

Approved 3/12/84
Date

Sub-
MINUTES OF THE House COMMITTEE ON Natural Resources

The meeting was called to order by Representative Ron Fox, Vice-Chairman at
Chairperson

8:10 ~~a.m.~~/p.m. on February 28,, 1984 in room 619-S of the Capitol.

All members were present except: Representatives Barr, Walker, Kent Ott and Runnels.

Committee staff present:

Theresa Kiernan, Revisor of Statutes' Office
Raney Gilliland, Legislative Research
Pam Somerville, Committee Secretary

Conferees appearing before the committee:

Representative Ardena Matlack
Richard Evans, Young Hunter Safety, Inc.
Dick Huffman, Young Hunter Safety, Inc.

The meeting was called to order by Vice-Chairman Fox at 8:10 a.m. to hold a hearing on HB 2771.

Representative Ardena Matlack briefed the committee on HB 2771. HB 2771 provides that hunters of pheasant and quail wear hats and vests (200 inches minimum on upper portion of body) of red or orange color. She cited the history of the Young Hunter Safety program in Kansas and stated that there were approximately 3300 volunteers across the state contributing 250 hours per person per year. The total amount of hours spent on young hunter safety was approximately 650,000. Representative Matlack said that in her home county of Sedgwick, 12 hours were administered to the hunters and, one weekend per year approximately 1,000 youths participated in the hunter safety class.


In closing, she asked the subcommittee to consider adding an amendment in line 22 to delete the word "and" and insert "or".

Richard Evans, Young Hunter Safety, Inc., appeared before the committee in support of HB 2771. Mr. Evans stated the hats and vests of the required color would significantly decrease the amount of accidents occurring each year during hunting season. During the 1982-83 hunting season, there were 89 hunting accidents, 62 of which were pheasant or quail related, in terms of the species involved. (See Attachment 1).

Dick Huffman, Young Hunter Safety, Inc., also testified in favor of HB 2771 and reiterated Mr. Evans' remarks. He further stated that the red-orange vests in question could be purchased at a very nominal cost (49¢ to \$1.98). A brief question and answer period followed each presentation.

There being no further business before the committee, the meeting was adjourned at 8:25 a.m.

The next scheduled meeting of the House Natural Resources Subcommittee will be at 8:00 a.m., March 1, 1984 in Room 529-S.


David J. Heinemann, Chairman

Date 6-28-84

GUESTS

HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE

B.W. [unclear]

NAME	ADDRESS	ORGANIZATION
Mary Handley	4434 S Cherry Wichita, Ks	K-YHS
Dick Hoffman	1539 E. Central Topeka, Ks	Young United S. Co.
RICHARD P DAVIS	OSAGE City, Ks.	COUNTY TREAS.
Virginia Reuther	Linden, Ks.	County Club
Pete Smith	Topeka, Ks.	Ks. Bowhunters Assn
Kent Jackson	Pratt, Ks.	Ks. Fish & Game
Ted Cunningham	WAMEGO, Ks	KANSAS Outdoor Council

Young Hunter Safety, Inc.
Richard G. Evans
S.O.S. Chairman
347 W. Benway
Wichita, Kansas 67217

House Energy and Resources Comm.
Rep. David Heiemann, Chairman
Hearing H.R. 2771

Dear Members of the Committee,

My name is Richard Evans - of Wichita, I have been a Kansas Fish And Game certified Hunter Safety Instructor since 1972 - and certified instructor in the new Kansas Furharqester Program. I hold National Rifle Assn. instructor ratings in rifle, pistol, shotgun and home safety. Serve as a N.R.A. Range Master at our Lake Afton Public Target Range. I teach my own course of archery, archery safety - Bowhunting and Bow Hunter Safety. Work as a member of our Kansas Survival Education Team (K-Set). President of Chisholm Trail Archers. I have held several offices over the past 10 years in our local organization of Hunter Safety Instructors; Young Hunter Safety, Inc. and am chairman of Y.H.S. - S.O.S. (Save Our Selves) Committee and hold offices in our Lake Afton Hunter Safety Clinic. I am a member of National Rifle Assn., Kansas State Rifle Assn., North American Assn. of Hunter Safety Coordinators., Fred Bear Archery Sports Club, and work with the National Shooting Sports Foundation.

I am an active, concerned outdoorsman and hope my peers consider me a sportman.

In Young Hunter Safety, we monitor each section of the students training, study student test results and casualty reports to up grade our training with new methods and training aids - By using these studies we are able to improve our program to allow the student to comprehend better and retain more of the Kansas Safety Hunter Program.

Our Kansas Safe Hunter Education is recognized as one of the best in the North American continent. It maintains a "AAA" rating and has received several awards for it's excellence. We are proud of the program and it's awards, but our concern is with the students and results.

We suffer hunting accidents in Kansas - with most of our hunting sports accident free or at a bare minimum. We do not imply, that all hunting accidents are caused by safety trained hunters; but must admit that both trained and non-trained hunters do have accidents. The reason for accidents is usually "A lack of Hunter Safety knowledge - or the failure to apply it;" and in one area of hunting; other circumstances can cause any hunter to have an accident. In this specific type of hunting-we have certain types of accidents which result in a high rate of accidents. We have gone beyond the classroom with several projects in an effort to reduce these accidents. We know from test situations, experience and an analysis of the problems; that these accidents can be greatly reduced.

The efforts to achieve our goals in an educational and voluntary safety apparel program are costly and time consuming - with limited success. With an ineffective voluntary program-and accidents continuing year after year; we have turned to the State Legislature with H. R. 2771. The concept of this Bill was carefully studied- and designed to address a problem with an effective solution. We feel that this Bill is the only way to reduce our special high rate accidents, while it will also serve to cause an increased safety awareness and hunter use for an overall reduction in accidents.

Attachment 1
8:00 Am - 2-28-84

This Bill is designed to serve only where it is needed, without mandate for all hunters, where such regulation would be detrimental to the sport involved, and not justified by injuries incurred; if any. It is not easy to tell you we need this Bill for Pheasant and Quail hunters while we acknowledge - accidents in other game hunting. If you will; a line has been drawn at Pheasant and Quail accidents-especially for this Bill and it's solution, while a solution to other accidents may require something different.

Again - we believe the statistics point to the need for H. R. 2771 and it will serve to reduce all accidents as an extra benefit.

Of all hunting accidents there are 4 groups: by contributing factor, with approximately 24 types of accidents.

A. HUNTER JUDGEMENT

1. Victim out of sight of shooter
2. Victim covered by shooter swinging on game
3. Victim mistaken for game
4. Victim moved into line of fire

B. SAFETY OR LAW VIOLATION

1. Using firearm as club
2. Removing - or placing firearm in vehicle
3. Discharge firearm in vehicle
4. Improper crossing of an obstacle
5. Horseplay with loaded firearm
6. Insecure rest - firearm fell
7. Arrow not matched to bow
8. Using scope for binoculars

C. SKILL AND APTITUDE

1. Shooter stumbled and fell
2. Trigger caught on object
3. Loading firearm
4. Unloading firearm
5. Carrying nocked arrow
6. Stringing bow
7. Uncovered broadheads

D. MISCELLANEOUS

1. Ricochet
2. Defective firearm - or bow
3. Careless handling
4. Defective Ammo.
5. Cleaning firearm
6. Other/ Unknown

Of these Hunter Judgement result in the highest percentage of fatal and non-fatal accidents - The four types involved are called "Zone of Fire" accidents.

Zone of Fire accidents have a lot in common:

1. In Kansas they are prevalent and rank # 1, # 2, and # 4 in casualties.

(In 1983= 36 of 53 were zone accidents).

2. They occur in Nov. and Dec. (Bird Season). The majority opening weekend of the season. (In 1983 = 22 of 36 opening weekend -28 in Nov.).
3. Zone accidents involve Pheasant and Quail hunters using the shot gun.
(In 1983 = 36 injured within 0-50 yards).
4. Approximately 1/3 of Zone Accidents involve non-resident hunters. (In 1983 = 12 of 36 were non-residents)
5. Zone accidents happened because hunters wear clothing which blends with the fall colors of the field. This creates a situation where one must "look" for another, although they realize the general vicinity of each other. This camoflauge effect compounds with the shooter - who will focus his eyes on a flushed bird, aim down the sights of his shutgun, concentrate on the target, as he swings to follow the the flying bird - has lost contact with his companions - swinging into a position where the companion is in the line of fire.
6. Zone Accidents may increase with less game and decrease with an abundance.

(1982 = 24 zone of 36 total)

(1983 = 36 zone of 53 total)
7. Game involved in accidents:

1982 = of 36 accidents - 7 species involved

Pheasant and Quail ---- 26 injuries with 13 to 1 ratio.

Dove, Rabbit, Raccoon
P. Chicken, Squirrel -----10 injuries with 2 to 1 ratio.

1983 = Of 53 accidents - 9 species involved

Pheasant and Quail --- 36 injuries with 18 to 1 ratio.
Dove, Deer, Rabbit -----17 injuries with 2 3/7 to 1 ratio.
P. Dog Squirrel, Duck

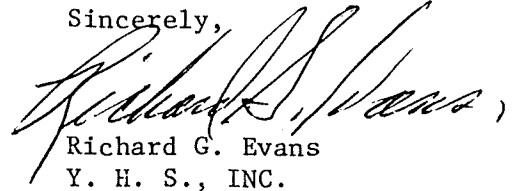
The solution to Zone of Fire Accidents is H. R. 2771. This Bill will overcome the major problem involved of hunters not being able to see each other due to the clothing worn, fall colors of field and concentration on the target. With the use of Safety Apparel, hunters will be readily visible to each other and such safety apparel can be detected "Out of the corner of your eye" or pififical vision - even as you aim - concentrate and swing on the target, although the Bill reads- Red - or Orange - color; The most available material (Hats-Jackets-Vests) are of daylight fluorescent orange - or Blaze Orange - which provides a luminance of 40%. (A mirror reflects 100% of light - fluorescent fabric luminates 40% of the available light) * Please see attached letter # 1.

Gentelmen, We hope you can help us in our effort to reduce hunting accidents - where this law is needed, without hampering those hunters - or sports where such regulation is not warranted. We are certain H. R. 2771 will prevent untold injuries in the future of our hunting sports - and it's color alone will remind hunters - to think safety.

The need for H. R. 2771 is as obvious as it's solution - Blaze Orange. We pray that the Kansas State Legislature will take positive action on this Bill.

Thank you for your consideration and interest in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard G. Evans".

Richard G. Evans
Y. H. S., INC.

Listing of support for H. R. 2771 - attached - letter of supporting evidence attached.

The following list of individuals, clubs and organizations Do support and endorse a bill to require Pheasant and Quail hunters to wear "blaze orange" as an effort to reduce hunting accidents.

Kansas Gov. John Carlin " will indeed receive careful review and attention."
Senator Paul Hess " I will keep your thoughts in mind"
Senator Edward Reilly Jr. "will give it every consideration"
Senator James Francisco "I will support it if not on a laundry list"
Senator Norman Gaar " I will support something along these lines."
Rep. Donna Whiteman " will be seriously considered"
Rep. W.Edgar Moore " Sounds like a good idea. I think I will vote for Rep. Matlack bill"

The Sheriffs of the following counties:

Atchison Co.
Cloud Co.
Harper Co.
Rooks Co.
Sedgwick Co.
Smith Co.
Trego Co.
Wichita Co.
Wilson Co.
Woodson Co.

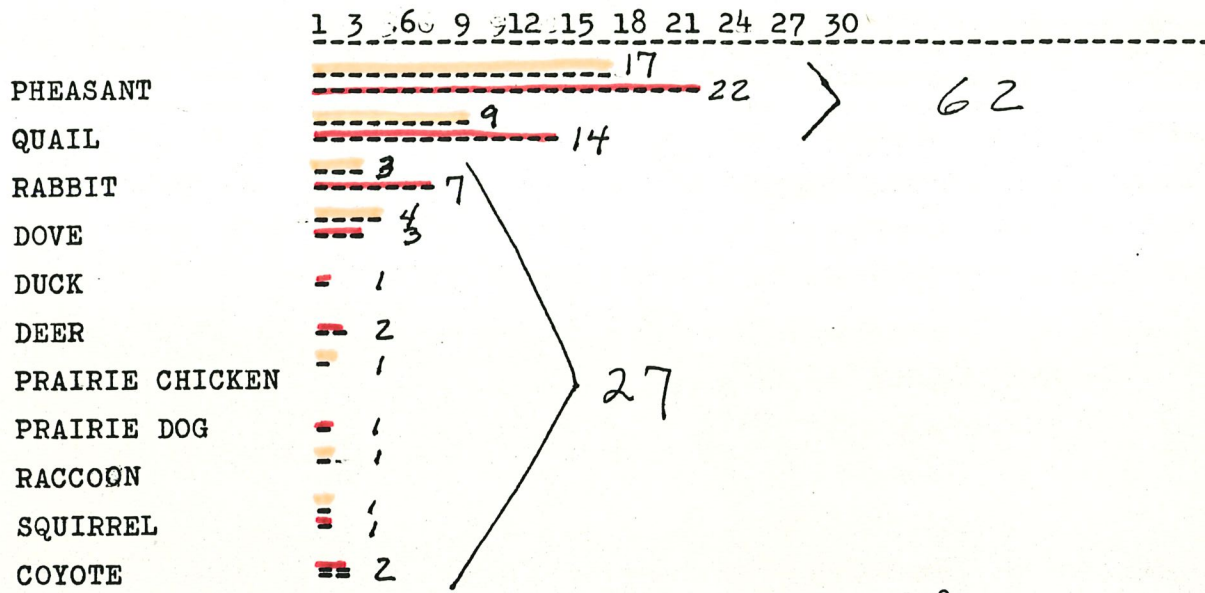
Crawford Co. Hunter Safety Inst. Assoc.	70
Chisholm Trail Archers	91
Delphos Rifle and Pistol Club	20
Kansas Air Nat'l Guard Pistol Team	12
Ninnescah Bowhunter Assoc.	150
Pittsburg Hunter Safety Inst. Assoc.	8
Roxbury Gun Club	37
Saline Co. Rod and Gun Club	200 approx.
Shawnee Co. Hunter Safety Inst. Assoc.	
Red Castle Gun Club	283
Young Hunter Safety, Inc.	265
Kansas Survival Education Team (K-Set)	14
Happy Hookers Fish'in Club	46
29 Individuals	29

1435

North American Assoc. Of Hunter Safety Coordinators / endorse concept , but can not support without copy of the bill.

GAME INVOLVED IN ACCIDENTS

1982
 1983



- ANTELOPE 0
- TURKEY 0
- ELK 0
- OPOSSUM 0
- FOX 0
- SKUNK 0
- BOBCAT 0
- BADGER 0
- BEAVER 0
- OTTER 0
- MUSKRAT 0
- FERRETT 0
- LYNX 0
- WEASEL 0
- MINK 0
- TEAL 0
- SNIPE 0
- RAIL 0
- GEESE 0
- HAWK 0
- OWL 0
- WOODCOCK 0
- CROW 0
- SNAKE 0
- NON-GAME BIRDS 0
- WILD / STRAY 0
- DOG - CAT 0

1983
RATIO of accident to specie
 PHEASANT > 36 injuries 18 to 1 ratio
 QUAIL >
 DOVE >
 DEER >
 RABBIT >
 PRAIRIE DOG > 17 injuries 2 3/7 to 1 ratio
 SQUIRREL >
 DUCK >

INJURIES PER TYPE OF ACCIDENT

1982 ---
1983 ---

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20		
HUNTER JUDGEMENT Zone of Fire																						
Victim covered by shooter swinging on game											11											
Victim out of sight of shooter											10	12										
Victim moved into line of fire				3																		
SAFETY or LAW VIOLATION																						
Carrying loaded firearm in vehicle				3																		
Carrying firearm with safety off			1																			
Resting muzzle on foot			1																			
Leaning on muzzle			1																			
Crossing obstacle			1																			
Clubbing bird w/gun butt			1																			
SKILL & APTITUDE																						
Stumbled and fell			1																			
Loading firearm			1																			
Unloading firearm			1																			
Dropped firearm			1																			
MISC.																						
Ricochet			1																			
Faulty firearm			1																			
Dog stepped on firearm			1																			

20
24-82
30-83
60
7-82
17-10-83
3-82
6-3-83
2-82
6-4-83

Article from the January/February 1984 issue of Kansas Wildlife magazine, official publication of the Kansas Fish & Game Comm.

Hunter orange facts

Hunter orange clothing has now been available for about 20 years and has been accepted by most bird shooters and big game hunters. Yet some gunners are still skeptical of its benefit. If you're in this minority category, these findings should change your mind.

It's a fact that fluorescent orange is the brightest, most easily recognized color against a natural background. Hunter orange is the only satisfactory color for hunters to wear under all weather and light conditions.

Almost 10 percent of all hunters have color vision deficiencies. Red clothing, for example, is no longer recommended because this hue won't be recognized by hunters who cannot distinguish color properly, and it becomes difficult to see in poor light.

Accidents in which the victim was mistaken for game rank high on the list of hunting accidents. Yet states with mandatory hunter orange laws have had dramatic decreases in mistaken-for-game accidents. There is no question that these sharp reductions are a result of hunter orange clothing.

Hunter success has not been affected in those states with mandatory hunter orange regulations. Yet, hunter orange clothing is a tremendous aid in helping sportsmen maintain visual contact with one another, particularly when moving through dense cover or woods. Experienced hunters are aware that, unless they know the location of their partners at all times, they cannot determine their safe zone of fire. They

appreciate the value of fluorescent orange in helping everyone keep track of each other while in the field.

Hunter orange has been defined as fluorescent orange with a dominant wave length of 595-605 nm (a measure of light intensity), a purity of not less than 85 percent, and a luminance factor of not less than 40 percent. Clothing not meeting these standards is less effective. Hunter orange garments that have faded should be replaced.

Thirty-four states and Canadian provinces have instituted mandatory hunter orange regulations. *National Shooting Sports Foundation*