially diseases potentially transmissible from deer to livestock.

32. KDWP should encourage the USDA to approve European testing procedures for prion diseases.

Clarification/Rationale: CWD neither exists in Europe nor are there testing procedures for CWD in Europe. This recommendation, too, is aimed at the problem of disease concerns, especially diseases potentially transmissible from deer to livestock.

33. KDWP and the Kansas Animal Health Department should cooperate in reviews of rules and regulations governing diseases that might involve the deer herd.

Clarification/Rationale: This recommendation, too, is aimed at the problem of disease concerns, especially for diseases potentially transmissible from deer to livestock.

34. KDWP should increase efforts to inform landowners about the hunter referral program.

Clarification/Rationale: This recommendation is aimed at the problems of deer accident losses, deer crop depredation, and problems landowners have recouping costs sustained by deer.

35. KDWP should expand efforts to inform drivers on how to avoid deer/vehicle accidents.

Clarification/Rationale: This recommendation is aimed at the problem of deer/vehicle accident losses.

Discussed without reaching consensus:

- Charging access fees can provide landowners compensation
- Establish program to compensate landowners for deer damage
- Fund damage payments from State General Fund

Issue Area 7: Permit Pricing Structure

(No consensus recommendations for this issue area.)

Discussed without reaching consensus:

- 20% increase in price of all permits and game tags
- Develop online permit application and issuance process
- Create a 3-season resident either sex whitetail permit for \$100
- Raise price of nonresident permits to \$300
- Create 3-season permit for nonresident hunters
- Increase all resident permit fees by 20%

Issue Area 8: Damage Control Permits

(No consensus recommendations for this issue area.)

Discussed without reaching consensus:

- Expand the area permits can be used to adjoining land with landowner's permission
- State would lease land from landowners with deer problems and open it to hunting
- Give landowners nonresident transferable permits for damage control

Issue Area 9: Minimum Acreage Requirements

36. The minimum acreage requirement related to deer permits should be left as it is.
Clarification/Rationale: This recommendation is aimed at the problem that changing the minimum would affect those who have purchased 80 acres to qualify.

Issue Area 10: Guides and Outfitters

37. KDWP should recommend increasing nonresident guide license fees without corresponding increases for resident guides.

Clarification/Rationale: This recommendation is aimed at the problem that nonresident outfitters and guides permits are too low.

38. KDWP should encourage guides and outfitters to develop a public relations program.

Clarification/Rationale: This recommendation is aimed at the problem that a few unethical guides give all guides a bad name.

39. KDWP should monitor and publish trends in leasing acreages and numbers of guides operating in the state. Reporting/responding to surveys should be voluntary.

Clarification/Rationale: This recommendation is aimed at the problem of perception that guides and outfitters are a large part of the problem with hunting access to private land.

40. KDWP should acknowledge and help publicize guides and outfitters who are willing to host youth hunt events.

Clarification/Rationale: This recommendation is aimed at the problem that the public perception of guides and outfitters is frequently negative.

Discussed without reaching consensus:

- Prohibit guiding on public land
- Charge fee for guiding on public land and WIHA
- Charge fee for guiding on state-managed properties
- Revoke guide licenses for any wildlife violation
- Triple fines for guide-related violations
- KDWP assist with guides/outfitters PR campaign
- Develop code of ethics for guides & outfitters
- Explore possibility of charging guide fees based on acreage controlled; resident to nonresident ratio: 1-5

Additional Recommendations

41. KDWP should explore the development of online deer license application and issuance.

Clarification/Rationale: This recommendation is aimed at the problems of lack of availability of licenses and providing alternative license sale options.

42. KDWP should allocate and issue game tags by specific unit.

Clarification/Rationale: This recommendation is aimed at providing management of deer on a unit by unit basis to account for differences in management challenges and opportunities.

Additional recommendations discussed without reaching consensus:

- KDWP investigate setting parameters for deer management assistance program; sunset review provision; fee based; include mechanism for issuance of transferable permits
- Criteria for management goals: trophy quality bucks; age structure in buck population; unit-by-unit management; manage herd, making decisions based on what resource can bear, public tolerance, maintaining quality
- Establish population at optimum balance of carrying capacity, landowner tolerance & providing recreation
- Develop deer management plan with measurable goals and objectives with annual reporting
- Revamp permit process: KDWP to determine what unit-by-unit harvest should be; distribution of permits should be done by legislature
- KDWP should explore development of deer habitat incentive program; incentives in the form of permits or preference points for permits
- Explore outlawing recreational spotlighting/night vision goggles
- Explore changing/including .22 caliber centerfire rifles in deer hunt legal equipment
- Explore regulations to prevent disease spread by long term feeding of wild cervids
- Prioritize permits by class for permit number reductions; cut nonresident permit numbers first

EVALUATION/LESSONS LEARNED

A separate report systematically capturing and presenting the entire range of impressions of work group members (as well as key KDWP staff) will be prepared. However, at the last work group meeting some time was devoted to evaluating the work group process. A few of the positive statements made at that time included (a) learned that issues can be solved through cooperation—not giving up, (b) lines between sometimes adversarial groups have been blurred, (c) exposure to ideas and representatives from other groups was beneficial, and (d) this process should continue—should be on-going. A few of the negative statements made at that time included (a) some valid issues were lost due to a lack of consensus, (b) not enough time, (c) lost sight of public input, and (d) different interpretations of language created confusion.



Kansas Farm Bureau

2627 KFB Plaza, Manhattan, Kansas 66503-8508 • 785.587.6000 • Fax 785.587.6914 • www.kfb.org
800 S.W. Jackson, Suite 817, Topeka, Kansas 66612 • 785.234.4535 • Fax 785.234.0278

PUBLIC POLICY STATEMENT

House Committee on Tourism and Parks

RE: HB 2078 – an act relating to hunting permits.

**February 17, 2003
Topeka, Kansas**

**Presented by:
Steve M. Swaffar, Director
Natural Resources**

Chairman Hutchins and members of the committee, thank you for this opportunity to provide comments on House Bill 2078 addressing hunting permits for deer in Kansas. I am Steve Swaffar, Director of Natural Resources for the Kansas Farm Bureau. Kansas Farm Bureau is a grassroots organization that develops policy through the input of our 105 county organizations and the more than 41,000 farmer and rancher members across the State.

Kansas farmers and ranchers play a vital role in supporting the State's deer herd through the forage and shelter found on privately owned land. Over the years deer have been both a destructive nuisance and recently an economic opportunity for farmers and ranchers. Whether deer present a nuisance or an economic opportunity, culling of the herd on private land is vital to farmers and ranchers and to the continued success of the deer herd. HB 2078 provides at least one mechanism to continue that control and success.

This past summer and fall, Kansas Farm Bureau participated in the Deer Management Working Group to help ensure our members still have opportunities to reduce damage to their crops and to enhance their opportunities to benefit economically from deer hunting. The Deer Management Working Group was comprised of diverse interests that, through compromise, developed a set of recommendations for deer management that is the core of HB 2078. Farm Bureau members have developed their own policies that correlate with these recommendations and the proposed legislation. Our KFB policy reads:

To further develop the hunting industry in Kansas, and until the damage caused by big game is significantly reduced, Kansas Department of Wildlife and Parks (KDWP) should expand the hunting seasons, increase the number of in-state and out-of-state big game hunting permits, aggressively promote the

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landowner hunting referral program, and explore the development of a system to compensate landowners experiencing considerable damage.

Any person receiving a deer permit in Kansas should be allowed and encouraged to harvest an additional antlerless deer in management districts identified by the Secretary of the Kansas Department of Wildlife and Parks as areas where excessive deer damage occurs. In management districts where permits are available and not requested by Kansas residents, those permits should be made available to non-residents.

We support the increase in non-resident permits proposed in HB 2078 since it would provide farmers and ranchers additional opportunities to obtain non-resident transferable deer tags. The agriculture economy is extremely poor right now. Farmers and ranchers are searching for other income opportunities just to make ends meet. Hunting and fishing opportunities on private land have provided a small source of income for some agriculture operations. However, with the limited number of non-resident tags and even fewer transferable tags, farmers and ranchers have had limited ability to derive the economic benefits from the deer herd they support. Increasing the number of tags would provide additional opportunities for farmers and ranchers and the economies of rural communities to benefit financially from the hunting industry. Additionally, an increase in the non-resident permits will continue to cull deer from the herd and help keep crop damage at tolerable levels.

We also support tying non-resident transferable permits to a smaller land mass than the entire deer management unit, however we do have some reservations about restricting the use of the permit just to land under the control of the applicant. This could limit some crop farmers from deriving benefit from the transferable permit. We believe expanding the area of use for the transferable permit to a larger subunit within the existing deer management units would resolve this problem and still keep the ancillary benefits in the local economies, close to the origin of the permit.

We request the committee act favorably on HB 2078 and consider the possibility of increasing the land associated with the transferable permits. Thank you for this opportunity to speak with you today.

To: The House Committee on Tourism and Parks

From: Daniel F. Rudman
1116 N. 400 Rd.
Baldwin City, KS 66006

This is public testimony submitted to the Committee in support of House Bill No. 2078 with exception.

- A) My family has a tradition and heritage spanning five generations of those who have taken a deep interest in the preservation and management of natural resources. I grew up being trained and educated both in private and public institutions to be a *conservationist*. I am a Kansas Lifetime hunting license holder. I have five children who I hope will have the same opportunities I had.
- B) My primary concern for this testimony and comments on the bill are the inclusions regarding landowner transferable tags.
- C) I agree with this bill in tying the tags to the landowner/tenant land.
- D) I do have question, and thus the exception I hold, as to why we have these transferable tags. I believe the transferable tag system should be removed.
- 1) There are far better ways to help farmers.
 - 2) We must leave wildlife management to the wildlife managers and this type of legislation has nothing to do with management.
 - 3) Privatization of Natural Resources leads to great problems.
 - a) Natural Resources, i.e. wildlife, belong to all Kansans.
 - b) Causes conflict for the management of resources.
 - c) Removes the average family with average income from being involved in the conservation process.
 - d) Removes a quality of life for the majority of Kansas residents involved.

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**Lohrding 3 – Bar Ranch
HC 72, Box 46
Coldwater, KS 67029**

My name is Mark Lohrding and my wife Sindi along with my Parents Arlie and Patricia Lohrding operate 3 Bar Ranch in Comanche and Clark County. We have recently begun to offer deer hunts on our property in order to increase the bottom line in our business. I am appearing before your committee today to voice my concerns about the transferable permit issue.

As a child, I can clearly remember that wheat harvest was the event that had the most significant social and economic impact in our community. Motels were full, restaurants stayed open late, grocery stores were picked over, and everyone benefited from the money that was brought into our community. Due to weather, economics, and rural population decline, wheat harvest no longer impacts our community like it used to. Wheat harvest is being replaced by deer harvest. During hunting season, our motels are again full, the restaurants busy, and everyone is buying groceries for their hunters.

My concern about the upcoming bill is that the Kansas landowner is still coming up short in regards to the hunting issue. The biggest problem that our ranch has in regards to taking in hunters is being able to come up with permits. As of now, any person who owns 80 acres and meets certain criteria has the same chance of drawing a permit as another landowner who operates 8000 acres. The large landowner is taking care of a much larger population of deer and is also paying a much larger amount of property taxes. Why should the people paying the most taxes and caring for the largest numbers of wildlife not have a better chance of receiving permits so that they can continue to help manage the Kansas deer herd?

I have 3 possible suggestions that I believe could make this bill have a much larger economic impact over a large portion of our state

1. Make hunt on your own land permits transferable. Right now, I can go and buy a hunt on your own land permit for \$10.50 and go out and shoot a deer on our ranch but I cannot sell that permit to anyone. Why not charge me \$205.50 if I want to transfer that permit which allows me to sell a hunt and provide the state an extra \$195.00 in revenue?
2. Use number of acres as a "weight" tool in drawing permits. I personally think that a lottery is a poor way of deciding who receives a deer permit, but if it is not possible to get rid of, at least give the landowner who is paying taxes on 5000 acres a MUCH better chance of obtaining a permit than an 80 acre landowner. It only seems fair that the people with the most deer should be able to have the best chance at obtaining transferable permits.
3. Allow individual landowners to submit a deer management plan, which upon approval would guarantee a certain number of permits for that block of deer habitat. Have the Kansas Department of Wildlife and Parks come out, look at the property, and see if the plan that they (rancher) want to implement is workable. Then sell those permits for \$205.50 to the landowner, and give him/her the opportunity to bring in outside money into our state. Many states have a plan like this and the economic impact to these states is impressive.

Thank you for allowing me to express my concerns about this issue. I really think that if rural Kansas is ever going to "boom" again, it is going to be related more to hunting and tourism than to agriculture. Please do everything that you can to give rural Kansas landowners a chance to add some "black ink" back into their bank statements.

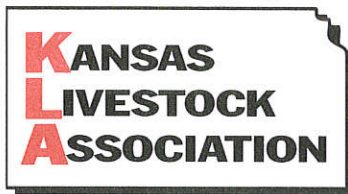
Thank you for your time

Mark Lohrding

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Since 1894

TESTIMONY

To: House Tourism & Parks Committee
Representative Becky Hutchins, Chairperson

From: Mike Beam, Sr. Vice President

Date: February 17, 2003

Subject: HB 2078 - A bill amending the deer hunting permit laws

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing over 6,000 members on legislative and regulatory issues. KLA members are involved in many aspects of livestock production, including cow-calf/stocker enterprises, cattle feeding, seed stock production and diversified farming operations.

Mr. Chairman and committee members, I am Mike Beam and I work for the Kansas Livestock Association. Our membership includes many farmers and ranchers who have an interest in state laws and regulations that tend to inhibit their ability to harvest a sustainable resource on agriculture land they own, manage and control. I'm speaking specifically of the limited number of available transferable deer hunting permits for trophy deer. This bill, HB 2087, represents an incremental step in improving the situation. For that reason KLA is a proponent of HB 2087.

At first some of you may question why a deer-hunting bill is under consideration by this committee. While deer management is indeed a natural resource and environmental issue, it has become a rural tourism and economic matter. Sportsmen and women in all areas of the country recognize Kansas as the place to hunt trophy deer and are willing to give the state \$200 or more for the permit and pay ranchers and guides an attractive fee for access, lodging, and numerous other amenities. (KDWP reported this summer they returned approximately \$2 million to nonresident applicants that were unsuccessful in the drawing for Kansas's permits.)

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Several KLA members are attempting to supplement their agricultural income by guiding deer hunts or leasing trespassing rights on their farm and ranch land. This income opportunity can provide a second income that may allow a family member to work on the ranch in lieu of seeking employment away from home.

It is almost impossible, however, to market this service because there is no certainty a potential client can draw a hunting permit. Right now, Kansas only allocates 10% of its firearm permits and 15% of the archery permits to nonresident hunters. We really need to increase this allotment for nonresidents as they provide the best market for producers and guides.

Subsection (m) moves us in the right direction and gradually increases opportunities for nonresident hunters, landowners pursuing fee hunting ventures, guides, rural communities, and fee revenue for the Kansas Department of Wildlife and Parks.

We encourage this committee to move this bill forward and I would be happy to respond to any questions or comments. Thank you.

**To: Kansas House Committee on Tourism and Parks
Becky Hutchins, 50 District, Chair**

RE: House Bill 2078

**From: Kansas State Bowhunters Association
Shawn W. Harding, Legislative Chairman**

House Bill 2078 is not an effort to solely “manage” deer numbers. Please do not interpret it as such. The modifications to the percentages of tags made available to Non-Residents, based on the States leftover tags, is acceptable if they (KDWP) hold to them. The Kansas Bowhunters Association is cautiously supporting this bill due to the fact that it takes steps to reign in the reckless transferable tag that was created in March of 2000 with the passage of SB-568 that session.

The passage of the amended 568 allowed for a transferable tag that **was not** tied to the land (to reduce deer numbers and crop damage) where it was applied. In essence, this became a “statewide” tag that is purchased in one area of the state (that may have needed control of the deer population) but utilized elsewhere. Outfitters benefited from such practices because it allowed them to set up a base of operation and bring the hunters to them. SB-568 helped tie up large tracts of land, displace local hunters and create a management problem for the Biologists and Conservation Officers in our State.

House Bill 2078 makes the effort to tie the permit to the Landowners property “or properties controlled by the Landowner/Manager”. The KBA would like the language to follow the Deer Management Groups more closely and tie the tag only to the Landowners property from which it was applied for. We ask you to consult members of the “working group” to have a better understanding of their views.

The KBA would also like some assurances that the mule deer population will be protected and that the increasing numbers of tags made available to the Non-Resident hunters will not be made “either species” and worded as such to eliminate legal challenges to hunt the small (declining) but very admired, mule deer population of Kansas. The State of Kansas is very well represented at the prestigious archery (Pope & Young) and firearm (Boone & Crocket) annual banquets where the best (animals that measure in the top ten of the World) are scored.

KDWP is charged with protecting the wildlife resource of our State. The KBA feels HB-2078 is a step in the right direction but it could use more “tooth”. Please consider these thoughts when considering this bill for approval.

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February 14, 2002

Honorable Becky Hutchins
Committee Chair-Tourism & Parks

Dear Honorable Hutchins:

My name is Larry Konrade, and I am co-owner of Tamarack Outfitters, located in Ashland, Kansas. I am writing you this letter in an effort to express my concerns concerning the proposed changes to 2003 transferable landowner permits in House Bill # 2078. Although I agree with most of the proposed changes, I feel restricting the transferable landowner tags to the landowner that applied, will only make it harder for Kansas landowners and Kansas outfitters to get tags needed to conduct business. Although statewide it may reduce the number of landowners applying for these tags, it is my opinion that since there are so few transferable landowner tags available, this restriction of tying the tag to that land, will remove the ability of the local landowners and local outfitters to supply their hunters with deer tags. As the law stands now, these transferable landowner tags could be used anywhere in that management unit or if they were archery tags could be used state wide. They were not restricted to only the applicants land.

In management unit 16, we have an even more unique situation than in most other units. Landowners (who have their own hunters) and local outfitters in Unit 16 must rely on transferable landowner tags for their hunters. Our non-resident clients who want to hunt on our land will never draw a non-resident deer permit in the regular non-resident draw because the application pool in Unit 16 is flooded with 80% of applicants from out of state licensing service clients. Therefore, their clients will draw 80% of the regular non-resident permits. These out-of-state licensing services also conduct hunts in Unit 16 and thus control the regular non-resident deer tags. Again, that is why Unit 16 landowners who have their own hunters and local outfitters have had to rely on transferable landowner tags. Last year, in Unit 16, there were only 81 firearms tags and 11 muzzleloader tags available in the landowner transferable draw. There were 1500 landowners who applied for those 92 tags. That means a landowner applying in the draw had a 1 in 16 chance of drawing a tag. The argument I have heard is that the landowners have complained that a lot of the transferable landowner tags went to landowners that qualified, but didn't have good deer habitat and that it was unfair that they have as much right to apply for the tag as a landowner that has the best deer habitat in Kansas. Thus, this new proposal to restrict these transferable tags to the applicants land, would reduce the overall number of applicants and increase their odds of drawing.

I disagree with this theory. I solicited 139 landowners in my area within Unit 16 to apply for these tags so I could hopefully ensure myself of tags for my clients. Out of the 139 applications only 5 firearms tags were drawn. I have reviewed my list of landowners that applied last year and I only feel like I could eliminate 50% of those applicants. Now, if I

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use this 50% reduction of applicants in Unit 16, there would still be 750 applicants for 90 tags. My odds have gone up from 1 in 16 to 1 in 8. If I own a family ranch and apply for these tags, I might have 5-10 family members that possibly qualify to apply for those tags. In my opinion, 5-10 is that qualify is very generous. Based on the new odds of 1 in 8 applicants, I still won't draw any tags and if I'm really lucky I might draw one. As before, since there are so few tags available, I won't get any tags and guess what? Now I've lost the ability for my hunters to purchase transferable landowner tags because they are now only good on the land that the applicant owns and operates. At least before, my hunters, at whatever the cost, could still bid for those transferable tags so they could come back and hunt on my ranch or with a local outfitter. It is my opinion that further restricting transferable landowner tags to that applicants land will hurt landowners in Unit 16 and put an end to local deer outfitters such as myself who have previously relied on transferable deer permits. It is also my opinion that this gives the out-of-state outfitters, who already control the regular non-resident draw, even more control of the deer hunting. It will put me out of business and further restrict an already, very restricted resource in our community and state.

FYI: I have been involved in outfitting deer hunts the past five years. In the last two years Tamarack Outfitters has generated over \$150,000.00 worth of revenues conducting 18 deer hunts in 2001 and 22 hunts in 2002. Every dime of that money stayed in our local rural community and that's just from hunts I have conducted. With our state's whitetail deer herd stable and flourishing, why does it have to be so difficult for local landowners and local outfitters to get non-resident deer tags that are needed in order to utilize this huge economic resource that is being wasted and that is so badly needed in our rural communities? Please answer that question for me.

Thank you for your time,

Larry J. Konrade
Tamarack Outfitters
PO Box 192
Ashland, KS 67831

(620)635-2299 wk
(620)635-2360 hm

February 17, 2003

The Honorable Becky Hutchins
Kansas House of Representatives
Committee Chair, Tourism & Parks
Room 502-S, Statehouse
Topeka, KS 66612

Dear Representative Hutchins

My name is David Clawson. My family owns land in management unit 18 in southwest Kansas. Most of my family, including Mother, Father, a brother a sister and myself live in this unit. I am writing you this letter in an effort to express my concerns concerning the proposed changes to 2003 transferable landowner permits in House Bill #2078. Although I agree with most of the proposed changes, I feel restricting the transferable landowner tags to the landowner that applied, will only make it harder for us landowners to get tags needed to sell hunts on our property. Although statewide it may reduce the number of landowners applying for these tags, it is my opinion that since there are so few transferable landowner tags available in this unit, this restriction of tying the tag to that land, will remove the ability of the local landowners and local outfitters to supply their hunters with deer tags. As the law stands now, these transferable landowner tags could be used anywhere in that management unit or if they were archery tags could be used statewide. They were not restricted to only the applicants land.

Our family, in unit 18, relies almost entirely on the transferable tags to be able to sell hunts to local outfitters and out-of-state hunters. Non-resident clients who want to hunt on our land will never draw a non-resident deer permit in the regular non-resident draw because the application pool in Unit 16 is flooded with 80% of applicants from out of state licensing service clients. Therefore, their clients will draw 80% of the regular non-resident permits. These out-of-state licensing services also conduct hunts in Unit 18 and thus control the regular non-resident deer tags. Again, that is why Unit 18 landowners that have their own hunters and local outfitters have had to rely on transferable landowner tags. Last year, my family drew 1 muzzleloader tag that could have been used on our property out of 10 applications. I had a long term lease with a group of out-of-state hunters that would have paid \$15,000 the first year and more every year after that if they could acquire enough transferable tags. These hunters would have spent a lot of money locally while hunting and given the economy of the Meade, Kansas area a little boost. Because of not having enough tags available, my lease fell through. I was able to go on the open market and purchase two tags and sell hunts to out-of-state hunter who paid \$2,000 per person to hunt on our property. The tags cost them an additional \$1,500 to buy. I also sold two archery hunts to a local outfitter for \$1,000 per hunt. With further restriction on landowners being able to draw transferable permits, I don't think this would be possible. All of the money on all these stayed in the Meade-Clark county area. None was sent out of state.

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Attachment 11

In my opinion, the restriction of tying the tags to the land drawn on gives the out-of-state outfitters, who already control the regular non-resident draw, even more control of the deer hunting and further restrict an already, very restricted resource in our community and state.

With our state's whitetail deer herd stable and flourishing, why does it have to be so difficult for local landowners and local outfitters to get non-resident deer tags that are needed in order to utilize this huge economic resource that is being wasted and that is so badly needed in our rural communities?

Sincerely,

David Clawson
Box 146
Englewood, Ks.
67840

620-539-2029 home
620-629-1631 cell

February 17, 2003

The Honorable Becky Hutchins
Kansas House of Representatives
Committee Chair, Tourism & Parks
Room 502-S, Statehouse
Topeka, KS 66612

Dear Representative Hutchins:

My name is Kent Jarnagin. I'm a rancher and landowner, and own and operate a guide service in Comanche County. I am also involved with economic development both locally and regionally. I am concerned with some of the subject matter and wording in Bill # 2078.

If the "Transferable Deer Tag" system continues to be by drawing only and tags are limited to the landowners land only, the economic value to me as the landowner is worthless unless I draw a tag. The odds of any one landowner regardless of whether I own \$20,000 acres or 80 acres last year was about 5%.

From a resident guides point of view: If my clients don't draw their own deer tag and I don't draw one as a landowner, then my clients don't hunt, and I'm out of business. There are large non-resident guide services operating in our state which would welcome a system which is being proposed. They already control the current non-resident draw with the sheer numbers of their clients applying.

From an economic point of view: Our small guide service this past year brought into our area (a small town of less than 500 people) close to \$100,000.00 of revenue. That is a lot of money for a community such as ours. In addition we are not the only one doing business here. If this bill passes as written, much of this local revenue is gone to large out of state business, as mentioned above.

I've been brief and to the point as I know you are all busy. I appreciate your attention to this matter.

Thank you,

Kent Jarnagin

House Tourism Committee

Meeting Date 2/17/03

Attachment 12

February 17, 2002

My name is Robert D. Thomas and I reside at 5124 N.W. Pueblo Ct., Topeka, Ks. 66618.

Mr. (Madam) Chairperson and honorable committee Representatives, thank you for allowing me to speak in opposition to the proposed changes in House Bill No. 2078.

My wife and myself are both life residents of the State of Kansas and we are both hunters. Further, we both grew up on family farms and continue to have relatives in the farming and ranching business.

I would first like to state that I am not opposed to non-resident hunters in the State of Kansas. The positive economic impact that non-resident hunters provide is substantially important to many Kansas communities.

I am, however, opposed to the proposed changes to increase the number of non-resident deer permits. The proposed change in the number of non-resident deer permits from the current maximum of 10% of the available permits being issued to non-resident hunters, to the proposed maximum of 20% available to non-resident hunters by the year 2007 is unfavorable to the resident deer hunter. Furthermore, the setting of minimal increases for the years of 2003 to 2006 further indicates a desire to place the non-resident deer hunter in a more prominent position than the resident deer hunter. The proposed changes in this bill would provide that "fifty percent of the big game permits " be issued to landowners or tenants and after 2007 "not be less than 10% nor more than 20%" be issued to non-residents. Would this result in the resident, non-landowner/tenant, receiving the remaining 30% of the available permits?

If these changes are passed into law it will create a hardship on the resident hunter to find land to hunt on. I have hunted, as a non-resident, in the states of New York, Texas, Colorado, New Mexico and Arizona. The amount of available public hunting land in these states varies greatly as does the cost to gain access to hunting land. States with large amounts of public hunting land may not require the use of a guide or outfitter. States with small amounts of public hunting land make a guide or outfitter almost mandatory. The cost for guides and outfitters can be expensive and not within the budget for many hunters.

House Tourism Committee

Meeting Date 2/17/03

Attachment 13

The State of New York has approximately 3.7 million acres while the State of Texas has only 1.2 million acres. Colorado, New Mexico and Arizona public lands are 23.4 million acres, 22.9 million acres and 29.8 million acres respectively. The State of Kansas has, according to the Wildlife and Parks website, a total of 447,490 acres of public land available for hunting. This amount is the total of all lands under the jurisdiction of the KW&P and all of the Federally controlled lands. In addition to the 447,000 acres the KW&P has also enrolled approximately 800,000 acres in the WIHA program. The total amount of public land available to hunters is about 1.2 million acres. With a limited amount of public hunting land available passage of these proposed changes will increase the pressure on private landowners for access to their land. In addition, passage of these proposed changes will only provide a benefit to non-resident hunters, outfitters and guides. There is no positive benefit to the average resident hunter.

I would ask this committee to vote against adoption of these proposed changes.

Thank you for allowing me the opportunity to speak to this issue.

HOUSE COMMITTEE ON TOURISM AND PARKS

FEBRUARY 17TH, 2003

TESTIMONY IN OPPOSITION OF HOUSE BILL 2078

OPPONENT

KEATON KELSO, OWNER

K&K OUTFITTERS

316-772-0854 kkelso@southwind.net

Dear Committee Members:

House bill 2078 negatively effects the efforts of many Kansas businesses and farmers that are working together to grow a tourism industry. Millions of dollars are spent in Kansas by thousands of out-of-state residents due to hunting businesses and landowners willing to provide access to great hunting opportunities.

The following areas of concern:

1. Land owned or controlled transferable tags. In the past few years, landowners and hunting professionals together have been able to entice non-residents to experience the great hunting in Kansas. The transferable tags have been unit specific giving hunters and the hunting industry freedom of choice on areas within their assigned unit. The new legislation would restrict tags to the land owned or controlled by the landowner.

This has the following impact:

- Small farms would have non-usable tags. You cannot or should not entice an out-of-state hunter to pay for access to 80 acres. The hunting industry would not be able to work with the small farms.
- Most in the hunting industry work with numerous small landowners to connect sections of land to manage the deer population. Unless the hunting professional is working with a large landowner, the tags provided to clients are useless.
- Due to low number of tags for non-residents, the transferable unit specific system has created an option for the hunting industry. Many Kansas hunting businesses would have failed if not for the transferable system.

2. Raising the percentage cap for non-resident tags. Most in the industry do agree that more tags are needed to meet demand.

- Why raise non-resident numbers first? Raise the transferable tags (unit specific) first with left over tags going into the non-resident pool.
- The increase of tags should first and foremost help the landowners and the hunting industry. This legislation completely disregards this thought.

In conclusion, the transferable tag system should remain in place as written. The tags should stay unit specific giving everyone options. Furthermore, increases in tag numbers should first go to Kansas farmers who work together with business owners. This only provides additional dollars to our Kansas residents.

House Tourism Committee

Meeting Date 2/17/03

Attachment 14

KANSAS WILDLIFE FEDERATION



The voice of outdoor Kansas

February 17, 2003

Testimony in Opposition of House Bill 2078

By

Spencer Tomb

Past President of KWF

and

Member KWF Issues and Actions Committee

The Kansas Wildlife Federation is a broad based conservation education organization dedicated to the sustained use of natural resources. We consist of 10 affiliate clubs and individual members with a total membership of about 2,000. We are the Kansas affiliate of the National Wildlife Federation which has 10,000 members in Kansas.

We oppose HB 2078 as it does not accurately reflect the wishes of the Deer Working Group convened by the KDWP. The Kansas Wildlife Federation was involved in the arriving at a consensus on many issues in the working group. The recommendations left the working group's hands without a consensus on the meaning of the word "controlled". Enlarging the definition of "controlled" in this bill will have a huge negative impact on thousands of general resident hunters in Kansas as well as all who hunt upland birds and waterfowl on private lands. As it is now written HB 2078 will allow outfitters to lease land for hunting purposes and apply more directly for transferable deer permits on the lands they lease.

This bill will take Kansas a huge step closer to the leasing system found in Texas. In this system you hunt on leased land for everything or buy land for hunting. If this bill is passed it will displace hunters in the largest group of Kansans who hunt deer, the general resident deer hunter. When leasing becomes widespread in Kansas it will decrease the harvest of antlerless deer as hunters who pay to hunt rarely take does.

When a landowner enters into a lease of deer hunting rights with an outfitter the outfitters and guides will post the land and shut down **all** hunting on that land until their clients have hunted. That will displace those who have historically hunted the land and will include some families of hunters who have worked hard to develop a relationship with the landowner. The land will be under hunted.

A time honored tradition in the wildlife laws of this country is that all wildlife are owned by all of the people of a state and not by the landowner. Now that deer hunting is being used for economic gain there is a monetary incentive to change this very basic principle of wildlife law. Leasing and outfitting are a part of the modern hunting landscape, but the changes that this bill will have in the system will favor an increase of outfitting with negative impacts on Kansas hunters. Management of the deer of Kansas will decrease and the average deer hunter who does not own land is going to be priced out or crowded out.

This bill has at its heart a profit incentive for a few and makes no sense for the general population of Kansas hunters. It is hard to understand a bill like this being promoted by a state wildlife agency at a time when that agency is working to recruit new hunters with programs like Pass It On and Becoming an Outdoors-Woman.

We urge you to let this bill die the death it deserves in this committee.

House Tourism Committee

Attachment: Kansas Wildlife Federation 2003 Resolution "Support for Sound D Meeting Date 2/17/03

Attachment 15

Kansas Wildlife Federation

2003 Resolution

SUPPORT FOR SOUND DEER MANAGEMENT IN KANSAS

Whereas, the deer population in Kansas has been reduced significantly in most areas of the state in the past few years with increased resident permits, emphasis on antlerless deer harvest, a special January deer season, and allowing non-resident deer hunting; and

Whereas, many resident deer hunters and landowners are concerned by this significant reduction in deer numbers and impacted by the decreased quality of their deer hunting experience; and

Whereas, the increase in nonresident deer permits and the increased interest in trophy deer hunting in Kansas has led to many acres of private land being leased for deer hunting; and

Whereas, the resident deer hunters and the young generation of Kansas deer hunters are increasingly finding access to private land limited by leasing and high trespass or trophy fees; and

Whereas, there are still some groups in Kansas that want to increase non-resident permit numbers including the Secretary of Wildlife and Parks; and

Whereas, the Kansas Legislature has been increasingly involved in Kansas deer management by authorizing non-resident transferable landowner permits; and

Whereas, non-resident transferable landowner permit use should be restricted to lands owned and operated by the applicant for agriculture purposes, as currently stipulated by law;

Whereas, the Kansas Legislature has been unwilling to allow the Department of Wildlife and Parks (who has the biological and scientific staff) to manage for a quality deer herd even though they are charged with this responsibility; and

Whereas, deer hunting in Kansas has become commercialized and because of that we are diminishing our respect for the animal itself and we are diminishing our self respect as hunters; and

Whereas, a trophy deer should not be something that you buy – it should be something that you earn; and

Whereas, our youngsters and their youngsters may never have the opportunity to harvest a trophy of their dreams – whether it be a magnificent buck, a small buck, or even a doe -if we continue to privatize deer management in Kansas;

NOW, THEREFORE BE IT RESOLVED that the Kansas Wildlife Federation assembled during its annual meeting, February 15, 2003 in Manhattan, Kansas, urges the Kansas Legislature allow the Kansas Department of Wildlife and Parks do their task of quality deer management in Kansas; and

BE IT FURTHER RESOLVED that the KWF urges the Kansas Department of Wildlife and Parks hold non-resident deer permit numbers at or below 2002 levels and allow the non-resident transferable deer permits to end when that law sunsets in 2004; and

BE IT FURTHER RESOLVED that the Kansas Department of Wildlife and Parks manage deer with the maximum quality of the deer herd and with the resident/young deer hunters of Kansas in mind; and

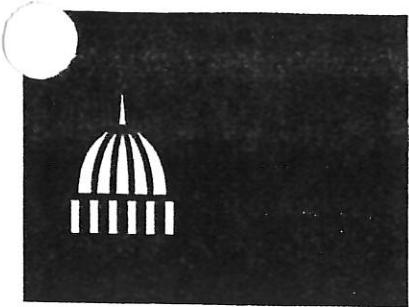
BE IT FURTHER RESOLVED that the Kansas Wildlife Federation provide this resolution to the Governor of the State of Kansas, the Chairperson of the House Environment Committee, the Chairperson of the Senate Committee on Energy and Natural Resources and the Secretary of the Kansas Department of Wildlife and Parks.

1999-2000 Advertising Budget

Rank	State	Budget
1	New Mexico	13,107,500
2	Florida	10,368,165
3	New Hampshire	928,2800
4	Texas	8,555,000
5	New York	7,680,000
6	Illinois	7,507,600
7	Pennsylvania	7,000,000
8	Wisconsin	6,100,000
9	Missouri	5,735,000
10	Louisiana	4,897,900
11	Arkansas	4,743,271
12	Michigan	3,527,501
13	Tennessee	3,446,442
14	Oklahoma	3,165,085
15	Arizona	3,100,000
16	Maryland	3,059,328
17	Mississippi	2,971,168
18	New Jersey	2,900,000
19	North Carolina	2,800,000
20	West Virginia	2,695,746
21	Kentucky	2,624,000
22	Massachusetts	2,585,028
23	Montana	2,296,588
24	Iowa	2,250,000
25	Minnesota	2,200,000
26	South Carolina	2,143,281
27	South Dakota	1,996,000
28	Connecticut	1,554,000
29	Utah	1,490,000
30	Wyoming	1,389,037
31	Idaho	1,250,037
32	Alabama	1,200,000
33	Alaska	1,181,144
34	Nevada	1,084,243
35	Georgia	1,044,000
36	Maine	1,000,000
37	Rhode Island	805,000
38	Indiana	770,000
39	Nebraska	731,000
40	Oregon	675,000
41	North Dakota	567,971
42	Washington	557,263
43	Vermont	541,062
44	Kansas	520,000
45	Delaware	100,000
The following states did not report		
46	California	0
47	Colorado	0
48	Hawaii	0
49	Ohio	0
50	Virginia	0

*Data was taken from the 1999-2000 Survey of U.S. State and Territory Tourism Offices, compiled by National Councils Department Travel Industry Association of America

House Tourism Committee
 Meeting Date 2/17/03
 Attachment 16



State Funding for Tourism

By Mandy Rafool

Tourism is currently the leading service export in the United States.

Most state tourism offices are paid for primarily with general fund appropriations; several states, however, have become more creative.

Tourism funding in Illinois is tied directly to lodging tax receipts.

Tourism, increasingly viewed as one of the world's most important industries, is currently the leading service export in the United States. Legislatures, recognizing the potential of tourism as an economic development tool, have increased the level of state tourism funding by approximately 20 percent in the past three years. Most state tourism offices are paid for primarily with general fund appropriations; 20 states use nothing but general fund revenues to promote tourism.

Creative Funding. Several states, however, have become more creative with tourism funding. Legislatures in Missouri (1993) and Washington (1998) adopted performance-based formulas, where appropriations are directly tied to growth in tax revenue from tourism-related businesses.

Other states use supplemental funds in addition to general fund revenues to support state tourism efforts. State lodging taxes top the list as the most frequent supplemental source, although states also earmark revenues for tourism promotion from restaurant sales, car rentals, admissions, recreation sales and lotteries, to name a few. Some examples of state tourism funding sources follow.

- When the Florida Legislature created VISIT FLORIDA, in 1996, it provided capital via the Tourism Promotional Trust Fund. A percentage (15.75 percent) of revenues from the \$2 per day rental car surcharge generates approximately \$20 million per year in tourism operating funds. VISIT FLORIDA is required to match this revenue one-to-one by the year 2001.
- Tourism funding in Illinois is tied directly to lodging tax receipts. As a result of legislation passed in 1997 by the Illinois General Assembly, 29 percent of hotel and motel tax receipts are dedicated to Illinois Bureau of Tourism programs. The law put to rest a decade-old statute that provided fixed dollar amounts for certain tourism programs. Now the state has the mechanism in place to ensure additional funding as the tourism industry grows. Lodging tax revenue for FY 1999 was approximately \$42.1 million, which was allocated for tourism programs.
- When the Hawaii Legislature restructured its new tourism office in 1998, it also established a new dedicated funding source effective Jan. 1, 1999. This was done by raising the transient accommodations tax from 6 percent to 7.25 percent and broadening it to include time-share units. A portion of the revenue (2.75 percent) is earmarked for a special fund (approximately \$55 million) for tourism-related activities.
- Arizona imposes a 5.5 percent state lodging tax on hotel rooms. By statute, 3 percent goes into an established tourism fund to be used only for marketing programs. That currently comprises about \$2.7 million of the \$8.8 million total budget.

- Arkansas levies a 2 percent tourism tax on: camping fees; tourist attraction admissions; guest rooms furnished by hotels, motels, lodging houses and condominiums; and rentals of watercraft and related items. The Department of Parks and Tourism uses the proceeds to promote tourism.
- Louisiana dedicates 0.03 percent of the state sales tax to tourism.
- Idaho permits local resort communities to levy a 2 percent general sales tax in addition to the statewide local option lodging tax. The additional sales tax revenue provides money for small-town resort communities where infrastructures are stressed by the high number of visitors.
- Minnesota allows cities in which a sport facility is located to impose a supplemental sales tax on retail liquor sales or hotel and motel gross receipts at a rate necessary to support maintenance of the facility.
- The Montana Resort Tax authorizes “designated resort communities” (communities of fewer than 2,500 that derive major revenue from tourists) to impose a resort tax of up to 3 percent. The tax applies to sales by: hotels, motels and other lodging establishments; restaurants; taverns, bars, night clubs and other public establishments that serve alcoholic beverages by the drink; and to establishments that sell luxuries.
- In 1987, Oklahoma enacted a 0.01 percent gross receipts tax on: lodging; food and drink; tourist attractions; motor vehicle rentals; and tour bus tickets. Money collected from this tax goes for tourism promotion.
- South Carolina levies a 5 percent tax on entertainment and recreation (including golf greens fees). The majority of this revenue goes to the state tourism office.

The Montana Resort Tax authorizes “designated resort communities” to impose a tax of up to 3 percent.

Income Tax Checkoffs. Another way to fund tourist-related activities includes income tax checkoffs. Several states have a checkoff box on their income tax forms that allows taxpayers the option of donating money for a special purpose related to tourism. Kentucky has a checkoff for the Bluegrass State Games, and 11 states have checkoffs to fund Olympic committees. Ohio has a checkoff option for natural areas; Alabama has a tax checkoff for the arts; and Rhode Island has one for arts and tourism. However, experience suggests that overreliance on checkoffs can present problems because the amount of revenue any single checkoff generates declines as the number of options increases.

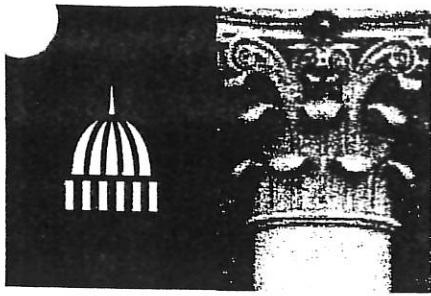
Other ways to fund tourist-related activities include income tax checkoffs and lottery revenues.

Lottery Revenues. Another revenue raiser for tourism-related activities—one used in five states—is earmarking state lottery money. Colorado allocates lottery revenues to parks; Maryland and Washington earmark some lottery proceeds for new sports stadiums; and Kansas, Oregon and West Virginia earmark lottery revenues for tourism development and advertising.

Contacts for More Information

Mandy Rafool
NCSL—Denver
(303) 830-2200, ext. 161
mandy.rafool@ncsl.org

Travel Industry Association of America
(202) 408-8422
www.tia.org



National Conference of State Legislatures

LEGISBRIEF

BRIEFING PAPERS ON THE IMPORTANT ISSUES OF THE DAY

MARCH 2002

VOL. 10, NO. 13

Cultural Tourism

By Mandy Rafool

Cultural events (art museums, ballet, symphony orchestras) have long attracted tourists.

Cultural tourists are desirable visitors.

The key to success is collaboration, particularly between the state tourism agency and the cultural agencies.

The notion of the "family vacation" still conjures images of packing the kids in the station wagon (or mini van) and driving across the country, heading for such traditional destinations as Niagara Falls, Disneyland or the Grand Canyon. But more and more travelers are now making shorter visits to different sorts of places—an old fort, a Renaissance fair or a performing arts festival. Cultural events (art museums, ballet, symphony orchestras) have long attracted tourists to cities. As many communities are discovering, cultural events in rural areas and smaller communities, such as craft fairs, historic sites, festivals and even cowboy poetry, often interest visitors, as well.

What does this mean for state and local governments? More revenue. Tourism is already big business and studies have shown that cultural tourists are desirable tourists. The Travel Industry Association reports that on average cultural tourists spend more while traveling and tend to add time to their trips to participate in cultural activities. This all translates into additional government revenues.

The key to successful cultural tourism is collaboration, particularly between the state tourism agency and the cultural agencies. If the tourism office is to promote the state's cultural amenities, it needs accurate information and knowledge about the cultural community. State arts agencies, for instance, are intimately knowledgeable about the heritage, arts and cultural organizations and individuals in their states. However, art and cultural agencies need the marketing expertise that is available through the state tourism office.

In a number of states, the tourism office and the arts agency have a close relationship. Maine, Missouri, Montana and North Carolina devote positions in the state tourism office to cultural tourism. Several other states—including New Jersey, Pennsylvania, Virginia, Massachusetts, New York and Washington—promote cultural tourism through the state arts council. Discover Jersey Arts is a statewide marketing campaign for which the arts council and the tourism office have formed a partnership to promote cultural sites to tourists. But not all states have formal cultural tourism programs. Elsewhere, cooperation is informal and can be as simple as videos placed in hotels to promote area cultural attractions or special ticket packages offered by hotels.

State Action

States that recognize the advantages of promoting cultural tourism often go far beyond simply sharing information for a calendar. The following interagency programs, chosen from many possible examples, are both innovative and successful.

- The California Cultural Tourism Coalition was formed by arts and tourism organizations to promote the rich cultural diversity of the state. Its guidebook features 13 culturally themed

National Conference
of State Legislatures

Executive Director
William T. Pound

Denver
1560 Broadway, Suite 700
Denver, Colorado 80202
Phone (303) 830-2200
Fax (303) 863-8003

Washington, D.C.
444 North Capitol Street, NW, Suite 515
Washington, D.C. 20001
Phone (202) 624-5400
Fax (202) 737-1069

itineraries of suggested adventures in Los Angeles, San Diego and San Francisco.

- A collaboration in Maine among the state arts council, the humanities council, the state archives and museum office, and the historic preservation commission resulted in "Putting Maine on the Map: Promoting Cultural Tourism." This ensures that every museum and historic site in the state is represented on the state's tourism Web site so visitors can create their own driving tours.
- A joint venture in Louisiana among the tourism office, arts agency, visitor centers, preservation office and office of state parks resulted in the creation of several "cultural corridors." Maps provide information about attractions, such as festivals and children's venues. Tourists are invited to explore the cultural sites in any given state region.
- Kentucky created the Kentucky Cultural Heritage Strategic Plan, which was incorporated into the master plans for the state cabinets of economic development, travel and the arts council.
- New York State Council on the Arts recently funded a \$250,000 initiative to develop cultural tourism projects. This represents the first grant program in New York designed specifically to stimulate development of new cultural tourism efforts.
- A number of states across the country—including Illinois, Missouri, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Oregon and Washington—are gearing up for a major anniversary commemoration as the Lewis and Clark Bicentennial approaches from 2003 to 2006.
- Tennessee Heritage Trails program features three trails—arts and crafts, history and music—to help visitors experience events that shaped the first two centuries. From Civil War battlefields to modern cities, stories are preserved at historic sites, in museums and art exhibits.
- The Oklahoma Legislature has funded the African American heritage and American Indian tourism programs. The state tourism office works closely with small, rural communities to develop and market a local product or event.
- The North Carolina General Assembly created the Rural Tourism Development Grant Program to provide funds to local governments and nonprofit organizations in rural areas (less than 200 people per square mile) for the development of tourism businesses and attractions.
- Nevada also provides grants to rural tourism promotion agencies through its state tourism office. Nevada has several innovative rural tourism marketing strategies like the "ET Highway." Route 375 was designated as the Extraterrestrial Highway due to the number of UFO sightings in the area. The tourism office created the ET Experience Club, where callers receive a brochure about the highway and nearby attractions.

When a town or region has cultural or historic sites to promote, it provides a reason for people to visit. Once visitors arrive, the revenues they produce in turn help offset the costs of maintaining the sites. Perhaps the biggest benefit of cultural and heritage tourism is that it allows a community to diversify its economy while retaining the characteristics that make it special.

Contacts for More Information

Mandy Rafool
NCSL—Denver
(303) 830-2200 ext. 161
mandy.rafool@ncsl.org

Kimber Craine
National Assembly of State Arts Agencies
Washington, D.C.
(202) 347-6352
kimber@nasaa-arts.org

Many states are gearing up for the Lewis and Clark Bicentennial commemoration.

Cultural tourism allows a community to diversify its economy while retaining its special characteristics.