

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by SENATOR MERRILL WERTS at
Chairperson

8:00 ~~am~~/p.m. on February 19, 1985 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Ramon Powers - Research Department
Don Hayward - Revisor's Office
Nancy Jones - Committee Secretary

Conferees appearing before the committee:

Darrell Montei - Chief, Game Division, Fish & Game Commission
Lynn Burris, Director, Park and Resources Authority

Senator Feleciano moved that minutes of the February 12, 13 and 14 be approved as corrected. Senator Martin seconded and the motion carried.

SB 199 - Relating to the sale of State park permits

Senator Norvell, sponsor of SB 199, stated that the purpose of this bill was to make it clear that no annual temporary park and recreation motor vehicle permit would be required for the purpose of attending church service in a state park (Attachment A). Lynn Burris stated the agency would request that entrance to the park for the purpose of attending church services should be limited to 30 minutes to an hour before and after the service, in order to avoid administration problems with others wanting to use the park. A gate program was initiated last year for the purpose of improving revenues from permits sold, and there is a need for this exception to the requirement of a permit, if the program is to continue to work successfully. He estimates a fiscal note of approximately \$5000 in exempting those attending services at all state parks, of which there are now 20 where services are held during the summer months. In response to a question from Chairman Werts, Mr. Burris said administration of this could be handled with a temporary permit showing a time limitation on the permit and valid only in the vicinity of the services. He also suggested that rule and regulation authority could be an alternative to specific language in the statutes, thereby giving the Park and Resources Authority greater flexibility in accommodating the problem.

No opponents to SB 199 appeared.

SB 213 - Concerning deer hunting

Senator Karr presented the bill and explained an existing inequity in fee schedules in that landowner/tenants are not allowed a reduced fee for hunting deer, elk or antelope with a bow and arrow such as is allowed for firearm hunting. He further stated that landowners do extend their efforts to care for the wildlife in the state and the inequity of fees should be considered. Senator Martin suggested that the word "elk" should be stricken from the bill. Senator Karr has no objection.

Darrell Montei gave testimony supporting SB 213 as recent surveys show there is an increase in the percentage of landowners hunting with bow and arrow. Although there would be a reduction of approximately \$20,000 in fees collected, the Fish & Game Commission has no opposition to this bill.

Senator Martin made the motion to strike the word "elk" from the bill which would conceptually prohibit the hunting of elk, as the present herd size is only 36. Discussion followed regarding authority the Commission needs in order to manage effectively the elk herd by issuance of limited licenses and elimination of undesirable animals whenever necessary. An agreement is in existence among the US Forest Service, Cimmaron National Grassland Unit, Kansas Fish & Game and the Morton County Grazing Association as signatory

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 room 123-S, Statehouse, at 8:00 a.m./p.m. on FEBRUARY 19, 1985

parties, to limit the size of the herd as elk and cattle do not mix. Damage has occurred where alfalfa is planted due to the elk herd. A copy of this agreement was requested for committee members.

A vote on the motion to amend failed. A motion was made by Senator Vidricksen to recommend SB 213 favorably. Second by Senator Gordon and the motion carried.

SB - 199

Senator Vidricksen made a conceptual motion to amend the bill be extending the permit fee exemption period to one hour before, during and after church services in the affected state parks. Motion seconded by Senator Thiessen, and the motion carried.

Senator Vidricksen made a conceptual motion to amend by striking new language in Lines 69 through 72 and in sub section (b) (2) by adding language to give authority to issue special permits for attendance at religious services. Seconded by Senator Langworthy, and the motion carried.

Motion by Senator Vidricksen that SB 199 be recommended favorably as amended. Seconded by Senator Langworthy and the motion carried.

Meeting adjourned. The next meeting will be on February 20, 1985.

2-19-85

Guest List

REP. Phil Klano

Joe Nappello

Jerry Mann

Sabrina Wells

MaryAnn Bumgarner

Lynn Curris

Paul E. Fleener

DARRELL MONTEI

Sen Burke-wirth

State Park Authority

Kansas Farm Bureau

KS. FISH & GAME Comm.

SB 199 CONCERNS OUR STATE PARKS, AND RELATES TO THE SALE OF STATE PARK PERMITS.

ON PAGE 2, ~~OF~~ SB 199, IN LINES 69 THROUGH 72, CONTAINS THE THRUST OF THIS LEGISLATION.

SECTION 7, SAYS "NO ORIGINAL ANNUAL, OR TEMPORARY PARK AND RECREATION MOTOR VEHICLE PERMIT, SHALL BE REQUIRED BY THE AUTHORITY, FOR ANY PERSON, TO ENTER A STATE PARK, FOR THE PURPOSE OF ATTENDING, A BONA FIDE CHURCH SERVICE."

I HAVE INTRODUCED THIS BILL, DUE TO A PROBLEM, WHICH AROSE AT LAKE WILSON THIS LAST SUMMER. PEOPLE WHO WERE ATTENDING CHURCH SERVICE, ON SUNDAY MORNING, AT LAKE WILSON, WERE GIVEN A TICKET, FOR NOT PURCHASING A PARK PERMIT, BEFORE ATTENDING CHURCH.

I CALLED THE STATE PARK AND RESOURCES AUTHORITY, AND THEY ASKED THE GENTLEMAN WHO WAS HANDING OUT THESE TICKETS ON SUNDAY MORNING, TO PLEASE REFRAIN FROM DOING SO. THE PARK AUTHORITY, AT THAT TIME, AGREED THAT A PARK PERMIT SHOULD NOT BE REQUIRED, FOR ANY INDIVIDUAL TO ATTEND A CHURCH SERVICE, WHICH IS LOCATED WITHIN A STATE PARK.

SB 199 WOULD MAKE IT CLEAR, THAT NO ANNUAL, TEMPORARY PARK, OR RECREATIONAL MOTOR VEHICLE PERMIT, WOULD BE REQUIRED BY THE PARK AUTHORITY, FOR ANY PERSON TO ENTER A STATE PARK, FOR THE PURPOSE OF ATTENDING A BONA FIDE CHURCH SERVICE.

*S. ENR 2/19/85
Attachment A*