

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources

The meeting was called to order by Senator Charlie L. Angell at
Chairperson

8:00 a.m. ~~pm~~ on Wednesday, February 9, 1983 in room 123-S of the Capitol.

All members were present except:
Senator Paul Hess
Senator Tom Rehorn (Excused)

Committee staff present:
Ramon Powers, Research Department
Don Hayward, Revisor's Office
LaVonne Mumert, Secretary to the Committee

Conferees appearing before the committee:
Bill Hanzlick, Fish and Game Commission
Ted Cunningham, Kansas Outdoors Unlimited

The minutes of the February 8, 1983 meeting were approved.

Senator Gordon told the Committee there is a problem with 10,000 to 15,000 geese coming over at night from Missouri and eating farmers crops. Chairman Angell appointed a subcommittee to make a recommendation in this regard: Senator Gordon (Chairman), Senator Kerr and Senator Gannon.

S.B. 147 - Forfeiture of hunting license for violation of big game laws.

Bill Hanzlick explained that this bill would provide a legal deterrent for big game violators. The statutes now provide that a license can be revoked only for the remaining period of validity. This bill would provide for loss of hunting privileges for one year for first convictions and two years for subsequent convictions. Mr. Hanzlick said they would like a provision in the bill to increase the two year revocation up to and including lifetime, subject to the discretion of the court.

Ted Cunningham testified in favor of the bill. He pointed out this bill would not deter the habitual poacher but will take care of the once or twice in a lifetime poacher.

S.B. 149 - Restrictions on pursuit of wounded game birds or animals.

Bill Hanzlick testified that the present trespass statutes now allow for the pursuit of wounded game on adjoining land without permission. He said this has been abused. This bill would allow only one person from a hunting party to pursue wounded game. Mr. Hanzlick stated that the bill is an attempt to improve relations between hunters and landowners.

Ted Cunningham testified in opposition to the bill. He said they have no quarrel with what Fish and Game is trying to do, but they do not agree that there is a need for the bill. He said they feel landowners will be just as upset with one person on their land as they would be with five or six. Mr. Cunningham went on to say he feels this bill would encourage leaving wounded or dead game because people are not going to want to make the remainder of the hunting party wait while an individual pursues the game. He suggested that the bill be amended to provide that the entire hunting party may pursue wounded game but only one fire-arm can be taken. Mr. Cunningham emphasized he feels this bill is a case of limiting good hunters who use good ethics and will not deter actual trespassers.

S.B. 150 - Appearance bonds for fish and game violations.

Bill Hanzlick testified this bill would allow for a wider variety of violations. Presently the law enforcement officer must transport a violator to a county jail. In addition, it is possible for some out-of-state violators to pay less than Kansas residents because non-residents sometimes just forfeit their bond. This bill would also provide that the violator could be bonded at the nearest post office.

Ted Cunningham said they do not oppose the bill, but suggested perhaps a personal check should be allowed for posting bond.

Senator Kerr moved that S.B. 147 be reported favorably. Senator Werts seconded the motion, and the motion carried 6-3 with Senators Chaney, Gannon, Kerr, Roitz, Vidricksen and Werts

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources,
room 123-S, Statehouse, at 8:00 a.m./~~p.m.~~ on Wednesday, February 9, 1983.

voting in favor, and Senators Angell, Feleciano and Gordon voting against the bill.

Senator Feleciano made a conceptual motion that S.B. 149 be amended to allow all members of a hunting party to pursue wounded game but that only one firearm may be taken. Senator Kerr seconded the motion, and the motion carried. Senator Feleciano moved that the bill be reported favorably, as amended, for passage. Senator Gannon seconded the motion, and the motion carried 9-0.

Senator Chaney moved that S.B. 150 be amended to provide that personal checks of Kansas residents may be used for bonding purposes. Senator Werts seconded the motion, and the motion carried. Senator Chaney moved that the bill be reported favorably, as amended, for passage. Senator Werts seconded the motion, and the motion carried 8-0.

The meeting was adjourned at 9:00 a.m. by the Chairman.

The next meeting of the Committee will be at 8:00 a.m. on February 10, 1983.

Senate Energy & Natural Resources

Feb. 9, 1983

<u>Name</u>	<u>Organization</u>
Kent Jackson	Fish & Game
Bill Hanzlits	"
Mike Beam	KLA
John Blythe	KFB
Ted Cunningham	Kansas Outdoors Unlimited, Inc