

HCS#2 HB 752 -- USE OF LANDS

SPONSOR: Pollock (Sutherland)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on State Parks and Waterways by a vote of 7 to 0.

This substitute creates the crime of distribution of a controlled substance near a park when a person unlawfully distributes or delivers heroin, cocaine, LSD, amphetamine, or methamphetamine to another individual within 1,000 feet of a public, private, state, county, or municipal park. The crime will be a class A felony.

The substitute also specifies that all historic shipwreck materials and other objects that have historic or archaeological value and have been abandoned on lands beneath navigable waters belong to the state and will be administered and protected by the Office of State Historic Preservation within the Department of Natural Resources. Any application for approval of regulated activities at a historic shipwreck site will include authorized written permission from any affected landowner allowing access both to and from sites on the property and any ground-disturbing activities on the property.

Individuals are prohibited from fishing, hunting, trapping, or retrieving wildlife from private land without the permission of the owner or lessee of the property. Any person who knowingly does so will be guilty of a class B misdemeanor and may lose his or her license to fish, hunt, or trap for one year from the date of the conviction.

Any person who is engaged in the retrieval of wildlife from private land with the permission of the landowner and intentionally drives or flushes large or small game toward other hunters located on other parcels of land or intentionally discharges a firearm at large or small game that originates from private land during the retrieval will be guilty of a class B misdemeanor.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$100,000 in FY 2008, FY 2009, and FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the purpose of the bill is to protect historic shipwrecks in the state. As rivers naturally move their banks, shipwrecks are exposed. The bill attempts to make sure the items in the shipwrecks are removed properly and preserved.

Testifying for the bill was Representative Sutherland.

OPPONENTS: There was no opposition voiced to the committee.