

Approved 4-4-90
Date

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources

The meeting was called to order by Senator Ross Doyen at
Chairperson

8:03 a.m./p.m. on March 28, 1990 in room 423-S of the Capitol

All members were present except: All members present.

Committee staff present:

Raney Gilliland, Legislative Research Department
Don Hayward, Revisor of Statutes
Pat Mah, Legislative Research Department
Lils McClaflin, Committee Secretary

Conferees appearing before the committee:

Representative Jack Lacey, District 2
Jerry Hazlett, Kansas Wildlife Federation
Darrell Montei, Kansas Department of Wildlife and Parks
Representative Jeff Freeman, District 17
Representative Elaine Wells, District 13

The Chairman opened the hearing on HB 2843 - concerning wildlife; requiring a permit to engage in certain commercial guide services relating to hunting and fishing activities. He called on Representative Lacey sponsor of the bill.

Representative Lacey presented written testimony in support of the bill (Attachment I).

Jerry Hazlett presented written testimony in support of the bill (Attachment II).

Darrell Montei gave testimony supporting HB 2843 (Attachment III). He responded to questions.

The hearing on HB 2843 was closed.

The Chairman called attention to an amendment to HB 2341, and Staff explained the amendment (Attachment IV), and answered questions regarding the amendment.

Senator Hayden moved the amendment be adopted. The motion was seconded by Senator Frahm. Motion Carried. A motion was made by Senator Yost that HB 2341 as amended be passed. The motion was seconded by Senator Lee. Motion carried.

A motion was made by Senator Martin that HB 2843 be passed. The motion was seconded by Senator Hayden. Motion carried.

The Chairman stated it had been recommended that HB 2353 which is now on the Senate Calendar could be re-referred to the Senate Energy and Natural Resources Committee and that it and HB 2985 be recommended for an interim study. Discussion followed regarding this recommendation. Senator Sallee moved that the committee recommend the bills for interim study. Senator Yost seconded the motion. Motion carried.

The Chairman called on Representative Freeman to testify on HB 2919 - concerning state parks; changing the name of Melvern State Park to Eisenhower Veterans Memorial State Park.

Representative Freeman and Representative Wells both spoke in support of HB 2919, and briefly responded to questions.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources,
room 423-S Statehouse, at 8:03 a.m.~~p.m.~~ on March 28, 1990

The hearing on HB 2919 was closed.

Senator Daniels moved to adopt the minutes of March 20 and 21, 1990. Senator Sallee seconded the motion. Motion carried.

The meeting adjourned at 9:00 a.m., and the next meeting will be March 29, 1990.

1990 SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

Date March 28, 1990

PLEASE PRINT

GUEST LIST

NAME

REPRESENTING

Robert C. Anderson

MidCont Oil & Gas

Dan Stevens

Texas Inc.

Charlene Stinard

Ks Natural Resource Council

Jerry Hazlett

Ks Wildlife Federation

Darrell Moutei

K. D. & P.

Jack Laemy

dieg

JACK LACEY
REPRESENTATIVE, SECOND DISTRICT
CHEROKEE, LABETTE, AND
MONTGOMERY COUNTIES
P.O. BOX 6
OSWEGO, KANSAS 67356



TOPEKA

HOUSE OF
REPRESENTATIVES

March 27, 1990

COMMITTEE ASSIGNMENTS
MEMBER: AGRICULTURE AND SMALL BUSINESS
ENERGY AND NATURAL RESOURCES
TRANSPORTATION

Testimony before Senate Energy and Natural Resources Committee
on H.B. 2843.

Chairman Doyen and members of the committee, H.B. 2843 will:

Establish a guide permit.

Anyone guiding others for commercial purposes would
need a permit.

Establish an associate guide permit.

Anyone working as a guide for a commercial guide would
need an associate guide permit.

Sets a fee structure for guide and associate guide permits.
Permit requirements would become effective January 1, 1991.
Application process would be established by the Department
of Wildlife and Parks.

Requires those guiding to have appropriate licenses and stamps.
Guides could not actually take fish and wildlife for others,
but can assist.

Provide service brochure for public information.

Allows permit exemptions:

Landowners on their own land.

Controlled shooting area operators on their CSA.

Those assisting with a department approved event.

*attachment I
ENR
3/28/90*

Need for Bill:

Management of wildlife is the responsibility of Wildlife and
Parks.

A growing non regulated business dealing with wildlife
resources.

Permitting will enhance:

Public confidence

User enjoyment

Recreation

Tourism

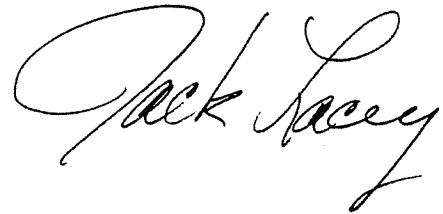
Knowledge of guides

Public safety

Public welfare

This bill is not intended to stop or even curtail commercial
guiding, in fact, it is intended to elevate the status of commercial
guiding, and promote tourism in a positive and business like manner.

I will be happy to stand for questions.

A handwritten signature in cursive script that reads "Jack Lacey". The signature is written in dark ink and is positioned to the right of the main text.

1-2
3/28/90

Kansas Wildlife Federation, Inc.

200 S.W. 30th, Suite 101 • P.O. Box 5715 • Topeka, KS 66605

TESTIMONY HB2843
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
PRESENTED BY Jerry R. Hazlett
MARCH 27, 1990

The Kansas Wildlife Federation is a not-for-profit, natural resource conservation and education organization. Our 8000 volunteer members join with the 10,000 Kansas members of our national affiliate organization, The National Wildlife Federation, to support the sound use, management and enjoyment of our vital air, water, soil and wildlife resources.

The Federation thanks you for this opportunity to testify in support of HB 2843.

In the 1960's and early 1970's, most of the Federal Reservoirs were constructed in Kansas. These reservoirs provided Kansans and non-residents with a new fishing experience - that of a larger lake, open-water fishing. This type of fishing led to new business opportunities such as bait and tackle dealers and marinas. This type of fishing, to be successful, also required more specialized fishing gear and greater knowledge of fish habits and the lake. Thus, guide services, for successful fishing on these waters, became a very attractive business venture, and these services continue to expand today.

At the present time Kansas has many good fishing guides that not only are interested in the profit to be made, but who are also interested in the fisheries resource and its wise management. However, there are a few guides who may be only interested in the quick and easy money and have no consideration for the resource or for the safety of, or the service to, the buyer. Unfortunately, the State has no regulatory process, thus little is known about the real status of fishing guides in Kansas.

We are now seeing hunting guide services develop throughout the State at an increasing rate. As with fishing, these guide services probably range from those who provide quality services and a positive resource ethic to those who exploit the resources for the quick dollar.

In its 1988 Annual Meeting, the KWF membership considered the issues surrounding the growing business of professional guiding in Kansas and passed a resolution calling for state regulation of guides. A copy of this resolution is attached.

attachment II
ENR
3/28/90

Resolution 1988-7

REGULATION OF GUIDES AND OUTFITTERS IN KANSAS

WHEREAS, some individuals in Kansas are providing services to hunters, fishermen, and other recreationists for pay and the number of these individuals is growing; and

WHEREAS, recreationists paying for such services deserve to receive quality service and freedom from unscrupulous guides and outfitters; and

WHEREAS, in many other states guides and outfitters are regulated for the benefit of natural resources, the public, the recreationists paying for such services, and the guide and outfitter business itself;

NOW, THEREFORE, BE IT RESOLVED that KWF, Inc. in annual meeting assembled on October 30, 1988, in Lawrence, Kansas, calls on the Kansas Legislature to pass a statute giving the Kansas Department of Wildlife and Parks authority to establish rules and fees to regulate the guiding and outfitting business in Kansas.

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3/28

H.B. 2843

Testimony Presented to the Senate Energy and
Natural Resources Committee

March 27, 1990

Provided by: Kansas Department of Wildlife and Parks

H.B. 2843 would create a commercial guide permit requirement for persons who provide hunting or fishing guide services for others on a commercial basis. Associate guides are defined and included. A permitting system is established and a fee structure for permits is created.

The Department supports H.B. 2843. A permitting system for commercial guides is used in most of the western states and to a lesser extent in the east. Commercial guiding is a growing business in Kansas and provides a valuable service both for residents and visitors to our state. Establishment of a state permitting system will enhance the credibility of those offering guide services and the confidence level of those engaging the services of a guide.

The Department receives many inquiries each year about where to hunt or fish in Kansas and how to best go about those activities. Many of these people inquire as to the availability of guides. A listing of licensed guides would be a valuable asset to help attract sportspersons and provide those people an enjoyable experience in our state.

Attachment III
ENR
3/28/90

Proposed Amendment to HB 2341 (As Amended by House Committee of the Whole

On page 1, in line 28, before the period by inserting "or the tenant of such owner who occupies such real estate"; after line 28, by inserting the following "(4) "Land of another" means all real estate other than that owned or leased by any governmental entity."; in line 39, after "land" by inserting "of another"

attachment IV
E+NR
3/28/90