

Approved: March 29, 2010

Date

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on March 17, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Johnson - Excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes - Excused

Daniel Yoza, Office of the Revisor of Statutes

Corey Carnahan, Kansas Legislative Research Department

Raney Gilliland, Kansas Legislative Research Department

Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Doug Phelps, an individual

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

Shawn Stratton, Supervisory Fish & Wildlife Biologist, Department of the Army

Representative Scott Schwab

Ron Klataske, Audubon of Kansas

John Strickler, an individual

Spencer Tomb, Administrative Vice President, Kansas Wildlife Federation

Others attending:

See attached list.

Chairman Powell opened the meeting with introduction of the new Livestock Commissioner, Bill Brown, D.V.M.

Chairman Powell then opened the hearing on **HB 2646** - Clothing requirements while hunting deer or elk.

Hearing on HB 2646:

PROPONENTS:

Doug Phelps, an individual, presented testimony in favor of **HB 2646** (Attachment 1), stating Ft. Riley has determined that the mandate for the wearing of hunter orange by bow hunters in a big game firearms season is an unnecessary burden due to their unique season structure. Mr. Phelps further stated removing an impediment to bow hunter success could increase deer harvest at a time when some believe more deer need to be removed from the population.

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks (Department) (Attachment 2), spoke as a proponent of **HB 2646**, advising the bill would amend K.S.A. 32-1015 to clarify when hunter orange is required for hunting elk or deer during elk or deer firearms seasons. Mr. Tymeson further commented that the firearms elk seasons and archery deer seasons now overlap completely in some areas of the state and as a result, large numbers of archery deer hunters are required to wear hunter orange in those areas for a very small number of firearm elk hunters annually. While many other seasons for other species overlap with either firearm elk or firearm deer seasons, hunters hunting the other seasons and species are not required to wear hunter orange and the Department feels that removing this restriction deer and elk is in line with the rest of the hunting seasons across the state.

Written Testimony:

Stephen Scanlon, DoD Regional Environmental Coordinator, Region VII, Department of the Army (Attachment 3)

Mark Dombrowski, Fort Riley Outdoorsmen Group (Attachment 4)

John Vermeesch, Lieutenant Colonel, Department of the Army (Attachment 5)

3/17

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 17, 2010, in Room 783 of the Docking State Office Building.

NEUTRAL:

Shawn Stratton, Supervisory Fish & Wildlife Biologist, Department of the Army, spoke in favor of **HB 2646** (Attachment 6), stating that the Department of the Army believes the current statute requiring archery deer hunters on Fort Riley to wear blaze orange during the Kansas firearms elk season outside of when it coincides with the Kansas firearms deer season is unnecessary for the conduct of a safe hunt on the installation. Soldiers and others who hunt on Fort Riley have indicated their enjoyment of the hunt would be severely impacted were they required to wear blaze orange while archery deer hunting during the Kansas firearms elk season.

Representative Sydney Carlin also provided comments in favor of **HB 2646** (no testimony provided).

After questions and comments by members of the Committee, the hearing was closed on **HB 2646**.

Hearing on HB 2738:

Raney Gilliland, Kansas Legislative Research Department, stated the current law requires the Secretary of Wildlife and Parks to be qualified by education, training, and experience in wildlife, parks, or natural resources or a related field, and to have demonstrated executive and administrative abilities. This bill would remove these requirements.

PROponents:

Representative Scott Schwab, appeared as a proponent of **HB 2738** (Attachment 7), advising the current restrictions to this bill are extremely narrow and only allow for a certain individual to serve in the role of the Secretary of Wildlife and Parks. Representative Schwab further commented that since the Governor is a state-wide position and the administrative arm of the government, he should be allowed to appoint someone in a manner that helps best govern and administrate the duties of the Secretary of Wildlife and Parks.

Representative John Faber also spoke in favor of **HB 2738** (no testimony provided).

OPponents:

Ron Klataske, Audubon of Kansas, presented testimony in opposition of **HB 2738** (Attachment 8), stating the Audubon of Kansas strongly supports the statutes in place because most residents want to know that professional management is observed in this state. Further, it would be a major step backward if the State of Kansas dropped professional requirements as we venture into the 21st Century.

Doug Phelps, an individual, spoke in opposition of **HB 2738** (Attachment 9), commenting that proper administration of Kansas Wildlife and Parks requires the ability to integrate biology, sociology, business principles, and political realities.

John Strickler, an individual, testified in opposition to **HB 2738** (Attachment 10), advising he sees no reason why this proposed change in the Secretary of Wildlife and Parks' qualifications is needed, and to eliminate them would constitute a breach of faith with the constituents of the Department that was made at the time the Department was created.

Spencer Tomb, Administrative Vice President, Kansas Wildlife Federation, spoke in opposition of **HB 2738** (Attachment 11), testifying that hunters and anglers recognized that having basic qualifications of education, training and experience in resource conservation and management would be needed for the Secretary of Wildlife and Parks to be an effective leader of a complex agency, and the concern is that if the qualifications are removed, severe politicization of the Secretary's position would follow.

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, appeared in opposition of **HB 2738** (Attachment 12), advising the Department feels very strongly that any scientific or biologically based government agency requires the professional management of a scientist or biologist who is trained and educated in the area they are chosen to lead.