

## MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 A.M. on February 18, 2005 in Room 423-S of the Capitol.

All members were present.

### Committee staff present:

Raney Gilliland, Kansas Legislative Research Department  
Emalene Correll, Kansas Legislative Research Department  
Lisa Montgomery, Revisor of Statutes Office  
Gina Poertner, Committee Secretary

### Conferees appearing before the committee:

Don Cook, Rocky Mountain Elk Foundation  
Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks

### Written testimony submitted:

Dennis Long, Regional Director, Rocky Mountain Elk Foundation

### Others attending:

See attached list.

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. She then recognized Mary Jane Stankiewicz of the Kansas Agricultural Remediation Board (Attachment 1). She gave a brief overview of the financial statement and annual report.

Senator McGinn asked about pollution clean-ups along the rail lines and who actually owns that property. Ms. Stankiewicz stated that the railroad owns it and if it is an abandoned line, the railroad is still responsible. Approximately 90% of the elevators do not own the property but they are doing the clean-up. She further asked why the railroad isn't cleaning it up if they are indeed responsible, to which Ms. Stankiewicz replied that the contracts put the responsibility on the entity operating it.

Seeing no further questions, the Chair then opened the hearing on SB 194. Raney Gilliland gave a briefing of the bill.

Senator Lee asked for clarification as to how the drawing of the permits works. Mr. Gilliland stated that the permit goes to the highest bidder.

Chairman McGinn introduced Don Cook of the Rocky Mountain Elk Foundation (RMEF) who presented testimony on behalf of Dennis Long, Regional Director of the RMEF (Attachment 2). Mr. Cook discussed the wildlife programs that will be benefitted by the passage of this bill and discussed the mechanism for raising funds and the importance of these permits.

Senator Ostmeyer asked if this affects bowhunters to which Mr. Cook replied that it does not.

Senator Taddiken asked about leveraging this money by partnering with other people. Mr. Cook stated that they do want to partner with others because it does help the wildlife organizations.

Senator Pyle asked how many permits are offered. Chris Tymeson stated that 7 are given annually. He also asked who is competing for these to which Mr. Tymeson stated that the permits are based upon resource.

Senator Huelskamp asked how many antelope and elk permits are given. Mr. Tymeson stated that 120 antelope permits are given and 10 elk permits are given.

With that, Senator McGinn asked Mr. Tymeson to present his testimony (Attachment 3). He testified in support of the bill stating that non-profit and non-governmental agencies need this funding to continue their work.

Senator Lee asked about the money going back to the state as stated on page 2, line 7 of the bill.

## CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee at 8:30 A.M. on February 18, 2005 in Room 423-S of the Capitol.

She asked if some states the money coming back is higher. Mr. Cook stated that his organization would like to see this go up to 85%. She also asked if this allows the Commission to choose who the permit goes to. Chris Tymeson stated that the permits are randomly selected rather than chosen and that they are only eligible once every three years. She also asked if there are that many organizations who apply. Mr. Tymeson stated that there are a number of organizations who apply for the permits. She then stated that she would like to offer amendments if the bill is worked.

Senator Huelskamp asked about the limitation stated in lines 14-16 on page 2 of the bill. Mr. Tymeson said that the organization is awarded a voucher but not the actual permit. The permit is awarded to the person who bids the highest. He went on to ask how much money an elk permit would bring in. Mr. Tymeson related that the possibility is upwards of \$15,000. Senator Huelskamp further asked why we would limit transferability to which Mr. Tymeson stated that they are not limiting transferability and then he explained the auction process. Mr. Cook further addressed the transferability issue. Senator Huelskamp asked what the odds are of drawing an elk permit. Mr. Tymeson stated that they received 3,000 applications this past year for 10 permits.

Senator Pyle asked what a whitetail deer permit would auction off for. According to Mr. Tymeson, these permits would bring \$15,000-20,000 at auction.

Senator Taddiken asked about outfitters purchasing these permits, whether Kansas has any non-profit outfitters. Mr. Tymeson said that outfitters could not apply for the permit but can purchase the permits at auction.

Senator Francisco asked about the method of distribution for the seven permits, to which Mr. Tymeson related that since it is set up as a random draw, there would be some flexibility within the rules and regulations. The permits are designated as to whether they are for elk, antelope, or deer ahead of time.

Seeing no further questions, Senator McGinn announced the hearing for SB 228 on Tuesday, February 22, 2005.

Senator Lee stated that she wants to offer an amendment to SB 194 to change the name of the permits from "Commissioner Permit" to another appropriate name. She also wants to let farmers and hunter enter the drawing but be able to keep part of the funds. Senator Taddiken asked if part of that would be raising the 50% to 85% for other groups. Senator Lee stated this is correct.

Senator Teichman asked what the permits are called in other states. Mr. Tymeson stated that there are various names such as Non-profit Auction Tags or Governor's Tags.

The meeting was adjourned at 9:30 a.m.