

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Robert Tyson at 8:07 a.m. on March 19, 2004 in Room 423-S of the Capitol.

Members present:

Senator Christine Downey- excused
Senator Derek Schmidt- excused
Senator Dwayne Umbarger- excused
Senator Janis Lee- excused
Senator Mark Taddiken- excused
Senator Phil Journey- excused
Senator Robert Tyson- excused
Senator Tim Huelskamp- excused

Committee staff present:

Raney Gilliland, Legislative Research Department
Lisa Montgomery, Office of Revisor of Statutes
Linda Bradley, Committee Secretary

Conferees appearing before the committee:

Others attending:

See Attached List.
Christopher J. Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks
Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau

Chairman Tyson called the meeting to order.

Hearing on House Bill 2653

HB 2653 is concerning wildlife and parks; relating to commercialization of wildlife.

Christopher J. Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, a proponent, stated **HB 2653** as amended would update the fish and mussel valuation process for illegally commercialized wildlife. The provisions for this bill would take effect July 1, 2004. (Attachment 1)

Chairman Tyson asked if the Committee had any questions. Senator Lee asked who's amendment was this, who's buffalo herd and how old are the buffalo?

Senator Downey made a motion to amend and remove new Section 2 from the bill and Senator Taddiken seconded the motion.

Chairman Tyson asked if there were any discussion and there was none. Chairman Tyson asked for a voice vote, all Senators voted yes, but Senator Lee voted no, and wanted it so recorded.

Back on the bill and Chairman Tyson discussed the developer's partnership with local entity and supplying buffalo to local entity. Land managers take care of the buffalo herd. Senator Umbarger stated a buffalo herd was for the public to see and enjoy and to accommodate Representative Grant and Senator Barone.

Senator Umbarger made a motion to pass **HB 2653** as amended and Senator Downey seconded the motion and the bill past favorably out of Committee.

Hearing on Senate Bill 561

SB 561 is concerning deer; relating to a landowner deer management program.

Christopher J. Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, a proponent, stated **SB 561** would allow the Department to conduct beginning in 2005 a pilot landowner deer management program. Earlier this session, the Department provided this Committee with a report

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:07 a.m. on March 19, 2004 in Room 423-S of the Capitol.

regarding such a program and as a result is seeking legislation to conduct a pilot program to determine its feasibility in Kansas. The provisions of this bill would be effective on July 1, 2004. (Attachment 2)

The Chairman asked the Committee if there were questions. Senators Lee and Huelskamp asked a range of questions such as amount of acreage we're looking at and has it been discussed with landowners regarding property?

Steve M. Swaffar, Director Natural Resources, Kansas Farm Bureau, a proponent, stated deer management, deer hunting and the economic benefits derived from the industry have been an often-debated topic in this committee and the full legislature. Clearly the Kansas deer hunting industry has matured as an economic opportunity for landowners and a trophy opportunity for hunters. **SB 561** gives this committee the chance to improve the economics for landowners and the chance for hunters to harvest trophy deer in Kansas. (Attachment 3)

Senator Huelskamp made the motion to pass the bill out favorably. Senator Umbarger seconded the motion and the motion passed.

Chairman Tyson asked for a short discussion regarding Bow Hunting. Secretary Hayden stated an interim committee was to vent the pros and cons and then go with a policy. The Secretary stated the Kansas Bow Association is organized very well and there are no bow hunters on the Commission. Those serving on the Commission are Doug Sebelius of Atchison, Sherry Wilson of Kansas, Kelly Johns of Wichita and Laurie Hall of Salina.

Action on Senate Bill 2583

SB 2583 is concerning certain recreational trails.

Chairman Tyson showed some slides of pictures he took on an hour long drive along the Herington-Oklahoma trail. The pictures showed right-of-way pasture overgrown with weeds, piled up rock, intersection ties sticking-up and seven barrels rusting out. The Herington-Oklahoma trail goes on in that condition for 150 miles along the right-of-way.

There was discussion on **SB 2583**.

Proponents and opponents like this bill, the original bill, stated Chairman Tyson and should be amended back like it was.

Senator Journey explained quit claim for the Committee. Senator Lee asked that Page 7, Line 5 be explained. Senator Journey stated that this leaves the district court with discretion. The Judges can do what they like. The rails and trails groups have the duty to be good neighbors and to keep the trails clean and well cared for. Senator Lee stated having a time table set by the courts to clean up rails and trails. Chairman Tyson said the requirement is two years per county to complete clean up of obnoxious weeds, down fences and maintenance. These are good laws but some will not comply.

Mr. Tymeson stated to strike all of Page 5 and 6 and top of Page 7, Line 1. (Attachment 4)

Chairman Tyson suggested removing Section C from Page 7. Senator Journey made a motion to amend the bill by removing Section C from Page 7. Senator Taddiken seconded the motion and the motion passed. Senator Huelskamp made a motion to adopt balloon with the changes. Senator Journey seconded the motion and the motion passed.

Senator Umbarger suggested having an on going debate on the bill and work on bringing parties together to get along. He stated to take it to an interim committee. Chairman Tyson said there is hard feelings and it is continuous. The two sides have a hard time coming together. Senator Journey said someone needs to be put in as an arbitrator. Senator Huelskamp stated this is the first time adjacent landowners have an opportunity to move forward.

Senator Huelskamp made a motion to pass out **HB 2583** with the changes. Senator Journey seconded the

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:07 a.m. on March 19, 2004 in Room 423-S of the Capitol.

motion and the motion passed out of Committee.

Chairman Tyson thanked all members of the Committee and Staff for their hard work this year.

Adjournment

The meeting adjourned at 9:01 p.m.

No further meetings for the 2004 Session.