

Approved: February 24, 2010

Date

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Vice Chairman Rocky Fund at 3:30 p.m. on February 9, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Johnson - Excused  
Representative Light - Excused  
Representative Palmer - Excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes  
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:

Representative Pat George  
Joshua Hobbs, Manager, Horse Thief Reservoir  
Ed Klumpp, Chief of Police, Retired, Kansas Association of Chiefs of Police and Kansas Peace Officers' Association  
Representative Richard Carlson  
J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks

Others attending:

See attached list.

Vice Chairman Fund began the meeting with the hearing on **HB 2606** - Tuttle Creek Dam river pond area, entrance to remain open.

**Hearing on HB 2606:**

**PROPONENT:**

Representative Richard Carlson spoke in favor of **HB 2606** (Attachment 1), stating this bill is short and to the point concerning the closure of the west entrance to the Tuttle Creek pond and recreation area, and after being open for many years, the Kansas Department of Wildlife and Parks (KDWP) decided to keep the west entrance closed after the work on the dam was completed. Representative Carlson further added it will take very limited and negligible resources to keep both entrances open as they have been for forty years, and that park accessibility should be at the convenience of the people, not at the convenience of the KDWP.

Representative Sydney Carlin also spoke in favor of **HB 2606** (no testimony provided).

**OPPONENT:**

J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks, presented testimony in opposition of **HB 2606** (Attachment 2), commenting the KDWP determined last fall to not re-open the entrance as it had been in the past as it meets two clear objectives of the Park's Division; one, to reduce the number of entrances to all State Parks to one for enforcement and safety purposes, and two, to reduce the costs for the Park's Division. Secretary Hayden further added crime statistics for the park show that thefts, property crimes and burglary are all down in the park after going to one entrance and vehicle permit violations are half of what they were in 2007. The KDWP estimates that keeping the west entrance closed will result in an annual savings of nearly \$50,000 which is an important factor since the state general fund allocations to the Parks Division have been cut by \$3.2 million since FY 2008.

After questions were asked by members of the Committee, the hearing was closed on **HB 2606**.

2/09

## CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on February 9, 2010, in Room 783 of the Docking State Office Building.

Chairman Powell opened the hearing on **HB 2638** - Horse thief reservoir water district employees granted law enforcement powers; requiring trained at the law enforcement training center.

### **Hearing on HB 2638:**

#### **PROPOSERS:**

Representative Pat George provided testimony in support of **HB 2638** (Attachment 3), stating that as a resident of the Horse Thief Reservoir Benefit District, this project promises to benefit all Kansans and that plans are to open the park for public use sometime between late May and early July, 2010. Representative George further added that with the influx of visitors will come the need for law enforcement and a mechanism to insure public safety, and that **HB 2638** addresses that need.

Joshua Hobbs, Manager, Horse Thief Reservoir and its facilities in Hodgeman County, spoke in favor of **HB 2638** (Attachment 4), commenting that based on other parks in the region, Horse Thief Reservoir plans on providing recreational opportunities for up to 150,000 visitors per year and with that many potential park patrons, there is a need for law enforcement capabilities to ensure the safety of the users. Mr. Hobbs further stated that to insure that emergency situations will be attended to in a timely manner, **HB 2638** is needed to spell out the requirements and limitations that the law enforcement personnel at the park has and needs.

#### **Opponent Written Testimony:**

Sheriff Ronald Ridley, Hodgeman County Sheriff's Office (Attachment 5)

#### **NEUTRAL:**

Ed Klumpp, Chief of Police, Retired, Kansas Association of Chiefs of Police and Kansas Peace Officers' Association, provided neutral testimony on **HB 2638** (Attachment 6), testifying that the purpose of his testimony is to provide information based on experience with two prior legislated authorizations for non-traditional law enforcement agencies and the importance to get it right in the statutes. Mr. Klumpp added that this bill mandates the Hodgeman County Sheriff's Office provide firearms certification and training to the officer's of the new agency. No other law enforcement agency in Kansas has such a mandate to train another agency nor does any other agency enjoy this type of free training mandate placed by statute on another agency. Secondly, Mr. Klumpp states this bill fails to address the provisions of K.S.A. 22-2401a., the statute wherein jurisdictional authority is defined for every other law enforcement agency in Kansas. This statute and appropriate amendments need to be added to this bill. Other non-traditional law enforcement agencies, such as railroad police, etc., are required to pay tuition for Kansas Law Enforcement Training Center and strongly recommends an amendment to statute K.S.A. 74-5609a(a) be included in this bill to include the Horse Thief Reservoir Benefit District law enforcement agency.

After questions were asked by members of the Committee, the hearing was closed on **HB 2638**.

The next meeting is scheduled for February 10, 2010.

The meeting was adjourned at 4:33 p.m.