

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Robert Tyson at 8:34 a.m. on February 8, 2002 in Room 423-S of the Capitol.

All members were present except: Senator Janis Lee - excused
Senator David Corbin - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Lisa Montgomery, Office of Revisor of Statutes
Deborah McIntire, Committee Secretary

Conferees appearing before the committee:
Clint Riley, Department of Wildlife and Parks
Keith R. Landis, Christian Science Committee on Publications for Kansas
Doyle Neimeyer, Park Manager of Toronto State Park
Bill Linde, Chairman, Woodson County Commission

Others attending: See attached list

The meeting was called to order by Chairman Robert Tyson. Chairman Tyson noted that the committee would be hearing **SB 430**, **SB 431**, and **SB 473**.

The first conferee and proponent of **SB 430** was Clint Riley. He presented both written and oral testimony (Attachment 1).

The second conferee was Keith R. Landis. He presented both written and oral testimony that although neutral on this bill, he was requesting an amendment to remove the language making reference to Christian Science practitioners (Attachment 2). Questions and discussion followed.

Chairman Tyson declared the hearing on **SB 430** closed.

The hearing on **SB 431** opened.

The first conferee and proponent was Clint Riley. He presented both written and oral testimony (Attachment 3).

Chairman Tyson declared the hearing on **SB 431** closed.

The hearing on **SB 473** opened.

The first conferee and proponent was Doyle Neimeyer. He presented both written and oral testimony (Attachment 4). He pointed out to the committee that two proposed amendments were being requested as reflected in his written testimony (Attachment 4). Questions and discussion followed.

The second conferee and proponent was Bill Linde. He presented both written and oral testimony (Attachment 5). Questions and discussion followed.

Chairman Tyson declared the hearing on **SB 473** closed.

Senator Schmidt moved to amend **SB 473** as requested by Doyle Neimeyer, Senator Taddiken seconded. The motion passed.

Senator Schmidt moved to accept **SB 473** as amended, Senator Taddiken seconded. The motion passed.

Senator Schmidt moved that the minutes from the January 31, 2002 meeting be approved. Senator

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:34 a.m. on February 8, 2002 in Room 423-S of the Capitol.

Huelskamp seconded the motion. The motion carried.

The meeting adjourned at 9:35 a.m.

The next meeting is scheduled for February 14 at 8:30 a.m.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



SENATE BILL NO. 430

**Testimony Provided to
Senate Committee on Natural Resources
February 8, 2002**

Senate Bill No. 430 would expand the categories of physicians who may certify a person's disability when applying for certain Wildlife and Parks disability permits. The bill is one of the department's legislative initiatives, and is supported by the department.

Current law provides that persons with qualifying disabilities may obtain permits allowing them to use a crossbow in place of a conventional bow, or allowing them to designate a person who may accompany them in the field and actually take the game on their behalf. These statutes require that a permit applicant's disability be certified by a person certified to practice medicine or surgery, or in one case optometry, in this state. SB 430 would allow certification by a physician licensed in any state, or by a Christian Science practitioner. A similar amendment was made in 1999 concerning issuance of special license plates or placards to persons with qualifying disabilities (K.S.A. 8-1,125). This proposal would make Wildlife and Parks laws consistent with that law.

By allowing certification by nonresident physicians and by Christian Science practitioners, SB 430 would help remove potential barriers facing persons with disabilities who wish to hunt in Kansas, but who do not have contact with a Kansas physician either because they live outside Kansas or due to their religious beliefs. Consequently, the bill would be consistent with the department's goal of increasing participation in Kansas outdoor recreation. We respectfully request the committee's support for SB 430.

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Senate Natural Resources Committee

Date 2-8-02

Attachment # 1

Christian Science Committee on Publication For Kansas

700 SW Jackson St., Suite 807
Topeka, Kansas 66603-3758

e-mail cscm@mindspring.com

Phone 785-233-7483
Fax 785-233-4182

February 8, 2002

To: Senate Committee on Natural Resources

Re: SB 430

I appreciate very much the efforts to accommodate the religious views of Christian Scientists made by those preparing this bill. However, for only the second time in 23 years of working with the Legislature, I find that I must request that Christian Science practitioners not be included in a bill.

In certain cases, a Christian Science practitioner may provide certification of a temporary disability, based on what can be observed by anyone and on what they have been told by an individual seeking treatment. There is no need for physical examination or physical diagnosis as the treatment provided is by spiritual means alone through prayer. The expectation is that healing is a certainty; therefore, the practitioner, remaining consistent with the ethics and teachings of the practice, cannot certify that a disability is permanent.

We can live with the bill as it is but it is doubtful that a Christian Science practitioner will make a certification.

It will be appreciated if you will remove "or a Christian Science practitioner listed in the Christian Science journal" from lines 18-19 and 36-37 on page 1 of the bill. If you choose not to make this change, please change "journal" to "Journal".

Thank you for considering this request. I will be available to answer your questions.



Keith R. Landis
Committee on Publication
for Kansas

Senate Natural Resources Committee

Date 2-8-02

Attachment # 2



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SENATE BILL NO. 431

**Testimony Provided to
Senate Committee on Natural Resources
February 8, 2002**

Senate Bill No. 431 would eliminate the minimum age for persons to hunt wild turkey. The bill is one of the department's legislative initiatives and is supported by the department.

Currently, only person's 12 years of age or older may hunt big game in Kansas. Turkey is one of the four species classified as big game (in addition to deer, elk, and antelope). This proposal would eliminate the minimum age requirement only as it applies to hunting turkey. Anyone born after 1957 would continue to be required to complete a hunter education course before hunting (with exceptions such as persons hunting on their own land), and turkey hunters under the age of 14 would still be required to be accompanied by an adult.

The department has supported reducing the minimum age for hunting big game in the past, believing that determining the best age to begin hunting is a decision more appropriately made by a parent or guardian. Removing the age restriction for turkey is suggested partly because turkeys are hunted using only a shotgun rather than a centerfire rifle. The department believes SB 431 would remove one unnecessary barrier to hunting in Kansas, and would help promote life-long participation in Kansas outdoor recreation. We respectfully request the committee's support for SB 431.

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Senate Natural Resources Committee

Date 2-8-02

Attachment # 3



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DEPARTMENT OF WILDLIFE & PARKS

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SENATE BILL NO. 473

**Testimony Provided to
Senate Committee on Natural Resources
February 8, 2002**

Thank you for providing this opportunity to speak in support of Senate Bill No. 473, and to share information about the historic Cross Timbers found at Toronto State Park. The Department of Wildlife and Parks believes changing the name of Toronto State Park to Cross Timbers State Park at Toronto Lake would help recognize a unique natural area and create a marketing opportunity to bring more visitors and subsequent revenue to this Park and the local community businesses in southeast Kansas.

Cross Timbers Forest is a unique ecosystem consisting of post oak and blackjack oak dominated forests. These forests form the transition zone between the upland deciduous forests of the East and The Grasslands of the southern Great Plains.

The oak forests and savannahs of this region represent some of the most threatened forest ecosystems in the world. It is estimated that presettlement Cross Timbers covered 30,526 square miles and extended from central Texas across Oklahoma into southeastern Kansas. The University of Arkansas Tree-ring Laboratory has been conducting research in the Cross Timbers for 20 years, and an attached map illustrates the location of ancient post oak forests actually documented with core samples by that Laboratory.

Although most of the original forests are gone, most people don't realize that the ancient forests continue to survive across a small part of southeastern Kansas, eastern Oklahoma, and central Texas. The second map on the attachment shows the modern day Cross Timbers area. In 1982, 26 trees were cored and tagged in Toronto State Park. Some of these trees can be seen along the newly-developed Ancient Trees Trail in the Toronto Point Area of the Park, including trees that date back to the 1700's.

The Department of Wildlife and Parks believes that changing the park name to Cross Timbers State Park at Toronto Lake would create benefits as an environmental education resource, a recreational resource, a way of fostering cooperative efforts, and in marketing what the park has to offer. These would be consistent with current goals and ongoing efforts to benefit the park and the local community. Some of the current programs that we feel would be

Senate Natural Resources Committee

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Attachment # 4

strengthened by changing the name to focus on Cross Timbers include the following:

Environmental Education Resource:

- Local students learn about the ecology and the history of the area through field trips, workshops and formal classes.
- Rare native flora have been identified and will be inventoried and interpreted for visitors through brochures, naturalist activities and outdoor classrooms.

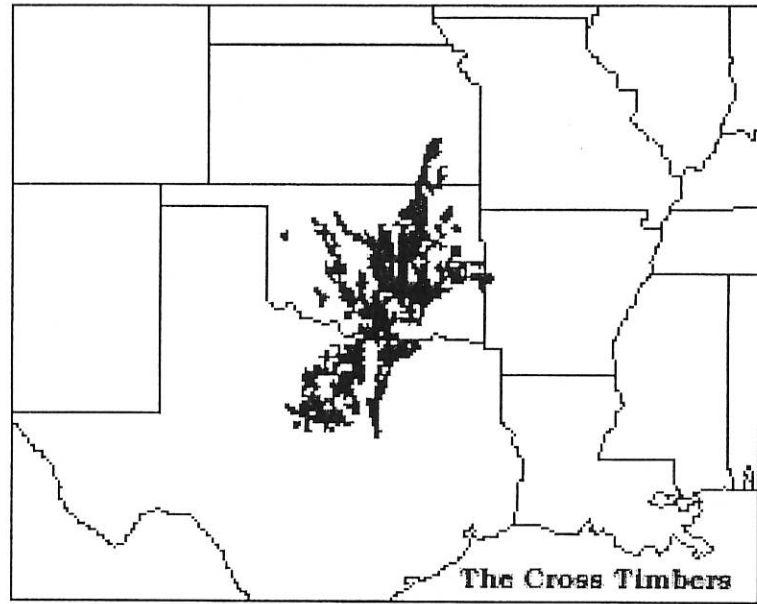
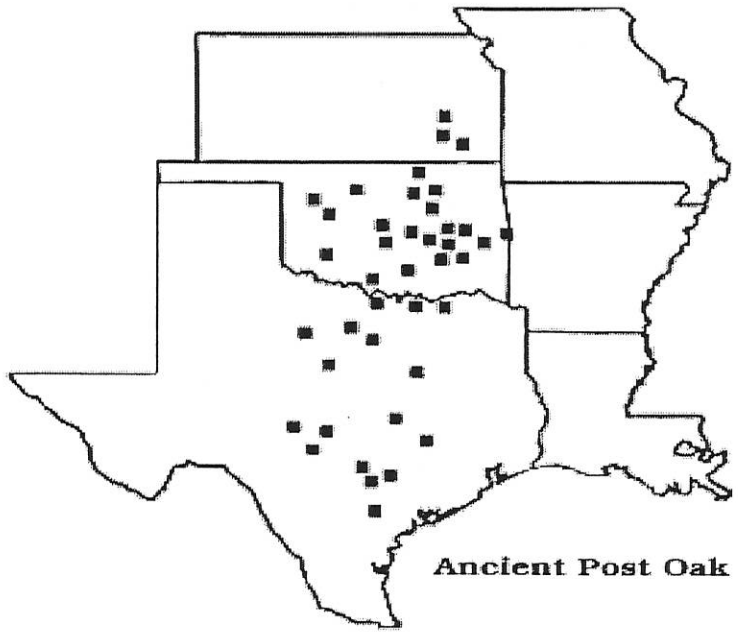
Recreational Resource:

- Ancient Trees of the Cross Timbers Trail is a newly-developed trail which includes the 26 trees that date back to the 1700's, and will have interpretive signs along the trail.
- Chautauqua Hills Trail is being expanded to an 8-mile trail through the Cross Timbers forest.
- Expanded hiking and mountain biking opportunities are being designed into these new park trails.
- Additional campsites are being constructed in the forested areas throughout the park and will provide campers an opportunity to enjoy this unique area.

The name change would also help foster cooperative efforts with outdoor recreation groups and with local merchants. It would open up a number of marketing opportunities, by focusing on any of these aspects:

- Historical significance
- Unique ecosystems
- Ancient trees dating to early 1700's
- The northernmost part of old growth Cross Timbers Region
- Status as the first public park, forest, or preserve in the three-state region to focus on the Cross Timbers
- The first to recognize and draw attention to this unique forest
- Increase visitors' perception of the value and interest of the area by increasing awareness of the ancient forest

Finally, we have discussed two possible amendments with Senator Derek Schmidt, who requested this bill: (1) amend the proposed name to "Cross Timbers State Park at Toronto Lake," and (2) establish an effective date of January 1, 2003 to avoid changing the park's name in mid-season. With these minor changes, we respectfully request that the committee approve SB 473.





Woodson County Commissioner
Bill Linde
Southeast Kansas District Director
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Distinguished Ladies and Gentlemen:

I consider it a privilege to come before you this morning in support of Senate Bill 473. So very often State and County Officials are at ends over where there next dollar is coming from. Hard feelings are created between the two governing bodies and each blame the other.

We in Southeast Kansas feel that the Kansas economy is passing us by. Rural communities, that support the agriculture and petroleum industries, often struggle. The banking firms often feel that the needs of the agriculture industries are restrictive because of the price index of their products. Investment in inventories to support an industry that is uncertain of returns is often a big gamble.

In 1985, Dr. Grogan, of the school of economics division of Kansas University, spoke at our Southeast Kansas Regional Planning meeting. He spoke of Economic Development and how we in Southeast Kansas would have to take care of our own expansion programs. He also spoke on the lack of referrals we could expect from the Kansas Department of Economic Development.

We are very pleased that this Bill is a product of one of our own Toronto State Park Director. He and his wife play a big part in our community development of economic expansion. The tourist trade is something that we wish to expand and aide in the funding of the financial needs or our retail industry as well as that of our county and city governments.

The passage of this bill and the naming of our park will reflect another god given asset to our great state. The many lakes and reservoirs of eastern Kansas provide great get-aways for those outdoor lovers of our nation. They offer many campsites and thousands of acres of water and fields to enjoy the many outdoor recreation activities.

We in Rural Kansas, have a great desire to maintain the standard of living that we and our ancestors fought so hard to retain. Our burial grounds glisten on the many memorial days that we pay tribute to those who answered the call to arms. Our goal is to see that they did not die in vain.

With Great Respect

Bill
William W. Linde
Woodson County Commissioner
Southeast Kansas District Director
Kansas Association of Counties
Chief Petty Officer, United States Navy Retired

Senate Natural Resources Committee
Date 2-8-02
Attachment # 5