

Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Friday, May 27, 2022
Virtual ZOOM Meeting

Approved Subject to
6/23/22 Commission
Approval

The May 27, 2022, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 3:35 p.m. Chairman Lauber and Commissioners Aaron Rider, Lauren Queal Sill, Phil Escareno, Warren Gfeller and Emerick Cross were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

The Commissioners and department staff introduced themselves (Attendance Roster – Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – No changes. (Agenda – Exhibit B).

IV. DEPARTMENT REPORT

Thomas Schmidt – WIBW 13 news in Topeka, question on new lifetime license for kids under 5 and being able to get those at a reduced rate. Sheila Kemmis – That is on the agenda in a few minutes. Chairman Lauber – Please wait until Dan Riley presents.

A. General Discussion

Dan Riley – I will give background on kids licenses first. Two regulations that will be required to change for that new license. Amendments to KAR 115-2-1 (Amount of fees) and KAR 115-9-3 (purchase of lifetime license w/o hunter education certificate) are required due to the passage of House Bill 2456, the Kansas Kids lifetime combination hunting and fishing license. House Bill 2456 takes effect upon publication and has a July 1, 2032 sunset provision.

2. KAR 115-9-3. Purchase of lifetime hunting or lifetime combination hunting and fishing licenses without certificate of completion of an approved hunter education course – Dan Riley, agency counsel, presented this regulation to the Commission (Exhibit C). Provides a waiver of requirement for hunter education certificate in hand prior to purchasing a license. That regulation establishes, in case of lifetime license, that requirement is put on hold until that individual decides to actually hunt with the license and the certificate is required to be in possession. The simple amendment will be to include Kansas Kids lifetime license there.

Thomas Schmidt – Clarification, put story on our Facebook page when it first came out and lot of questions from people misunderstanding what it was. Some wondering if kids five or under were going out with guns to hunt. Clarification on that? This is just reduced rate for lifetime fishing and hunting license for that age group, correct? Secretary Loveless – An aspirational

regulation that encourages adults to purchase lifetime licenses for very young kids, who aren't old enough to hunt yet, in hopes child would be brought along and develop an interest in hunting. And later will take hunter safety, be mentored and be good hunters and enjoy the outdoors. Chairman Lauber – In my case, I bought when my grandchildren were six months old. I would have been better off with this type of arrangement because I paid a higher price. This gives an opportunity for people to have investment made and hopefully it will assist us in recruitment of more hunters and anglers. Schmidt – What was incentive for providing lowered reduced rate for that age group? Also, incentive, higher interest in hunting in Kansas? Secretary Loveless – I was one of the ones in conversation with the people proposing this bill and that was clearly their intent, to foster greater interest and provide incentive you mentioned. Obviously the child isn't going to have an understanding but what this is paying forward, an investment by older adult that hopefully transforms into mentoring. It is important to help kids be interested and comfortable in the outdoors like adults are. Chairman Lauber – It was not our initiative but we are comfortable with it and pleased to go along with it. There was a thought that this would enable more people to get involved. It came our way in the form of a statute rather than a regulation. We will move forward and hope it is beneficial. Secretary Loveless – In general, states are not crazy about lifetime licenses because we generate our funds in Kansas, not from tax money, but from license fee our hunters and anglers pay and we take that money and leverage federal money that is kept in DC from excise taxes on hunting and fishing supplies. We have to raise enough money here to be able to leverage that federal money and the federal government has a requirement that it be a minimum amount per year that a license buyer pays. So, we have to do the math and divide up a lifetime license fee by the number of years that person may hunt and then we can leverage that for federal money. The risk is very few things people would be willing to speculate for 75 years that they know what the price will be, that is essentially what we are doing with this. The prices rise to high; the federal match requirement rises too high then all of a sudden we can no longer use these fees to get that federal money. That is a risk we take. We understand the intention of this bill and it was good and when people want to invest in small children we think that is great. We are ready to support it. Chairman Lauber – Thanks for your participation.

1. KAR 115-2-1. Amount of fees – Dan Riley, agency counsel, presented this regulation to the Commission (Exhibit C). The statute creates two age brackets , five years of age or younger, with a maximum fee of \$300, which is statutory cap that was in legislation; and a bracket is for kids six through seven years of age with a maximum fee of \$500, which is also statutory cap. Chairman Lauber – This will be voted on at next meeting? Riley – No, sometime later than that. Commissioner Rider – It says it takes affect upon publication. Can people start to buy those now or where are we with licensing? Riley – The upon publication relates to legislation itself, the statute, so it has not yet been published so not in affect at this time. Typically, that happens sometime around the first of July although that date isn't written in stone either. We need to have the regulation in place for licensing process to be functional. It is a two-parter in terms of the process. We didn't wait for the statute to take affect before we started regulation process because that takes a considerable amount of time to happen. We've got the regulation in the works, so hopefully we will have everything in place sometime this summer. Secretary Loveless – Had this discussion with the legislature and told them we had regulations to set in place, like Dan mentioned, work to do administratively to put everything together to have this process working smoothly like our customers expect. We proposed putting the effective date out some months in the future, they said they understood we wouldn't have everything up and running but wanted to stick with effective upon publication language. They stuck with that knowing it would take to get all the pieces and parts working. One thing I would mention is sensitivity of child about to turn six and become ineligible, then extended regulation to include

six- and seven-year-olds. Same question applies, what if child is about to turn eight so we assured the legislature when this regulation gets published we will be glad to start taking applications and if don't have all of our administrative functions in place as of that date, we will not let kids that turn eight after that date be impaired by this, we will include them if they apply up to seven, that is how we will cover that. Working as quickly as we can to get all the pieces in place.

B. Public Hearing

Notice and Submission Form (Exhibit D).

1. KAR 115-25-9 Deer; open season, bag limit, and permits – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit E). This is where we set our season dates for statewide seasons. Proposed for 2022 and 2023 season, archery, September 12, 2022 through December 31, 2022; extended archery WAO, urban unit (DMU 19), January 23-31, 2023; regular firearm, November 30, 2022 through December 11, 2022; pre-rut whitetail antlerless-only (WAO), October 8-10, 2022; early muzzleloader, September 12-25, 2022; and designated persons, the youth and disabled would be September 3-11, 2022. We have three extended firearm seasons; in Units 6, 8, 9, 10 and 17 season will be January 1-8, 2023; in Units 1, 2, 3, 4, 5, 7, 11, 14 and 16, January 1-15, 2023; and in Units 10A, which is Fort Leavenworth, 12, 13, 15 and 19 will be January 1-22, 2023. This list also an individual may get up to five antlerless whitetail deer permits, the first one is valid statewide except for Unit 18; and the four additional permits are valid in Units 1, 2, 3, 4, 5, 7, 10A, 11, 12, 13, 14, 15, 16 and 19, the urban unit, except on land managed by the department; only on lands not managed on the department except for Berentz-Dick and Elk City Wildlife Areas would be allowed.

Commissioner Warren Gfeller moved to pass KAR 115-25-9 as presented to the Commission. Commissioner Lauren Sill second.

The roll call vote to approve was as follows (Exhibit F):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Absent
Commissioner Lauber	Yes

The motion to approve KAR 115-25-9 passed 6-0.

2. KAR 115-25-7. Antelope; open season, bag limit, and permits – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit G). Unit boundaries for pronghorn are defined in KAR 115-4-6 and Units 2, 17 and 18 are open to hunting. The season permit season dates and types are standard relative to previous years. Proposing archery, September 24 through October 2, 2022, and reopens October 15-31, 2022; valid in Units 2, 17 and 18 and are unlimited for residents and nonresidents. Firearm, October 7-10, 2022; limited to residents and proposing 88 permits for Unit 2 (Smoky Hill), 32 for Unit 17 (West Arkansas), and

four for Unit 18 (Cimarron). Proposed dates for muzzleloader, October 3-10, 2022; limited to residents-only and proposing 24 permits for Unit 2 (Smoky Hill), eight permits for Unit 17 (West Arkansas) and four permits for Unit 18 (Cimarron). For limited firearm and muzzleloader permits is similar to last year with only change being reduction of two Unit 18 firearm permits. You may recall the other discussion about pronghorn hunting regarding 115-4-11. That regulation wasn't submitted at the same time as this one was. That was also the regulation that would prevent hunters from being able to apply for a limited draw permit or buy a preference point for limited draw permit and get an archery permit the same year. That change is still in the process, will be voted on a future meeting but will not be in affect this year.

Commissioner Aaron Rider moved to pass KAR 115-25-9 as presented to the Commission. Commissioner Phil Escareno second.

The roll call vote to approve was as follows (Exhibit H):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Absent
Commissioner Lauber	Yes

The motion to approve KAR 115-25-9 passed 6-0.

3. KAR 115-25-8. Elk; open season, bag limit, and permits – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit I). The unit boundaries for elk are defined in KAR 115-4-6b and Units 2 and 3 are open to hunting with Unit 2 being the area that encompasses the Fort Riley Unit and Unit 3 is the bulk of the remainder of the state with exception of Cimarron National Grasslands. The proposed archery season dates are September 12 through December 31, 2022 in Units 2 and 3 outside of Fort Riley; and on Fort Riley, subunit 2a, September 1-30, 2022. Firearm, statewide, off Fort Riley; August 1-31, 2022, November 30 through December 11, 2022, which overlaps firearm deer season, and elk season reopens January 1 through March 15, 2023; on Fort Riley Subunit 2A proposed archery dates are September 1-30, 2022, with month of October being first segment (October 1-31, 2022), November is second segment (November 1-30, 2022) and December is third (December 1-31, 2022). Muzzleloader, statewide, both on and off Fort Riley, September 1-30, 2022. Limited quota either-sex elk permits are valid during any open season and proposing 12 of those authorized and limited quota antlerless-only elk permits are valid during any open season except that only one-third of them are valid during each of the three one-month segments on Fort Riley and we are proposing 18 of those, so six during October, six in November and six in December. Elk permits are valid only to Kansas residents and limited quota permit applications are separated into military and nonmilitary applicants, basically weighted to give military applicants a little better chance of drawing on Fort Riley and an unlimited number of hunt-on-your-own-land antlerless-only and either-sex permits are authorized in Units 2 and 3 and an unlimited number of general resident and landowner/tenant antlerless-only and either-sex permits authorized in Unit 3. Those are the over-the-counter permits you can buy outside of Fort Riley that general residents can get. Chairman Lauber – Is that more permits than authorized last year? Peek – No, we have been at 12 any-elk and 18 antlerless elk permits for several years now.

Commissioner Emerick Cross moved to pass KAR 115-25-9 as presented to the Commission. Commissioner Warren Gfeller second.

The roll call vote to approve was as follows (Exhibit J):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Absent
Commissioner Lauber	Yes

The motion to approve KAR 115-25-8 passed 6-0.

V. ADJOURNMENT

Adjourned at 4:03 pm.