



2024
Legislative
Update

EDITION
February 8, 2024

SB = Senate Bill | HB = House Bill
CR = Concurrent Resolution

HB 2006 (2023 Session)

Making the use of artificial light for the purpose of spotting, locating or taking wildlife unlawful and restricting rule and regulation authority.

This bill was prefiled on 1/5/23. On 1/9/23, this bill was introduced in the House and referred to the Committee on Agriculture and Natural Resources.

No hearings were scheduled for this bill in 2023.

Background: In 2020, following extensive public input, the Kansas Wildlife and Parks Commission approved the use of artificial light and thermal-imaging equipment for hunting coyotes at night beginning with the 2021 season. Use of the special equipment is allowed only with a Night Vision Equipment Permit on private lands, during a dedicated season, and without the aid of a vehicle.

Agency Stance: In 2023, KDWP opposed HB 2006 because it sought to reverse the carefully reached decision of the Kansas Wildlife and Parks Commission, which was informed by public input and sound scientific data.

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HB 2079 (2023 Session)

Establishing a statutory white-tailed deer firearm season and requiring KDWP to provide resident hunting license holders select permits for free.

On 1/18/23, this bill was introduced in the House, and referred to the Committee on Agriculture and Natural Resources Budget.

No hearings were scheduled for this bill in 2023.

Background: HB 2079 was introduced by Legislators in the House Committee on Agriculture and Natural Resources; It was not introduced by KDWP, and biologists and other key subject matter experts at KDWP had significant concerns regarding HB 2079.

If approved, HB 2079 would have required KDWP to issue every Kansas lifetime hunting or combination lifetime license holder with an any-season white-tailed deer permit free of charge; every hunting license holder with an antlerless white-tailed deer permit; and establish an annual firearm white-tailed deer season on the Wednesday before Thanksgiving Day through the second Sunday in December.

Agency Stance: In 2023, KDWP opposed HB 2079 in its original form due to its lack of biological merit, the impediment it would create for Kansas to receive matching federal funds from the U.S. Fish and Wildlife Service, and because the Legislative process limits opportunity for critical public input (when compared to the regulatory process followed by the Kansas Wildlife and Parks Commission).

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HB 2308 (2023 Session)

Establishing a hunting outfitter task force that shall study the hunting outfitter industry in the state of Kansas and may make recommend changes to the law and rules and regulations.

This bill was introduced in the House and referred to the Committee on Agriculture and Natural Resources on 2/6/23.

No hearings were scheduled for this bill in 2023.

Background: Currently, guides and outfitters in Kansas are not regulated by a central entity. In Kansas, law, rules and regulations pertaining to hunting and associated outdoor recreation are set by either the Kansas Department of Wildlife and Parks (via Secretary's Orders), its Commission (Kansas Wildlife and Parks Commission), or by the Kansas Legislature; or, by federal entities (such as the U.S. Fish and Wildlife Service).

In recent years, KDWP's Administration has been regularly meeting with members of the guiding and outfitting industry to proactively exchange information – and establish best practices – with the intent to develop mutually-beneficial outcomes through consistent communication and collaboration.

Agency Stance: Neutral.

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HB 2430 (2023 Session)

Providing for requirements for use of funds allocated to agencies for the purpose of supporting unhoused individuals and creating penalties for unauthorized camping on government-owned land.

This bill was introduced in the House and referred to the Committee on Welfare Reform on 2/20/23. This bill had a hearing on 3/2/23.

The Committee on Welfare Reform held a "Roundtable Discussion on Homelessness" on 3/23/23.

Background: Also referred to as the "Safe Cities Act." HB 2430 sought to address homelessness; specifically, public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks; and, unauthorized sleeping, camping or long-term shelters on state or local government-owned lands.

This bill outlined what political subdivisions shall not do; the power of the Attorney General; special stipulations for political subdivisions with a higher per-capita rate of homelessness than the state average; and, violation terms.

Agency Stance: TBD

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SB 105 (2023 Session)

Authorizing the Kansas Department of Wildlife and Parks to purchase land in Jewell county.

This bill was introduced in the Senate on 1/26/23. On 1/27/23, this bill was referred to the Committee on Agriculture and Natural Resources.

No hearings were scheduled for this bill in 2023.

Background: The property is approximately 264 acres and is adjacent to Lovewell Reservoir Wildlife Area. It is particularly well suited for an addition to the Lovewell Wildlife Area because it contains an excellent diversity of habitat types, cropland, rangeland, hayfields and woodlands. The diversity of habitat promotes healthy populations of deer, turkey, bobwhite quail, pheasant, greater prairie chicken and various furbearer and non-game species.

Where strategic land acquisitions make sense, per K.S.A. 32-833(a)(2), KDWP must obtain the approval of the Legislature to purchase a tract or tracts of land which are greater than 160 acres in the aggregate.

KDWP pays the current appraised/fair market value for lands.

And, KDWP makes payment of moneys in lieu of taxes comparable to the ad valorem tax payments of surrounding lands for any land purchased.

Agency Stance: Because of its ability to positively impact the amount of lands open to public access, KDWP supported SB 105 in its original form.

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HB 2476

Requiring legislative approval of any national heritage area or national historic trail in the state of Kansas and prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas.

This bill was prefiled for introduction on 11/15/23.

On 1/8/24, this bill was introduced in the House and referred to the House Committee on Agriculture and Natural Resources.

This bill has a hearing scheduled for 2/14/24 at 9 a.m. in Room 346-S.

Background: The Freedom's Frontier National Heritage Area (FFNHA), established in 2006, encompasses 29 counties in eastern Kansas and 12 counties in Western Missouri. FFNHA's mission is to support and promote the hundreds of willing partners including historic sites, museums, historical societies, libraries, and other cultural-heritage tourism destinations. Within the 29 Kansas counties, there are 14 State Parks and two additional State Park-managed properties. These 16 properties are important economic engines to the local communities they are situated within. Additionally, this area contains KDWP Wildlife Areas.

Kansas has five designated National Historic Trails consisting of the Lewis and Clark (designated 1978), Oregon (1978), Santa Fe (1987), California (1992), and the Pony Express (1992). Flint Hills Trail State Park (118 miles long) closely aligns with the Santa Fe National Historic Trail for approximately 30 miles and is on the same direct alignment for approximately 6 miles.

Due to the current locations of the 16 State Park properties, within the FFNHA and aligned with the Santa Fe National Historical Trail, House Bill 2476 will have a direct effect on operations, revenues and expenditures for the Parks Division of the Kansas Department of Wildlife and Parks.

Agency Stance: TBD

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HB 2524

Eliminating certain camp site and cabin fees for senior citizens at Kansas State Parks.

On 1/17/24, this bill was introduced in the House and referred to the House Committee on Agriculture and Natural Resources.

Background: This bill would require KDWP to reduce the fees for camp sites and cabins by 50 percent for Kansas residents age 65 and older. If enacted as introduced, the Department anticipates an annual loss of revenue totaling \$778,000 beginning with Fiscal Year 2025; However, if these funds are replaced in Fiscal Year 2026 with Economic Development Initiatives Funds (once the Director of Accounts and Reports transfers the certified amount), then HB 2524 is not likely to have an overall fiscal effect on agency operations.

Agency Stance: Neutral

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HB 2541

Establishing the state conservation fund, the working lands conservation fund, the wildlife conservation fund and the Kansas outdoors fund, providing for the use of moneys from such funds, requiring certain reports to the governor and the legislature and authorizing certain transfers to and from such funds.

On 1/18/24, this bill was introduced in the House and referred to the House Committee on Agriculture and Natural Resources.

This bill had a hearing on 1/22/24.

Background: KDWP's fish and wildlife programs are funded in two ways: 1) the sale of hunting, fishing, and furharvesting licenses and permits sold to both residents and non-residents, and 2) federal dollars returned to KDWP from federal excise taxes on equipment purchases made by hunters and anglers. The amount of money KDWP receives from these excise taxes depends on the number of licenses and permits sold, as a 25% match is required from the Department's funds.

Some KDWP programs are currently limited by state funding and would be bolstered by a state conservation fund.

As such, KDWP sees the value of such a fund for conservation efforts. And, as one of the agencies that would be required to administer the grants described in HB 2541, KDWP has the capacity to fulfill the requirements of this bill, so long as the Department be permitted to hire additional full-time employees to process grant applications and establish the required advisory boards.

Agency Stance: Neutral.

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HB 2582

Increasing the membership of the Kansas wildlife and parks commission from seven to nine, granting membership appointment authority to multiple state officers and prohibiting more than three commissioners from being residents of the same congressional district.

On 1/24/24, this bill was introduced in the House and referred to the House Committee on Agriculture and Natural Resources Budget.

Background: Serving as a regulatory body for KDWP, the Kansas Wildlife and Parks Commission is a seven-member, non-partisan board made up of no more than four members of any one political party. Commissioners – appointed by the Governor and the Governor’s Office of Appointments – serve staggered four-year terms and advise the Secretary on planning and policy issues regarding administration of KDWP.

All Commission meetings are accessible and open to the public, and time is always set aside for public comment on non-agenda items.

The Commission's Mission is that of the Department's: "To conserve and enhance Kansas' wildlife and its habitats, ensuring current and future generations appreciate and enjoy these living resources and associated recreation, while informing the public of the status of Kansas' natural resources, gaining understanding and support in achieving this mission."

Agency Stance: Opposed. Because members of the Kansas Wildlife and Parks Commission are carefully selected to provide geographical and political equity – and because the end products (rules and regulations) of the Commission already require external review and/or approval from the Department of Administration, Attorney General’s Office, the Office of Budget, and the Joint Committee on Administrative Rules and Regulations – KDWP does not believe additional legislative oversight is warranted.

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HB 2671

Lowering nonresident hunting license fees to \$25 and requiring the fee for an annual hunting license to be refundable for any person who does not acquire a hunting permit for the applicable hunting license year.

This bill was introduced in the House on 2/1/24.

It is anticipated that this bill will have a hearing on Monday, February 12 at 1:30 p.m. in Room 118-N.

Background: HB 2671 would lower all fees for nonresident hunters to a maximum of \$25.00, and it would require a refund to all nonresidents that do “not obtain a hunting permit for the applicable hunting license year...” The fees associated with this bill would include the hunting license, tag (KDWP understands this to mean permit), application fees, and transaction fees.

If enacted, HB 2671 would result in an overall reduction in revenue of more than \$18 million (approx 56% of annual license sales) and could render KDWP unable to capture more than \$20 million of available federal funds each year, for a combined fiscal impact of over \$38 million annually.

As interest in and applications for nonresident draws continue to increase annually with current fees, KDWP believes it is poor fiscal policy to reduce fees when the demand for nonresident hunting continues to increase. Additionally, HB 2671 would make it cost less for a nonresident to hunt here than a Kansan.

Agency Stance: Given the catastrophic impact on KDWP’s budget and biased favoritism provided nonresident hunters over Kansas residents, KDWP stands in opposition of this bill.

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HB 2672

Establishing transferable landowner appreciation permits for the hunting of white-tailed deer and allowing one landowner appreciation permit for every 80 acres of land owned, up to 10 permits, for a fee of \$0.

This bill was introduced in the House on 2/1/24, and referred to the Committee on Agriculture and Natural Resources Budget on 2/2/24.

Background: Forthcoming.

Agency Stance: Opposed.

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SB 347

Requiring Senate confirmation of appointees to the Wildlife and Parks Commission.

This bill was introduced in the Senate on 1/16/24, and referred to the Senate Committee on Agriculture and Natural Resources on 1/17/24.

This bill had a hearing on 1/24/24. On 2/7/24, the Committee Report recommended the bill be passed.

Background: A precedence has been set that Senate confirmation be necessary for Commissions and Boards where members have the ability and authority to oversee agency budgets and/or personnel. In the case of KDWP, the Kansas Wildlife and Parks Commission does not have such ability or authority; rather their primary function is to solicit public input during the regulatory promulgation process.

Oversight of KDWP – to ultimately include it's budgets and/or personnel – falls under the authority of the agency Secretary. And because the Secretary position is one that already requires Senate confirmation, KDWP does not believe Senate confirmation of Wildlife and Parks Commissioners (given their primary function) is warranted.

Agency Stance: Opposed.

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SB 370

Requiring legislative approval of any national heritage area or national historic trail in the state of Kansas and prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas.

This bill was introduced in the Senate on 1/18/24, and referred to the Senate Committee on Federal and State Affairs on 1/19/24.

This bill has a hearing scheduled for 2/13/24 at 10:30 a.m. in Room 144-S.

Background: The Freedom's Frontier National Heritage Area (FFNHA), established in 2006, encompasses 29 counties in eastern Kansas and 12 counties in Western Missouri. FFNHA's mission is to support and promote the hundreds of willing partners including historic sites, museums, historical societies, libraries, and other cultural-heritage tourism destinations. Within the 29 Kansas counties, there are 14 State Parks and two additional State Park-managed properties. These 16 properties are important economic engines to the local communities they are situated within. Additionally, this area contains KDWP Wildlife Areas.

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Due to the current locations of the 16 State Park properties, within the FFNHA and aligned with the Santa Fe National Historical Trail, SB 370 will have a direct effect on operations, revenues and expenditures for the Parks Division of the Kansas Department of Wildlife and Parks.

Agency Stance: Neutral.

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SB 417

Removing the secretary of wildlife and park's authority to exercise the right of eminent domain.

This bill was introduced in the Senate on 1/29/24, and referred to the Committee on Agriculture and Natural Resources on 1/30/24.

This bill has a hearing scheduled for 2/13/24 at 8:30 a.m. in Room 144-S.

Background: K.S.A. 32-840, which provides the Secretary of KDWP the ability to exercise eminent domain under very select conditions, is a statute that was enacted in 1927 and has been used sparingly. In fact, KDWP has not exercised this right in more than 65 years.

Because it is not customary for the Secretary to exercise this right, and because extraordinary circumstances may exist in the future where the tools prescribed in K.S.A. 32-840 may one day be warranted, the Department opposes SB 417, which seeks to repeal K.S.A. 32-840.

Agency Stance: Opposed.

– End of Report –

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