

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 10, 2008, in Room 783 of the DSOB.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Hank Avila, Kansas Legislative Research Department
Gordon Self, Revisor of Statutes
Kristen Kellems, Revisor of Statutes
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

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

Hearing on: SB 474 - Controlled shooting areas; field trials

The Chair welcomed Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, who spoke as a proponent of **SB 474 (Attachment 1)**. He said the Department supports the provisions of the bill with the amendments to **K.S.A. 32-919** and **K.S.A. 32-954**. Mr. Tymeson indicated the duplication of permits requires personnel to do additional paper work and seems redundant to require field trial participants to have either a regular hunting license or a controlled shooting area hunting license.

Mr. Tymeson said the Department has concerns regarding the implications of litigation surrounding the language of the prairie dog issue. He suggested striking the language or, as an alternative, requiring non-residents to have a hunting license. In answer to questions, Mr. Tymeson said no license is required for property owners to shoot prairie dogs. In a discussion of the possibility of poisoning prairie dogs he said permits must be acquired to use phostoxin; no permit is necessary for using rozol. He assured the committee that property owners are allowed to hunt and track on their own lands without a license.

The Chair closed the hearing on **SB 474**.

The meeting was adjourned at 3:45 p.m. The next meeting is scheduled for Tuesday, March 11, 2008, at 3:30 p.m.

**Testimony on SB 474 regarding Field Trial Permits
On Controlled Shooting Areas
To
The House Committee on Agriculture and Natural Resources**

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

10 March 2008

SB 474 seeks to amend two statutes related to field trial permits and controlled shooting areas. The provisions of the bill would be effective on publication in the statute book. **The Department supports the provisions contained in SB 474 and requested introduction of the bill.**

SB 474 would amend K.S.A. 32-919 and K.S.A. 32-954 to allow field trials to be conducted on controlled shooting areas during the upland game bird season for controlled shooting areas without the necessity of a field trial permit. Currently, a field trial permit is required to conduct activities that would otherwise be lawful if the participants didn't call the activity a field trial. The Department considers this limited situation a form of double regulation as the boundaries of the CSA are posted already and it is a known location where activities are conducted outside of wild game bird seasons. It takes time away from already limited department personnel to process field trial permits and confirm their existence as well as requires processing time for permits on the part of applicants conducting these activities. Conversely, under these proposed changes and limited situations, the field trial participants would be required to have either a regular hunting license or a controlled shooting area hunting license.

The Senate Committee on Natural Resources did make technical amendments on the bill as well as added an amendment dealing with prairie dogs. The Department cautions the Legislature on this amendment as it may have an adverse impact on potential litigation regarding the black-tailed prairie dog in the future. The Department would suggest either striking the prairie dog language or in the alternative, requiring nonresidents to have a hunting license for shooting prairie dogs.

The Department appreciates the opportunity to address the bill and the support of the Committee in making these modifications to the statutes.