

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 347

As Amended by House Committee on Federal
and State Affairs

Brief*

SB 347, as amended, would make changes to the Kansas Wildlife and Parks Commission (Commission).

Abolish and Create Commission

The bill would abolish the current Commission, as it exists on December 31, 2024, on January 1, 2025, and create a new Commission on the same day.

Commission Membership

The bill would require the new Commission to be composed of seven members, including:

- Four appointed by the Governor;
- One appointed by the Speaker of the House (Speaker);
- One appointed by the President of the Senate (President); and
- One appointed by the Attorney General.

The bill would require the respective appointing authorities to make their initial appointments on or before January 15, 2025.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

[*Note:* Under current law, the Governor appoints all seven members of the Commission.]

Commission Member Representation

Current law requires that each of the five regions be represented by at least one member of the Wildlife and Parks Commission. The bill would require appointments by certain appointing authorities to represent different fish and wildlife administration regions that have been established by the Department of Wildlife and Parks (DWP).

The bill would require each of the four appointments made by the Governor to represent a different fish and wildlife administration region.

The appointment made by the Attorney General would be required to represent the remaining fish and wildlife administration region.

[*Note:* The DWP has established five fish and wildlife administration regions within Kansas: Northeast, Northwest, South Central, Southeast, and Southwest.]

Commission Member Terms

The bill would specify the following membership terms for Commission members based upon the appointing authority:

- Each member appointed by the Governor would serve a four-year term; and
- Each member appointed by the Speaker, President, or Attorney General would serve an initial term of two years with subsequent terms of four years.

Commission Chairperson

The bill would authorize the new Commission to elect a Chairperson for a term not to exceed two years. Under current law, the Governor has the authority to appoint the Chairperson of the Commission with no term limit.

Conforming Amendments

To reflect the proposed 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*.

Background

The bill 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

On March 18, 2024, the bill, 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 on March 20, 2024, **proponent** testimony was provided by Representative Corbet, who stated the bill would require a more diverse membership on the Commission.

On March 21, 2024, the House Committee on Federal and State Affairs amended the bill to:

- Specify representation of the five fish and wildlife administration areas 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. [Note: The bill as amended by the House Committee on Federal and State Affairs does not require Senate confirmation of appointees.] 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; Department of Wildlife and Parks; Senate confirmation; appointments