

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 21, 2005 in Room 241-N of the Capitol.

All members were present except:

Representative Broderick Henderson- excused
Representative L. Candy Ruff- excused
Representative Clark Shultz- 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
Christopher Tymeson, Kansas Department of Wildlife & Parks
Keaton Kelso, K & K Outfitters
Ken Corbet, Ravenwood Hunters
Wes Tral, Kansas Sport Hunting Association

Others attending:

See attached list.

Moved by Representative Flaharty, seconded by Representative Kilpatrick for approval of Minutes of the House Committee on Wildlife, Parks and Tourism held on February 16, 2005 be approved.

Motion carried.

Chairman Myers recognized Revisor, Lisa Montgomery to present an amendment for **HR 6016**. (Attachment #1)

Representative Mah stated that she has received numerous e-mails from people in favor of this resolution believing that this will "save the Flint Hills."

Representative Morrison asked about the landowners and whether or not this resolution in any way curtails the usage of their land.

Ron Klataske stated that this resolution will not have any impact, favorably or unfavorably, on the wind power development.

Representative Ohara brought up the concern of any counties or communities who may not want to do this.

Chairman Myers requested that our Research Department fully investigate what might be involved as far as private property rights. Chairman Myers expressed concern that we not tread on someone's property rights, and therefore we will come back next year to hear the findings of the Research Department.

Chairman Myers announced that **HR 6016** will be carried over until next year.

Chairman Myers recognized Revisor, Lisa Montgomery to present 3 amendments regarding **HB 2253**. The first amendment is in regards to the recommendations by the Department of Wildlife & Parks. (Attachment #2) **HB 2253** was passed favorably out of the Committee on 2/16/05 but there was an amendment that dealt with the Wildlife & Parks Statutes dealing with their violations which had to be amended. The Committee worked the bill initially without amending the bill with the balloon.

Amendment #2 was then reviewed which involved amending some Statutes. They had been added to **HB 2253** but were different when realizing what was actually being requested in the beginning. (Attachment #3)

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Amendment #3 was then reviewed which included recommendations from both amendment #1 and amendment #2. (Attachment #4)

Representative Flaharty moved to reconsider **HB 2253**, seconded by Representative Swenson.

Motion carried.

Representative Flaharty moved to amend **HB 2253** with balloon #3, seconded by Representative Long.

Motion carried.

Representative Swenson moved to pass **HB 2253** favorably as amended, seconded by Representative Flaharty.

Motion carried. Representative Weber requested her vote of no be recorded.

Chairman Myers asked Representative Grange to carry the bill.

Chairman Myers reviewed Proponents and Opponents for **HB 2459**. Chris Tymeson noted that much of this follows along the same lines as deer management. Representative Flaharty moved to table **HB 2459**, seconded by Representative Swenson.

Motion carried.

Chairman Myers opened hearings on **HB 2466 - Repealing the requirement for permits to offer commercial guide services.**

Chairman Myers recognized Revisor, Lisa Montgomery to give a briefing of the bill. A copy of the Statutes that would be repealed by this bill was distributed. (Attachment #5) It does repeal the State's authority to issue commercial guide service permits.

Chairman Myers recognized Chris Tymeson who spoke from a neutral position of the Kansas Department of Wildlife & Parks on this bill. (Attachment #6) With this bill they would no longer be regulating commercial guides. Provisions of the bill would be effective July 1, 2005. Mr. Tymeson suggested an amendment making the effective date for this bill January 1, 2006 rather than the middle of the year.

Chairman Myers recognized proponents of **HB 2466** for testimony.

Keaton Kelso is an Outfitter in 4 states and Kansas is the only state in which he needs a license. His concern is the people who are practicing without going through the process of getting licensed. He believes we have a process of regulating the law abiding citizens who are trying to guide rather than dealing with those who are not guiding with a license. He also expressed concerns regarding some of the Guide Regulations. (Attachment #7)

Chairman Myers recognized Ken Corbet who feels that repealing the present Statutes would be a positive thing. (Attachment #8)

Chairman Myers recognized Wes Tral who has chosen other nearby states for his business due to present licensing requirements in Kansas. He would like to see this changed in order to build businesses here in Kansas. (Attachment #9)

Hearings on **HB 2466** were closed.

Chairman Myers called for Final Action on **HB 2466**.

Representative Mah moved that **HB 2466** be passed favorably, seconded by Representative Holmes.

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Motion withdrawn.

Representative Mah moved to amend **HB 2466** to change the effective date to January 1, 2006, seconded by Representative Holmes.

Motion carried.

Representative Mah moved to pass **HB 2466** favorably as amended, seconded by Representative Ohara.

Motion carried.

Chairman Myers asked Representative Ohara to carry the bill.

Chairman Myers adjourned the Committee at 5:15.

Next meeting scheduled for Wednesday, March 2, 2005.