

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
Thursday, November 18, 2021
Buffalo Bill Cultural Center
3083 US Highway 83, Oakley, KS
OR
Virtual Zoom Meeting**

Approved Subject to
1/13/22 Commission
Approval

The November 18, 2021, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. Chairman Lauber and Commissioners Gary Hayzlett, Aaron Rider, Lauren Queal Sill, Warren Gfeller, Troy Sporer and Emerick Cross (who attended via Zoom) 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. APPROVAL OF THE September 23, 2021, MEETING MINUTES

Commissioner Gary Hayzlett moved to approve the minutes, Commissioner Warren Gfeller second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – Introduced Phil Escareno who will be our new commissioner, Gary’s term has ended and Phil will be in effect as of January 2022 meeting. He is from Garden City. Phil Escareno – I have lived in Garden City for 50 years, since 1976. I went to Garden City Community College. I have been with Black Hills Energy for 40 years, recently retired. I look forward to replacing Commissioner Hayzlett and hope and I can do as good a job as he has done throughout the state. I know he has done a fantastic job for southwest Kansas and I hope I can fill his shoes. Chairman Lauber – Welcome aboard.

No public comment.

VI. DEPARTMENT REPORT

A. Secretary’s Remarks

Secretary Loveless – Before I get to fiscal status we have a couple of important announcements. First turn over to Chris Tymeson to talk about his position. Chris Tymeson – It is with some remorse that I inform you that this is my last meeting. I apologize for not being there in person but I had knee surgery and timing of things is never optimal. I will be leaving the department on December 15. Secretary Loveless – We are sad to see Chris go. He has done great work for us for over 20 years. He has been a pillar of knowledge, good advice and wisdom for us and we will miss him but wish him well in new position at Safari Club International. A great job and great fit for Chris and they are getting a fantastic person. Happy for Chris, wish him well and are thankful for his service. We have a second key person leaving our staff, Chad Depperschmidt who served us well working on our budget process as well as facilities and engineering. He has accepted a job with KDOT as chief of right-of-way division. A great step up for him. One of the realities of hiring great people is other people recognize their greatness and they want them too. So, we have had two of our best stolen away from us this week. We are happy for them and their new opportunities but sad to see them go.

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission Begun prep for 2022/23 fiscal year. EDIF apportionment will go down to \$3.5 million, when Tourism moved to Commerce they took the portion we gave them. Park Fee Fund and state park's revenue finished FY21 over FY20 by 21 percent. Parks are doing well, incredibly busy but revenue to back that up. With that expenses also went up so needed to cover their costs. Cabin revenue was up in FY21 by 47 percent over previous year. Those cabins continue to be in high demand. Wildlife Fee Fund was up overall by about eight percent from FY20 but currently down about 10 percent from last year at this time. However, current balance at end of FY21 was \$32 million, still in good shape, down a little bit in some ways but overall doing fine. We use it to match federal funds needed to run the department. For wildlife restoration receipts our year to date total for federal side is \$834 million, that is what we will get our share from at the end of the year. Importantly that is at the end of the third quarter and is \$10 million over what the total federal receipts were for all of last year. Exceeded last year's numbers so our final year end number will be significantly higher. We look forward to getting our share of that. Sport Fish, Dingell-Johnson receipts through June showed a decline of just over five percent. I mentioned this at an earlier Commission meeting, this is a puzzle to us because we all know manufacturing rates are as high as they have ever been, even with shortages manufacturers are experiencing and sales are as high as ever. We are puzzled that tax receipts off those sales is down. The Fish and Wildlife Service can't explain but don't believe that is final numbers, hopeful and optimistic they will recover before the end of the year. Chairman Lauber – Now that Tourism has been away from our agency, are we economically, better, worse or unchanged? Secretary Loveless – Overall unchanged, but mention lottery EDIF money is for transparency, we don't have any misgivings about that. When they came to us they didn't have any money, so we took a portion of what Wildlife and Parks had at that time from EDIF and gave money to them to fund their programs. When they left, we didn't feel like that was fair, they perform important function for the state that benefits our agency as well as the rest of the state. We felt it was in everybody's best interest if we let them take that \$1.7 million. From that perspective we are \$1.7 million poorer than when they left us from when they came to us. All the programs they do were fees that were self-generated and that had no impact on us. One of the benefits of them moving to Commerce, there is a lot of money moving, they get shares of big pie that Commerce deals with that they didn't have access to when they were in our shop. I think they are more effective over there and economically we feel fine with the impact. Chairman Lauber – The EDIF money is gone forever? Secretary Loveless – It is.

2. 2022 Legislature – Chris Tymeson, general counsel, presented this update to the Commission – We are in second year of two-year cycle, bills introduced last year are still alive for next session. SB142, Coast Guard and personal floatation devices (PFD), this updates PFD references and we will vote on that this evening. It also had provisions in there updating language related to unlawful commercial take and American Fisheries Society annual reference so we updated that. There was a bill that dealt with claims against the state and there was one that dealt with the department, passed and signed by Governor. SB225, would move our law enforcement folks into KP&F, made it out of Senate committee and onto Senate floor where it sits. SB269, deals with dangerous regulated animals and updates those statutes, introduced late in the session and didn't go anywhere. ERO 48, was the executive reorganization order of the Governor that transferred Tourism back to Commerce. HB2025, would prohibit our agency law enforcement officers from entering private land without a warrant. Went out of committee, broader bill directed at multiple agencies, came back into committee, modified and only dealt with our department and that is where it sits now. HB2032, would have appealed artificial light provisions related to coyotes, didn't go anywhere. HB2089, dealt with hunter ed in schools, it was a gut and go, so late in session put provisions of that bill into another bill, gutted the old bill, sent it out and it passed and had to go back through both houses because it was a different bill, went to the Governor and was vetoed. It would have required a gun safety program as it applies to the agency, schools could either choose us or Eddie Eagle in middle school and our hunter education (HE) program in High School. We already have HE in many high schools. HB2284, would reduce park fees for seniors by half price, bill didn't go anywhere. HB2331, is current rendition of landowner deer transferable permits, it had a hearing and did not go anywhere. HB2336, would have made it crime to shoot at wildlife decoy, bill went out of committee and didn't make it across House floor, stricken from calendar by deadlines. HB2392, would give free lifetime hunt, fish and trap licenses to members of the Army National Guard who have served 20 years honorably or retired. We do have a legislative package we are currently working on, will talk about at January. Chairman Lauber – House bill on law enforcement prevention, having to do with having a warrant before going on private property. Where is that at? Tymeson – House Fed and State Affairs. Chairman Lauber – Now directed strictly at KDWP conservation officers, and they would be unable to go on private property to arrest somebody poaching or whatever to ask questions or give a citation, without having a warrant first? Tymeson – It would require a warrant to surveille or enter private property. Commissioner Gfeller – If the owner of the property calls the game warden to investigate something, they can't enter the property without a warrant? Tymeson – The landowner can consent. Chairman Lauber – If no landowner present there has to be a warrant. Tymeson – That is correct. Chairman Lauber – If landowner is engaging in illegal activity he stays on his property and there is nothing the game warden can do? Tymeson – That would be correct as well. Commissioner Sill – Does landowner have to consent for every incident or provide note that says they can come on their property whenever they want? Can a landowner give a consent for undetermined length of time or is it per incident they have to give consent? Tymeson – Landover could give blanket consent. Chairman Lauber – My surmise it was drafted hurriedly and there are a lot of unintended consequences, one of which would be to negate the power of purple paint on your fenceposts. Unintended consequences are so great I hope the bill doesn't pass because it really ties a game wardens hands. Secretary Loveless – One of questions we posed to people sponsoring this bill was, did you identify problems that are caused by our current arrangement and they couldn't. From that perspective we viewed it as a solution in search of a problem. We felt things are working well, we are not having issues, haven't received a single call from a landowner that law enforcement

used their rights inappropriately in my time here. When Colonel Kyser testified against this bill we have a long list of search and rescue functions and how disastrous it would be when we get a call. We had an elderly person with dementia who wandered off late in the afternoon in the winter and our officers found them huddled up around some hay bales trying to stay warm. We were able to respond immediately without asking for permission of all the adjacent landowners. We also had a boy with mental issues, who had an affinity for water, got away from grandmother, went across the highway into a stream and was found in a log jam in March. We found that person with the aid of a K9, hypothermia comes pretty fast at that time of year. You can imagine if we weren't allowed to go on those properties and follow where the dog wants to go to help these folks. Our folks perform a critical mission and perform it responsibly to the benefit of all Kansans. This bill would impede that. Chairman Lauber – Every agency has detractors or malcontents who want to do harm to the agency. This bill was drafted designed to punish wildlife and parks in general, not because of incident of abuse. Hopefully we will be able to convey irrationality of the bill and keep it from ever being made into law. Commissioner Gfeller – Any testimony in favor of the bill from anyone? Secretary Loveless – We appreciated the law enforcement groups across the state testifying against it, originally it was broader, but in the legislative process it narrowed down to the intended target was, us. Those agencies came out saying this was not good and came out in terms of its impact on us. Wildlife and Parks works side by side with all of our other entities, especially in rural areas. It was interesting, people who spoke didn't have perspective, they didn't realize officer could check a person when they see them out there hunting on a property, our right and worked it out well. The immediate reaction was they can't come on land without asking permission, a right they thought was being taken away, that was the way it was portrayed, so misconstrued. Commissioner Gfeller – Has Farm Bureau or KLA taken a position on that? Tymeson – Farm Bureau stayed silent and KLA supported it. Chairman Lauber – Not uncommon for KLA to support things we are against. I received a question from a constituent about a vague rumor that we were going out with cameras to spy on people, he had heard it from a reliable source, there was some of that and other litigation that had peripheral approach. This would be a mistake. I would like to see if Farm Bureau and KLA can't support our position that they could remain neutral. Secretary Loveless – We didn't have a chance to talk to them before this bill came up but if it comes up again we will. It was clear their intentions were to look out for the rights of landowners. They understand the benefits their constituents receive by this and a lot of them have purple fence posts you were talking about and they intend for us to come on and check people. Commissioner Sporer – Who was the originator of this bill? Tymeson – Ken Corbet I believe. Commissioner Sporer – Is this going to go away, is that your opinion? Tymeson – It went back into committee and is sitting there and they didn't work it before the end of the year. Everything is still live for next year. Secretary Loveless – When we sent out a note on this bill to stakeholders about impacts, legislators were deluged with comments from people who thought this was a bad idea. We appreciated that and we will communicate again if we need to. Commissioner Sill – Any other new bills in the works you are aware of that we need heads up on? Tymeson – The only bill I have heard of is bill on lifetime licenses and reducing the cost. Secretary Loveless – Targeted for young children, reduced cost focused on age range of one to five, or something like that? Tymeson – I haven't seen a draft but that was potential. Secretary Loveless – Not bad idea but the devil in the details. Having conversations back and forth and discussing how that would work. Money is critically important for leveraging federal funds, a formula has to be met to claim a credit over multiple years so need to structure properly so we are not penalized. Assistant Secretary Mike Miller – Relaxed some of the rules on multi-year licenses on how long we can count those for federal aid which did open up some of senior lifetime and youth multi-year licenses. You always have to look to see if you sold one to someone who was one or two years

old at the price you charge, how long you would be able to count that as a license for federal aid. We would have to look into that and do the calculations and see what impact that would have on revenue and wildlife conservation fund, which is where lifetime licenses go. Haven't done calculations yet but there is concern there. Chairman Lauber – We are appointed not elected officials and we propose regs, we have to have a lot of notice and public hearing. For us to pass a reg it may take nine months. For elected officials to pass a statute they can do that in an afternoon. While we see these things coming down in the form of statutes we have a strong opinion but have to rely on staff to quickly block them and deal with them because we can't do anything fast enough to do defensive measures to protect us from them. Interesting to know and like to be aware of them but not a lot we can do. Assistant Secretary Miller – The last couple of years we have started having Nadia's public affairs section put together a list of stakeholder groups and we have been proactive in keeping those groups informed about legislation, good and bad. That is where the power can be, they can contact local legislators. We try to keep those communication lines open with our stakeholders.

B. General Discussion

1. Conversion to Brandt Information System - Jessica Mounts, education/licensing division director, presented this update to the Commission (Exhibit D) – Thank you for opportunity. Save the date for May 1, 2022, for the launch of “Go Outdoors Kansas!”. This will be the new service for hunting, fishing and trapping licenses and permits in Kansas. We've come a long way since first launching online and e-licensing in Kansas, nearly two decades ago. On the heels of unprecedented outdoor participation in 2020 and rapidly changing technologies, KDWP staff began working with Brandt Information Services earlier this year to build this new customer-focused license and permit sales for hunting, fishing and boating privileges. The new Kansas e-commerce system will serve as the new one-stop shop facilitating the state's hunting and fishing license sales, limited license draws, merchandise sales, and more. It is set to launch May 1, 2022, and will bring to life an improved experience for our team internally, for constituents and all of our visitors. This new solution will include an improved user experience, boat registrations, a private mobile application for law enforcement and physical hard cards for hunting and fishing licenses. A free public app will allow users to sync their current licenses, make new license purchases, and view regulations in one place. Working hard to implement this new solution but most rewarding has been opportunities to work across divisions, especially with wildlife, fisheries, parks and public lands and everyone at the table and it has been because of all the staff and guidance from Brandt that we are confident we are making the right decision for Kansas. I will introduce you to members of Brandt and will let them tell you what we think you should know and I will be back to take questions and comments.

Jessica introduced Tiffany, Kelsey, Rob, Taylor and Dahnari from Brandt Information System.

Tiffani Santagati, Brandt Information System – Thanks for having us. Kelsey will give the presentation (PowerPoint – Exhibit E). Kelsey Hersey – Thanks for allowing us the opportunity to present today. We are a licensing and registration system provider and have been around for 36 years and our specialty is outdoor recreation, specifically hunting and fishing license systems and boat registrations. Our system is currently alive in a number of states, Florida, Georgia, Virginia, Tennessee, Oklahoma, Iowa and Idaho and happy to be bringing expertise and experience here in Kansas. Our systems include a variety of functionality, which is hunting and fishing licenses, limited draws, boat registrations, customer facing mobile apps, customer

support and phone sales, license agent support, fulfillment and strategic digital marketing. This has been an amazing partnership so far, started working with the department several months ago with a very large team and it has been a wonderful collaboration and partnership so far. Working with Jessica and her team, Shanda, Mary, Jason, Arlan, Aaron, Tanna, Megan, Brody, a very large group, a wonderful and collaborative process. Excited about partnership. One of the good things is offering a modern full service program that serves the department and ultimately the customers. It will be launching in mid-2022. Tiffany will talk about some of the system features. Santagati – We are featuring a few of the items we wanted to highlight in the new system as it rolls out next year, which should be great for your constituents and KDWP staff and administrators, we are streamlining things. Talk about some of the great things we will be able to offer for boat registrations; it will allow customers to have a more streamlined process for getting boats registered. They can go online, upload proof of ownership and documents electronically, receive status notifications and updates via email and KDWP administrators are going to have real time electronic cues to review these registrations, approve or deny them, request additional information electronically to streamline process and reduce data entry manual burden by reducing mailed in paper applications. That will still be an option available if the customers still want to do that. We have seen great success during registration process online. Making it easy for customers to renew with renewal reminders and quick ways to register online. Moving into customer mobile app, there will be an IOS mobile app that customers will be able to download from app for free and it will give them access to changing profiles , accessing licenses offline when they don't have service in the field, offline checking of harvest reports, quick access to KDWP resources and cool tools like sunrise and sunset times, regulations, etc. A great value add for your customers. Law Enforcement mobile app, empowering officers out in the field through the mobile device, available private app only authorized to KDWP users that gives them real time look up capabilities in the field even if they are offline and don't have service or network. They can verify customers licenses, scan licenses in, excited for that as well and be able to put information at their fingertips. Improving user experience, we understand; we will be rolling out a simpler log-in process for people to locate their account, using unique identifiers to make log-in smoother, empower KDWP with administrative capabilities to manage the system. The system can adapt to program changes and changes to KDWP's initiative. Multi-customer family purchasing, letting customers make purchases for multiple customers all in one transaction to streamline purchase process. To make it as easy as possible for people to go outdoors. This solution will be end-to-end platform for KDWP and customers to be that one-stop-shop. We are excited to bring our ideas and collaborate with KDWP. It has been an amazing collaboration so far and we appreciate this opportunity. Hersey – In addition to the other great features, boat registrations, customer mobile app, law enforcement mobile app and user experience we are also offering customers an optional durable hard card that they can receive in the mail to use in place of the paper license. It is durable, can be placed in tackle box, truck, with hunting gear and you will always have a valid license on hand, it has a QLR code for law enforcement to be able to easily scan and look up customer information. Not only does it provide a way to put KDWP's brand in the consumers wallet, but \$1 of each of those hard cards sold goes into a dedicated outdoors Kansas marketing fund that will be able to fund some interesting and fun strategic packets to be better able to communicate with constituents and be able to tell the story better. As a result of this partnership, we are creating an opportunity to communicate where conservation dollars go, how funding works and why they should care, participate and why they should get back outdoors again. Providing automated opportunities to get your resources back in hands of public, through email, through push notifications, through digital ads and we will be able to do integrations with the licensing system in order to streamline communications for your department as well. Thank you opportunity to present. Commissioner Rider – Will this replace

hunt/fish Kansas and take care of deer draw? Mounts – Yes it will replace our current solution and they will be doing all of our draws. Assistant Secretary Miller – This has been a long winding road to get here and we are excited to see what Brandt has to offer and we think it will be good for us and our customers. I have to give Jessica a lot of credit because there were some really big roadblocks in getting to the point we are now, proud to be where we are at. Looking forward to going live this spring. You will appreciate and like what you see on this.

Commissioner Rider – Will user have to do anything for the transfer? Mounts – Will have to download a new different app but other than that we have streamlined the sign-in process so you don't have to know your username and password. You can look yourself up if you know enough personal information about yourself to get signed in. That should make it easier for people.

Commissioner Sill – How is security on that if only have to enter a little on that? Mounts – I would defer to Jason on making any technical assumptions about that but the system I am familiar with is one that is very secure and used in other places. Jason Dickson – What was question? Commissioner Sill – If you can look yourself up with just a little bit of information about yourself that is not hard for other people to get. So, how secure is this? Dixon – Kelsey or Tiffani would you answer that. Santagati – We use secure identifiers, some easier to access than others but a combination of those identifiers enable this. There is also other things like notification where a customer can enter credentials instead of customer profile and we can send text or email to verify their identity to keep others from logging in. We will make sure we implement something that has restrictive view on customer profiles so there is not a ton that can be pulled from there, social security numbers and things like that, those points are not displayed online so we can protect that data.

Commissioner Sill – With camp-it Kansas app right now if you don't make a reservation for a campsite for 24 or 48 hours you can't go on and see what availability is. If you are traveling down the road and there are three state parks you can't find that out in immediate time. Will this new one correct that so you have real time information on availability of campsites. Mounts – Not immediately because hunt/fish license application is going to be separate camp-it Kansas application for the time being. They have a current contract that goes another 3 or 4 years, so this contract Go Outdoors Kansas with Brandt Information Systems will be limited to hunting and fishing, boating and trapping privileges.

Commissioner Sill – This does not restrict people from still going to local sporting goods store or Walmart and buying licenses there? That is still an option? Mounts – Absolutely. Commissioner Sill – When somebody has a question, because multiple friends call me and say they are trying to buy a deer license and there is an exceeding long list, which one they need. Where do they go to get advice, is there easy accessibility to real people for questions at any time, or office hours access only? Mounts – One of the things we have been considering as we built this system is how complex our regulations are and the number of licenses that do show up in the current system so we have been working with Brandt to put in some parameters. For example, you signed on as a resident, you wouldn't see any of the nonresident licenses, so that makes your list shorter; one example. Other parameters may be added, if you are an adult you may not interested in purchasing a youth license, if youth not interested in adult license; there are some other things we can do to reduce number of items on a list and only show licenses and permits that individual is eligible for.

Commissioner Sill – Are there full descriptors in there for someone who wants to hunt with their bow, so need an archery permit; not realizing if they buy an archery license there are some pros to that, they can hunt mule deer but there are no mule deer in Sedgwick County, so they really should have bought an any-whitetail license so they could hunt during rifle season. Are there clear enough descriptors involved to help guide people through those fairly readily? Mounts – I can't answer that right now, have been talking about that and we are still building the system but

these are things we have heard from other constituents in the past as far as concerns we want to address. Those are phone calls we get so things like that are already on our radar for sure. Commissioner Sporer – Will Kansas website look similar to Oklahoma website or will it be totally different? Santagati – Some similarities but the design, layout, colors and everything will be branded to match KDWP’s branding. Secretary Loveless – On security question, as we were interviewing different applicants competing for this, we asked your question Commissioner Sill about making it easier for me to sign on than can anybody else? What has been vendor experience in data breaches and Brandt had excellent record when it came to that. Very high standards. The other thing I might point out is we have had a lot of our constituents say why can’t you have a licensing system like Oklahoma. Brandt has a remarkable record in the industry as being the leader of the pack, always thinking ahead and provide us those ideas, we expect them to come to us and lead us because they are the experts. We are enthused about quality of working relationship with us and customer support, remarkable compared to what other vendors offered. They are not the cheapest option, but in terms of quality assurance and satisfaction of our customers and willingness to come back again exceeded everybody else. Commissioner Gfeller – You can do all your licenses through this? Can you get your federal duck stamp? Mounts – We are currently in contact with USFWS and we should be able to offer electronic duck stamps; if not this year by May 1 we will be by next duck season. Assistant Secretary Miller – I would like to address one of Commissioner Sill’s issues, the intuitiveness of purchasing and application process were big issues to us when we looked at a new vendor. Brandt provided some of the best options we could find. What Jessica and her staff are doing right now are going through all of these processes to make it as easy, as convenient and intuitive for our customers. That was one of the issues you ran into every year, confusion on getting application, getting wrong permit or getting frustrated, so huge issue in this process. We are confident this is going to improve dramatically. Commissioner Sporer – On Oklahoma website you can buy federal duck stamp and a printed copy is valid for 45 days until you get the physical stamp. Mounts – That is a federal requirement so even if we do allow the purchase through our system we have that agreement with USFWS that the electronic one is only valid until the actual one shows up. We will be able to do that as well soon. Commissioner Sill – Mailed to constituent? Mounts – Yes to the constituent who purchases it. You will have other opportunities over the next six months, and next few years, to give us feedback and ask questions about this. We want to keep those lines of communication open. This is a system designed to serve you as license buyers and our agency. We are confident it will do that but need you to tell us if something is not working

2. Hunter Education Changes - Kent Barrett, hunter education coordinator and outdoor education supervisor, presented this update to the Commission (Exhibit F, Slide notes Exhibit G, Timeline Exhibit H) – Hunter education started in 1937 back when President Franklin Roosevelt signed into law the Federal Aid in Wildlife Restoration Act of 1937. It was drafted by Carl Shoemaker of Oregon who was a state game warden and chief of Oregon State Fish and Game Commission for 13 years. He took a job with the U.S. Senate special committee on conservation and wildlife resources and he was responsible for drafting this bill. It was co-sponsored by Senator Key Pittman from Nevada and Congressman Absalom Willis Robertson of Virginia. Their names have been tied and associated with this bill, known as the Pittman/Robertson (PR) Act. It was designed to be a user pay, user benefit system. Hunters and shooters have been driving force for wildlife conservation. It directly changed the way funding was done for wildlife restoration by taking an already existing excise tax of 10 percent levied on long guns and long gun ammunition. That remained in effect until 1954 when it was elevated to 11 percent. The funds generated by this appropriation are apportioned back to states using a specific formula.

Half is determined by the size of the state in square miles and other half by number of licensed hunters in the state. Kansas is minimally funded, which means along with our friends in Nebraska, South Dakota and North Dakota, Wyoming and other states approximately the same size as us we are given the least amount of money available. As the bill is written there were five specific purposes the funds could be used for. Those purposes provided the basis for the conservation successes we have seen throughout the nation, like restoration of whitetail deer, wild turkey, American elk, wood ducks and other game and nongame species. All these populations benefited from money brought in by this. There were certain prohibitions designed in this bill, it could not be used for law enforcement or public relations and it was not to be used for activities specifically designed to raise revenue, not supposed to make money off it. We have found ways to help our wildlife populations without having to do that. In 1970s saw first changes or amendments to what was going on. First in 1970, a 10 percent tax was extended to handguns, so revolvers and pistols for the first time were also involved in this excise tax. This is important as this is where the money for hunter education comes from. In 1972, additional 11 percent extended to bows, arrows and other archery products and equipment. With these two new tax changes, they made changes on what was required or specific purposes were added to it. Now there are seven different purposes, the two added were safety, which is hunter education and access which translates into our shooting range program. In 1973, because for the first time ever Kansas had money available to provide for hunter education, so we launched the program in Kansas. The first coordinator was a game warden, Royal Elder, he served for 11 years. He was tasked with taking a motley crew of individuals and working them into a cohesive unit of instructors. He took a combination of Kansas game wardens, existing NRA instructors, both firearms and hunter safety, state wildlife biologists, fisheries biologists, public land employees, other state agency employees, local and state law enforcement agents and involved citizen hunters. Today Kansas has over 1,200 active volunteer instructors on our rolls and they provide classes in all areas of the state. Throughout the state we have approximately 300 classes a year with between 800 and 1,200 instructors involved. In 1973, the instructors certified 36,314 students that year. All the students certified at that time certified using what we call the traditional hunter education platform; it was in-person classes, attended instructor-led lectures, demonstrations and other activities. Throughout time we have changed some of the way we do this. That was the way we funded hunter education, differently than most activities within the agency. It is administered at the federal level by the U.S. Fish and Wildlife Service (USFWS), which is a part of the Department of Interior, so we get audited every five years by them to see where we have spent our money. They take the access tax levied at manufacturers level, always done when the products is produced, those monies are collected by the Internal Revenue Service and goes into a Department of Interior trust fund and then it is distributed by the USFWS through apportionment to state programs each year usually by means of a grant system. The way the grant functions, it is 75 percent reimbursable for eligible activities and the 25 percent state match is provided in-kind, not cash up front. Kansas Hunter Education program certified instructors conduct classes and when they do those classes the program collects instructor activity reports. We record what they ordered from us as far as materials, take rosters of student's names and date of birth into the system for when they lose their card, which usually happens before they get out the door. We also take their activity report like a time sheet, they record hours and everything they have done as far as preparation and classroom time and we use the salary of an NRO I, a beginning game warden or natural resource officer, and combine those together. The more hours instructors volunteer for the more money we qualify for. The program spends the money up front and the federal government reimburses the program \$3 for every qualifying \$1

we spend up to the limit of the grant. The Kansas hunter education program is designed to be totally federally funded. All PR monies in excess of the grant amount are then apportioned to the shooting range fund. That provides us opportunity to build ranges like El Dorado State Park shooting range, Hillsdale SP shooting range and the rebuild of Fancy Creek Range at Tuttle Creek SP where we have leveled that range and are building it up from the ground level. We build opportunities for places for people to go and shoot. Any obligated money goes back to federal migratory fund. The length of classes has changed over the years, they started off as a four hour class our manual cost about 10 cents from the NRA, it had a few hunting tips and gun safety; over the years we have had additional things added on. We teach our students more than just gun safety, we teach them about conservation and habitat and how we can improve habitats and make things better. Now we are statutorily required to have a minimum 10-hour instruction period. The courses are designed to be free-of-charge to the student and always has been and continue to be now. In 2004, next big change to our delivery method was we added internet-assisted delivery option. It was available to all students and a crash course option for nonresidents. We took the online class, they came and paid an instructor a small fee to spend a day working with them, but it never really got off the ground. In 2005, next big change, legislation set minimum age of 11 for students, before that a lot of students in 8-10-year-old range, so saw significant drop in hunter education numbers. In 2007, another big change, began providing resident and nonresident hunters an option of an apprentice license, a one year or 365-day deferral of hunter education certification when hunting under direct supervision of licensed adult hunter, age 18 or older. It is designed as a try-it-before-you-buy-it concept that allows people to come in to hunt who have not experienced in hunting but hunting in a mentored fashion. No organized instruction is required from us, it is mentored hunting. In 2011, Kansas surpassed a half a million student certifications, at end of 2020 we had certified over 580,000 hunter education students. In 2021, we partnered with the National Rifle Association (NRA) and introduced, starting October 1 a complete, no-charge-to-the-student online delivery option for Kansas residents ages 16 and older. Traditional and internet assisted courses will continue to provide certification options for students of all ages but are especially important for younger students 11 to 15. We know these courses are appropriate for student success, students of all ages because of our volunteer instructors who provide in-person instruction and director supervision for them. We will continue to have our traditional 10-hour classes and continue to have our internet-assisted courses that include partial internet time for the students and then they come to a field day for six hours with our instructors. One of the problems we ran into for 20 plus months are the effects of extended COVID restrictions. They adversely affected our ability to offer sufficient numbers of traditional and internet-assisted courses because they were all in-person events. There were certain areas of the state hit harder than others but across the board we could see there was going to be a change necessary for us to meet student demands, especially in more urban areas where venues were closed, a problem because places we had traditionally held classes, like Bass Pro, Cabela's, civic centers, libraries and places like that were closed. It wasn't our instructors but they had no place to teach so they were looking for new locations and new areas. It became almost impossible to serve all of our constituents in some of those areas. As we worked through some of these problems, the option chosen to address this need was a utilization of a delivery method that did not require an in-person event. We have known for years that Kansas students were opting to certify using an online-only delivery option that was offered by other states. We also knew that some of these other courses were not as comprehensive as what we would desire our students to have. Since it was being taken out of our hands we knew we had to do something about it. That brought us to offering a delivery option that was appealing to a growing segment of our Kansas students. It is important for us to know this is not a one-size-fits-all approach. It is not one delivery method for everyone but it does allow us to serve a portion of

our constituency that was underserved because we could not provide what they were looking for. We have used a complete online delivery option for furharvester education program for a number of years as well as bowhunter certification for some years now. We recognized at that point in time we did not have a sufficient number of available instructors to adequately handle the student demand in those critical education areas. Up until now our volunteer hunter education instructors have always been able to meet demands but it was because of COVID it was beginning to be more difficult. This is not a complete departure from our already historic delivery options but something we added to it. The addition of a new course option that did not require an in-person event necessitated a change to the hunter education federal grant situation for continued funding of the program. If we did not have our instructors teaching the class we wouldn't qualify for any money. We went to the USFWS and amended our grant to allow us to use student numbers from our course. It is important to remember that there is a difference between a free course and a course that is free of charge to the student. When I was in business I always told my customers that free was a dirty four letter word that we don't use because there is nothing free in this world. This course is not free, it is free of charge to the student. The NRA is invested heavily in this course, how it was put together, providing it online and to maintain it all costs money but it doesn't cost anything to Kansas or to our students. The NRA donates to Kansas for our use. We can now use the student certification numbers from the no-charge-to-student online course combined with a calculated dollar average from a number of pay course options to reflect program in-kind. We looked across spectrum of pay-to-play courses to see what they were requiring for payment. We were able to take four of those, average them out and the average is what we get to use for our grant. We take the number of student certifications by amount we are allowed to and use that as in-kind option for participation in accessing PR fund dollars. There are some interesting things we have learned about the course since October 1 rollout. We have 1,072 certificates as of yesterday, average age of students is 30 years old, not a surprise since only for 16 and above, but still a little surprising it is as high as it is. Our student splits don't surprise us, it is one-third female and two-thirds male. What we don't know is if these students are new to hunting or been around for a while, don't know why they chose this delivery method, don't know if these students have a hunting mentor, which archery, bowhunter and furharvester education we are pretty sure they have a mentor, but for hunting we don't know this yet so we have some work to do to try to figure out what our students are thinking and how we can best serve them. One thing we did was design the certification cards at completion of the course to immediately reflect course delivery format so we can get other data and track trends regarding safety, specifically incident rates and violations. We have been working with our law enforcement division to try get better idea of violation rates because we want to know if this option is going to have an effect on that. When the card comes out it will be obvious it is online delivery method. Our typical numbers are letter H followed by six digits; new cards will be NRA followed by seven digits. We will be able to tell immediately, if something happens, and our game wardens do the incident report and tell if online or traditional method that requires an in-person opportunity with the instructors. This is going to allow us to make some appropriate decisions going forward if we see a trend starting to develop. Hunter education courses have had a profound effect on hunter safety over the last 48 years. In 1969 alone, Kansas had 50 hunting incidents with seven fatalities, just a few years prior to hunter education. In the six years including 2015 to 2020, we had 49 total incidents with one fatality, from one to six years with many less fatalities. Our progress has always been slow but has steadily gone downwards and the best year to date was 2018, there were four incidents with no fatalities. Our goal is zero incidents and zero fatalities. Important to remind students, whatever the delivery method is, that hunters must take responsibility for their

own and everyone else's safety because we cannot make them safe, our patches are Kansas Hunter Education patches and students who come to instructor-led classes receive one. Like driver's education, passing doesn't make them a safe driver, it gives them an opportunity to go out and practice and become safe. Hunter education training does not make them a safe hunter but allows them to go out and practice and hopefully they can become safe hunters as they work on this. One of the things we try to instill in all of our students was something championed by our former coordinator Wayne Doyle, load their brain before you load your gun and we give those details out to our students and we hope they stick on their forehead to remind them they have to be thinking when they are out there. There is never enough laws in the lawbooks or rules in the rulebook to cover every situation that a hunter is going to encounter in the field. These hunters are going to have to think and make good choices for themselves in order to be safe and keep people around them safe. We try to make students go away knowing that. In 2023, Kansas hunter education celebrates 50 years of dedicated service to Kansas. We anticipate when we get together in March of 2023 for our veteran instructor academy, we will be able to welcome as many as 25 still active original instructors from 1973 who still teach in our program. I think it is important, when I was a scuba diving instructor, that I was told that if you don't get something else other than money out of teaching you will not be around in seven years; we don't pay instructors anything, they are volunteers and some of them have given 50 years of their life teaching hunter education. It is important for us to recognize our valued hunter education instructors because they are vital to the success of our program. I have a presentation I would like to make. Mr. Marshall Ray, has taught hunter education in western Kansas for a long time, 40 years now. At 40 years we give our instructors something that is going to hurt them. We provide them with a Daisy Red Rider BB gun, we put the hunter education logo on it and their name on the stock. That is one of the best things I get to do is travel around and visit instructors in workshops and recognize them for all the years they have. We have a lot of instructors in the audience today. Commissioner Gfeller – NRA online course, what is their experience, in other states? Barrett – I think there are 14 states using the program, it didn't take off as quickly as they thought. From the beginning it has always been free to the consumer and some of the other programs that are pay-to-use programs were out first. NRA started working on this about six years ago. We rewrote standards in 2014 for the International Hunter Ed Association (IHEA USA); we wrote them to be delivery neutral, didn't matter which way someone wanted to teach the class and that opened doors for other companies to provide an online option. We never took advantage of an online option, we felt it was important to have instructors involved but COVID has made that more difficult. Commissioner Gfeller – What do you expect ratio to be between online and hybrid in-person program? Barrett – We have no idea. We don't know how people are going to respond to it. As of 2020, when we looked at our statistics we found we were half and half, half traditional, half internet assisted. We had never seen that before, usually was running about one third internet assisted and about 70 percent traditional. Being shut down the way we were that changed and people were taking advantage of getting field day for six hours opposed to in a classroom for two days. I think it will be significant part but don't know that it is going to be the biggest part for students who want to go that way. For persons who still want an in-person, we have conflicting information, most want instructor lead course. Commissioner Sill – Any way to assure not having parent doing this in place of child? Barrett – No, we talked long and hard about that being a problem, also having students be able to cheat and look up answers, always a concern. We felt with internet-assisted course we were able to take care of some of those concerns because when the student gets out of internet-assisted portion they take a final test. When they come to field day they have to pass that test again. If they can't pass the test they have to go back and work on it and come back again. That has been an important part of what we have done to trust and verify. Unfortunately, in this instance we do not have a way to do that.

Commissioner Sill – Hunter mentor relationship piece, if I understand some of the R3 concerns, many times the issue is they don't have someone to take them or to go with. Can see women and some men aged 30 or so doing this online to not be embarrassed doing it with kids. Is there some way to connect at completion, or at least a way to say, they would be interested in meeting up with someone or a mentored hunt? Barrett – Working on that. Don't have anything at the moment that would provide that direct link. Part of our problem with mentoring situation is being able to vet mentors. If we are going to connect possible people together. We are able to vet instructors with background checks. Mentors are a whole new situation and in hunter education we don't have that worked out but working with R3 component to see if we can come up with better way of providing hands on. Saw survey yesterday that came out from Southwick and they were talking about that being the number one thing students getting out of any class want, more hands-on experience. In hunter education we do one thing really well, we teach hunter education, in terms of mentoring we are asking volunteers to go that extra mile. Haven't been successful at that because we are asking them to do more and more. Some of them will give 60 to 100 hours a year to just hunter education. We are trying to figure out who we can partner with to provide boots on the ground and able to handle mentoring process. Commissioner Sill – So there is no formal or existing connection between Pass It On or any other group at this point? Barrett – We work with them and they have provided us materials we put in with our hunter education materials and then instructors are able to put those out to students. We have worked with them and other organizations like theirs but it has not been totally successful. Secretary Loveless – Nice presentation. I appreciate you mentioning tracking the numbers and science, as an agency driven by biological. Economics and social science and the fact that you watch those statistics and will be able to tie future incidents to how a person got their hunter ed. Any data from states that have been doing full online courses on relationship between full online course and equal or less effectiveness in terms of hunter safety? Barrett – No, the main reason being because the other states don't distinguish between online-only presentation and their regular numbers. They will send to Kalkomey, for instance, a block of numbers so if you dig deep enough you might be able to find out who provided the course; but you have to dig deep. We decided we wanted it to be immediately apparent, we only have the one because it is the only one free to the student course and we weren't going to accept five or six of them and muddy the waters. As far as we know no one else has looked at that so we have no correlation. We anticipate, since it has taken a long time for numbers to come down, if there is a change probably it won't be long term but until we have data we don't know, just guessing. We wanted to make sure we could tell immediately.

Rose Corby - (transcript - Exhibit I). I am a 20-year veteran Kansas Hunter Education Instructor. I was awarded the Kansas Hunter Education Instructor of the Year in 2010, inducted into the Kansas Hunter Education Hall of Fame in 2019. I serve as the Editor and Secretary for the Kansas Hunter Education Instructor Association (KHEIA), have a Bachelor's in Criminal Justice and am college educator. The Kansas Hunter Education Instructor Association (KHEIA) comes before the Kansas Department of Wildlife and Parks Commission (KDWP) to express its concerns regarding KDWP's Director of Licensing and Education, Jessica Mounts, KDWP Assistant Secretary, Mike Miller, KDWP Secretary, Brad Loveless' decision to add an online-only option for those who are as young as 16 to obtain their Hunter Education Certification. We believe this course of action will increase the number of hunting incidents and deaths in the state of Kansas and feel that Ms. Mounts, Mr. Miller, and Mr. Loveless have not done their homework. Imagine our surprise when every instructor in the state of Kansas was informed that Hunter Education classes would be suspended during the month of September through October

4, our busiest month where the two largest classes were cancelled, Wyandotte and Lake Afton, and roughly 1,000 students who were not certified in these two classes alone an estimated loss of \$52,000 in matching money. Then each instructor received a letter dated September 21, 2021, from the Director of Licensing and Education, Jessica Mounts demanding we sign this letter, or we would not be covered under the Tort Claims Act. This letter was regarding mask mandates and social distancing being imposed on instructors who were already following the rules. Then, on October 1, 2021, the online-only option for Hunter Education Certification was launched with absolutely no feedback, questions, or input from any Kansas Hunter Education Instructor who does not work for KDWP or volunteer for the Advisory Committee. In 1973, the State of Kansas decided wisely to adopt a Hunter Education requirement for those who wish to purchase a hunting license. Since its inception Kansas has seen a dramatic decrease in the number of hunting incidents and deaths. Prior to its adoption the total number of incidents recorded from 1962 through 1973 was 446 with 53 fatalities. That is 11.88 percent. Since then, the total percentage of deaths from 1974 to present day has dramatically decreased to 4.39 percent. It is clear, Hunter Education is the leading contributor to the sharp decline in deaths. Knowing these numbers, the question that must be asked is, what in Hunter Education contributed to the sharp decline in the number of incidents and deaths? The answer is quite simply, hands-on training with firearms. This hands-on training has been in existence since hunter education became a requirement and this hands-on training is the major factor related to the decline in incidents and deaths associated with hunting. Let's look at some additional numbers. From 2010 - 2019 there were 109 incidents in the state of Kansas with 4 fatalities. That is a total of 3.67 percent. Take into consideration the total number of students certified in that same time frame, 87,351 where the total number of incidents equal 0.12 percent with 0.00458 percent being fatal. Consider this same time frame for 15-20-year-old drivers in the state of Kansas. In an article titled Kansas third in the U.S. for rate of fatal crashes involving teen drivers published in the Wichita Eagle on October 22, 2021, by Matthew Kelly, ValuePenguin conducted a study regarding drivers between the ages of 15 and 20 in the country. In this article it states, "According to the Kansas Department of Transportation, motor vehicle crashes are the leading cause of death for Kansans between the ages of 15 and 18." And "Kansas has the third-highest rate of fatal crashes involving teen drivers in the U.S. since 2010, according to a new analysis of data from the National Highway Traffic Safety Administrations (NHTSA)." With Nebraska in first at 16.3 percent and Utah coming in second at 16 percent. From 2010 to 2019 drivers between the ages of 15 and 20 accounted for 15.7 percent of all fatal crashes in the state of Kansas. Nationwide, "In total, 29,227 teens lost their lives in deadly crashes between 2010 and 2019. Of those, 62 percent were behind the wheel and 38 percent were passengers. We have confirmed this data with ValuePenguin. Knowing these numbers would you, Governor Kelly, consider allowing 15-20-year-olds to take an online only driver's test and give them their driver's license? Now we have a new question; Why are these driving numbers so staggering? Again, the answer is simple, there is no instructor providing mentoring and drilling into the driver's head the importance of safety. Let's look at a different online only certification option available, boating. In the state of Kansas, people between the ages of 12 and 20 must complete a boating certification to operate a boat and this online certification has been in existence for 10 plus years. According to the United States Coast Guard, in 2020, the fatality rate for boating in Kansas was 9.5 percent out of 84,468 registered boaters. Out of that number the total number of accidents in the state of Kansas was 32 with 8 fatalities for a whopping 25 percent. Nationwide, the number of deaths by age clearly shows that certification for those over 20 years of age is clearly needed. There were 69 total deaths for ages 19 and younger and 698 deaths for 20 and older. These numbers clearly show that online certification is not a good idea, and neither is no certification.

According to a report published by the National Shooting Sports Foundation using data from the National Sporting Goods Association and the Consumer Products Safety Commission National Electronic Injury Surveillance System, in 2018, the total number of injuries per 100,000 in hunting with firearms which includes tree stand hunting is a mere 27. While the number of injuries associated with golf per 100,000 is 219. The total number of injuries per 100,000 in fishing reached 175. At this point you should start worrying about your decision to allow an online only option for Hunter Education. In addition, using data from the United States Fish and Wildlife Service and the International Hunter Education Instructor Association, "Excise tax collections on items such as firearms and ammunition totaled nearly \$3.6 billion from 2014-2018. More than \$724 million was apportioned to states specifically for the purpose of hunter education and safety training. This, along with a strong network of 55,000 dedicated hunter education instructors, helps make hunting one of the safest activities in America." But now you want to remove and/or reduce the Hunter Education Instructors role and expect these numbers to stay the same. Let's now consider the online-only course. Are you aware that the answers to the questions in this course are online using platforms like Quizlet or Chegg? As a college educator, one of the things I see quite a bit is cheating using platforms like Quizlet and Chegg. Any student, from elementary school through college is aware of these cheat websites and they are used. I personally have started the NRA Hunter Education Course and clicked the videos and walked away. Came back and clicked on the rest of the items, did not read any of it, and was then given a quiz at the end of each chapter. Which, by the way, allows you to re-take if you fail it. I did a split screen and put-up Google. In Google, I would start typing a question the NRA course and Google automatically finished the question for me. To be fair, this was not all the time but, that should be a red flag right there. Go to Quizlet or Chegg and automatically get the answers. The bottom line, students don't even have to watch the videos or read any of the content to get their Hunter Education Certification. Do you honestly think that students who do this will be safe with a firearm? In addition, Instructors are aware of parents who take courses for their children. With the Internet-assisted course, students are required to take a pre-test. Numerous other instructors and I have encountered students who have failed the pre-test with some admitting their parents did the online portion for them. Should this be a red flag for you? What guarantee do we have parents aren't the ones taking the online only course for their kids? Are you willing to take that risk? In the U.S. four states have chosen not to offer online courses at this time: California, Colorado, Connecticut, and North Dakota. Of the remaining 46 states, 18 require a field day to accompany their online only courses and five additional states have requirements with respect to age groups or some requirement the involves a field day. Outside of Kansas, none of these states have any means of recording the number of incidents for those who received their certification online or in person. Thankfully, Kansas Hunter Education Coordinator, Kent Barrett, pushed for there to be a means in which to track the data in our state. But is that data worth that one extra life lost because of your desire to control a program that was not broken. The bottom line, are you willing to allow your child or grandchild to take the online only option and give them a gun with no hands-on training? Would you allow your child or grandchild to go hunting with someone who got their certification through this online course? Are you willing to let anyone who has had no experience with the handling of firearms to get certified in hunter education with no hands-on experience or training? Are you willing to take responsibility for any deaths occurring because of this ill-advised administrative decision? The KHEIA requests that the online only hunter education option be removed entirely, or a minimum 4-hour mandatory field day to include firearm handling and safety requirement be added. I have a statement from a fellow instructor who could not be here, Larry Lampe, he asked

me to read it. His HE number 6710, he was certified in 1979 by one of the first hunter safety instructors in the state, Les Sawyer. He was around when it went from NRA instructors to volunteers through the state and “I know he is looking down at this mess getting created with totally online classes and shaking his head in disbelief. He instilled in me as an instructor that you need to read the student’s face when you give information or ask a question if they understand the safety point and that is totally lost with online classes. I understand they can go back and forth in the course but they are still not getting that hands-on example. I am a firm believer that if we would have access to them that the hunter incidents or old-school accident report sheets there will be a rise in accidents. I got into hunter safety way before I had kids because I saw the need to help youth be taught correct safety and ethics in the field. In my heart I feel this state is going in the wrong direction and if it only causes one more accident that is one too many. I have been doing this for 40 plus years to make our sport safer and I feel this is a slap in the face.”

Commissioner Sporer – In order for them to just do the virtual class they have to be 16 years or older? Barrett – Correct. We decided we would not allow students younger than that.

Commissioner Sporer – Anyone under 16 has to go to a field day? Barrett – Correct, 11-15 still have the option of doing a traditional class or the internet-assisted course. Everyone over the age of 16 has the option of doing any of the three, traditional, internet-assisted or the complete online course. We didn’t take away from anyone but added one more option for ages 16 and above.

Commissioner Sporer – So anyone over 16, rather than going through a four-hour field day, he can go to Oklahoma or another state and take an online course to get his hunter safety? Barrett –

If the state allows it. Commissioner Sporer – How many states? Do you see that as common?

Barrett – It is common. What we have seen is over the age of 18 were paying \$35 and going to Texas and doing all online class. Chairman Lauber - There are 14 states that allow that? Barrett – Fifteen states with us that have some sort of complete course that does not require a field day and our field day for internet-assisted is six hours. We give them credit for four hours online and six hour field day to complete our ten-hour minimum course requirement by statute. Commissioner Sporer – Is this main reason you went this direction? Barrett – We knew this was happening so it was a way for us to control the presentation of the material better. The NRA class is a better presentation than some of the others out there, so we wanted to make it the best course we could. That did fit into that discussion, yes.

Bill Hodgson – I have been a hunter education instructor for 35 plus years. Started in Manhattan and working in Kansas City area. We have been, Wyandotte county instructors, 50-70 instructors, have been watching this online come at us. All of the instructors were concerned about online-only instruction. To begin with, online instruction did not allow questions from students to be answered. If a student can’t understand, they can’t get answer online; they can in-person situation. Regarding online we have to not only instruct but verify, if you don’t you are making a big mistake. In business to elevate firearm safety, conservation and ethics, hunter education instructors do it voluntarily because we love it. I would hate to see online-only without that verification. We have been discussing identification of an accident, as to whether it was online training or in-person hunter education. At some point in the future, we would like to see the accident reports, which we read to the students each year and review why the accidents happen but what we can’t identify is the person that had that accident, were they online trained, we don’t know. We think number of in-person hunter education certificates will result in lower accident and death ratio. Chairman Lauber – We are already trying to accomplish that aren’t we Kent? Barrett – I try to record in all the incidents that come into the agency, we are the repository for all hunting incidents. When they come to me I put together the incident report and we will indicate whether they were trained online in Kansas, for the ones we know about but we don’t

have a way to identify for people coming in from out of state or took their training in an out of state area. We can identify certified in another state is all. With this being able to identify the NRA course we will put that in the incident report. Commissioner Sill – Is online course 100 percent prerecorded or any interactive component at all? Barrett – There are a lot of interactive components but it is prerecorded so the interaction is the student with the program itself. Commissioner Sill – The material, not a person they can have a conversation with? Barrett – Correct. I don't think there is a chat option. Commissioner Sill – For students, this was prompted largely by COVID, shutting down as well as going to other states. Is there an option for apprentice licenses to be extended for one year? Barrett – They have the option of purchasing an apprentice license for two years; purchase one for 365 days and purchase a second one and get another 365 days. Commissioner Sill – If their class was cancelled this year they can get another apprentice license unless they were already on their second year? Barrett – Yes. Commissioner Sill – If in second year they are in a bind? Barrett – Not really because up to the age of 16 don't have to have hunter education until they purchase their first license. Under the age of 16 (11-15) can hunt with a licensed adult 18 or older. When they reach 16 they can purchase apprentice license two times or take online course. We have tried to provide a situation that does not make a bottleneck for them. We also have extended our times on the qualification. When a student completes the internet-assisted course they print out a qualifier sheet that designates they have completed the work online, we give them a 90-day window. We have found they can't always get into a field day within those 90 days so we have extended it to 365 days. We ask them to bring review and come to field day and take the test to verify they have done the work and do the field day which requires them to shoot something, a live fire component, we also have a trail walk which is an opportunity for them to see different kinds of hunting situations and be placed in a shoot/no shoot decision making situation. Those things are required as well as ethics and responsibility lecture is always a part of every class whether traditional or internet-assisted. We talked about that a lot before launching an internet course because that is a valuable portion what our instructors do, they look them in the eye and tell them stories of how they got shot of if they shot someone or something like that. We run Tragedy at Wright's Creek, a short video about a young man who was killed in a spread of decoys. It is a powerful message that resonates with students and makes them think. We are up to 70 percent of our courses have live fire and 65 percent have a trail walk. Commissioner Sill – Thank you to instructors. I can tell you the name of the man who taught my course and the impact it had on me. I know this may feel like a challenge and disrespectful but you are appreciated and still fill a necessary role.

Tim Boxberger – I live in Great Bend and am starting 33rd year as an instructor, sit on advisory committee and have done so for last 15 years. In 2014 I was statewide instructor of year and later that same year I was inaugural recipient of the Champions of Hunter Education award from the International Hunter Ed Association and was inducted into KHEIA Hall of Fame in 2015 and currently serve as the treasurer and am immediate past president. To say hunter education and gun safety is in my DNA and my passion is an understatement. I have had the privilege in the last 32 years to know just three hunter ed coordinators, Ross Robins, Wayne Doyle and Kent Barrett and I count these three as friends and mentors. The instructor I am today and all of my personal achievements in this program are due to the fact that I followed, I listened and I tried to emulate those three gentlemen. These three have made instructors feel our opinions mattered and they respected the entire instructor base. Unfortunately, within the last 60 days or so, I have felt disrespected, humiliated, marginalized and demoralized with what has transpired and the decisions that have come down regarding this online program and how it has been rolled out.

What I have to say today I fully expect my teaching credentials to be put in peril. My reputation is impeccable. I have all of the commissioners emails and will let you know if something happens. When I name names today there is nothing personal that I bring to the table I just don't know anyone of the people that well. It is simply business and you as commissioners need to know the players, what they have said and what they have done. It is the way it is and it is my nature to call it like I see it whether the truth hurts or not. I will not be rude or disrespectful but will give the truth as I see it. There has been a flurry of emails and correspondence about this online roll out from Jessica Mounts to Secretary Loveless and I am going to read a canned response that Jessica sent to myself and other instructors. "KDWP's education section invested more than a year's time carefully deliberating the pros, cons and opportunities presented by bringing a fully online option to Kansas hunter ed education program. Along with this staff also spoke directly with many other states who are also offering a full online course to ensure staff made the best, most informed decision for Kansas." On October 28, Secretary Loveless sent my friend and fellow instructor Dennis Vincent, and Secretary Loveless' direct quote was, "This course is rigorous and to our high standards." After what Rose Corby just shared with you do all of you still feel wonderful about a course that a 16-year-old can manipulate with a split screen and pass his course without any understanding of this material? In Russell County where I come from we call that cheating. According to Ms. Mounts' own words, all of you in the education department took one whole year to vet this course and Rose Corby just destroyed your narrative by doing about four hours of research. Do you really believe what Mr. Loveless told Mr. Vincent that this course is rigorous and held to your high standards? That comment is astounding and embarrassing. Speak directly to Mike Miller and Brad Loveless, I have supervised and hired and fired people in my capacity as a bank president and manager for the past 30 years. If I had a direct report as you with Ms. Mounts that bungled a major project as bad as this online course rollout has been. As well as alienating 1,300 volunteer instructors I would have personally cleaned out her desk and showed her the door. It seems like the more she doubled and tripled down on some of this stuff you guys are okay with it. If you can still look every instructor in the eye and say you feel good about this then that shows me what a lack of leadership looks like at the state level. This is all about money, plain and simple. Increased license income and increased fees, the more people we can run through this program potentially equates to more licenses sold and fees charged. It would seem, on its face, that this online course would accomplish that in spades. Heaven forbid we never let a good crisis go to waste, COVID mess was just a means to Segway right into where we are now. Secretary Loveless stated in your letter to Mr. Vincent that you were sorry to hear that hunter ed is in some way tied to the lack of license sales and you said that was not the case. Unfortunately, you are misinformed because it was the very agency you head that went to Wayne Doyle and told him the additional hunter ed course was a barrier to license sales and that was in the late 1990s. If you had done a little research you would have found out that Wayne sat down with a number of instructors and we developed the internet-assisted delivery method to combat that argument. The interesting part of this guise is the only people that ever said hunter ed was a barrier to license sales are those that are collecting fees and selling licenses. If they would ever bother to get west of Topeka to ask students and parents they would find that hunter ed is far from a barrier. In our part of the country, it is a right-of-passage as well as a time-honored tradition. I have to ask exactly what Rose asked you. How much is one fatality worth to you? Increased fee and license income, that is where we are headed. Commissioner Sporer, question for you, I know you are a highly successful dirt contractor in this state, would you allow someone into your high dollar earth moving equipment if their only education was the fact that they sat in front of a computer and possibly cheated on the test? Chairman Lauber – How much more presentation do you have? We get it and we know where you are coming from. Boxberger – If you don't want to hear anymore I certainly won't continue.

Chairman Lauber - I think I have the general idea. Commissioner Sporer – Let's say you are in college and 20 years old and you have a friend from Kansas that has never hunted and you invited him to go hunting at the Bottoms in the morning and no way for him to get an in-person class between 7:00 pm and 7:00 am, would it be ok for him to take an online course in Texas or stay home and not hunt? I think that is what we are down to. We are talking about 16-year-olds, not 12-year-olds. Maybe in most cases 20-year-olds or older taking an online course? Boxberger – That person probably should have made better arrangements to do that. Commissioner Sporer – But he didn't and he is just a buddy, has never hunted and never introduced to it. It is an opportunity for him to go hunting. Would you rather have him take the test in Texas or Kansas? Boxberger – Actually you can go can buy an apprentice license and get around that. Commissioner Sporer – Is that better? Boxberger – Yes, way it is set up for a year.

Chairman Lauber – Rest of public comment the same? Unknown audience – Talk about safety, which is great but at the end of the course is there an option to select that they want to be added to a field day? Can that be added? Barrett – We will look into that. Commissioner Gfeller – What is driving this? Barrett – That is something we can look into. Commissioner Gfeller – The decision not to have a field day with the fully online, what is driving that? Barrett – It is fully online and can't have a field day with it or it wouldn't be fully online. If we required a field day it would be the same as the internet-assisted course. Commissioner Gfeller – The reasoning for having a fully online course is what? Barrett – No in-person. Commissioner Gfeller – Why are we doing it? We are making it easier for someone to get certification in a short period of time. I know what the result is and what the course is but I don't know what the reasoning behind that decision is. Chairman Lauber – A lot of students these days, online learning is here to stay. Over the last two years most of the people in this age group that is how they learn. I have a lot of respect for hunter safety and I have taken both of my kids and we went through the live thing but I had to make sacrifices and driving to attend that. I feel like I would have been able to have helped those kids enough that if there was an online option I would have considered it. Commissioner Gfeller – We do have to understand online is where the kids are now. Can you issue, if just timing and can't get a field day, can you issue provisional license and give them a year to get that test done, like an apprentice license they hunt with an adult? Barrett – That was discussed and not found to be a viable option. Commissioner Gfeller – Why? Barrett – Because so many people will not go ahead and take it. Have problem of certificate but not a good certificate. Commissioner Gfeller – Then they couldn't get a license the following year if they had a one-year provision. If all we are trying to do is give them an opportunity to hunt on short notice. Barrett – That is not really it because they have the apprentice license that is an opportunity to hunt on short notice.

Robert Paramore – I am a 20-year veteran of hunter education and the president of KHEIA. To answer some of your questions. In Kansas you are not required to have hunter's education until you turn 16, when you have to purchase a hunting license. You can go online and get your hunter education certificate without ever seeing an instructor. I also sat on the advisory committee and this subject has occupied our meetings for the last three years. This past year it was our entire meeting, eight hours of our time. The advisory committee suggested going ahead with online delivery for 18 years and older. Right now, in Kansas you are allowed two years for apprentice license. If you have never been hunting ever and your buddy calls you up you can go get an apprentice license for two years. Aside from the advisory committee, no hunter education instructors were conversed with on this subject. It was shoved down our throats because of one

letter shutting down hunter education in September because of COVID. A mask mandate is not relevant, we have to sign a form until physical year end to be able to teach a class. This is what complaint is about. Online is not; it is the issue, but not the issue. We understand it is how kids learn but if they are not willing to put in the work what are they going to get out of it? We have offered online-assisted since 2004 and it offers a one-day only, they have to do the work online to go through the book, come out and go through a field day, six hours. What we suggested was a four-hour minimum.

Tom Witham – Instructor number 5945, and I teach in Salina/Minneapolis areas, for 45 years. I recently became west regional director of KHEIA. I have also had the misfortune of having been an eyewitness to my father-in-law dying in hunting accident. After visiting with other hunter ed instructors we believe it is important for hunter ed students to properly handle firearms prior to being certified to hunt. We believe students need to hear the report and feel the recoil of any firearm in a safe environment to better understand that in doing so they are joining the ranks of young adults. We also believe it is important to tactfully explain to a hunter ed student and their parent or guardian that they do not yet have the muscle dexterity nor muscle mass to safely carry a firearm in the field. Please consider establishing a field exercise for all hunter ed students. Finally, a year or two ago I was told I had joined the ranks of hunter ed instructors who are male, pale and stale. Commissioner Sill – Kent, on individuals going out-of-state to take the test, what is the age breakdown? Barrett – In Texas they have to be 18 or older. Commissioner Sill – No, our hunters here going outside of Kansas to take it? Barrett – In Texas they have to be 18. We don't know if they are youth or adults, 18 or older is all we know. Oklahoma might be 8 or 9; Alabama is 8 for their online within the state. Commissioner Sporer – An 8-year-old from Kansas could take a test in New York or Oklahoma? Chairman Lauber – If he is 11. Barrett – Oklahoma is 8, at one time it was 9, but yes they could take the course there is Oklahoma allowed it, be certify and we reciprocate in every other state. Commissioner Gfeller – Do we know when they apply for their license where they got their certification and what kind of certification it was? Barrett – Yes and no. We know what state it is from but we have no idea if it is online or not. As far as I know we are the only state that differentiates up front all the rest give a block of numbers. Oklahoma's care is nine numbers and that is all it says. It is not an NRA number.

Chairman Lauber – I am going to make a suggestion. We have heard the comments and unity of thought of hunter education instructors, nothing you brought up isn't correct. I also personally see some merit to online options. We are not going to change, not voting on any of this today. Right now, it is a done deal and it is done within rules and bylaws of the agency and done with best intention. If communication was misconstrued in a hurried fashion with COVID, as these are and some of those are directives that come down to our agency that Jessica and Brad and others wouldn't have anything to do with. I am going to suggest that rather than continue to beat on this that staff consider comments and meritorious suggestions we have had today and see if ways we can provide a delivery that is more comfortable to hunter education instructors with eye toward moving our delivery system in the way education is unfortunately going. I am not saying we are going to do anything but we hear you and we will try to find a way to accommodate that. We appreciate the countless hours of volunteerism and we don't want a recoil from that. Secretary Loveless, rethink this again come back with another presentation because a lot of the commissioners clearly have concerns and questions about this as well. We will continue to think about it, no promises but it will come back again and you may have public comment again. Corby – Is it possible for us to have notification of upcoming meetings about this? Mounts – Obviously this has not been the perfect situation, we had just days to get large amounts of

communication out to multiple people, 1,500 instructors at the same time. We did the best we could in the moment. We made mistakes as far as communication goes but we still invite you to tell us your thoughts because we cannot do this without your opinions and experience. So, what we do have planned, no dates right now because we are still working out schedules but have two focus groups we would like to invite stakeholders to. A plan to send specific invitations to the groups you heard from today. One of those will be virtual and one in-person, happening before the end of the first quarter of next year. We know we can't make decisions for hunter education in Kansas without the experts in the room, so we want to have plenty of time to get that information. You will have plenty of time and we welcome your suggestions. We think there is a ton of opportunity to expand the program and serve even more people. Unknown audience – How did you come up with mask mandate and six-foot mandate when no one in state was doing it? Mounts – I appreciate your concerns about the masks but we did not issue a mask mandate, what we did was we passed all the information that came from the Department of Administration. Towards the beginning of September or end of August we received a document from the Department of Administration that provided guidance to state employees requiring us to wear masks in our offices while we were at work if we could not social-distance. Remote work, social distancing and wearing a mask while in the office conducting work. In order to get all of our ducks in a row and figure out how to make the best choices for all of our hunter education instructors, all 1,500 of you who are as volunteers state employees. In order to pass that information on to you we had a few days to get a letter together and out to you. That is what we did, we passed that information on to you, that was not a decision anybody at the department made. We just had to pass that information along to you as state employees. We had to let you know what the rules were so you knew how to follow them. We would have been remiss in our duties if we hadn't done that. Unknown audience – The rest of the state employees I talked to and they had no masks. Mounts – I am only one state employee and all I have authority over is the way my division operates, so I passed on the information. Chairman Lauber – This issue is bigger than masks, that is a separate issue that everyone has an opinion on, one way or another. I am familiar with missive you received from the Department of Administration and every agency passed it along just like she did. This is about hunter safety, not about masks and if feelings were hurt about a letter sent in a hurry to comply with the Governor's orders, we are sorry for that. Move on from masks and talk about how we can make hunter safety the best in the country.

Thomas Van Hoecke – I am a long time hunter education teacher. Food for thought, would you be comfortable with your kid taking online class and gets the car keys and if he has an accident in the car he has airbags but if he is out there with a high-powered rifle there is no security once he shoots somebody with that gun. Would any of you feel comfortable with your own kids? Going back to scenario with guy from Kansas City what if he had never driven a car would you let him take an online class, throw him the keys to your car and let him drive your grandkids around? I have worked with these kids and we not only do live-fire we do an advanced hunt where even though they have been through the class having that hands-on opportunity when they are hunting over dogs for birds you just don't really get it until you see that all that training is still hard for them to grasp. I think about these kids doing this online there is no accountability, they can cheat their way through the class anyway they want. We have that problem with the online class at times now. I had a young lady who was crying when she didn't pass, her brother was giving her the answers and gave her the wrong answers. I have experienced it and there is no substitute for hands-on training. Keep that in mind and don't cave to convenience of 100%.

Chairman Lauber – This is Commissioner Hayzlett’s last meeting and I want to thank him for all the help and time he has put into this commission, he will be missed. As a token of appreciation, we brought a cake and we are going to have a piece of cake and take a 15-minute break.

Break

C. Workshop Session

1. Antelope Regulations (KAR 115-25-7) – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit J). Not recommending any changes at this time. We have unlimited archery permits available for both residents and nonresidents. Our firearm and muzzleloader permits are restricted to residents-only and half of these permits are assigned to landowner/tenants and remainder to general residents. We don’t have permit allocations to recommend yet, we will provide those at a later date after our January aerial surveys. That is when permit changes to limited draw numbers will be made. The season dates are standard and in the briefing book.

2. Elk Regulations (KAR 115-25-8) – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit K). Not proposing any changes, it is standard to what it has been in recent years. Season dates are provided in the briefing book. Elk permits are available only to Kansas residents and limited draw applications are separated into military and non-military applicants. The units are provided in the briefing book but Unit 2 recommendations will be similar to pronghorn recommendations and we will come up with elk recommendations later in the season. We will propose an unlimited number of hunt-own-land antlerless-only and either-sex permits authorized in Units 2 and 3 and unlimited number of general resident and landowner/tenant antlerless-only and either-sex permits be authorized in Unit 3, the bulk of the state where general residents can buy permits over-the-counter.

3. Big Game 4-Series Regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit L). Only regulation we are making changes to is KAR 115-4-11 which is big game and wild turkey permit applications. Currently, a pronghorn hunter who has received a preference point when unsuccessful in the limited draw or purchased a preference point can also purchase an over-the-counter archery permit. We would like to modify that regulation so a pronghorn hunter could either get an archery permit or apply for limited draw permit or purchase a preference point, but not do both in the same year. There are some included figures in the briefing book that shows the increase in number of applications and hunters over recent years. To address some of that about 35 percent of archery permit holders also have limited draw points. Including 135 from last year alone and 273 over the last three years. This is to address point creep and allow these permits to be distributed more evenly. With that we would like to not have people who want a firearm permit take ten years to do that. Allowing pronghorn hunters to either get an archery permit or apply for limited draw and/or buy a preference point is the only change we are recommending on 4-series regulations.

4. Big Game 25-Series Regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit M). These are the regulations that set the seasons and some of other provisions such as limitations on obtaining multiple permits. The current season structure is similar to last couple of seasons. The big change we are asking for is that on several or our wildlife areas where we have allowed additional deer harvest with use of four additional whitetail antlerless-only permits. We would like to take those areas off of that list and only allow

one antlerless-only permit to be allowed, similar to most of the rest of the state. Areas we will put back under standard state regulation of only one antlerless permit are Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas and also Kirwin National Wildlife Refuge. Proposed recommended dates on youth and disabled would be September 3-11, 2022; early muzzleloader, September 12-25, 2022; archery, September 12, 2022 – December 31, 2022; pre-rut whitetail antlerless-only (WAO), October 8- 10, 2022; regular firearm, November 30, 2022 – December 11, 2022; first extended January whitetail antlerless-only (WAO) January 1-8, 2023; second season is January 1- 15, 2023; and third season is January 1-22, 2023; and extended archery WAO (DMU 19), January 23-31, 2023.

B. General Discussion (continued)

3. Great Kansas Fishing Derby (Exhibit N, PowerPoint O) – David Breth, sport fishing education coordinator, presented this update to the Commission – The agency put on the 2021 Great Kansas Fishing Derby between May 1 and July 31, 2021. We are sharing what we learned about our efforts. Led by KDWP with local sponsorships but took it on ourselves this first year as we weren't sure since coping with COVID and what we could accomplish. We had two statewide partners; Bass Pro/Cabela's outdoor fund provided 150 tags and Kansas Wildscape Foundation provided up to 100 tags as well as the prize we are going to give away today. We had raffle prizes given away through our online registration system, ksfishderby.com where we managed the derby, where people could find out information about it as well as redeem their tags. Objectives of this effort was pretty simple, we wanted to have a positive impact on license sales, we knew 2020 was going to record year and we may not be able to increase from that but wanted to make sure we had a positive impact on sales. We want to also have a positive impact on local commerce and highlight fisheries and the communities around them, so people would travel there and spend time there and spend money there. Also, increase awareness of lakes we have out there, not just our reservoirs and our agency and all the cool things we do. We had 515 total tags; 35 participating lakes; ran for three months; had 28 sponsors; had prizes between \$20 to \$250; 105 tags were redeemed and verified; four fish were caught twice, largemouth bass that they didn't take the tag off like they were supposed to; we had two out-of-state winners; and had one tagged sunfish that was accidentally put in the bucket of one of our employees, a child who was not able to win but we did replace that tag. You did not have to register for the derby, just needed a license to fish if required but if you did register you could win raffle prized and we had 17 winners and 2,700 total registrations. We are currently evaluating the data but we had mostly catfish tagged because we used a lot of stocked catfish and wanted people to win so we made sure fish were fed and out there for people to catch. We had about 27 percent of those tags returned, 50 out of 166 returned were stocked fish and 45 of 166 were wild catfish that were also tagged; black bass were second, flathead catfish we only had nine out there and four returned; drum we had five out there and two returns. The distribution of the lakes, a lot of water the in east but not so much out west and public access is that way too. Harvey County east and west had the most returns, over 50 percent tags returned. I reached out to the CFAP cooperators there with the Parks and Rec and asked him to help get local sponsors and he ran with it. Restaurants in the area, an automotive center gave away a gift card to get your oil changed and some cabin stays. A lot of people asked why we didn't do reservoirs this first year. We had 20 tags in Cedar Bluff and only got two returned. If we would have put 20 tags out there in all of our reservoirs we may not have had as many winners. If we are going to do bigger reservoirs we are probably going to need more tagged fish. We contracted with Southwick Associates to evaluate this derby.

Anytime anything new comes along we want to see if it worked and if we achieved the goals we wanted to. They looked at sales and some surveys, angler sentiment and demographics. They are about to finish their data evaluation of licenses. Initial findings, between April 15 and the end of the event, 28,000 people were reactivated or purchased a new fishing or combo license. That is saying, after 2020 record increase we had people that purchased licenses on top of that in 2021. The top six sales counties had at least one derby lake so we are looking at county level, 30 counties had a lake in them, so if those 30 counties showed a positive impact on license sales and the other 75 didn't then that is a note to us saying we need to put as many derby lakes out there in as many counties as possible in order to achieve statewide success. Probably not 105 but we will do our best. Overall sales in June and July were nearly equivalent to 2020, a record increase year. Don't know if it was the derby but we will find out. The 2,700 people that registered that took the time to sign up for emails are signed up for the raffle drawings contacted them because we wanted to learn a little more about how they participated in the derby. Fifteen percent indicated they purchased a license because of derby; 60 percent traveled 30 miles or less; 70 percent fished with friends and/or family, important because we wanted to know what their behavior was and a lot of us go fishing by ourselves because we want to relax and get away, this may incentivize you to take someone with you because you may not catch a fish chances are someone will; 37 percent fished more between May and July this year than last year; and 57 percent were satisfied with their fishing experience during the derby, 37 percent satisfied and 20 percent of those were extremely satisfied. We are providing a quality product and 12 percent were not satisfied so I am guessing they didn't catch a fish. This survey is in progress and may change a little as more people respond. Share some highlights from feedback: one person didn't catch a fish but thought it was a great idea, they work in a machine shop and 90 percent of the people their participated; one person felt they were at a disadvantage because they didn't have a boat, as we select lakes in the future we need to make sure to include lakes with adequate shoreline access, docks or piers or maintained shoreline; one person said he didn't catch one but his wife and son did; one talked about how awesome it was, how awesome fishing was but didn't mention catching a fish, loved getting outside; one reflected the distance and having to drive outside the county was too much so we need to focus on dispersing lakes to meet 30-mile buffer; and advertising more, we are not advertisers by trade but we do now have a robust public affairs section with marketers and social media people and we did work with them. We used news releases and Facebook so we know we can do better and we will. We also put signs up at the derby lakes. We can do better and we will. Overall positive, not one person said a bad idea. Tag more fish and add more lakes, no matter what that number is they are always going to ask for that. We were definitely stretched pretty thin with what we had this year, so it will take a lot of strategy to figure out how to expand that. Thanks to sponsors, we shared these on our website. I want to again point out the Outdoor Fund, especially David Wade at the Wichita Cabela's who helped me apply for the funding and get that through, and Marc Murrell the executive director of Kansas Wildscape, they do lots of things with the same mission as ours, getting people outside appreciating the outdoors and participating. A great partnership over the years. With the commission's permission we had some prizes left over, so I would like to take this time to draw some numbers for prizes. We took the 2,700 registrants; we did a random generator to cut those down to 211 (the number of golf balls we have).

\$100 Walmart gift card - #85 – Steve from El Dorado *(drawn by Commissioner Gfeller)*

\$100 Cabela/Bass Pro gift card - #117 – Devin from Vinton *(drawn by Commissioner Hayzlett)*

AFS Fishes of KS Book & tackle box - #173 – Rod from Harrington *(drawn by Commissioner Rider)*

Fishing rod and reel combo with tackle - #68 – Bruce from Derby *(drawn by Commissioner Sill)*

Telescoping rod and tackle - #1 – Michael from Dodge City *(drawn by Commissioner Sporer)*

\$50 KDWP gift card - #105 – Scott from Shawnee (*drawn by Commissioner Hayzlett for Cross*)

Thanks to everyone who helped with the derby. Kansas Wildscape, when I asked for tagged fish, Marc, the Executive Director got together with his donors and they decided to donate a lifetime hunt and fish license to someone who had caught a tagged fish. We had 105 total tagged fish caught, when I added in the four that caught the tagged fish twice and deleted the duplicates, those who caught more than one tagged fish, we ended up with 105. We have 211 golf balls in there so each person has two balls in there. The most famous thing Kansas Wildscape does today is OK Kids Days, they get that information out, help communities and state parks and individuals organize those events and do all kinds of other things, so please visit their website, kansaswildscape.org and donate or donate your time.

Lifetime Hunt/Fish from Wildscape, which is transferable if you already have one or are not eligible they can transfer it to somebody else - #52 – Andres from Garden City (*drawn by Chairman Lauber*)

I will be in contact with all of the winners tomorrow to let them know how to get their prizes.

VII. RECESS AT 4:30 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

B. General Discussion (continued)

4. Economic Impact Study (Exhibit P) – Linda Lanterman, parks division director, presented this update to the Commission – Thank you for time to spread some good news on Kansas State Parks. It has been an incredible year and we couldn't do without state park staff so I want to do a shout out to them. We had economic impact study done. We have been wanting to do an economic impact study for at least 5-6 years, it has taken time to decide who to do it and put this together. I want to say to Secretary Brad Loveless and Assistant Secretary Mike Miller thank you for letting us do this. During midst of COVID we started doing this study. I feel fortunate to have Jeremy Hill, with Wichita State University, who did our study. Jeremy is the Director of the Center for Economic Development and Business Research (CEDBR) at Wichita State University. He has over 20 years of experience in economic research and is known across the state on all types of economic research. In 2014, Jeremy was recognized by the Wichita Business Journal with the honor of "40 under 40," and in 2016 he was named as one of "50 Kansans You Should Know" and I feel honored to know him. He is a user of our Kansas state parks, he uses our trails and I appreciate his candidness on things we could do better. We know we are not perfect and we can do better. This study has brought a bright spot to us. Jeremy, thank you for presenting tonight and I will take questions afterwards.

Jeremy Hill – (PowerPoint – Exhibit Q) Started conversation in 2015, and we have gone through different iterations on what should be included. You could have done a different impact study or

a generic impact but the conservations were, what are the unique aspects to Kansas and Kansas State Parks. I am glad we took the extra effort. We did a survey of visitors to see what they were thinking about this and how they related to, which was different. We looked at other literature reviews and they varied, in some ways they had bigger impacts or less impacts but our story is unique and I am glad we did this. We also wanted to go through and look at the unique impacts to businesses so we captured a business survey. Usually I call it a roadmap, but it feels right to call this a trail map agenda instead. The characteristics of visitors, impacts, the small vendors, market transactions, social benefits associated with this that we shouldn't undervalue, more than actual transactions that happen like purchases, talk about activities and their impacts and we did a report for each state park. We had tons of data but this is a story about each state park and their community, which is 29 stories not a statewide story. The first thing is visitors and if I was to narrow this down to one thing I would say visitors are looking for family-oriented fun, average of four, stay four days, doing camping, family time, observing wildlife and all those activities, however sometimes averages don't describe everything. There is a large group, over 37 percent, that is only two people and come out and do activities, yet you also have really large, 16 percent, of over six people in their group coming out. Talk about averages but there is actually a lot of variation. Who are they? Parks are for everyone, doesn't matter if household made over \$150,000 or under \$50,000 you really had access and it didn't matter if you were really young or older you were still engaged. It also didn't matter about race, when you got closer to more diverse areas of the state you had more diverse people participating in those state parks. There are activities that are not available to everyone, like snow skiing, or if there is a huge investment, cost that prevents everyone from going. However, state parks as a unit is available to everyone. How are they spending? Averages are averages and there is a lot of color in between, but if we take average party of four, spending four days, spending about \$510. Excluded from that is outdoor recreation equipment investment, like RVs, campers and equestrian side. One take away, because it varies dramatically because of large investments, RVs, etc. This visitor spending, you can spend based on interest and financial ability, no barrier to coming in as in other types of activity. You take spending and multiple it by visitors. What we did was based on 2015 to 2019 average, because we had an increase in 2020 and 2021. We took 6.8 million people times that. This underlines how state parks played a role during the pandemic. We can see when you go from your home to a park and the index shows, at U.S. level that people increased about 50 base points during the pandemic, however in Kansas we increased 130 basis points. We had a much larger increase in going to parks in general. We had to have resources, a capacity and relationships, a lot more had to go into it. Because we had lack of access to other things and stress, our state parks were there, were assessable and used during the pandemic as a form of respite, a place to deal with the stress. Obviously, at U.S. level there was much less accessibility in other states. The spending, times the number of people and you get overall impact of 5,000 jobs. You had to start by direct, the full time equivalent of everyone working in the state parks, 119 people, with expenditures around \$4.7 million, you add in indirect consumer spending, the supply chain or support businesses and support restaurants and retailers and that adds another 427 jobs and you get to the 5,000 jobs. Normally you look at impacts and have a multiplier of 1.5, which would be great, for every direct job you have another half of a job somewhere else, but in this case you have only 119 people producing and supporting another 4,900 people in the economy, a pretty dramatic support of other jobs out of very few people directly employed. When you look at output, you spent \$4.7 million but you get a much larger multiplier to how that impacts all these other businesses in the states' economy. Another thing we didn't include was construction because it varied across different state parks so it is transitory, it goes up and down but at the state level it is actually consistent when you average it out, another 29 jobs, another \$1.6 million to that impact. There is neat story about the communities and vendors and

communities are rural across the state. When you look at population, it is flat or declining and total employment is flat or declining, however leisure employment has been growing the entire time. When you look at the share of leisure and hospitality total employment, the 29 locations, compare to total employment and compare that to the U.S. you get something called location quotient. What we found is that communities with state parks, had higher location quotient in leisure employment. The take-away is in these rural areas these are economic drivers. In the rest of the state, you might have biotech or aerospace or logistic sector that drives the economy. In rural economies, leisure in state parks are driving those economies, if you look at 2020 and 2021 they are doing better because it is more robust when struggling across the state because of shut down economy. Profiles of the business, small independent businesses been around for 30 years; core value is small business around state parks. Asked specific questions related to COVID, how resilient they were, these business were growing before COVID, grew during COVID and expected to continue to grow after COVID, an expanding and resilient sector. Taking that same 5,000 people and splitting it by sector, you will see retail/trade sector is largest sector that gets benefit from state parks, over 3,400 jobs and the service sector, like marine service and things like that you get 1,400 jobs. Social benefits – we can look at market transactions, but there are other things that are not tangible. We asked perception about state parks, and to summarize they said, it was a genuine, authentic experience that adds meaning to their life, a bold statement and consistent across all the different age groups and races, everyone saw that it added meaning to their lives. When you asked them how they personally benefit from this you get the story of families inspired and enriched by their experience. I added a generational aspect, baby boomers and Generation X but it didn't matter how old you are, it was non-discriminatory and everyone had the same personal benefits. It is core to our nature as humans to be connected to nature and you clearly see that throughout the responses. Activity impacts, take same 5,000 and people have different interests, you may want to go boating, fishing, or whatever so we asked them their primary purpose in all activities. The top ones are primary, if your primary reason was to go fishing, that at least supports 192 jobs across the state contributing at state parks. Sometimes you might primarily be going for camping, but also going for fishing. We are not counting all of that, you might be going for multiple reasons. We wanted to figure out at least core value of each of these activities to the state parks. For policy decisions, you can start thinking what the value of the driver of these state parks, not only as a whole, but with some analysis of other state parks. The bottom three are all activities, although observing wildlife wasn't the primary reason people went out, almost everyone had that as a secondary so we listed as all activity; same with family time and hiking/biking. I also want to highlight two that surprised me, equestrian, not a lot of activity and didn't consume tons of people wanting to do it; however when we did the survey they had a lot of spending associated with it and because of that the dollar you get for the very few people who attend actually generates a lot to these local economies, particularly the very local economy. They buy right at that location, a big impact on local communities. The other was special events, they have untapped value to enrich local communities. I was surprised on how engaged they were. Some engaged in such a way that they were getting different groups of people into the state parks and large impact on the community. The reason I say it is untapped as we were evaluating I discovered that expanding more on special events would bring more diversity to these state parks and add more economic value to the local communities. They are definitely using them for special events but there is more value there to continue to add value in other parts of the state park system. We showed impact of activity, for hiking/biking trail use we had overall impact, by sector and details of how spending at that location and across the state and see value they generate in taxes, local, state, etc. for the entire state. They tend to be smaller

groups on average versus camping, which is usually a larger group. We can flatten this out and show impact to the state but the big majority of this is going around each state park and benefitting regional communities and they are engaged in those communities. Had overall impact on each park, have market trends locally and what is going on in the community around the park, are they growing or declining, what's their tax base and how is this impact influencing on local communities. We took survey data, which varied from park to park, demographic changes, perceptions changed and add that in, so each state park can tell their own story. How they are using special events, how equestrian might be bigger or not important, or fishing, etc. We broke it out so they could tell their own story; 29 stories – more than one story. The takeaways: there are different stories but these state parks are supporting over 5,000 jobs and \$130 million in labor income. In an average year, non-pandemic or post-pandemic, we have had so much interest in state parks and new activity and those households put out a lot of investments to be engaged more in nature, boats, RVs and all those things. The question is, what is persistence where they are going to want to be engaged long-term on the state park. It is obvious there is going to be some stickiness to that, some increased demand than there was prior to pandemic because when you look at the surveys they were still highly satisfied, saw value out of it. The questions is what the capacity is to keep up with that in the future. How do we keep maintaining those so that satisfaction remains high so when they go there they see an authentic place for continuing to build those natural resources that gives them those meaningful experiences they are wanting to have? Commissioner Gfeller – Good information. Based on the takeaways, is there any action you want to take to capitalize on that? Lanterman – We empower our own team do their own special events, we let them brainstorm on what they need to do. The challenge for me is to make sure our users stay engaged and we provide memory-making activities that they want to come back on and to where our facilities are well maintained and we continue to put our money to upgrade facilities so people will come back. We have got to upgrade facilities and add more camping space so we can keep users coming. We knew this all along but needed something better than just me saying we are doing a good job. Finally, I will say I need to keep my team feeling valued, they are doing an excellent job. I want the morale to stay high and for them to know, because of them this is what is taking place. Secretary Loveless – One of the neat things I have seen as I have traveled around the state, is how integrated our parks are with local communities. You saw that as an economic driver opportunity and I see that. To Linda's point her staff live in these communities and communities see a great opportunity to have events, whether it is a car show, an antique camper show, a quilt show; I have seen them all over the state. It is not like we are working independently and we hope to grow that. The study pointed out we have more head room, so it is exciting. Parks are well connected in communities and keeping churn going as far as new ideas. Lanterman – Great job Jeremy, thank you for doing this for us. Commissioner Gfeller – Is there a way to get those slides? Secretary Loveless – We have access to the study so we can share that with all the commissioners. Every year during the legislative session there are questions about if we should be doing what we are doing and what the benefit is and this is an overriding endorsement of the value we bring, especially to those rural communities.

D. Public Hearing

Notice and Submission Forms, Attorney General letters dated August 20 and August 23 and Kansas Legislative Research Department letter dated September 15 (Exhibit R).

Fricke - Want to wrap up discussion for this year of wild turkey harvest regulations for spring and fall turkey seasons. Overall, in 2021 we had a decent year in terms of production, primarily

in the eastern portion of the state. Out west we had some dips, stable but low production. Optimistic in eastern third of the state with production numbers we saw this year. Recommendations, we do not have recommended changes to spring or fall bag limits for 2022. Additionally, we do not recommend any changes to the 2023 season dates. Regular season start date in spring 2023 will be April 12, the earliest start dates for the regular season. We are making recommended changes to the youth eligibility; we are standardizing that across species groups and turkey is the last group to go through that process. We are recommending 17-and-under to be eligible to participate in spring turkey youth season. Also, making slight wording change for spring regulation on Unit 2 boundary, found verbiage issues and making sure the boundary is clearly delineated in the regulation. Recommendations to allow shot shooting handguns as legal equipment for spring and fall turkey seasons. If approved as written, we are recommending a minimum barrel length of 10 inches including the chamber, for both spring and fall seasons.

1. KAR 115-4-4a. Wild turkey; legal equipment and taking methods – Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit S, Exhibit T). This is inserting language that allows the choked handgun, muzzleloading handguns that shoot shot, again a 10-inch minimum barrel, including the chamber, and just like shoulder mounted shotguns, using only size 2 shot through size 9 shot.

Commissioner Warren Gfeller moved to approve KAR 115-4-4a as presented to the Commission. Commissioner Lauren Sill second.

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

Commissioner Cross	Yes
Commissioner Gfeller	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-4-4a passed 7-0.

2. KAR 115-25-6. Turkey; spring season, bag limit, permits and game tags – Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit V). On the first page of regulation, 2(A) is where the increase in 17-and-under as maximum age for youth season for spring season, defined as 17 years of age or younger. On the second page under (2), Unit 2, language added to complete the circle for Unit 2, we were missing verbiage that included the state boundary with Nebraska, so we cleaned up that language and closed circle on definition of that unit. That regulation also includes bag limits and season dates with no change recommended.

Commissioner Gary Hayzlett moved to approve KAR 115-25-6 as presented to the Commission. Commissioner Warren Gfeller second.

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

Commissioner Cross	Yes
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Commissioner Gfeller	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-25-6 passed 7-0.

3. KAR 115-25-14. Fishing; creel limit, size limit possession limit and open season (and reference document) – Doug Nygren, Fisheries Division director, presented these regulations to the Commission (Exhibit X, reference document – Exhibit Y). This sets seasons, creel and length limits and our reference document for regulations different from the statewide regulations. We have made adjustments that include adjusting length and creel limits within the reference document, as well as standardizing age of youth participation in fishing programs and a proposed version that would change some trout waters from Type 2 to Type 1 waters. Changes in the trout waters are in the actual regulation, we are proposing Colby Villa High, Mined Land Wildlife Area and Sherman County Smoky Gardens Lake be changed from Type 2 to Type 1 waters. We feel people fishing there during the trout season are primarily fishing for trout and therefore it would be appropriate for them to have to have a trout permit in their possession when fishing. The rest of changes are to reference document, which are different than statewide regs. Been through these in workshops but the ones of most interest to the public and commission include Tuttle Creek Reservoir, a success story with population of blue catfish maturing there so we are ready to allow people to harvest those fish in a bigger way; currently 35-inch minimum length limit and 5/day, proposal would change it to 10/day with no more than one over 30 inches on blue catfish. Marion Reservoir is an interesting case study on a pilot project on an innovative way to improve the quality of walleye fishing; we put in place two years of protection with larger length limit, followed by two years of liberal harvest and we are proposing going from current regulation, which is 21-inch minimum length limit and 5/day and change to an 18-inch minimum length limit with 3/day creel with only one over 21-inches. We will do that for a couple of years and if it has the desired impact then switch back to a couple more years of more restrictive harvest to allow that population to once again build back up. We will evaluate at end of first cycle and have our fisheries biologist, Craig Johnson, come to the commission with the results with what has happened with this innovative approach to walleye management. Cedar Bluff Reservoir, we have been operating there for walleye fishing with a 21-inch minimum length limit and 5/day creel and we are proposing to maintain 21-inch minimum length limit and 5/day creel limit on walleye except that two fish 15 inches long but less than 18 inches long be included in daily creel to allow some harvest there and help us we forage issues we have experienced over the last couple of years. Change at Bone Creek Reservoir, we have been operating with a 13- to 18-inch slot length limit on largemouth bass, proposing to change that to 18-inch minimum length limit. We are trying to recover from largemouth bass virus that has hit that population hard and also made the switch from managing primarily for saugeye and black bass and focus more on black bass as a result of input from anglers. We are going to liberalize creel limit on saugeye from 2/day to 5/day. Harvey County East Lake is another lake we have had problems with the largemouth bass population and we are proposing to change to an 18-inch minimum length limit and remove 13- to 18-inch length limit currently in place. Commissioner Sporer – Is blue cat population at Tuttle Creek a problem or going to be a problem if you don't harvest more? Nygren – It is prolific population with a lot of individuals, high density. You probably saw some of the pictures in dewatering of the stilling basin a few years ago where there were

tens of thousands fish down below in the Tuttle Puddle. It has been a tremendous development there, very successful reproduction but don't have the quality there we have other places but the numbers are good. By going with this 10/day creel limit that will take advantage of abundant resource and for those folks who want to go catch the quality trophy size fish they can go hit Milford. It gives people a great opportunity to pick between numbers or size in that region of the state. Finally, last change in reference document has to do with standardizing agency youth mentor programs. On the fishing side we have had youth mentor locations, which are for children under age 16 accompanied by adult 18 or over, but the definition of youth on the wildlife side for our hunting opportunities has changed to under 18. We propose changing youth mentor language to say, "licensed adults 18 years or older may fish youth mentor designated waters only if accompanied by a person younger than 18 years of age who is actively engaged in fishing." That will give us consistency between hunting and fishing programs.

Commissioner Emerick Cross moved to approve KAR 115-25-14 as presented to the Commission. Commissioner Troy Sporer second.

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

Commissioner Cross	Yes
Commissioner Gfeller	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-25-14 passed 7-0.

4. KAR 115-17-2. Commercial sale of fish bait – Chris Steffen, aquatic nuisance species coordinator, presented this regulation to the Commission (Exhibit AA). We are proposing to clarify the sale of dead bait. In the past it specified only gizzard shad and we would like to add threadfin shad, emerald shiners, silver carp, bighead carp and skipjack herring. These are all species that are commercially available and because they will be sold dead we are not concerned that they would have any sort of impact to fisheries.

Commissioner Gary Hayzlett moved to approve KAR 115-17-2 as presented to the Commission. Commissioner Emerick Cross second.

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

Commissioner Cross	Yes
Commissioner Gfeller	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-17-2 passed 7-0.

5. KAR 115-30-3. Personal floatation devices; requirements – Eric Deneault, Law Enforcement boating law administrator, presented these regulations to the Commission (Exhibit CC). In 2014, the U.S. Coast Guard adopted international standards for the labeling of personal floatation devices (PFDs), also known as life jackets. States delayed incorporating language into statues and regulations until the Coast Guard could secure additional testing and work with manufacturers and provide training information to the states during incorporation. The Coast Guard administers recreational boating safety grants and since the code of federal regulations changes to allow that as the preemptive law, all states are required to adopt these new standards as their state law and regulations. Failure to adopt these standards would result in state’s recreational boating safety grant program be placed in noncompliance status and could result in federal funding being suspended. The new life jackets will sport a new label on the inside of the life jacket which includes a number that purchasers know the buoyancy of the life jacket will provide. The lower the number is suited for near shore activity and higher number offers higher buoyancy value and is more suited for offshore activities. Warnings about what activities the jackets are suited for and a label that identified by images, as well as the turning ability rating for each life jacket so buyer knows which jacket to get for which activity, such as water skiing or tubing. It lets the buyer know what symbol to look for and which jackets turn unconscious wearers over. The older life jackets will remain in service as long as in good condition, no rips or tears or anything like that, they still remain viable and boaters can still use them. If you have bought any life jackets recently they have new labels in them.

Commissioner Lauren Sill moved to approve KAR 115-30-3 as presented to the Commission. Commissioner Gary Hayzlett second.

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

Commissioner Cross	Yes
Commissioner Gfeller	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-30-3 passed 7-0.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

January 13 – Emporia, Aquatic Research and Outreach Center, Emporia State University.

March 31 – Topeka, Topeka and Shawnee County Public Library, James C. Marvin Auditorium

April 21 – Beloit (with Ring Neck Ranch tour)

June 23 - Lawrence

August 4 - Hutchinson

Chairman Lauber – We wish you luck Gary. We will miss you. Gary Hayzlett – I will miss all of you. Thanks for eight years of good stuff.

Assistant Secretary Miller – Final goodbye to Chris. Good luck.

XIV. ADJOURNMENT

Adjourned at 7:23 pm.