

MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on March 13, 2012, in Room 783 in the Docking State Office Building.

All members were present except:

Representative Michael Peterson (Unexcused)

Committee Staff Present:

Randy Gilliland, Kansas Legislative Research Department

Sean Ostrow, Office of the Revisor of Statutes

Chris Sevedge, Kansas Legislative Research Department

Joyce Hladky, Committee Assistant

Conferees appearing before the committee:

Others attending:

See Attached List.

Chairman Powell welcomed the Committee and turned the floor over to Sean Ostrow of the Revisor of Statutes Office to review the balloon amendment to **HB2709 establishing the restitution value for unlawfully taken antlered whitetail deer.**

Mr. Ostrow distributed copies of House Substitute Bill 2709. Mr. Ostrow reviewed the bill by explaining substitute bill amends provisions of the bill relating to the restitution value of deer, antelope and elk taken in violation of the big game hunting provisions of the state.

Section 1 – amends the criminal trespass provision to include entering any property marked a private land in accordance with K.S.A. 32-1013 (section 4 of the bill). Criminal trespass is a class B misdemeanor.

Section 2 – amends the criminal hunting statute to make it a strict liability offense for hunting on land that is marked properly in accordance with K.S.A. 32-1013.

Section 3 – under penalty provisions in (e)(1) commercialization of wildlife. The amendment allows the court to revoke an offender's permits and any equipment used to commit the offense for a period of time up to as long as the offender's lifetime; current law is 10 years.

CONTINUATION SHEET

Minutes of the HOUSE AGRICULTURE AND NATURAL RESOURCES Committee at 9:00 a.m. on
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Section 4 –Markings on land by use of paint marks as provided in subsection (b) shall be bright orange as opposed to the current purple markings.

Section 5 – The formula for measuring the antlers or horns to determine the value shall be promulgated by rules and regulations of the secretary.

Section 6 – The bill would take effect on January 1, 2013 to give the secretary time to provide notice of the new provisions to effected parties and implement rules and regs for the calculation of the restitution values. (Attachment 1)

Mr. Ostrow answered questions.

Representative Kerschen offered a motion to favorably pass out **Substitute HB2709**.
Representative Prescott seconded the motion. When called to a vote, the motion carried.

Discussion was held and it was noted that the parliamentary procedure needed to be reconsidered.

Representative Brookens offered a motion to reconsider the action. Representative Arpke
seconded the motion. When called to a vote, the motion carried.

Representative Kerschen withdrew his earlier motion and Representative Prescott withdrew his
second.

Representative Brookens offered a motion to adopt **Substitute HB2709**. Representative Grant
seconded the motion. When called to a vote, the motion carried.

Representative Prescott offered a motion to favorably pass out **Substitute HB2709**.
Representative Hayzlett seconded the motion. When called to a vote, the motion carried.

Representative Kerschen offered a motion to favorably pass out **SB252**. Representative
Brookens seconded the motion. When called to a vote, the motion carried.

Meeting adjourned at 10:38 a.m.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.
