

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:02 a.m. on February 24, 2003 in Room 423-S of the Capitol.

Members present: Senator Corbin, Senator Downey, Senator Huelskamp, Senator Lee, Senator Schmidt, Senator Taddiken, Senator Tyson, Senator Umbarger

Committee staff present: Raney Gilliland, Legislative Research
Lisa Montgomery, Revisor of Statutes
Shannon Stone, Secretary

Conferees appearing before the committee:

Bill Bider, Director, Bureau of Waste Management, Kansas Department of Health and Environment

Others attending: None

Chairman Tyson opened by thanking those who arrived for the early morning meeting. After a brief discussion, the Chairman closed the hearing on **SB 125**.

Senator Taddiken moved that the Committee work SB 216 next session. Senator Umbarger seconded the motion and the motion carried.

Senate Bill 155

Conferee, Bill Bider spoke on behalf of KDHE stating the Department's position on **SB 155**. In cooperation with Wildlife and Parks, Hamm Incorporated and the Mid-America Tire Dealers Association, KDHE made changes to the proposed bill with a balloon that included:

- 1) Clarification regarding certain permit exemptions to apply to all farmers and ranchers, not just feedlot operators. (Senator Huelskamp's request)
- 2) Expansion of Wildlife and Parks permit exemptions to include state wildlife areas and state fishing lakes.
- 3) Allowance to dispose of whole waste tires in municipal solid waste landfills subject to certain restrictions.

(Attachment 1)

The Committee discussed **SB 155**, regarding the number of uncut whole tires and transfer stations. Following this, Senator Lee made a motion to adopt the balloon amendments as proposed. Senator Huelskamp seconded the motion and the motion carried.

Senator Tyson made a motion to pass the bill out favorably as amended. Senator Lee seconded the motion. A roll call vote was taken, and the motion failed.

Action on the bill was reconsidered. Senator Taddiken made a motion to adopt all amendments except the one proposed in paragraph "e". Senator Corbin seconded the motion and the motion carried.

Senator Taddiken motioned to pass the bill out favorably as amended by the Committee. Senator Schmidt seconded the motion. A roll call vote was taken and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:02 a.m. on February 24, 2003 in Room 423-S of the Capitol.

Senate Bill 221

Chairman Tyson proposed that the Committee revisit **SB 221**. Senator Taddiken explained the purpose for the bill. (Attachment 2)

Senator Taddiken made a motion to amend the bill to include:

- 1) an annual written report from Wildlife and Parks describing how money generated by certain fees was spent
- 2) an effective date of January 1, 2004 --the date by which the first annual report is due
- 3) new language, "*a maximum of \$10.00*"--applied to certain fees imposed by KDWP

Senator Schmidt seconded the motion and the motion carried.

A second amendment was proposed by Senator Taddiken regarding certain exempt shooting areas. Senator Taddiken made a motion to amend the bill; Senator Corbin seconded the motion and the motion carried.

A motion to amend the language for a technicality--the addition of the phrase "*which is hereby creating...*"-- was made by Senator Schmidt. Senator Downey seconded the motion and the motion carried.

Discussion over multiple year leases followed. The Committee determined to leave the authority of the terms of lease agreements with the Department of Wildlife and Parks.

A motion was made by Senator Schmidt to pass the bill out favorably. Senator Downey seconded the motion. A roll call vote was taken and the motion carried.

Senate Bill 125

Senator Tyson closed the hearing on **SB 125**. Senator Schmidt proposed a substitute to **SB 125** which he distributed to Committee members. (Attachment 3)

Discussion followed an explanation of the proposed amendment. Concerns over the seizure of firearms, the number of permits issued annually, and state purchase of private land for public use were discussed.

Senator Schmidt moved to adopt **Substitute SB 125**. Senator Umbarger seconded the motion and the motion carried.

Senator Huelskamp supplied Committee members with a proposed amendment for **Substitute SB 125**. (Attachment 4) Discussion followed the amendment proposal made by Senator Huelskamp.

Senator Huelskamp moved to adopt the amendment to **Substitute SB 125**. Senator Corbin seconded the motion and the motion carried.

Senator Schmidt made a motion to move **Substitute SB 125** out as favorably amended by the Committee. Senator Umbarger seconded the motion and the motion carried.

The meeting was adjourned at 9:25 a.m.



K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

February 18, 2003

To: Senator Robert Tyson
From: Bill Bider, Director, Bureau of Waste Management
Date: February 18, 2003
Re: Amendment to SB 155, Waste Tire Bill (Corrected Amendment)

As discussed in the Natural Resources Committee meeting yesterday, KDHE has coordinated the revisions to SB 155 to facilitate the process of promptly working the bill. We have made changes in three areas to address the concerns raised by Senator Huelskamp, the Department of Wildlife and Parks, and Charlie Sedlock of Hamm, Inc. These changes are acceptable to the Mid-America Tire Dealers Association. A "balloon" is attached providing the following specific amendments:

- Change #1 - **Clarify that certain permit exemptions apply to all farmers and ranchers, not just feedlot operators (Senator Huelskamp's request)**
Modifications made to lines 17 to 19 on page 5. (Existing regulations establish several "pre-approved" beneficial uses for waste tires including silo covers, feed bunks, and water tanks. Other beneficial uses would need to be approved by the department.)
- Change #2 - **Expand Wildlife and Parks permit exemptions to include state wildlife areas and state fishing lakes**
Modifications made to lines 10 to 12 on page 5
- Change #3 - **Allow disposal of whole waste tires in municipal solid waste landfills subject to certain restrictions**
Modifications made to lines 26 and 27 on page 3 to allow whole waste tires to be used above proven leachate systems. A new disposal option is added in line 32: disposal of whole certain whole waste tires will be allowed in MSW landfills if several conditions are satisfied.

C Senator Tim Huelskamp, Ron Hammerschmidt, MATDA, KAC, Charlie Sedlock, KWAP

DIVISION OF ENVIRONMENT
Bureau of Waste Management

CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE. 320, TOPEKA, KS 66612-1366
Voice 785-296-1600 Fax 785-296-8909 [Http://www.kdhe.state.ks.us/waste](http://www.kdhe.state.ks.us/waste)

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Attachment 1-1

1 the approximate number of waste tires that are accumulated at the site.

2 ~~(b)~~ No person shall:

3 ~~(1)~~ (a) Maintain a waste tire site unless such person holds a valid
4 permit issued for such site pursuant to K.S.A. 65-3424b and amendments
5 thereto *an illegal waste tire accumulation*;

6 ~~(2)~~ dispose of waste tires in the state unless the waste tires are dis-
7 posed of for processing, or collected for processing, at a solid waste proc-
8 essing facility, a waste tire site which is an integral part of a waste tire
9 processing facility, a waste tire processing facility or a waste tire collection
10 center or are made available to: (A) The department of wildlife and parks
11 for use by the department, or (B) a person engaged in a farming or ranch-
12 ing activity, including the operation of a feedlot as defined by K.S.A. 47-
13 1501, and amendments thereto, as long as the accumulation has a bene-
14 ficial use to the person accumulating the tires and (i) the secretary
15 determines that the use has no adverse environmental effects and (ii) the
16 accumulation is in accordance with all applicable zoning regulations

17 (b) transfer ownership of waste tires to any person unless the recipient:

18 (1) Has been issued a permit by the secretary pursuant to K.S.A. 65-3407,
19 and amendments thereto, or K.S.A. 65-3424b, and amendments thereto;

20 (2) intends to use the waste tires for a beneficial use; or (3) is a tire retailer
21 who collects waste tires from the public or other tire retailers in the or-
22 dinary course of business;

23 ~~(3)~~ (c) deposit waste tires in a landfill as a method of ultimate disposal,
24 except that the secretary may authorize, by rules and regulations or by
25 permits issued pursuant to K.S.A. 65-3407, and amendments thereto: (A)
26 The final disposal of processed waste tires at ~~permitted municipal solid~~
27 ~~waste landfills and~~ permitted waste tire monofills; (B) the final disposal
28 of contaminated whole, unprocessed waste tires at permitted municipal
29 solid waste landfills and permitted waste tire monofills; (C) the use of
30 waste tires in their original state as part of a proven and approved leachate
31 collection system at a landfill; or (D) the use of waste tires which have

or supplemental to

32 been cut into two or more parts as daily cover material for a landfill; or
33 ~~(4)~~ (d) receive money in exchange for waste tires unless: (A) The per-
34 son holds a permit issued by the secretary pursuant to K.S.A. 65-3407,
35 and amendments thereto, or K.S.A. 65-3424b, and amendments thereto;
36 or (B) the person is a tire retailer who collects waste tires from the public
37 or from other tire retailers in the ordinary course of business.

38 Sec. 3. K.S.A. 65-3424b is hereby amended to read as follows: 65-
39 3424b. (a) The secretary shall establish a system of permits for mobile
40 waste tire processors and waste tire processing facilities, and permits for
41 waste tire transporters and waste tire collection centers. Such permits
42 shall be issued for a period of one year and shall require an application
43 fee established by the secretary in an amount not exceeding \$250 per

(E) the final disposal of whole waste tires in municipal solid waste landfills provided that: (i) the waste tires are generated by households, farms, or ranches, or picked up by representatives of local units of government as part of routine city or county clean-up efforts; (ii) the waste tires are delivered to a solid waste transfer station or municipal solid waste landfill by the generator or by a representative of a unit of local government; (iii) the operator of the solid waste transfer station or municipal solid waste landfill has a screening program as part of its operating plan to ensure that whole waste tires will only be received for disposal from approved generators or clean-up efforts; (iv) the waste tires are mixed with other solid waste prior to or at the time of disposal; and (v) the waste tires are placed at a depth of 20 feet or more beneath the bottom of the final landfill cap design elevation;

1 from motor vehicles if where fewer than 1,500 of these tires are kept on
2 the business premises may operate a waste tire collection center or a waste
3 tire processing facility or both on the premises;

4 (3) a retail tire-selling business which is serving as a waste tire col-
5 lection center if where fewer than 1,500 waste tires are kept on the busi-
6 ness premises may operate a waste tire collection center or a waste tire
7 processing facility or both on the premises;

, state wildlife area,
or state fishing lake

8 (4) the department of wildlife and parks may perform one or more of
9 the following to facilitate a beneficial use of waste tires: (A) Operate a
10 waste tire collection center on the premises of any state park, (B) operate
11 a waste tire processing facility on the premises of any park, or (C) act as
12 a waste tire transporter to transport waste tires to any state park, state

, state wildlife area,
or state fishing lake

13 (5) a person engaged in a farming or ranching activity, including the
14 operation of a feedlot as defined by K.S.A. 47-1501, and amendments
15 thereto, as long as the accumulation has a beneficial use may perform one
16 or more of the following to facilitate a beneficial use of waste tires; (A)
17 Operate a waste tire collection center on the premises of the feedlot; (B)
18 operate a waste tire processing facility on the premises of the feedlot; or
19 (C) act as a waste tire transporter to transport waste tires to the feedlot;

, state wildlife area,
or state fishing lake

an on-site

an on-site

20 (6) a waste tire collection center where fewer than 1,500 used tires
21 are kept on the premises;

farm, ranch, or

22 ~~(7) a waste tire collection center a person with a used tire accumu-~~
23 ~~lation where: (1) fewer than 1,500 or more used tires are kept on the~~
24 ~~premises; or (2) 1,500 or more used tires are kept on the premises, if the~~
25 ~~owner demonstrates through sales and inventory records that such tires~~
26 ~~have value, as established in accordance with standards adopted by rules~~
27 ~~and regulations of the secretary may operate a waste tire collection center;~~

28 ~~(8) (7) local units of government operating managing waste tires at~~
29 ~~solid waste processing facilities and or solid waste disposal areas permitted~~
30 ~~by the secretary under the authority of K.S.A. 65-3407, and amendments~~
31 ~~thereto may perform one or more of the following in accordance with the~~
32 ~~conditions of the solid waste permit: (A) Operate a waste tire collection~~
33 ~~center on the premises of the permitted facility; (B) operate a waste tire~~
34 ~~processing facility on the premises of the permitted facility; (C) act as a~~
35 ~~waste tire transporter to transport waste tires to the permitted facility; or~~
36 ~~(D) act as a mobile waste tire processor;~~

37 ~~(9) (8) a person transporting may act as a transporter to transport:~~
38 ~~(A) Waste tires mixed with other municipal solid waste; (B) fewer than~~
39 ~~five waste tires for lawful disposal; (C) waste tires generated by the busi-~~
40 ~~ness, farming activities of the person or the person's employer; or (D)~~
41 ~~waste tires for a beneficial use approved by statute or, rules and regula-~~
42 ~~tions, or adopted by the secretary (E) waste tires from an illegal waste~~
43 ~~tire accumulation to a person who has been issued a permit by the sec-~~

Private Lands Habitat Projects Guidelines at a Glance

Game, Fish and Parks Department
Wildlife Division

The goal of GFP habitat programs on private land is to help interested producers establish habitat that will enhance survival and reproduction of desired wildlife species. These programs are designed to complement grassland habitat created by various USDA programs like the Conservation Reserve Program (CRP) and Wetlands Reserve Program (WRP). Program options include Food Habitat Plots, Habitat Fencing, Nesting Cover Planting, and Wetland Restoration and Creation. GFP also has programs to help producers establishing woody wildlife habitat. Guidelines for these projects are described in a separate guideline card.

Food habitat plots (or food plots) provide pheasants protected areas to feed and can improve their winter survival. Food plots can also reduce damage of big game on stored feeds by providing an alternate source of food. Crops typically planted in food plots are corn, sorghum, and/or sunflowers. Some of the best food plots contain a mixture of these crops. Food plots should be located as near as possible to dense winter cover such as wetlands or dense shelterbelts.

Wetlands not only provide habitat for wildlife but also serve many additional environmental functions. Wetland/grassland complexes provide habitat essential for waterfowl production. Other wetland dependent species such as shorebirds, furbearers, and amphibians also benefit. Wetland plants like cattails can provide winter cover for many upland species including pheasants and deer. GFP will provide technical and financial assistance to restore or create wetland habitat by plugging drainage ditches, removing tile drains, and constructing embankment ponds.

Producers interested in habitat projects should contact their local GFP office or Wildlife Conservation Officer. Due to the high demand for these programs, funding is reserved for producers that are not involved any type of fee hunting operation. In addition, because funding for these projects comes entirely from sales of hunting licenses, producers must agree to allow reasonable free public hunting access. However, producers retain and may regulate all hunting access privileges on enrolled lands.

Food Habitat Plots

- \$30 per acre if planted on Walk-In Areas (WIA).
- \$20 per acre for plots not located on WIA's.
- Minimum size, 1 acre; Maximum size, 10 acres.
- Maximum of 10 acres per quarter section.
- Cooperators must leave crops unharvested through winter.
- Maximum enrollment of 30 acres per landowner.
- Annual enrollment period is March through May.
- Payments are made in **February**.

Nesting Cover

- Limited emphasis due to CRP and WRP programs.
- Cost-share is NOT available on CRP or WRP plantings.
- Cooperator will be reimbursed for 100% of the costs that they incur for materials and planting of grass habitat.
- Cooperators must agree not to hay or graze cost-shared acres for a minimum of 5 years.
- May be used as a snow trap on the north or west sides of shelterbelts.
- Annual cost-share limit is \$2000 per producer.
- One-time payment made upon project completion.

Wetland Habitat

- Restoration and enhancement of natural wetlands.
- Construction of livestock/wildlife embankment ponds in CRP or managed grasslands (dugout projects are not eligible).
- Reconstruction of certain breached embankments.
- Cost share for grassland management practices associated with wetland projects or existing wetlands.
- Duck nesting structures.
- Can be used with other private, state or federal programs.
- Cost-share amounts depend on overall project cost and contributions from other non-GFP sources.
- One time cost-share payment made upon project completion.
- GFP contacts: Tim Olson, Pierre, 773-3658
Chad Switzer, Huron, 353-6699

Habitat Fencing

- Intended to protect either existing or new habitat.
- Use this practice to enhance the value of an overall habitat program.
- Cooperators will be reimbursed for 50% of the costs that they incur for fencing materials.
- Annual cost-share limit is \$1000 per producer.
- Payments made upon project completion.



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Shelterbelt Maintenance (cultivation or fabric mulch)

Annual Enrollment Objective: 1000 acres.

- Minimum specifications: 8 rows of trees and shrubs encompassing at least 1 acre.
- Plantings must be comprised primarily of shrubs and coniferous trees.
- Shelterbelts that are maintained with traditional (mechanical and/or chemical) cultivation are eligible for 3 annual payments following the 2nd, 3rd and 4th growing seasons.
- Shelterbelts that have a weed barrier installed are eligible for a one-time payment following the 2nd growing season that is equivalent to the sum of the 3-year traditional cultivation payments.
- Payment rates are dependent on number of tree/shrub rows and woody plant species contained within the planting.
- Incentive payments are annually issued in October.
- **Deadline for applications is Nov. 1 of the year preceding planting.**
- Payment rates:

Planting Design	Maintenance	8-12 Rows	13+ Rows
With tall trees	Cultivation	\$75/acre	\$100/acre
Without tall trees	Cultivation	\$100/acre	\$125/acre
With tall trees	Weed barrier	\$225/acre	\$300/acre
Without tall trees	Weed barrier	\$300/acre	\$375/acre

Shrub and Woody Draw

- GFP will reimburse producers for 75% of costs they incur for materials and planting of strips or clumps of shrubs.
- Cost-shared materials may include weed barrier fabric.
- No cultivation payments are available under this practice.
- Plot size minimum: 0.1 acre; Plot size maximum: 1 acre.
- Annual cost-share limit is **\$1500** per producer.
- Cedar or Juniper are the only trees that may be included. However, all plantings must be primarily comprised of shrubs.
- One-time payment in **November or December**.
- **Deadline for applications is Nov. 1 of the year preceding planting.**

Shelterbelt Renovation

- GFP will reimburse producers for 50% of costs they incur for removal and replacement of trees and shrubs in established shelterbelts.
- Renovation plans must contain shrubs and coniferous species.
- Cost-shared materials may include weed barrier fabric.
- No cultivation payments are available under this practice.
- Annual cost-share limit is **\$1500** per producer.
- One-time payment in **November or December**.
- **Deadline for applications is Nov. 1 of the year preceding planting.**



Private Lands Woody Habitat Projects Guidelines at a Glance

Game, Fish and Parks Department
Wildlife Division

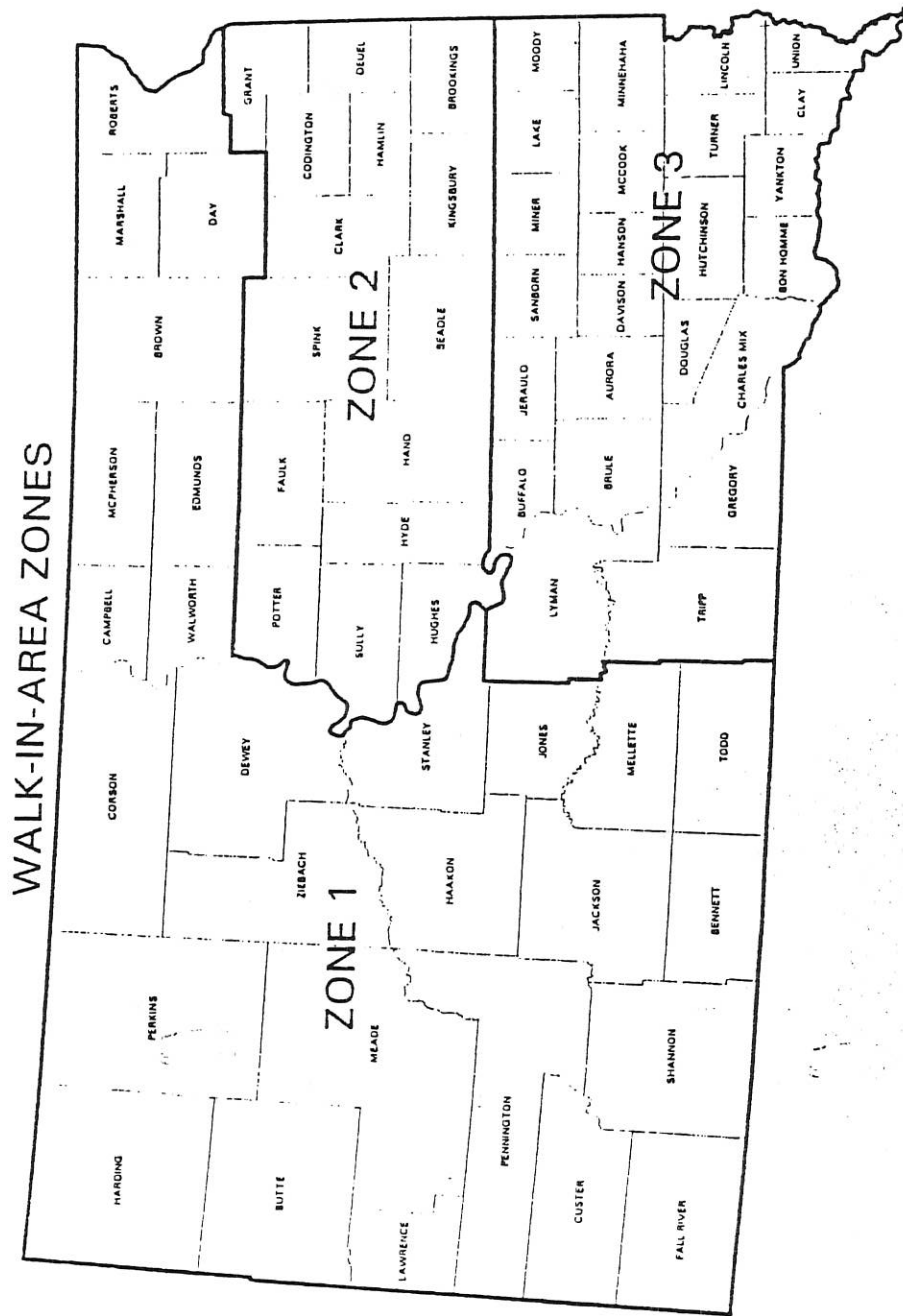
The goal of the woody habitat component of the GFP private lands program is to increase wildlife populations by enhancing their survival. To accomplish this, woody plantings must be designed to ensure survival in the worst possible winter weather and contain woody plant species that afford target wildlife species year-round protection from predators. A potential secondary benefit is for the plantings to provide wildlife foods. The wildlife species of interest live at or near ground level and therefore program guidelines are designed to maximize cover at ground level. Three program options include new shelterbelt cultivation payments, cost-share on shelterbelt renovations, and cost-share on establishing shrubs in patches and strips.

GFP annually accepts applications for woody habitat through **November 1** of the year **preceding** planting. If woody habitat applications do not meet annual planting objectives, this deadline may be extended until planting goals are reached. If applications exceed planting goals, applications will be ranked according to the potential wildlife benefits of plantings and funding will be allocated from highest to lowest ranked plantings until available funding is exhausted.

Applications for GFP woody habitat programs can be made through SD Department of Agriculture District Foresters and Conservation District offices, GFP Conservation Officers, and USDA Natural Resource and Conservation Service offices. Demand for these programs is such that funding is reserved for producers that are not involved in any type of fee hunting operation. In addition, because funding for these projects comes entirely from sales of hunting licenses, producers must agree to allow reasonable free public hunting access. However, producers retain and may regulate all hunting access privileges on enrolled lands.

Applications consist of sending a planting description and aerial photograph noting the project location to the Project Coordinator at Game, Fish and Parks, PO Box 915, Huron, SD 57350.

2003 WALK-IN-AREA PAYMENT SCHEDULE



Acres	Zone 1	Zone 2	Zone 3
80 - 250	\$250	\$400	\$550
251 - 500	\$400	\$550	\$800
501 - 650	\$550	\$800	\$1,100
651 - 999	\$800	\$1,100	\$1,500
1,000 - 1,500	\$1,100	\$1,500	\$2,000
1,500 +	Negotiable	Negotiable	Negotiable

General Guidelines

- Offered land must have sufficient permanent habitat (for example, CRP) to provide a reasonable opportunity to harvest game animals.
- Insure that the potential cooperator is legally able (ownership or rental agreement that includes hunting privileges) to enroll offered land as a WIA.
- Offered land owned by the same name may **not** be divided up among multiple family members to increase the amount of WIA payments.
- Regional Review Teams will establish guidelines for determining payments for WIA's exceeding 1,500 acres and may, in special situations, authorize payments in excess of rates in the payment table.
- The annual enrollment deadline is **June 1**.

Season-long WIA's (All Zones):

- Payment rates as described in the payment table.
- Enrolled land is open for all hunting for the duration of all hunting seasons in the enrolled area.

Delayed-opening (November 1) WIA's (Zones 2 and 3 ONLY):

- Payment rates are 50% of the rates in the payment table.
- Enrolled land is open for all hunting from November 1 through the end of all hunting seasons in the enrolled area.

CRP Seeding Cost-share (All Zones):

- **Only One Payment Option in-2003 is a one-time payment of \$10/acre of CRP seeded PLUS an annual payment.**
- Cost-share payments made in the September following sign-up.
- Producers must enroll CRP fields and the adjacent property (commonly a quarter section) necessary to define reasonable WIA boundaries.
- Land must be enrolled as a WIA for the duration of the CRP contract.
- Cooperator will be required to payback a pro-rated portion of the cost-share if they participate in emergency CRP haying and grazing declarations by USDA. The pro-rated cost-share will be calculated by taking the total cost-share divided by the number of years in the contract and multiply that product by the percentage of hay harvested off the CRP field.
- **The 160-acre per cooperator enrollment limit is no longer in effect.**
- **The one-time payment of \$20/acres of CRP seeded and no annual payment has been discontinued.**

SB 125 proposed substitute

(Includes authority for Revisor to make any technical and/or conforming changes)

New section 1. (a)(1) Commencing January 1, 2004, except as otherwise provided by law or rules and regulations of the secretary and in addition to any other license, permit or stamp required by law or rules and regulations of the secretary, a valid big game management stamp is required for each big game permit to hunt big game in this state.

- (2) The provisions of this subsection do not apply to hunting, by legal means, by a person not required by K.S.A. 32-919, and amendments thereto, to possess a hunting license.
- (3) The stamp required by this subsection is valid throughout the state. The stamp required by this subsection is valid from the date of issuance and expires on June 30 following its issuance.
- (4) Each big game management stamp shall be validated by the signature of the stamp holder written across the face of the stamp.

(b) The secretary, in accordance with K.S.A. 32-805, and amendments thereto, may adopt rules and regulations necessary to carry out the provisions of this section.

New Section 2. (a) All moneys received pursuant to the issuance of the big game management stamps shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the big game management fee fund, which is hereby created. All expenditures from such fund shall be in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary.

- (b) All of the moneys credited to the big game management fee fund shall be used only to increase public access to private land for the purpose of big game hunting.
- (c) In identifying parcels of private land for which public hunting access will be sought pursuant to this section, the secretary shall give priority to parcels (1) that are in geographical areas in which significant damage to private property has been caused or is being caused by large populations of big game, (2) on which additional public hunting access would tend to lessen damage to private property that has been caused or is being caused by big game populations, and (3) which are owned or leased for agricultural purposes by persons who have suffered significant crop loss or other significant property damage caused by big game populations.

Section 3. K.S.A. 32-988 is hereby amended to include the following phrase at the appropriate place: "Big game management stamp: maximum \$10."

Section 4: K.S.A. 2002 Supp. 32-1047 is hereby amended to read as follows: 32-1047. The department is hereby empowered and directed to seize and possess any wildlife which is taken, possessed, sold or transported unlawfully, and any steel trap, snare or

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other device or equipment used in taking or transporting wildlife unlawfully or during closed season. The department is *hereby* authorized *and directed* to:

- (a) Sell the seized item, *including wildlife parts with a dollar value*, and remit the proceeds to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. *If the seized item is a firearm that has been forfeited pursuant to K.S.A. 21-4206, and amendments thereto, then it may be sold unless (A) the firearm is significantly altered in any manner or (B) the sale and public possession of such firearm is otherwise prohibited by law.* Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~fee fund designated by the secretary~~ *big game management fee fund*; or
- (b) Retain the seized item for educational, scientific or department operational purposes.

New Section 5. The secretary shall identify local geographical areas in which deer populations are causing significant property damage. The secretary is hereby authorized and directed to take such actions as are necessary to reduce the deer population in such areas for the purpose of reducing damage to private property.

Section 6. This act shall take effect and be in force from and after its publication in the statute book.

New Section: The secretary, in consultation with the Secretary of Agriculture, shall establish by rules and regulations a process by which landowners or tenants engaged in crop production who suffer damage to crops in excess of \$5,000 as a result of deer eating or trampling field crops may certify such loss. Notwithstanding any other provision of law, the secretary shall issue, without fee or charge, to each such landowner or tenant one nonresident deer permit for each \$5,000 in certified crop loss. Any permit issued pursuant to this subsection shall be transferable, with or without consideration, to any resident or nonresident through the secretary at the request of the landowner or tenant. Any nonresident deer permit issued pursuant to this subsection shall be in addition to any other nonresident deer permits which such landowner or tenant may be allowed under any other provision of law. Any nonresident deer permit issued pursuant to this subsection shall not be subject to any other provision of law limiting the number or issuance of such permits.

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