

## MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on February 2, 2012, in Room 783 in the Docking State Office Building.

All members were present except:

Representative Michael Peterson (Unexcused)  
Representative Grant (Excused)

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:

Steve Wood, Hays, Kansas (Proponent)  
Representative Joe Siewert (Proponent)  
Chris Tymeson, Department of Wildlife and Parks (Opponent)  
Shawn Harding, Kansas Bowhunters Association (Opponent)

Others attending:

See Attached List.

Chairman Powell welcomed the committee and announced the first order of business is to take up **HB2503 amending the membership and responsibilities for certain agricultural boards and advisory boards for further discussion and final action.**

Randy Gilliland of Legislative Research provided an overview of the bill. This is a bill that you had a hearing on January 26, 2012. It relates to a variety of boards and advisory bodies with respect to agriculture. First Section on page 1 deals with the Kansas Agricultural Remediation Board and deletes the language that would make those members subject to Senate Confirmation. Sections 2 & 3 deal with grape and wine industry advisory council and changes to membership to not less than 9 members and revamps some of the language with respect to the membership. All of the members of the grape and wine advisory council would be appointed to terms ending June 30, 2016 in addition the Secretary of Agriculture, Secretary of Department of Wildlife and Parks, and ABC Director would be ex officio members of the advisory council. Both of these

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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.

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sections expire on July 1, 2016. One additional aspect to change in language of Section 3, line 31 which talks about facilitating the organization with a plan and structure of the Department of

Agriculture providing administrative assistance until such time the advisory council has resources to provide some staffing. Section 4 of the bill deals with the dairy marketing advisory board and amendment of the bill proposes to change the appointment from the Governor to the Secretary of Agriculture and makes a few changes with regard to the duties and responsibilities of the dairy marketing advisory board. Section 5 deals with agriculture marketing promotions advisory board appointed by Secretary of Agriculture not less than 9 members or more than 12 members with knowledge and leadership in areas outlined in lines 14 through 19 and language on page 5.

*Representative Kerschner moved to favorably pass **HB2503** except for striking Section 4. Representative Prescott seconded the motion.*

*Representative Brookens offered a substitute motion to pass the bill out favorably with the amendment in the language in the bill pertaining to the Grape and Wine Advisory Council to read: Department of Agriculture provides administrative assistance until such time as the Secretary of Agriculture reasonably believes the advisory council has resources to provide staffing on its own. Representative Moxley seconded the motion. When called to a vote, the motion carried unanimously.*

The next order of business is to take up **HB2449, establishing the Kansas equine education and promotion board.**

Raney Gilliland provided an overview of **HB2449** that had hearing on January 24. The bill would create the Kansas Equine Education and Promotion Board and reviewed the board's powers and the process assessing \$2 per ton of commercial equine feed sold in Kansas, which would provide grant funding to support research and public education for equine-related issues, promotion of the development and uses of equine in the state and creation of public awareness of the value of equine activities in the state.

Sean Ostrow of the Revisor of Statutes Office discussed a proposed amendment to the bill. He discussed what are considered minor changes in wording regarding the members.

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*Representative Brookens offered a motion to adopt the balloon. Representative Hayzlett seconded the motion.*

*Representative O'Hara offered a substitute motion to table the action on **HB2449**. Representative Hildabrand seconded the motion. When called to a vote, the motion carried unanimously.*

Chairman Powell opened the floor for hearings on **HB2295 amending state hunting laws and regulations relating to hunting seasons, permits and the use of bows**

Steve Wood testified in support of **HB2295** in support of the use of crossbows and arrows in Kansas, to be able to hunt all of the same seasons as the vertical bow and arrow hunters. The use of crossbows has grown in Kansas many other states. Overall 18 states are full crossbow inclusive and 26 states have more inclusive laws than Kansas. Of the states that are fully crossbow inclusive, no state has rescinded the regulation and no state has reduced the amount of time for vertical bow hunters.

Mr. Wood recommended the Committee pass **HB2295** amending state hunting laws and regulations relating to hunting seasons, permits and the use of bows.

Representative Joe Siewert testified in support of **HB2295**. (Attachment 1)

Constituents in his district are seeing more and more deer and continue to ask what is being done to control them. Additionally, there have been lives lost in accidents as well as severe injuries in cars and motorcycle accidents involving deer in and around the Wichita area.

Representative Siewert recommended the Committee consider the following options:

- Allow crossbows during the bow season.
- Extend the antlerless deer hunting season to allow three weekend total in January to certain units.
- Add \$17.50 (the fee for an in state doe tag) to the out-of-state permits to allow them to take a doe in addition to a buck.

These are very simple ways to promote more hunting licenses, while also increasing revenue for Wildlife and Parks Department.

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Representative Siewert and other legislators believe the additional \$17.50 to the out-of-state tags will help decrease the deer accidents, promote more hunting, and should be a win/win solution for everyone.

Chris Tymeson, Chief Legal Counsel, Department of Wildlife and Parks, provided testimony on behalf of the department in opposition to the passage of **HB2295**. (Attachment 2)

Specific to Section 2 removing requirements for a person to have a disability to use a crossbow for big game, while the Department currently has the authority to allow the use of crossbows in any season and does allow them during firearms seasons, it is believed that the proposal is intended to allow the use of crossbows during the archery season, when mature bucks are most vulnerable. The Department is opposed to any provisions which could potentially alter the age structure of the herd. The age structure of the herd is the primary reason Kansas is a world class destination when it comes to hunting.

The current deer management system is a direct result of stakeholder participation, including landowners, tenants, hunters, guides and general members of the public. The current system and changes went into effect in 2008 and most of the primary stakeholders exhibited the strong desire to leave the system unchanged for a long period of time. Continued change confuses participants in the system and results in participants leaving deer hunting, which leads to reduced funding as well as fewer to take deer.

Shawn Harding, President, Kansas Bohunters Association provided testimony on behalf of the association in opposition to the passage of **HB2295**. (Attachment 3)

Crossbows are currently not defined as a “bow” in the legal language of the State of Kansas. The reason they are argued as “bows” is that our Federal Government makes manufacturers pay the same excise taxes for both bolts and arrows.

The minimum draw weight for bows was removed from regulations to allow more hunters, youth and seniors, the ability to use lighter poundage archery equipment. With the proper broadhead and good education, success has been achieved with less draw weight.

The Kansas Bowhunters Association believes the Kansas deer herd should be properly managed using scientific methods to maintain its health and quality for generations to come. It is their belief the use of crossbow during the archery season is not beneficial to these efforts.

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The Kansas Bowhunters Association recommends the regulations concerning the use of crossbows to hunt big game and turkeys in Kansas to remain as they are currently written.

Written testimony:

Tony Felich – Opponent (Attachment 4)

Bill Zerger – Opponent (Attachment 5)

There being no further testimony on **HB 2295**, Chairman Powell closed the hearings.

Chairman Powell announced there will be no Committee meeting on Friday, February 3, 2012.  
The next meeting will be Tuesday, February 7, 2012.

Meeting adjourned at 10:40 a.m.