

MINUTES OF THE HOUSE WILDLIFE, PARKS AND TOURISM COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 P.M. on February 14, 2005 in Room 241-N of the Capitol.

All members were present except:

Representative L. Candy Ruff- excused
Representative Dale Swenson- 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:

Dave Debenham, Kansas County & District Attorney's Association
Chris Tymeson, Kansas Department of Wildlife & Parks
Dan Ward, Kansas Wildlife Federation
Rick Dykstra, Geary County Convention & Visitor's Bureau
Brad Myers, U.S. Army Corps of Engineers
Lon Floyd, Kansas State University Athletics

Others attending:

See attached list.

Moved by Representative Long, seconded by Representative Beamer for approval of Minutes of the House Committee on Wildlife, Parks and Tourism held on February 9, 2005 be approved.

Motion carried.

Chairman Myers recognized Lisa Montgomery, Revisor, to brief on amendment for **HB 2117**.

Representative Mah moved that the amendment for **HB 2117** be approved, seconded by Representative Ohara.

Motion carried.

Chairman Myers called for working **HB 2117**.

Representative Flaharty moved that **HB 2117** be passed favorably as amended, seconded by Representative Mah.

Motion carried.

Chairman Myers announced that Representative Grange will carry **HB 2117**.

Hearings for opponents on **HB 2253- Imposes minimum fines and jail times for certain wildlife violators**, were opened.

Chairman Myers recognized Dave Debenham who testified against the diversion portion of the bill. Mr. Debenham's testimony supports elected prosecuting attorney's handling the diversion decisions. He spoke to Section 1(b)(2) of **HB 2253** requesting that it be deleted from the bill. (Attachment 1)

Chris Tymeson added that between 2003 and 2004, there were 194 diversions out of 6,529 violations that citations were issued for.

Chairman Myers called on Dan Ward to speak to issues and questions on the bill.

Chairman Myers requested that Dan Ward and Dave Debenham work together to find some compromise

CONTINUATION SHEET

MINUTES OF THE House Wildlife, Parks and Tourism Committee at 3:30 P.M. on February 14, 2005 in Room 241-N of the Capitol.

language on **HB 2253** by Wednesday, February 16.

Hearings on **HB 2253** were closed.

Chairman Myers announced that the Committee will work **HB 2253** on Wednesday, February 16.

Chairman Myers recognized Rick Dykstra who gave information on future outdoor events in Kansas. (Attachment 2) Rick Dykstra introduced Brad Myers who spoke to partnerships between the U.S. Army Corps of Engineers and various programs for outdoor events, programs, and tourism. Mr. Dykstra then introduced Lon Floyd with Kansas State Athletics who spoke to the upcoming Cabela's Ahearn Scholarship Fishing Tournament, April 23 at Milford Lake. (Attachment 3)

Chairman Myers adjourned the Committee at 4:20.

Next meeting scheduled for Wednesday, February 16.

COUNCILORS

Thomas J. Drees, President
Douglas Witteman, Vice President
Edmond D. Brancart, Secretary/Treasurer
Steve Kearney, Executive Director
Gerald W. Woolwine, Past President



DIRECTORS

Thomas Stanton
David Debenham
Ann Swegle
Jacqie Spradling

Kansas County & District Attorneys Association

1200 S.W. 10th Avenue
Topeka, Kansas 66604
(785) 232-5822 FAX: (785) 234-2433
www.kcdaa.org

February 14, 2005

House Committee on Wildlife, Parks & Tourism

House Bill 2253

Chairman Myers and Members of the Committee:

Thank you for the opportunity to appear before you and the committee today. HB 2253 concerns penalties that are assessed against individuals who violate Kansas' law on the harvesting of wildlife.

The Kansas County & District Attorneys Association does not oppose any of the language that increases the penalties and fines for the illegal harvesting of wildlife. The objection that the KCDAAs has with HB 2253 is the language that limits the number of diversions an individual can receive under these sanctions. The KCDAAs opposes any change in state statute that would limit the discretion of the elected prosecutor.

K.S.A. 22-2907(2) requires that county and district attorney implement a written diversion policy. Additionally, this legislative body has required the county or district attorney to consider a number of factors in deciding whether a diversion is in the interests of justice and of benefit to a defendant and the community. K.S.A. 22-2908(a). Among the factors to be considered, is whether a defendant is a first time offender and whether the defendant has previously participated in a diversion.

This legislative body has placed the responsibility of weighing these interests within the discretion of the elected prosecuting attorney. Special circumstances arise in all cases across Kansas. No two criminal cases are alike. As an elected county attorney or district attorney, KCDAAs members review all criminal cases and proceed forward with the most appropriate punishment for the crime and the public interest of the community. The community has the right, through elections, to change the elected prosecutor if the community feels that the public safety interests are not being protected.

Everyday the elected prosecutors around this state make decisions that are in the best interest of Kansas. They have to constantly balance the resources of the Kansas justice system with the best public safety. The KCDAAs would ask you to leave this discretion with the elected prosecuting attorney by removing this portion of the bill.

Thank you for your consideration,

Dave Debenham
Shawnee County Assistant DA
KCDAAs Board Member

Committee on Wildlife, Parks and
Tourism
2/14/05
Attachment 1

Geary County
Convention and Visitors Bureau
823 N. Washington St.
Junction City, KS 66441

February 14, 2005

Kansas House Committee on Wildlife, Parks and Tourism

Chairperson Myers and Committee Members:

My name is Rick Dykstra and I am representing the Geary County Convention and Visitors Bureau.

Along with two other persons, I'm here to provide this committee a general informational briefing on fishing in Kansas and some upcoming regional and national outdoor events coming to our state, more specifically, Geary County.

GEARY COUNTY and the OUTDOORS.....

Over 740,000 People.....

That's the number of persons that visited Milford Lake during 2004. If you were to compare this number against all attractions listed on the Kansas Department of Commerce 2003 Attraction Visitor Report, you'd find that Milford Lake would rank number #5 in the state.

Of the Top 5 Destinations in Kansas..... *Three are Lakes!*

The Outdoors of Kansas is Destination Tourism.....

Without a doubt, tourism in Kansas is part of our state's overall economic recovery. The outdoors of Kansas is a major component of our tourism, or should I say, our "Quality of Life" offerings. People from across the United States on a year-round basis travel to Kansas for fishing, hunting, wildlife viewing, and other forms of outdoor recreation. Upon arrival, they discover not just those offering private services, but our great public lands and waters. Geary County wants to continue its efforts at establishing Kansas as a premier outdoors recreational destination state.

As was stated to the Senate Commerce Committee by Mr. Scott Allegrucci, Director of the Kansas Department of Commerce Travel and Tourism Division in his overview report of activities conducted by the Travel and Tourism Division, "Support for Geary County/Milford Lake hosting of future national fishing tournaments."

Geary County.....*It has Reeled-In the Big One!*

The Economic Impact of Fishing in Kansas

We have all heard or read national advertisements from such states as Missouri, Tennessee, Alabama, South Carolina, and Georgia, which highlight water recreation. What's ironic about this is that Kansas has more U.S. Army Corps of Engineers (USACE) lakes than the states mentioned. Kansas has 17 USACE lakes, compared to 3 in S.C., 9 in GA., 4 in AL., 6 in TN., and 13 in MO.

So what is the economic impact of fishing in Kansas, over 200-million dollars! According to the American Sportfishing Association, Kansas collects over 12-million in sales and fuel taxes, with another 4.1 million collected in state income taxes. Retail sales due to fishing in Kansas are estimated at 199-million, with 4,000 jobs created.

Fishing in Kansas..... *You Better Hold On!*

Geary County and Fishing.....

The Geary County Convention and Visitors Bureau, in partnership with federal, state, county and local governmental and private organizations is working hard to bring a new awareness to fishing in Kansas, which brings new economic benefit, and visitors to Kansas.

As most of you know, when it comes to the outdoors, our state is well-known for hunting, trails, wildlife viewing and wide open spaces. It's time for the nation to discover "*Fishing*" in Kansas.

Geary County.....*We're going to make Kansas known for its fishing!*

Kansas will host one of the most prestigious national fishing events in the nation.....

In Sept. 2005, Kansas will host what has been called the “*Superbowl of Walleye Fishing Tournaments*” – The In-Fisherman Professional Walleye Trail (PWT) Mercury National Championship. Though this is a big one, many other local, regional and national events are coming to Geary County. These events will bring Kansas new visitors, new money and new media exposure. And what does it take to attract these regional and national events to Kansas? It takes energy, passion, partnerships, and a strong belief in the outdoors of Kansas.

During 2005, some of the events to be conducted in Geary County include the Kansas State University Cabela’s Ahearn Scholarship Tournament, Kansas Wildscape Governor’s Golf and Fishing Classic, Cabela’s King Kat National Regional Qualifier, Gander Mountain National Walleye Cup, Shakespeare Gold Cup Striper Tour, U.S. CATS National Regional Qualifier and the One Brand Only Bass Tournament.

In September, it’s the PWT Mercury National Championship. This single tournament will bring a new national media spotlight to our state, in addition to the top 52 walleye anglers in the world, which will compete for over \$300,000! Without a doubt, nobody ever expected that the Professional Walleye Trail would be conducting their national championship in Kansas, but here it is!

Kansas..... Where the outdoors is bigger than you think!

At this time I’d like to introduce Brad Meyers, Project Manager for the U.S. Army Corps of Engineers. Talk about partnerships, the USACE is a great partner.

I’d like to introduce Lon Floyd, KSU Athletics. I do think Lon can now speak about the excitement of fishing, not just from within our state, but from conversations he had with people from outside our state.

It's not over.....

The Geary County CVB looks forward to working with the U.S. Army Corps of Engineers, Kansas Department of Commerce, Kansas Department of Wildlife and Parks, Kansas Businesses and Industry, and most of all, the citizens of Kansas, to bring bigger events to our state, which attract visitors and have a positive economic impact.

We'd like to invite each of you to attend any of the events listed.

In closing, if you think the regional and national events we have spoke about are big, just wait to you see what we are working on for the future.

The Geary County Convention and Visitors Bureau.....

***We're Partnering, We're Excited, We're Passionate,
and We're Moving Forward!***



Kansas State University Athletics Department

Bramlage Coliseum • 1800 College Avenue • Manhattan, KS 66502-3355 • 785-532-6910 • k-statesports.com

MEMO

2/14/2005

TO: WILDLIFE, PARKS AND TOURISM COMMITTEE

FROM: LON FLOYD
KANSAS STATE UNIVERSITY
BRAMLAGE COLISEUM
1800 COLLEGE AVENUE
MANHATTAN, KANSAS 66502
785 532-7707

RE: CABELA'S AHEARN SCHOLARSHIP FISHING TOURNAMENT

Dear Committee Members:

It is my pleasure to offer you this brief introduction to Kansas State University Athletic Department's newest fundraising opportunity. It is known as the Cabela's Ahearn Scholarship Fishing Tournament. The tournament will take place April 23, 2005 on Milford Lake in Junction City, Kansas with all net proceeds going to the Ahearn Scholarship Fund. The Ahearn Fund provides scholarship money for over 400 student athletes at Kansas State.

The Athletic Department is really excited about this new opportunity in that we are finding it is reaching out to a totally new segment of our alumni and supporters. We are finding that many of our alumni are true outdoorsmen and women and have not had an opportunity like this previously. Traditionally, golf has and continues to be an important fund raiser but we are so very pleased to find the wonderful response we are getting to this fishing tournament.

Not only are we pleased and excited about the alumni support given this project, we are equally excited about the guidance we are receiving from many organizations within the general Kansas fishing community. First, I must recognize Rick Dykstra with the Geary County Convention and Visitors Bureau, for without his guidance this project would not have attained the early successes we have experienced to this point. Much credit also goes to Brad Myers, Corps. Of Engineers and Mike Harris, Tony Reitz and John Reinke, Kansas Wildlife and Parks. We would like to express our appreciation to four fishing organizations in Kansas which have offered their expertise and guidance; Kansas B.A.S.S. Chapter Federation, Kansas Walleye Association, U.S. Catfish Anglers Association, Crappie Busters and the K-State fishing club. Their help in organizing and working the tournament is greatly appreciated.

Committee on Wildlife, Parks and
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As one can discern from the tournament name, Cabela's is to be our title sponsor agreeing to provide \$14,000 in prize money as well as help in actually operating the tournament. Dick Edwards Ford of Manhattan/Junction City added excitement to the program by offering a one year lease on a 2005 Ford 4 x 4 truck to one of the lucky participants. Mellage Tractor and Marine of Auburn, Nebraska also recently added a 14' Jon boat and trailer to our list of prizes for tournament fisherman. The Marriott Courtyard of Junction City will be acting as the host hotel and will provide a complimentary meal to all participants prior to the pre-tournament rules meeting. So, as one can see the financial support for this venture has come from many entities both in Kansas and out of state.

We would also like to bring attention to an area which the Kansas State Athletic Department is making a tournament priority; that being the health and safety of the fish caught. We are working with John Reinke, District Fisheries Biologist to assure that every precaution is taken to keep the mortality as low as possible for this tournament. We are hoping that an abundance of aerated tanks and a specialized release boat will accomplish this important goal.

In summary, the Kansas State University Athletic Department is very excited about this new venture. We hope it will not only be a good fund raiser for the scholarship fund but also another opportunity to bring attention to what a wonderful venue Milford Lake provides the sportsmen of Kansas. We believe this partnership will allow this tournament to become a truly "first class" event.

Thank you for taking time to read through this brief summary of the 2005 Cabela's Ahearn Scholarship Fund Fishing Tournament.

Lon Floyd
Tournament Director