

MINUTES OF THE HOUSE WILDLIFE, PARKS AND TOURISM COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 P.M. on March 7, 2005 in Room 241-N of the Capitol.

All members were present except:

Representative Broderick Henderson- excused  
Representative Margaret Long- excused  
Representative L. Candy Ruff- excused  
Representative Clark Shultz- excused

Committee staff present:

Hank Avila, Kansas Legislative Research  
Dennis Hodgins, Kansas Legislative Research  
Lisa Montgomery, Revisor of Statutes Office  
Betty Caruthers, Committee Secretary

Conferees appearing before the committee:

Whitney Damron, Flint Oak LCC and Kansas Sport Hunting Association  
Chris Tymeson, Kansas Department of Wildlife & Parks

Others attending:

See attached list.

Moved by Representative Oharah, seconded by Representative Morrison for approval of Minutes of the House Committee on Wildlife, Parks and Tourism held on March 2, 2005 be approved.

Motion carried.

Chairman Myers opened hearings on **SB 98 - Hunter education not required for special controlled shooting area hunting licenses.**

Chairman Myers recognized Revisor, Lisa Montgomery to give an overview of **SB 98.** Lisa stated that prior to the noted date no hunter education course was required whereas after the date it is. By striking the date nobody would need the hunter education course for a controlled shooting area hunting license.

Chairman Myers recognized Whitney Damron to testify as a proponent of the bill. (Attachment 1) Hunter safety is stressed at the sport hunting facilities. At times there are guides and small hunting groups to assist with safety issues.

Chairman Myers recognized Chris Tymeson who stated that the Kansas Department of Wildlife & Parks is not opposed to this bill. They have not seen any prevalence of accidents in controlled shooting areas after tracking. (Attachment 2)

Hearings on **SB 98** were closed.

Chairman Myers asked if there was any Committee opposition to final action on **SB 98.** Representative Hayzlett moved that SB 98 be passed favorably. Representative Grange seconded. Representative Flaharty asked about the possibility of putting this bill on the Consent Calendar. Representative Hazlett and Representative Grange withdrew their motion and second.

Representative Hayzlett moved that SB 98 be passed and asked that it be put on the Consent Calendar. This was seconded by Representative Grange.

Motion carried.

Chairman Myers adjourned the Committee at 3:50.

Next meeting scheduled for Wednesday, March 9.



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**TESTIMONY**

TO: The Honorable Don Myers  
And Members of the House Wildlife, Parks and Tourism Committee

FROM: Whitney Damron

On behalf of the:

- Kansas Sport Hunting Association
- Flint Oak, LLC

RE: SB 98 Repeal of sunset provision for exemption from hunter safety education requirement to hunt in controlled shooting area.

DATE: March 7, 2005

Good afternoon Chairman Myers and Members of the Committee.

My name is Whitney Damron and I appear before you today on behalf of the Kansas Sport Hunting Association and Flint Oak, LLC in support of SB 98 that would make permanent the exemption for completion of a hunter safety education course for hunting on controlled shooting areas in our state.

Robin Jennison also represents the Kansas Sport Hunting Association.

The Kansas Sport Hunting Association is an organization of controlled shooting area licensees, game bird breeders and others involved in the sport hunting business in our state.

Flint Oak is a world-renowned hunting, fishing and recreational shooting property located in Elk County, located approximately 90 miles east of Wichita.

Specifically our proposal would repeal the sunset language contained in K.S.A. 32-920 (b) that creates the exemption referenced through July 1, 2005.

By way of information the Kansas Sport Hunting Association and Flint Oak requested this exemption in 2000, which was approved with a 2 year sunset provision. In 2002, the Legislature extended the sunset for this exemption for an additional 3 years.

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Attachment 1

With the current sunset due to expire this year, we believe it is timely for the legislature to make this exemption permanent.

By way of background the KSHA and Flint Oak strongly support hunter education and the current law as it is applicable for hunting on public lands. However, controlled shooting areas or C.S.A.'s are a unique hunting experience and typically involve small groups of hunters with guides. Safety is a major part of hunting on C.S.A.'s and most all have their own safety programs tailored to their clientele and the hunting experience they will encounter.

The Kansas Sport Hunting Association has created a hunter safety program that it makes available to all of its members. I have reproduced a copy for your review. The KSHA encourages all of its members to give this review and test to their customers or create a similar program to insure the safety of the hunters, the guides and the hunting dogs as well as to protect property. These kinds of focused safety courses can be successfully and effectively given in a matter of minutes or a few hours, depending upon the experience of the customer.

In contrast, state-mandated hunter education programs require not less than ten hours of training, which typically covers all aspects of recreational safety, from hunting and shooting to boating, and general outdoor citizenship (K.S.A. 32-921). While these programs are tremendously beneficial to the public at large, they can create an obstacle to the promotion of sport hunting opportunities in our state to tourists who may not immediately qualify under our general hunter education requirements. Furthermore, typically these programs are held in a particular area only a few times per year over a period of days or weeks and usually consist of more than ten hours of education. In summary, it would be difficult, if not impossible for a tourist to locate and pass an approved hunter safety course and participate in a hunt at a controlled shooting area within a 24 or even 48 hour period of time.

Controlled Shooting Areas in Kansas have a worldwide customer base that makes it difficult to create a hard and fast rule for hunter safety laws in Kansas that have the flexibility to accommodate such a diverse clientele. The exemption contained in SB 98 has been implemented responsibly by the sport hunting industry and after a five year track record of safety, we believe this exemption should be made permanent.

SB 98 was passed 40-0 in the Senate, which is similar to previous votes in both the House and Senate in 2000 and 2002.

I would be pleased to stand for questions today.

Thank you for your time.

Whitney Damron

Attachment

# KANSAS

DEPARTMENT OF WILDLIFE & PARKS

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on SB 98 relating to Hunter Education  
for Controlled Shooting Area Licenses  
To  
House Committee on Wildlife, Parks, and Tourism**

**By Christopher J. Tymeson  
Chief Legal Counsel  
Kansas Department of Wildlife and Parks**

**7 March 2005**

Senate Bill 98 would make permanent a provision that does not require hunter education to obtain a special controlled shooting area hunting license. The provisions contained in this bill would be effective on July 1, 2005. **The Department of Wildlife and Parks does not oppose SB98.**

The Department of Wildlife and Parks has a strong interest in safety for hunters going to the field as well as maintaining the integrity of the hunter education program. Since the implementation of mandatory hunter education in the early 1970's, hunting accidents have been on the decline. This was only possible with the assistance of thousands of hunter education instructor volunteers who put in approximately 14,000 hours annually.

In 2000, the controlled shooting areas within the State came forth with a proposal to minimize accidents as well as accommodate their business associates. A provision was added to the statute to allow for the purchase of a special controlled shooting area license without the necessity of hunter education. In lieu of hunter education, most shooting area operators give hands-on safety classes as a requirement of their insurance.

Since the implementation of that exemption, the Department has not seen an increase in the prevalence of accidents on controlled shooting areas versus general hunters going afield. Therefore, the Department does not stand opposed to SB 98.

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Attachment 2

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