

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on February 8, 2007, in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Art Griggs, Revisor of Statutes Office
Judy Holliday, Committee Assistant

Conferees appearing before the committee:

Christopher J. Tymeson, Chief Legal Counsel, Kansas Wildlife and Parks

Others attending:

See attached list.

Chairman McGinn called the Committee's attention to two bills previously heard that she wanted to address. **SB 146, Solid waste, waste tire management fund.** Chairman McGinn had a possible amendment she planned to make but will wait until a later date. She brought before the Committee the balloon Senator Taddiken had previously introduced (Attachment 1), and asked if there were any questions or changes to the bill. Senator Ostmeyer made a motion, seconded by Senator Taddiken, to pass the bill out as amended. The motion carried.

Chairman McGinn brought before the Committee **SB 15, Establishing the Kansas dam rehabilitation program to provide cost-share assistance to rehabilitate certain deficient dams.** Art Griggs, Revisor of Statutes Office, explained that the balloon to **SB 15** (Attachment 2) contained amendments of Senators Taddiken and Francisco, but had not been adopted. Mr. Griggs explained the bill with the new language.

Senator Huelskamp had previously asked for information from the Department of Agriculture on the list of dam owners, and had planned to offer a potential amendment based on that information. Senator Taddiken made a motion to adopt the balloon to **SB 15**, seconded by Senator Bruce. The motion carried.

Chairman McGinn asked Constantine Cotsoradis to come forward to answer questions. Mr. Cotsoradis distributed information on the deficient dams to the Committee. Chairman McGinn asked the Committee to take a few minutes to review the information. Committee members discussed the list of dams and the fact that most were owned by government entities, and that the original purpose of the bill was to provide a resource for funding to dam owners without other sources to apply for dam rehabilitation.

Chairman McGinn asked Mr. Cotsoradis to identify his staff person who answered Committee questions. Mr. Cotsoradis introduced Mr. Matt Scherer, Division of Water Resources.

Chairman McGinn closed the hearing on **SB 15**.

Chairman McGinn asked Raney Gilliland, Legislative Research Department, to give a brief overview of each of the four bills to be heard.

Chairman McGinn told the Committee that the bills would be heard in the following order: **SB 188**, **SB 191**, **SB 192**, and **SB 189**.

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks (KDWP), testified in favor of **SB 188, Wildlife; commercialization of wildlife** (Attachment 3). He told the Committee the history of the bill and that it essentially devalued wildlife, which is contrary to the original intent of the bill, and caused problems for wildlife law enforcement. There were questions about the portion of the bill dealing with bobcats, and Mr. Tymeson said the price of furs has increased considerably and this deals with unlawful commercialization. Because of interest, a bobcat tag has been offered to nonresident hunters, but there is a fur bearers license, and a bobcat hunting/trapping season open to resident hunters. Senator Wysong asked Mr. Tymeson for a definition of "unlawful commercialization." Chairman McGinn closed the hearing on

CONTINUATION SHEET

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SB 188.

Chairman McGinn opened the hearing on **SB 191, Wildlife; big game and turkey violations.**

Chris Tymeson testified in favor of **SB 191 (Attachment 4).** Mr. Tymeson stated that because the bill had been heavily amended in a prior legislative session, the bill had a missing comma and that this error has caused some court cases to be dismissed. He also called the Committee's attention to a typographical error in his testimony, which should be 32-1032. Chairman McGinn closed the hearing on **SB 191.** **Senator Ostmeyer made a motion to pass SB 191 and ask that it be placed on the Consent Calendar, seconded by Senator Wysong. The motion carried.**

Chairman McGinn opened the hearing on **SB 192, Hunting, big game permits.**

Chris Tymeson testified in favor of **SB 192 (Attachment 5).** Mr. Tymeson told the Committee that last year some permits were auctioned off, raising money for conservation projects. This past year, non-resident chapters were applying for the big game permits, so the KDWP requested a modification to language in subsection A of the bill to "based or operating in Kansas." **Senator Huelskamp made a motion to approve a technical amendment, seconded by Senator Francisco. The motion carried. Senator Taddiken made a motion to pass SB 192 out of Committee as amended, seconded by Senator Ostmeyer. The motion carried.**

Chris Tymeson testified in favor of **SB 189, Hunter education requirements (Attachment 6).** Mr. Tymeson told the Committee that the bill seeks to amend two statutes related to hunter education. He stated that hunter education provides valuable service to the state and to hunting, both as a recruitment and retention tool and also teaching hunters to hunt safely. Changes to the education portion would include dissolving the 'crash' course and replacing it with a deferred apprentice hunting license process. An individual 16 or over could purchase an apprentice hunting license one time without first taking hunter education, and hunt supervised by an adult 21 or over. This would accommodate non-residents to allow them to hunt safely and return home to take a hunter education course for the next time they come to visit. It would also allow adult recruitment in the form of a "try it before you buy it" venture. Mr. Tymeson stated that recruitment of hunters is needed to fund agency programs.

The Department seeks to amend the current law for bowhunter education of youths. Current law allows a 12-year old without hunter education to purchase a deer permit and hunt with a firearm if supervised by an adult. However, the same 12-year old cannot purchase a deer permit and hunt with archery equipment without having first taken bowhunter education. The legislation would make bowhunter education voluntary, rather than mandatory.

Mr. Wayne Doyle, Hunter Education Coordinator, Kansas Department of Wildlife and Parks, volunteered information on handling of firearms, the "crash course" program usage, and questions on supervision.

Chairman McGinn told the Committee that the bill needs more discussion and that they would not work it at this time. The hearing on **SB 189** was closed.

Chairman McGinn called the Committee's attention to an email received from Mr. Ron Klataske, Executive Director, Audubon of Kansas (**Attachment 7**), in support of **SB 188, SB 189, SB 191, and SB 192.** Copies of the email were distributed to each Committee member.

Chairman McGinn called the Committee's attention to copies of the minutes of the January 25 and January 26 Committee meeting distributed to each member and asked that they look them over and contact the Committee Assistant with any changes no later than noon on Friday, February 9.

Chairman McGinn reminded the Committee of the bus trip to the landfill on February 15 at 7:30 a.m.

The meeting adjourned at 9:25 a.m.