

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 9, 2005 in Room 241-N of the Capitol.

All members were present except:

Representative Margaret Long- excused  
Representative L. Candy Ruff- excused  
Representative Clark Shultz- excused  
Representative Shari Weber- 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:

Chris Tymeson, Chief Legal Council, Kansas Department of Wildlife & Parks  
Dan Ward, Executive Director, Kansas Wildlife Federation

Others attending:

See attached list.

Chairman Myers opened hearings on **SB 59 - Creates the Wildlife Violator Compact.**

Chairman Myers recognized Revisor, Lisa Montgomery to give a summary of the bill. Lisa reminded the Committee that with compacts they cannot make any changes to the compact itself. With regards to **SB 59** Section I is the compact so the Committee cannot amend that section. Sections II thru VII cover the gaps between Compacts and Statutes. This bill allows other states to recognize wildlife violations from our state as well as our state recognizing those from other states.

Chairman Myers recognized Chris Tymeson to testify as a proponent for the bill. (Attachment 1) At the present time there are 19 states which are members of the Interstate Wildlife Violator Compact. Passage of this legislation will:

1. Prohibit people convicted of serious wildlife violations in other compact member states from acquiring licenses or permits in Kansas.
2. Provide a means for law enforcement officers to carry out their duties without unduly detaining people who have committed less serious violations.

Chairman Myers recognized Dan Ward to testify as a proponent for **SB 59.** (Attachment 2) Mr. Ward believes that this bill will give our law enforcement the tools it needs to do its job more effectively and aid in setting up efficient interstate cooperation between wildlife agencies. He reported that this bill was being supported not only by the Kansas Wildlife Federation but also by the Kansas Outfitters Association, the Kansas Bow Hunters Association, the Rifle Hunters Association, and the Audubon Society. Mr. Ward sees this as a mechanism to begin tracking the interstate nature of illegal hunting.

Chairman Myers asked if there were other proponents or any opponents to speak to the bill. There were none therefore the hearings on **SB 59** were closed.

Chairman Myers requested a motion on the Committee Minutes. Moved by Representative Ohara, seconded by Representative Swenson for approval of Minutes of the House Committee on Wildlife, Parks and Tourism held on March 7, 2005.

Motion carried.

Chairman Myers adjourned the Committee at 4:15. Next meeting scheduled for Monday, March 14.



# KANSAS

DEPARTMENT OF WILDLIFE & PARKS

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on SB 59 relating to the Interstate Wildlife Violator  
Compact  
To  
House Committee on Wildlife, Parks and Tourism**

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

**9 March 2005**

SB 59 would allow the State of Kansas to enter into and participate in the Interstate Wildlife Violator Compact. The provisions of this bill would take effect July 1, 2005.

The IWVC is an agreement between member states concerning law enforcement procedures and license or permit issuance. It is patterned after the driver's licensing compact in which Kansas currently participates. The IWVC was originally enacted between the states of Colorado, Nevada and Oregon in 1989 to deal with the problem of chronic wildlife law violators who move among the various states and the IWVC has spread from there.

The International Association of Fish and Wildlife Agencies, whose membership includes the fish and wildlife agencies of all 50 states, has endorsed the enactment of the IWVC within their respective jurisdictions, to enhance compliance with the hunting, fishing and other wildlife laws, ordinances and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators.

At present 19 states are members of the IWVC. They include Arizona, California, Colorado, Georgia, Idaho, Indiana, Iowa, Maryland, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. Other states, including Florida, Illinois, Kentucky, Maine, Michigan, Pennsylvania, Tennessee, and West Virginia are either in the process of enacting or pursuing legislation to join the IWVC or in the various pursuing.

The IWVC establishes a process whereby wildlife violations committed by a nonresident from a compact member state would be handled as if the person were a resident of Kansas. If enacted in Kansas, a nonresident from a IWVC member state may be allowed to be released under personal recognizance instead of facing arrest, booking and bonding. This process is a convenience for the person cited and additionally increases the efficiency of officers by allowing them more time for public contacts and enforcement duties rather than processing procedures required for arrest, booking and bonding of nonresidents. It is in the overall public interest that persons charged with lesser violations be allowed the ability to responsibly handle the matter in the least obtrusive manner possible.

Further, it is in the public interest to invest a law enforcement officer's time toward making public contacts and enforcing the law rather than committing excessive time toward

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Committee on Wildlife, Parks and  
Tourism  
3/9/05  
Attachment 1



**KANSAS WILDLIFE  
FEDERATION**

*The voice of outdoor Kansas*

Dan Ward

**Testimony Prepared for the House Wildlife, Tourism & Parks Committee  
In Support of SB 59**

**March 9, 2005**

My name is Dan Ward, and I'm the Executive Director of the Kansas Wildlife Federation. KWF is a 54-year old organization dedicated to the wise use, conservation, appreciation, and the restoration of our state's wildlife and natural environment. We approach this mission primarily from the perspective of hunting and fishing, which are important traditions in Kansas. Over 500,000 hunters and anglers spend close to one billion dollars in the state each year.

Earlier this session, KWF appeared before this committee and asked for your assistance in getting HB 2253 passed by the House. As you know, the House passed HB 2253 by a vote of 122-0.

While HB 2253 changes the rules for poachers inside Kansas, SB 59 creates a mechanism by which we can begin to track the interstate nature of illegal hunting. As you know Kansas is not only a national destination for legitimate and law-abiding deer hunters, it has also become a destination for career criminals.

Essentially, this bill makes a violator in one state to be a violator in all states. In Kansas, many of the violators arrested or ticketed by our conservation officers are from Oklahoma, Colorado, or other members of compact states. Without entry into the compact, their misdeeds won't follow them back to their homes unless we begin federal prosecution.

Last year, the House rejected the Interstate Wildlife Violators Compact because of concerns that the Compact would take legislative power away from this body. I am told that this year's legislation was re-written to address this concern. Nothing should stand in the way of your taking action to protect the resource that law-abiding Kansas sportsmen have made one of the envies of the United States.

One of the ways this committee can work to protect the natural heritage of our state is by giving our law enforcement the tools it needs to do its job effectively. This bill will aid in setting up efficient interstate cooperation between wildlife agencies. The Kansas Wildlife Federation urges all of you to support this bill.

Committee on Wildlife, Parks and  
Tourism  
3/9/05  
Attachment 2