

HCS SCS SB 198 -- USE OF LANDS

This bill adds facility enhancement to the list of permissible activities for which the Department of Natural Resources may enter into cooperative agreements with nonprofit organizations and allows these organizations to provide services to any state park instead of only one state park. The department may provide incidental staff support if the organization reimburses the department for the actual costs of park facility space and staff support as well as demonstrates the fiscal, interpretive, educational, and facility enhancement benefits to the state. Proceeds from the sale of any services under a cooperative agreement must be used by the organization for interpretive or educational services in state parks.

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 bill also specifies that all historic shipwreck materials and other objects that have historic or archaeological value and have been abandoned for at least 50 years 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.