

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 A.M. on March 10, 2005 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department

Conferees appearing before the committee:

Chris Tymeson, Chief Legal Counsel, Kansas Wildlife and Parks

Dan Ward, Director, Kansas Wildlife Federation

Ron Klataske, Audubon of Kansas

Others attending:

See attached list.

Senator McGinn requested a bill briefing on HB 2253 by Raney Gilliland who recommended some corrections and rewording of the bill.

Senator Taddiken asked about Section 4 lines 4-6. Mr. Gilliland stated that this was current law. Senator Taddiken asked if we are changing the stricken language. Mr. Gilliland said that by striking this section, current law would be retained.

Senator Bruce asked how many diversions one could get, to which Mr. Gilliland replied that conferees would address this question.

Chairman McGinn recognized Chris Tymeson, Chief Legal Counsel for Kansas Department of Wildlife and Parks to present testimony in favor of the bill (Attachment 1). He also presented an amendment to address disparities in the statutes.

Senator Lee asked for a flow chart to explain the penalties. She also asked what the penalty is for a class C misdemeanor. Mr. Tymeson stated that a flow chart would be provided and that a class C has a fine of \$500.

Senator Huelskamp asked for a description of habitual violator population and if progress has been made in deterring these crimes. Mr. Tymeson stated that the bill currently under consideration enacting the Wildlife Violator Compact was one measure to address these issues.

Senator McGinn asked how many people have been prosecuted and if we will see more prosecutions. She also asked if this allows for flexibility to use ankle bracelets if the jails reach capacity. Mr. Tymeson stated that he does not think the provisions allow for the use of ankle bracelets.

Senator Ostmeyer asked if there are any numbers on this. Kevin Johnson, KDWP enforcement from Pratt, Kansas stated that data can be obtained. He also informed the committee that there is not a large number who have three or more violations. Senator Ostmeyer asked if the violator loses their gun or license upon such infractions. Mr. Tymeson stated that mandatory revocation is in place which ties into the violator compact.

Senator Bruce asked about page 3 of the bill, and asked if a single violation arises from one set of facts or individual violation. Mr. Tymeson stated that the same set of facts would equal one violation.

Next to testify in favor of the bill was Dan Ward of the Kansas Wildlife Federation (Attachment 2). He stated that the main objectives of the bill are to raise fines to treat in-state and out-of-state violators equally and to increase penalties for repeat offenders.

Senator McGinn then introduced Ron Klataske of Audubon of Kansas (Attachment 3). Mr. Klataske supports the bill and states that there is a significant amount of illegal deer hunting in Kansas and

CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee at 8:30 A.M. on March 10, 2005 in Room 423-S of the Capitol.

this bill would provide statutory deterrents.

Senator McGinn asked if we are doing anything to watch sales of antlers, such as online auctions. Mr. Tymeson stated that they are watching some, but it is difficult to tell if the ownership of the antlers is legitimate or not. It is not unlawful to sell antlers in Kansas.

Senator Taddiken suggested the possibility of creating a statute to limit the number of antlers one could sell in a given time period.

Senator McGinn suggested assistance by computer tracking.

The meeting was adjourned at 9:30 a.m.