

MINUTES OF THE HOUSE WILDLIFE, PARKS AND TOURISM COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 P.M. on February 16, 2005 in Room 241-N of the Capitol.

All members were present except:

Representative Patricia Kilpatrick- excused
Representative Margaret Long- excused
Representative L. Candy Ruff- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Lisa Montgomery, Revisor of Statutes Office
Betty Caruthers, Committee Secretary

Conferees appearing before the committee:

Ron Klataske, Audubon of Kansas
Suzan Barnes, Business Owner
Rose Bacon, Tallgrass Ranchers
Margy Stewart
Michael Stubbs, Economic Development Council
Steve Swaffer, Kansas Farm Bureau
Mike Reece, Kansas Wind Coalition
Mike Beam, Kansas Livestock Association
Mark Smith
Brent Weinland, Howard Wilson Trust
Mike Hayden, Secretary, Kansas Department of Wildlife & Parks
Dan ward, Kansas Wildlife Federation

Others attending:

See attached list.

Moved by Representative Hayzlett, seconded by Representative Grange for approval of Minutes of the House Committee on Wildlife, Parks and Tourism held on February 14, 2005 be approved.

Motion carried.

Chairman Myers recognized Dan Ward to present an amendment for **HB 2253** as follow up from Dan Ward and Dave Debenham, KC DAA, meeting together to:

1. Strike section on diversions
2. Sec. 3 paragraph 2 - third conviction be a class B non-person misdemeanor and fourth be a Class A non-person misdemeanor
3. Deletion of word 'or' replacing with 'and' as well as eliminating the words 'or both'
4. In statues 32-1002, 33-1003, and 32-1013 amend language that for the second conviction that it becomes a Class B non-person misdemeanor and the third becomes a Class A non-person misdemeanor. (Attachment 1)

Chairman Myers recognized Michael White of the Kansas County District Attorneys Association who stated they support the removal of a diversion paragraph submitted and that they will provide training to County attorneys on Wildlife laws. They also want to be informed of any County Attorney who may be too lenient with diversions and stated that they also would support increasing penalties.

Representative Oharah moved that **HB 2253** be passed as amended giving the Revisor some latitude on wording since she did not write the amendment. Seconded by Representative Mah.

Motion carried.

CONTINUATION SHEET

MINUTES OF THE House Wildlife, Parks and Tourism Committee at 3:30 P.M. on February 16, 2005 in Room 241-N of the Capitol.

Chairman Myers recognized Representative Oharah to present an amendment. His recommended changes included:

1. Page 3 lines 3, 8, & 13 in addition to the fine payment of restitution to the incarcerating facility of \$1,000
2. Line 8 same except fee \$2,000
3. Line 13 same except fee \$2,000
4. Also Revisor has latitude on language

Representative Ohara moved that the amendment be accepted. No second.

Motion failed.

Representative Flaharty moved to pass out **HB 2253** as amended favorably for passage. Representative Swenson seconded.

Motion carried.

Chairman Myers requested Representative Ohara to carry the bill.

Chairman Myers opened hearings on **HR 6016 - Resolution urging the Kansas congressional delegation to sponsor the Flint Hills National Heritage Area.**

Chairman Myers recognized proponents of **HR 6016** for testimony. All proponents of the bill followed the same general theme of protecting and preserving the beauty and peacefulness of the Flint Hills.

The following people testified:

- Ron Klataske (Attachment 2)
- Suzan Barnes (Attachment 3)
- Rose Bacon (Attachment 4)
- Margy Stewart (Attachment 5)
- Michael Stubbs (Attachment 6)

Written testimony only was submitted by the following:

- Dick Carter (Attachment 7)
- Thomas & Judith Schmitt, Susan & Mit Winter, Patricia King, Larry Patton, Jerry & Sue Ludwig, Darlene Wilds, Richard Dawson, Jacque Sundgren, Deborah Divine, Anne Wilson, Kim Casebeer, Pete & Sue Cohen, and Lori Nelson (Attachment 8)

Chairman Myers recognized opponents of **HR 6016**.

Chairman Myers recognized Steve Swaffer who expressed concerns that any plan should come from residents and local governing bodies in those affected areas and that any plan should not place any restrictions on the rights of private property owners. (Attachment 9)

Chairman Myers recognized Mike Reece who presented concerns as to the kinds of protections which might be built into the Flint Hills National Heritage Area that would impact how the land could be used. (Attachment 10)

Hearings on **HR 6016** were closed.

Chairman Myers asked the Revisor, Lisa Montgomery to incorporate the amendments brought forth by Mr. Klataske. The Committee would then work **HR 6016** on Monday, February 21.

Hearings were opened for **HB 2459 - Transfer of antelope permit by landowner or tenant to resident or nonresident.**

CONTINUATION SHEET

MINUTES OF THE House Wildlife, Parks and Tourism Committee at 3:30 P.M. on February 16, 2005 in Room 241-N of the Capitol.

Chairman Myers recognized Mike Beam to testify as a proponent for the bill. (Attachment #11)

Other proponents appeared before the Committee to testify on this bill.

They include:

Mark Smith (Attachment #12)

Steve Swaffer (Attachment #13)

Brent Weinland (Attachment #14)

Chairman Myers recognized Secretary Mike Hayden to testify as an opponent to **HB 2459**. His concern was that by this Legislation half of the antelope permits would be delegated to non-residents who have not been on any waiting list rather than to Kansans who have been on a waiting list for years. Secretary Hayden sees a solution being for non-residents in the area of archery. (Attachment #15)

Chairman Myers recognized Dan Ward who compared this bill to difficulties seen with the current system the State has for deer permits and did not want to go down the same path. (Attachment #16)

Written testimony only was submitted by Paul Babcock. (Attachment #17)

Hearings on **HR 6016** were closed.

Chairman Myers adjourned the Committee at 5:10.

Next meeting scheduled for Monday, February 21.