

22 September 2009

Representative Carl Holmes, Chair  
PO Box 2288  
Liberal, KS 67905

Re: Letter to Secretary Hayden regarding August 24, 2009 Joint Committee meeting

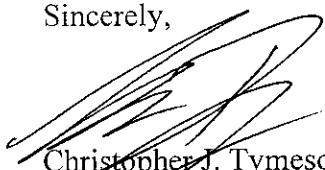
Dear Representative Holmes:

After the August 24, 2009 meeting of the Joint Committee on Administrative Rules and Regulations, the Committee had two comments. The first dealt with K.A.R. 115-8-6 (f). The Joint Committee wanted to know why three specific state park bodies of water were listed, while others were excluded. Those three parks were listed because they are owned by the Department and are smaller bodies of water where user conflicts could be anticipated. In contrast, the Department does not "own" the bodies of water where other state parks are located and the bodies of water themselves are much larger and potential user conflicts diminished.

The second comment dealt with a new proposed regulation, K.A.R. 115-20-7 and considering removing pellet and BB guns from the list of legal hunting equipment for the taking of doves. The Department will not be recommending removal for three reasons. First and foremost, consistency in regulations is a key consideration when drafting any regulation. Pellet and BB guns are authorized as legal equipment for rabbits, hares, squirrels, crows, nuisance animal damage control and miscellaneous wildlife species under K.A.R. 115-20-2. Second, a pellet or BB gun is more than adequate equipment to take a stationary dove. And finally, pellet and BB guns are the primary hunting equipment of youth hunters in the early stages of their hunting careers.

If you have any questions about these responses, please do not hesitate to contact me.

Sincerely,



Christopher J. Tymeson  
Chief Legal Counsel  
Kansas Department of Wildlife and Parks

xc: Sen. Vicki Schmidt, Vice-Chair, Joint Committee  
Raney Gilliland, Legislative Research