

HCS SCS SB 198 -- USE OF LANDS

SPONSOR: Mayer (Pollock)

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

This substitute authorizes the Director of the Department of Natural Resources to enter into cooperative agreements with private, not-for-profit organizations to reimburse the department for the actual costs of providing state park facility space and incidental staff support. The agreement must also clearly demonstrate the fiscal, interpretive, educational, and facility enhancement benefits to the state.

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 is created. 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. Any application for the 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.

PROPONENTS: Supporters say that the bill gives the Department of Natural Resources expanded authority to enter into agreements with private, not-for-profit groups. Currently, the department can only work with a group whose only purpose is to support state parks.

Testifying for the bill were Senator Mayer; and Department of Natural Resources.

OPPONENTS: There was no opposition voiced to the committee.