

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 P.M. on March 7, 2007, in Room 241-N of the Capitol.

All members were present except:

Representative Holmes - excused

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes Office
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks

Others attending:

See attached list.

Hearing on SB 188 - Commercialization of wildlife

The Chairman opened the hearing on **SB 188 - wildlife restoration fund.**

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks (KDWP), stated that **SB 188** is a departmental initiative designed to increase restitution money for illegal commercialization of wildlife (Attachment 1). He said the threshold for felony and misdemeanor crimes was raised during the 2006 legislative session; wildlife values, however, were not increased correspondingly. Mr. Tymeson requested the members consider increasing wildlife values as recommended by KDWP.

The Chairman closed the hearing on **SB 188.**

The Chairman called for consideration **SB 19 - county fairs levy for buildings, grounds and maintenance.** Representative Svaty moved to pass SB 19 favorably and place it on the Consent Calendar. Representative Powell seconded the motion. The motion passed.

The Chairman announced a brief meeting of sub-committee members following adjournment for discussion of **SB 249.**

The meeting was adjourned at 3:45 p.m. The next meeting is scheduled for March 8, 2007.

KANSAS

DEPARTMENT OF WILDLIFE & PARKS

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on SB 188 regarding Illegal Commercialization of Wildlife
To
The House Committee on Agriculture and Natural Resources**

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

7 March 2007

SB 188 seeks to amend K.S.A. 32-1005 in order to increase the restitution values for illegal commercialization of wildlife. The provisions of the bill would be effective on publication in the statute book. **The Department supports the provisions contained in SB 188 and requested introduction of the bill.**

The felony/misdemeanor threshold for certain crimes was raised at the end of the last legislative session and it included amendments to K.S.A. 32-1005. However, the wildlife values were not increased correspondingly. The law establishes monetary values for wildlife, to be used in determining whether or not illegal commercial acts were committed and whether the illegal acts constitute felony crimes. The recommendations being made by the Department are based on the most current information available through the U. S. Fish and Wildlife Service. That information, published in August 2003, provides the values placed on various species and classifications of wildlife across the nation. Not all states have established values and when necessary, values for restitution or penalties are left to the individual courts. The remaining states have established values set by law or regulation. In considering the Department's recommendations, available values were calculated to obtain a mean average of all applicable categories. Values within the information relating to Kansas were not included in the calculations. The following information lists, by group classification or individual species, the comparison of wildlife values.

Summary Of Average Values For Wildlife By Classification

Animal Group	Average Value	KDWP Recommendation
Deer	\$ 1,151.26	\$ 1,000.00
Antelope	\$ 1,019.15	\$ 1,000.00
Elk	\$ 2,098.28	\$ 1,500.00
Buffalo	\$ 2,435.71	\$ 1,500.00
Furbearers	\$ 95.99	\$ 25.00
Bobcat	\$ 335.75	\$ 200.00
Wild turkey	\$ 373.84	\$ 200.00
Raptors	\$ 555.13	\$ 500.00
Gen. Game & Non-game animals	\$ 154.87	\$ 50.00
Turtle	\$ 45.50	\$ 25 each or \$16/lbs processed
Frogs	\$ 20.08	\$ 4.00
Threatened & Endangered	\$ 1,358.70	\$ 500.00
Any wildlife not included above	\$ 39.42	\$ 25.00

Office of the Secretary

1020 S Kansas Ave., Ste. 200, Topeka, KS 66612-132

Phone 785-296-2281

Fax 785-296-6953

www.kdwp.state

**HS AGRICULTURE AND NATURAL
RESOURCES COMMITTEE
3-7-2007**

ATTACHMENT 1