

MINUTES OF THE HOUSE WILDLIFE, PARKS, & TOURISM COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 P.M. on January 31, 2005 in Room 241-N of the Capitol.

All members were present except:

John Grange- excused
Broderick Henderson- excused
Patricia Kilpatrick- excused
Margaret Long- excused
L. Candy Ruff- excused
Clark Shultz- excused
Dale Swenson- excused
Mark Treaster- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Lisa Montgomery, Revisor of Statutes Office
Betty Caruthers, Committee Secretary

Conferees appearing before the committee:

Jim Aller, Kansas Outfitter's Association
Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife & Parks
Ron Klataske, Flint Hills Tall Grass Prairie Heritage Foundation

Others attending:

See attached list.

Moved by Representative Flaharty, seconded by Representative Oharah for approval of Minutes of the House Committee on Wildlife, Parks, & Tourism held on January 26, 2005 be approved.

Motion carried.

Chairman Myers announced that on Monday, February 7, Chris Tymeson, Chief Legal Counsel with Kansas Department of Wildlife & Parks, will be giving a briefing on the potential for reconstruction and/or simplification of deer management statutes.

Hearings on **HB 2115 - Repeals the archery management units for deer**, were opened.

Chairman Myers recognized Chris Tymeson requesting that he give a brief overview of **HB 2115**.

Chairman Myers called for Opponents to **HB 2115**.

Chairman Myers recognized Jim Aller, Kansas Outfitter's Association. On behalf of the Kansas Outfitter's Association and the Kansas Bowhunter's Association Mr. Aller is suggesting changes in the language of **HB 2115**. (Attachment 1)

1. The resident bowhunter shall select a "prime unit" to hunt in the State of Kansas and then be allowed to hunt all "units" with unlimited permits.
2. The non-resident bowhunter that participates in the Kansas draw shall select a "prime unit" when applying for a Kansas tag and then be bound by that unit when hunting in the State of Kansas.

Chairman Myers requested that Chris Tymeson speak to questions regarding the legality of these issues. Mr. Tymeson recommended equality and fairness for both resident and non-resident bowhunters.

Chairman Myers presented the fiscal note cost of \$7,617 in expenditures which reportedly would be eliminated if **HB 2115** were enacted. There would be other costs involved if **HB 2115** is enacted.

Chris Tymeson shared names of those serving on the Kansas Department of Wildlife and Parks Commission.

CONTINUATION SHEET

MINUTES OF THE House Wildlife, Parks, & Tourism Committee at 3:30 P.M. on January 31, 2005 in Room 241-N of the Capitol.

This Commission is in support of **HB 2115**.

Chairman Myers recognized Ron Klataske, a land owner to testify in opposition to **HB 2115**. Mr. Klataske believes that non-resident transferrable permits should be restricted to the land where the landowner gets them and that the more local you can make transferrable permits the better.

Hearings for opponents to **HB 2115** were closed.

Chairman Myers recognized Ron Klataske for a bill introduction.

Mr. Klataske, on behalf of the Flint Hills Tall Grass Prairie Heritage Foundation, requested the introduction of a committee bill to establish minimal siting standards for permit operating industrial windpower electric generation facilities in Kansas.

Representative Morrison moved for the introduction of this bill by the committee. Seconded by Representative Weber. Motion carried.

Mr. Klataske requested that the Committee develop a resolution asking the Kansas Congressional Delegation to consider sponsorship of a Flint Hills Natural Heritage Area Designation.

Representative Flaharty moved for the introduction of this resolution. Seconded by Representative Morrison. Motion carried.

Chairman Myers adjourned the Committee at 5:00.

Next meeting scheduled for Wednesday, February 2.

Jim Aller

The leadership of the Kansas Bowhunters Association (KBA) and the Kansas Outfitters Association (KOA) feel compelled to offer this suggestion to the language of bill HB2115 that relinquish the unit restrictions for resident bowhunters. This revised language should alleviate the concerns that the KDWP has about disparity issues between resident and non-resident user groups and allows for a better management solution for the deer herd.

The larger numbers of resident hunters in Kansas offer the ability to better control the deer population than our guests who visit for only a scheduled time period to hunt deer in our State. It is our opinion that our State has been recognized for its remarkable deer herd due to a simple plan that has worked for forty years and we wish for that "system" to stay intact.

While the goals are the same, bowhunting and rifle hunting deer are very different in their approach to that success. With this in mind The KBA and KOA would suggest the following language.

The State of Kansas establishes a set of "archery management units" for the management of bowhunting similar to what was amended to SB363 2004. **However**, the utilization of those units should be determined by the user group, the available resource (deer) and how those items are best managed. We suggest the following changes:

The **resident bowhunter** shall select a "prime unit" to hunt in the State of Kansas and then be allowed to hunt all "units" with unlimited permits. At this time, and for the foreseeable future, all units in the State are considered "unlimited" for archery permits so the resident bowhunter will be able to hunt Statewide.

The **non-resident bowhunter** that participates in the Kansas draw shall select a "prime unit" when applying for a Kansas tag and will be bound by that unit when hunting in the State of Kansas.

The non-traditional **transferable tag** since it is purchased through the landowner or his broker shall remain as it is currently enforced.

By establishing the management units it gives a measure of control by dispersing non-resident tags, which was the impetus for the legislation in 2004. This is the main wish for the KOA because it spreads the tags over a greater area, which benefits their membership and also improves the management opportunities for KDWP. The current system allows the allotment of tags to become "clustered" and create management issues in certain areas of the State. It also appeases the KBA because it maintains the tradition of Statewide hunting that improves success rates and allows them to be a participant in the management process of our deer herd.

The KBA and KOA in an unprecedented joint effort, respectfully submit this suggestion for your consideration. We feel that this language will limit any further legislative action regarding this issue.

KBA Executive _____

KOA Executive _____