

**Testimony on SB 301 relating to Commercial Guide Registry
To
The Senate Committee on Agriculture and Natural Resources**

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February 8, 2018

SB 301 seeks create a registry of hunting guides maintained by the Department. **The Department is neutral on the provisions contained in the bill.** The provisions of the bill would be effective upon publication in the statute book.

Guides and outfitters were once subject to regulation in the State of Kansas and the authority to regulate guides and outfitters was revoked in the early 2000's. At the time of deregulation, the Department had approximately 570 registered big game and waterfowl guides. The original legislation included all guides and outfitters and was subsequently pared down over time to remove landowners, fishing guides and upland bird guides before ultimately deregulating the industry. Problems with the system included, among other things, infighting within the guide and outfitter industry, economic protectionism, and a complete lack of consumer protection. At the time of deregulation, the Department suggested to the Legislature that the industry should be regulated in its entirety, deregulated or regulated by a guide and outfitter board.

The current proposal would require commercial guides and outfitters to register with the Department for a fee of \$100 or risk a fine of \$1000. The Department would be required to maintain an online registry with a unique identifying number. Any fine would accrue to a newly created conservation officer fund, to be used for compensation, training and equipment for conservation officers. And finally, landowners would be exempt on their own property.

There are a few issues with the bill that should come to the attention of the committee. First, it is unclear how the secretary would be able to fine the non-compliant unregistered guides and outfitters. Would it be through a hearing under KAPA or through a summons via criminal courts? And second, would operators of controlled shooting areas and their guides be subject to registration? Many CSA's have commercial guiding operations associated with the same property or may in fact be hunting wild game birds at the same time as hunting propagated game birds.

The Department appreciates the opportunity to address the Committee.