

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2530**

As Agreed to April 26, 2024

Brief*

HB 2530 would make changes to the Kansas Wildlife and Parks Commission (Commission).

Commission Membership Appointments

The bill would require the seven members of the Commission to be residents of Kansas who are to be appointed by the following appointing authorities for the Fish and Wildlife Administration regions (Region) in the state:

- One at-large member appointed by the Governor;
- One member appointed by the Governor who would represent Region One;
- One member appointed by the Governor who would represent Region Two;
- One member appointed by the Governor who would represent Region Five;
- One member appointed by the Speaker of the House (Speaker) who would represent Region Four;
- One member appointed by the President of the Senate (President) who would represent Region Three; and
- One at-large member appointed by the Attorney General.

[*Note:* Currently, the Governor appoints all seven members of the Commission and is required to appoint one member from each Region in the state.]

The bill would authorize, on July 1, 2024, each appointing authority to appoint a new member to replace the current incumbent member; otherwise, the incumbent member could serve for the remainder of the incumbent member's term.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kIRD>

The bill would prohibit each appointing authority from appointing a controlled shooting area licensee or any employee of the licensee; or any persons who provide hunting outfitting services or hunting guide services as members of the Commission.

Commission Terms

The bill would authorize the four members appointed by the Governor to serve four-year terms. The three members appointed by the Speaker, President, and Attorney General would serve initial two-year terms and then four-year terms thereafter.

Commission Action

The bill would require the Commission to preserve the rights guaranteed by Section 21 of the Bill of Rights of the *Kansas Constitution* regarding the right of the public to hunt, fish, and trap wildlife.

Commission Chairperson

The bill would authorize the Commission members to elect a chairperson for a term not to exceed two years. In the event of a vacancy of the chairperson, the Commission members would elect a successor for the remainder of the chairperson's term. The bill would authorize the Commission to elect a new chairperson upon the expiration of the chairperson's two-year term.

[*Note:* Currently, the Governor has the authority to appoint the Chairperson of the Commission with no term limit.]

Conforming Amendments

To reflect the appointment of Commission members by entities other than the Governor, the bill would remove the term "governor" throughout the bill and replace with the term "each respective appointing authority" or "respective appointing authority" regarding selecting an appointment, filling vacancies, removing a commissioner, and actions against a commissioner.

Effective Date

The bill would be in effect upon publication in the *Kansas Register*.

Conference Committee Action

The Conference Committee agreed to remove the contents of HB 2530 and add the contents of SB 347, as amended by the House Committee, with the following amendments:

- Remove language that would abolish the existing Commission and create a new Commission;

- Add specific Regions to certain appointments made by the appointing authorities;
- Add language that requires the Commission to preserve the rights guaranteed by Section 21 of the Bill of Rights of the *Kansas Constitution* regarding the right of the public to hunt, fish, and trap wildlife;
- Require the Commission to elect a chairperson at the first meeting of a calendar year after which the chairperson's seat on the Commission is vacated or the term of the chairperson has expired; and
- Prohibit any respective appointing authority from appointing a controlled shooting area licensee or any employee of the licensee; or any persons who provide hunting outfitting services or hunting guide services as members of the Commission.

Background

The contents of HB 2530, regarding violations of insurance law, were removed from the bill by the Conference Committee. A companion bill to HB 2530, SB 340, was introduced in the Senate and is currently in conference; however, the contents of SB 340 were also included in the Conference Committee Report for SB 423, which was not adopted by the Senate and remains in conference.

HB 2530, as agreed to by the Conference Committee, contains the amended contents of SB 347, the background of which is provided below.

SB 347

SB 347 was introduced by the Senate Committee on Agriculture and Natural Resources at the request of Senator Peck.

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, Senator Steffen and Representative Corbet provided **proponent** testimony, stating Senate confirmation of the Commission creates checks and balances on the Executive Branch. The conferees also stated the right to hunt, fish, and trap in the state is important, and appointees to the Commission should be thoroughly vetted in order to ensure this right is protected.

The Secretary of Wildlife and Parks provided **opponent** testimony, stating that under the existing gubernatorial appointment process, vacancies can be filled quickly, which is important, as the Commission's main purpose is to solicit public input during the rules and regulations promulgation process. The Secretary also noted the Commission does not oversee the administrative functions of the Kansas Department of Wildlife and Parks (KDWP).

Written-only opponent testimony was provided by a representative of Backcountry Hunters & Anglers Kansas.

Neutral testimony was provided by a representative of The Nature Conservancy, who stated that regulatory decisions of the Commission must be informed by science and in pursuit of outcomes that benefit wildlife as a shared resource owned by all Kansans.

House Committee on Agriculture and Natural Resources Budget

In the House Committee on Agriculture and Natural Resources Budget hearing, Representative W. Carpenter provided **proponent** testimony, stating the bill, as introduced, is good legislation and asked the Committee to amend the bill to require the Commission to elect a chairperson and place a term limit on the chairperson.

The Secretary of Wildlife and Parks provided **opponent** testimony, stating the current Commission and processes work well.

Written-only opponent testimony was provided by a representative of Backcountry Hunters & Anglers Kansas.

Written-only neutral testimony was provided by a representative of The Nature Conservancy.

The House Committee on Agriculture and Natural Resources Budget amended the bill to:

- Abolish the existing Commission, as it exists on December 31, 2024, and create a new Commission on January 1, 2025;
- Establish the seven appointments to the new Commission;
- Require the appointments to be made on or before January 17, 2025;
- Replace the term “Governor” with “each respective appointing authority” or “respective appointing authority”; and
- Authorize the members of the Commission to elect the Commission’s chairperson for a term not exceeding two years.

House Committee on Federal and State Affairs

SB 347, as amended by the House Committee on Agriculture and Natural Resources Budget, was withdrawn from the House Calendar and referred to the House Committee on Federal and State Affairs.

In the House Committee on Federal and State Affairs hearing, **proponent** testimony was provided by Representative Corbet, who stated the bill would require a more diverse membership on the Commission.

The House Committee on Federal and State Affairs amended the bill to:

- Specify representation of the five Regions on the Commission;

- Designate specific membership terms;
- Amend the appointment date to January 15, 2025, from January 17, 2025; and
- Remove provisions that would have required Senate confirmation of appointees.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDWP states that an appointee could incur travel expenditures to meet with the Senate for confirmation; however, any additional expenses would be absorbed within the agency's existing resources. Legislative Administrative Services states the requirements of the bill would fall within normal operations of the Legislature and could be absorbed within its current budget. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Kansas Wildlife and Parks Commission; appointments; hunting; fishing; trapping; constitutional rights

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