

Approved JANUARY 30, 1985
Date

MINUTES OF THE Joint COMMITTEE ON Energy and Natural Resources.

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~8.55~~ p.m. on January 22, 1985 in room 313-S of the Capitol.

All members were present except:

Senator Ben Vidricksen - Excused

Committee staff present:

Ramon Powers - Research Department

Don Hayward - Revisor's Office

Nancy Jones - Secretary

Conferees appearing before the committee:

Joseph F. Harkins, Director, Kansas Water Office

David Pope, Chief Engineer-Director, Division of Water Resources,
Kansas State Board of Agriculture

Meeting called to order by Representative Ron Fox.

At the request of the Fish and Game Commission, Senator Werts presented two bill drafts to the Senate Committee regarding designation of game protectors as wildlife conservation officers and establishing an elk hunting fee. Motion was made by Senator Feleciano that the bills be introduced. Senator Hayden seconded the motion and the motion carried.
(Attachments 1 and 2).

Minutes of the meeting as drafted by the House Committee are attached.

SENATE BILL NO. _____

By Committee on Energy and Natural Resources

AN ACT relating to fish and game; designating game protectors as wildlife conservation officers; amending K.S.A. 74-3302b and K.S.A. 1984 Supp. 74-3302 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1984 Supp. 74-3302 is hereby amended to read as follows: 74-3302. (a) The Kansas fish and game commission shall appoint and employ a director of the fish and game commission who shall continue in office at the pleasure of the commission and who shall be in the unclassified service and shall receive an annual salary to be fixed by the governor, payable monthly, and necessary and actual traveling expenses. The director shall be selected based on training, experience, fitness and knowledge of the duties to be performed by the director, and the director shall have some education or training in fish and wildlife biology or equivalent experience. The director, with the approval of the commission, shall appoint such assistants and employees as may be necessary to carry out the provisions of this act or of any laws of the state affecting the powers and duties of the commission, all of whom, with the exception of the chief legal counsel, shall be in the classified service under the Kansas civil service act. Each employee in each classified position shall attain permanent status in a classified position without examination and without a probationary period. Civil service classification procedure shall be followed in allocating positions to classes. Classes of positions and salary ranges shall be established as provided in the Kansas civil service act. The number thereof shall be subject to the approval of the commission.

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ATTACHMENT 1

(b) The commission hereby created shall adopt such rules and regulations not inconsistent with the laws governing its organization and procedure and the administration of the provisions of this act as may be deemed expedient. The commission may also adopt and enforce reasonable rules and regulations concerning the use and occupancy of land and property under its control, may provide and develop facilities for outdoor recreation, may conduct such investigations as it may deem necessary for the proper administration of this act, and on behalf of the people of the state the commission may accept gifts and grants of land and other property and shall have the authority to buy, sell and exchange or condemn land or other property for any of the purposes contemplated by this act. The commission shall adopt such rules and regulations for the protection of lands and property under its control against wrongful use or occupancy as will insure the carrying out of the intent of this act or to protect the same from depredation or to preserve such lands and property from molestations, spoliation, destruction or any other improper use thereof.

(c) The director, by and with the consent and approval of the commission, shall organize a game--protection wildlife conservation service and employ game--protectors wildlife conservation officers. The director, with the approval of the commission, may appoint permanent officers and employees of the commission as deputy game--protectors wildlife conservation officers to assist the game--protection wildlife conservation service in a manner determined by the director. All deputy game protector wildlife conservation officer appointments shall be on a voluntary basis and shall expire on December 31 following the date of any such appointment. The commission shall provide a minimum of 40 hours' internal law enforcement training prior to certification of deputy game--protectors wildlife conservation officers. State game-protectors wildlife conservation officers, deputy game--protectors wildlife conservation officers, sheriffs and deputy sheriffs shall have the power and authority: (1) To

enforce all the laws of the state relating to state parks, recreational and game management areas, game, fish, furbearers, wild birds and wild animals and the rules and regulations of the Kansas fish and game commission relative thereto; (2) to serve warrants and subpoenas issued for the examination, investigation or trial of all offenses against the laws and regulations relating to game, fish, furbearers, wild birds and animals; and (3) to carry firearms or weapons concealed or otherwise, in the performance of their duties but only if the person has completed the required course of instruction for law enforcement officers at the law enforcement training center.

Sec. 2. K.S.A. 74-3302b is hereby amended to read as follows: 74-3302b. Whenever, in any existing law of the state ~~heretofore--made~~, reference is made to state game warden, said such reference shall be deemed to be made to the director of the ~~forestry~~, Kansas fish and game commission. Whenever, in any existing law of the state ~~heretofore--made~~, reference is made to deputy game wardens or deputy game protectors, the same shall be deemed to be made to the ~~game--protectors--of--the--forestry~~, wildlife conservation officers or deputy wildlife conservation officers of the Kansas fish and game commission. Whenever, in any existing law of the state ~~heretofore--made~~, reference is made to county game wardens, said such reference shall be deemed to be made to county game protectors.

Sec. 3. K.S.A. 3302b and K.S.A. 1984 Supp. 74-3302 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

SENATE BILL NO. _____

By Committee on Energy and Natural Resources

AN ACT relating to fish and game; establishing an elk hunting fee; amending K.S.A. 1984 Supp. 32-164b and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1984 Supp. 32-164b is hereby amended to read as follows: 32-164b. (a) Except as provided in subsection (b), the Kansas fish and game commission is authorized to adopt rules and regulations fixing the amount of fees for the following items subject to the following limitations and subject to the requirement that no such rules and regulations shall be adopted as temporary rules and regulations:

Resident hunting license -- not less than \$5 nor more than	\$10
Nonresident hunting license -- not less than \$25 nor more than	50
Resident fishing license -- not less than \$5 nor more than	10
Nonresident fishing license -- not less than \$15 nor more than	30
Resident furharvester license -- not less than \$10 nor more than	15
Nonresident furharvester license -- not less than \$50 nor more than.....	400
Resident duplicate license or permit (hunting, fishing, furharvesting) -- not to exceed	3

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ATTACHMENT 2*

Nonresident duplicate license or permit (hunting, fishing, furharvesting) -- not to exceed	5
Resident fur dealer license -- not less than \$50 nor more than	200
Combination resident hunting and fishing license -- not less than \$10 nor more than	20
Nonresident fur dealer license -- not less than \$50 nor more than	400
Controlled shooting area hunting license -- not less than \$5 nor more than (to be same as resident hunting license)	10
Resident mussel fishing license -- not less than \$25 nor more than	200
Nonresident mussel fishing license -- not less than \$50 nor more than	400
Game breeders permit -- not less than \$2 nor more than	15
Live rabbit trapping permit -- not to exceed	15
Rabbit shipping permit -- not less than \$25 nor more than	200
Collecting for scientific and exhibition permit -- not to exceed	10
Disabled persons vehicle permit (lifetime) -- not to exceed	5
Deer hunting permit -- not less than \$15 nor more than	30
Antelope hunting permit -- not less than \$15 nor more than	50

Turkey hunting permit -- not less than \$15 nor more than	30
<u>Elk hunting permit -- not less than \$25 nor more than</u>	<u>100</u>
Field trial permits (game birds) -- not less than \$10 nor more than	25
Field trial permits (fur-bearing animals) -- not less than \$10 nor more than	25
Commercial dog training permit -- not less than \$10 nor more than	25
Hound trainer-breeder running permit -- not less than \$10 nor more than	25
Water event permit -- not to exceed	50

(b) ~~For the calendar years 1983 and 1984, the fee for a resident furharvester license shall be \$15 and the fee for a nonresident furharvester license shall be \$250~~ 1985 and 1986, the fee for a landowner-tenant elk hunting permit shall be \$50 and the fee for a general resident elk hunting permit shall be \$75. The fee for a furharvester license for a resident citizen under 16 years of age shall be the amount equal to 1/2 of the fee prescribed by law or rule and regulation for a resident furharvester license.

Sec. 2. K.S.A. 1984 Supp. 32-164b is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

MINUTES OF THE JOINT COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~am~~/p.m. on January 22, 1985 in room 313-S of the Capitol.

All members were present except:

Representative Foster (excused)

Committee staff present:

Ramon Powers, Legislative Research
Theresa Kiernan, Revisor of Statutes' Office
Raney Gilliland, Legislative Research
Nancy Jones, Senate Committee Secretary
Betty Ellison, House Committee Secretary

Conferees appearing before the committee:

Joseph F. Harkins, Director, Kansas Water Office
David Pope, Chief Engineer-Director, Division of Water Resources,
Kansas State Board of Agriculture

In his opening remarks, Chairman Fox welcomed members of the Senate Committee on Energy and Natural Resources to this joint meeting for a briefing on the proposed State Water Plan. Senator Werts conducted some business of the Senate Committee.

The Chairman introduced Joseph Harkins, Director of the Kansas Water Office. Mr. Harkins noted that the proposed water plan emphasized water conservation, quality, management and project development. An outline of the briefing was provided to committee members. (Attachment 1) (Copies of the Final Draft of the Kansas Water Plan may be found in the Legislative Research Department or the Kansas Water Office.)

David Pope, Chief Engineer-Director of Water Resources, State Board of Agriculture, gave a presentation which explained the history and administration of water laws in Kansas. (Attachment 2)

Brief questions were taken following several segments of the briefing.

Chairman Fox indicated that the joint committee meetings were being taped (VCR) for the benefit of anyone who would like to view or review them. He noted that these would be available through his office, Room 523-S.

The meeting was adjourned at 5:10 p.m.

The next meeting of the Joint Energy and Natural Resources Committee will be held on January 23, 1985 at 3:30 p.m. in Room 313-S.