	Approved February 28, 1984 Date
MINUTES OF THE <u>Senate</u> COMMITTEE ON _	Energy and Natural Resources
The meeting was called to order by	Senator Charlie L. Angell at Chairperson
8:00 a.m./xxxx on Monday, February 27	
All members were present except: Senator Bert Chaney (Excused) Senator Tom Rehorn Senator Ed Roitz (Excused) Committee staff present: Ramon Powers, Research Department Chris Stanfield, Research Department Don Hayward, Revisor's Office LaVonne Mumert, Secretary to the Committee	

Conferees appearing before the committee:

Senator Ben Vidricksen

Bill Mick, Kansas Federation of Houndsmen

Lloyd Moore, Kansas Federation of Houndsmen

Leroy Reeves, Central United States Fox & Wolf Hunters, Kaw Valley Fox & Wolf Hunters Association and Grand Royal American Foxhound Club

Jim Dobbins, Kansas Furharvester Association

Tom Swearingen, Lawrence, Kansas

Mike Beam, Kansas Livestock Association

John Blythe, Kansas Farm Bureau

Darrell Montei, Kansas Fish and Game Commission

Kent Jackson, Kansas Fish and Game Commission

S.B. 655 - Taking, injuring or killing of fur-bearing animals

Senator Vidricksen told the Committee he introduced the bill at the request of the Kansas Federation of Houndsmen.

Bill Mick read his statement (Attachment 1) in support of the bill. He said they are not interested in killing game but want to be able to run the hounds and train them. Mr. Mick testified that there are no major hunts held in Kansas at the present time because of the restrictions.

Lloyd Moore read his written statement (Attachment 2) in support of S.B. 655. He also provided a summary of the laws on hunting in various states (Attachment 3). He stated that the four states surrounding Kansas have year-round running seasons. He said that the dogs are taught to not molest stock.

Leroy Reeves talked about the tradition of fox hunting. He emphasized that the hunters only wish to pursue the animal, not to kill it. Mr. Reeves said that they do run coyotes year-round because there are not enough foxes, and noted that there is no indication that this has had any impact on the coyote population. Chairman Angell asked about the phrase "other than nonviolent domesticated animals" in line 65 of the bill. Mr. Reeves said this is basically to protect the dogs.

Jim Dobbins testified in opposition to S.B. 655. He stated that he was also voicing the opposition of Kansas Outdoors Unlimited. The purpose of his organization is to insure the most harvestable furbearers possible. Mr. Dobbins stated that this bill would take the determination of the running season from the Kansas Fish and Game Commission. He said the raccoons must be left alone during the breeding season. Mr. Dobbins mentioned the continuing destruction of the natural habitat of raccoons. He testified that his organization vigorously opposes any increase in the number of days dogs are allowed to run. Mr. Dobbins cited figures for income from furharvesting. Vice-Chairman Kerr asked why year-round running is allowed by the states surrounding Kansas. Mr. Dobbins answered that it is because of political pressures.

Tom Swearingen read his written statement (Attachment 4) in opposition to the bill. He discussed various factors, such as distemper, other diseases, drought, which have caused heavy population losses to raccoons. Mr. Swearingen said it is inevitable during the training and running of hunting dogs that raccoons will be killed.

Mike Beam said that his organization takes no position on the practice of running coonhounds year-round. Their opposition to the bill centers around the language in line 65: "other

CONTINUATION SHEET

MINUTES OF THE <u>Senate</u> COMMITTEE ON <u>Energy and Natural Resources</u>,
room <u>123-S</u>, Statehouse, at <u>8:00</u> a.m./XXXX on <u>Monday</u>, February 27 , 19.84

than nonviolent domesticated animals". He said that dogs will harm stock, and the Kansas Livestock Association members feel they should have the right to defend their stock. Mr. Beam told the Committee that the Committee of Farm Organizations also takes this position on the bill.

John Blythe testified that Farm Bureau's position is identical to that of the Kansas Livestock Association.

Darrell Montei read his written statement (Attachment 5) opposing S.B. 655. He said that during the 1983-84 furbearer season there were 236 days that certain furbearers could be run. In addition, sanctioned furbearer field trial events may be held. Mr. Montei said that there is no conclusion from any state that positively concludes that the length of a running season either hurts or is harmless to raccoon population. The intent of the Fish and Game Commission is to protect raccoon during the vulnerable period of their life cycle.

S.B. 569 - Personal flotation devices not required on racing shells or kayaks or rowing sculls

Kent Jackson said his previous testimony that the Fish and Game Commission had made a special allowance for racing shells, kayaks and rowing sculls was in error. He explained that because the U. S. Coast Guard has exempted this type of craft from use of personal flotation devices, any federal waters or navigable streams are exempt from the Kansas law. Mr. Jackson said the Fish and Game Commission supports S.B. 569 for the sake of conformity.

Senator Werts moved that the bill be reported favorably for passage. Senator Hess seconded the motion, and the motion <u>carried</u>.

S.B. 580 - Purchase of fish hatchery stamp not required of lifetime license holder

Kent Jackson told the Committee that the Fish and Game Commission would prefer to establish a one-time hatchery fee for lifetime license holders rather than completely exempting them. He provided a proposed schedule of charges (Attachment 6). He advised that the Commission will implement such a schedule by rules and regulations.

The meeting was adjourned at 8:59 a.m. by the Chairman. The next meeting of the Committee will be at 8:00 a.m. on February 28, 1984.

Senate Energy + Natural Resources Feb. 27,1984

Organization KANS FRE OF HOONDSMEN Wyd w moore Pres. KANS Fed. OF Hounds MENE CENTRL UNITED STATE FORT WELF HUNTER KAN VALLEY FORT WOLF HUNTER ASSIVER ERAND ROTAL AMERICAN FORHUND CLUB Bill Mick LEROY REEVES DARRELL MONTEI KS, FISH & GAME COMM. Ha Tish & Some Comm. Woyd B. Fox Kent Jackson Ks F-3h & bame Comm. U.S. Rowing ASSW Don Craig Topeka Rowing Assa. Chris Mathall Make Beam KS LUSTK ASSN, John K. Blytte Kanses from Buren Della Wray Blyens down w. Mull Karan Fed of Houndson Rick mick Kansas fed of Haundaman Bob Newell KARSAS FED. OF HOUNDSMAN David Toley Kansas For Harverestes mike mysee Kansas For Harvesters Kansas Fur Harvesters BIDarveaux John Cons KANSAS FUR HARVESTERS Kanses Fur Harvestons & Landowne. Earl Stevens Russell Voelker KAMED FOR HARresten + LAMOOWNEN Les Barnes Kansas Jun Harveder & Rendonnes Kansas Fur Harve Sters mark mose W. L. Misser Kanses Jun Harrests Lowbourn Les Foly Kansas Furthervesters Karoas fur Harresters Kirk Jackson Dt 3 Box 105 Jeway K Jan Senemings Commit Smith

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IMPUT FOR SENATE BILL 655 BY: KANSAS FEDERATION OF HOUNDSMAN

First of all we are interested in coon hunting as a sport. we like to listen to our dogs run as the old time fox hunters, liked to listen to there's in the past. We do not want to kill the coon, for with out them there would be no sport.

When we take these dogs to the field we are not out to catch game only to guide them toward excelence in there ability to find game and to enjoy with them the right to be out there and to be free and alone away from the hassel of every day life.

In years past there used to be the right to run your dog year around during those years. There was always an over abundance of coon. All of our adjoining states have the right to run there dogs. At the present time we can go to Nebr, Iowa, Mo, Ark, Okla, or Colo and run our dogs.

But in our state we can't even road our dogs after night when we get off work and it is cool, for fear the game warden will come along and give us a ticket for hunting coon.

If a dog should get off a chain, or out of his pen at night, and go hunting we can not go get him till daylight, because we will get caught for coon hunting. I had this happen and I called the local game protector to ask if I could go get my dog. He said if I left the road I would be subject to get a ticket for coon hunting.

We have hunts that run through all the Spring and Summer months. Where the purse runs from championship points on our dogs to ten thousands of dollars.

We in Kansas have to take our dogs to these hunts either out of shape or we have to become law breakers to work them and get them ready. At this time none of the major hunts are held in Kansas, because or our laws and running coon.

I feel this is a great loss of money both to the hound people and the other business in Kansas such as Motels, Restaurants and ETC.

In these hunts you are scratched for intentionally killing a coon. Once in a great while a coon is caught and killed on the ground in almost every case the coon is sick or diseased and therefore better off dead than spreading the diaease to the other animals.

As for the land owners most of our people will not hunt with out permission. The ones that don't have permission or kill coon are breaking the law now and will still be breaking the law should this bill pass.

The only difference is that with this bill the honest hunter will be out there to turn the law breaker in, and in this way be able to stop bad relationships with the farmers and save coon for everybody.

There used to be a market valve on every animal out there but today the only thing that can be sold is fur, but that does not stop a mans right to take his retreiver without a gun to a lake year around and teach him to retreive. So how can it be right to stop a man because his sport with a dog is something eles.

In other grain states there has been studies made that prove, there is no impact on the coon population by years around running.

We ask you please amend this bill to where the honest people of Kansas can enjoy there sport.

THANK-YOU BILL MICK

PRES. KANSAS FEDERTATION OF HOUNDSMAN

R.R.3

HOLTON, KANSAS PHONE NO. 913-364-3968

Kloyd Means - MILTON VALE, 16.

My wife and I have been competition Coon Hunters for 15 years. We tunt for trophys and pleasure. not hides. We support Lende Biel 655. With this tell we can train our dogs as time and weather permets. We don't think this, is unclassonable as the surrounding states have year round running seasons, including attentions. One of the first lessons a young competition dog learne is to leave livestock alone, en a hunt a dog is scratched and not allowed to continue the heint if it runs or molests stock. For our le Ke Hunts we have to have a permit and maps of countries filled in where we have permission to hent. They must be approved by our game worden and sent to Prott. Every quile knows he is not to put a cast where he has no permission to hust. at the Spring 1983 meeting with the Communication to not seasons and boy limits the Februation of Houndamen asked the forther same running reason as in 1982. We were told "no", we were depleting the remongraphentions we then told the Commissioners we would agree to less. fill season if we could her the same running season. The Commission then coted, on alvise of Fish and Lame officials, to all 8 days on to kill season and changed running season tobat open on July 15. This is the hottest time of year and too hot to run dogs:

Thank you for the opportunity to speak before the Commission Wards you Ach 2

	Do you have a raccoon hunting season? If so, what are the dates?	Do you have a season during which the raccoon may be legally run with dogs but not legally killed? Dates?	What type of license, permits or tags are required to legally hunt raccoon for sport and legally kill them?	Do you have seasons, other than running season, during which coonhound Field Trials may be Hrun? Dates?
ARKANSAS	Yes. December l - January 31.	Yes. Year-round.	Hunting license and fur takers permit.	Year-round.
KANSAS	Did not respond.			
LOUISIANA	Yes. Year-round.	No.	Hunting license, no permit or tags.	No.
MISSOURI	Yes. November 20 through January 5.	Yes. Year-round.	Resident hunting permit - \$6.00, or non-resident small game permit - \$25.50.	Yes. Year-round except during and five days before the spring turkey or firearms deer seasons in counties open to such hunt- ing, except on established Field Trial areas.
NEW MEXICO	Yes. April 1 through April 30, and October 1 through March 31.	Yes. June 1 through September 30.	Must have trapping license - \$5.25 resident; and \$301.00 non-resident.	No.
OKLAHOMA	Yes. December 1 through January 31.	Yes. Year-round except kill season.	Hunt for sport hunting license: hunt and harvest hunting license and special license with tags.	No.
TEXAS .	Did not respond.			

REGION II -

	Do you have a raccoon l season? If so, what are t	Do you have a season dr which raccoon may be l with dogs but not legal! Dates?	What type of license, pe tags are required to lega raccoon for sport and le them?	Do you have seasons, ot running season, during coonhound field trails 1 run? Dales?
Alabama	Yes. October 15 - February 28.	Yes. March 1 thru October 14.	Hunting license.	Field Trial permits are issued for any date.
Florida	Yes. Year round.	No.	Hunting license.	No.
Georgia	Yes. October 15 - February 15.	Yes. February 16 - October 14.	Hunting license.	Field Trials may be run at all times.
Kentucky	Yes. Third Thursday in November - January 31.	Yes. Night training season of February 1 - October 21.	Either resident or non-resident hunting license.	No.
Mississippi	November 6 - December 3. (Sport hunting for food.)****	Year round except during spring turkey season.	Small game hunting license.	No.
North Carolina	Yes. October 12 - January 30, and October 26 - February 27. (Seasons divided by Blueridge Mountains.)	Yes. Dogs can be run any time except on some game lands.	Regular hunting license.	No.
South Carolina	Yes. State divided into ten game zones, each with it's own raccoon hunting and running seasons.		Hunting license.	Yes. Year-round.
Tennessee	Yes. Dates vary with geographic location.	Yes. Most counties are open year round, laws very complex.	Hunting license.	Yes. Usually year-round.
Virginia	Yes. November 1 - January 31 (west): November 1 - February 28 (east).	Yes. October 1 - 31 (west); September 1 - October 31 (east).	State hunting license.	Yes. Second weekend in August - third weekend in May.
West Virginia	Yes. Mid October thru Janu- ary #.	Yes. Year round on public land or private land with written permission #.	Hunting license.	Yes. Year round with permit #.
	*C	r the nurnose of setting daily limits of	raccoons. In the counties north of a	nd including Carroll, Fulton, Gwin-

^{*}Georgia is divided into two areas for the purpose of setting daily limits on raccoons. In the counties north of and including Carroll, Fulton, Gwinnett, Barrow, Clark, Oglethorpe, Taliaferro, Wilkes, and Lincoln counties, the daily bag limit is 1 (October 15 - February 14). In the area south of the above counties bag limits are as follows: October 15 - November 30 daily 1/December 1 - February 15, no limit.

**Georgia's Game & Fish Division is currently monitoring raccoon populations using two methods. Statewide scentposts surveys have been conducted since 1978. These surveys consist of over 230 1.8 mile lines composed of 10 stations scented with attractant. Data on populations trends can then be gathered.

Second, they also gather information on annual productivity of their raccoon population by sampling age structure of the male harvest.

***Kentuckys bag limit was established due to the large number of coonhunters and also the high incidence of illegal taking during training and shakeout seasons

	Do you have a raccoon hunting season? If so, what are the dates?	Do you have a season during which the raccoon may be legally run with dogs but not legally killed? Dates?	What type of license, permits or tags are required to legally hunt raccoon for sport and legally kill them?	Do you have seasons, other than Rrunning season, during which coonhound Field Trials may be Srun? Dates?
CALIFORNIA	Yes. July 1 - March 31, in one part of the state and November 16 - March 31 in the rest.	Yes. *	Resident (\$12.50) or non- resident (\$43.50) hunting license.	No.
COLORADO	Yes. January 1 - December 31.	No. year Roand	Small game license - resident \$7.50; non-resident - \$25.00.	No.
І ДАНО	Yes. Dates not indicated.	No.	Resident or non-resident hunting license.	No.
; KANSAS	Yes. November 23 -January 31.	Yes. July 15 - November 6, and February 10 - March 31.	Furharvester license is required to hunt, trap, sell or chase raccoon.	Yes.
NEBRASKA	Yes. November 5 - January 7.	Yes. Year-round, except the two weeks prior to the taking season.	Fur harvesters permit.	Yes. Year-round.
OREGON	Yes. Novmeber 15 -February 15, 1983.	Yes. September 1 -November 14, 1983.	Trappers licensed or furbearers license.	No.
WASHINGTON	Yes. October - January.	No.	Hunting license: Resident - \$10.50, non-resident - \$100.00.	No.
WYOMING	Yes. Year-round.	No.	None.	No.

^{*}California is divided into three segments as far as dog training season. The majority of the state is open year round. A large area is closed from April 2 - July 16, and a small area is closed from April 2 - August 13.

	Do you have a raccoon hunting season? If so, what are the dates?	Do you have a season during which the raccoon may be legally run with dogs but not legally killed? Dates?	What type of license, permits or tags are required to legally hunt raccoon for sport and legally kill them?	Do you have seasons, other than running season, during which coonhound Field Trials may be Hrun? Dates?
ILLINOIS	Northern zone - November 15 - January 13. Southern zone - November 25 - January 23.*	May be trained from 20 days after close of season to 20 days before season.	Illinois hunting license.	Yes. U.K.C. licensed events can run throughout the year.
INDIANA	Yes. November 8 - January 31.	Yes. February 15 - April 1/August 1 - October 24.	State hunting license.	Yes. By special permit.
IOWA	Did not reply to survey requ	ests.		
MICHIGAN	Yes. October 1 - January 31.	Yes. July 16 - April 15 of the next year.	Small game license.	Yes. Year round with cer- tain exceptions.
MINNESOTA	Yes. October 22 - December 31.	Yes. Any time except April 16 - July 16.	Resident - small game li- cense and hound license.**	No.
оніо	Yes. November 9 - January 31.	Yes. September 1 - October 27/February 1 - April 30.	Resident or non-resident hunting license, regardless of age.	Did not answer.
WISCONSIN	Yes. October 16 - January 31.	No.	Residents - sports, small game or #.	Yes. Trials may be held year-round.
,	Raccoon hunting season is close	ed during the firearm deer seas	ons - November 19, 20, 21 and	December 10, 11 and 12.

^{*}Raccoon hunting season is closed during the firearm deer seasons - November 19, 20, 21 and December 10, 11 and 12.

**Or small game license and trapping license, non-residents - small game license and raccoon hunting license with tags.

SILVER SUMMIT FARM

Hackneys

"Dawn Acros Ravon's Reflection" reg. no. 4040

Mr. & Mrs. Jom Swearingen

R. R. 3 Lawrence, Kansas Vi 3-8482

February 27, 1984

Dear Legislators:

My name is Tom Swearingen. I live on a farm near Lawrence and have been a life-long resident of Kansas. I'm 47 years old and for 35 of those years I have actively been a coon hunter. In the past, I have held offices of President and Secretary-Treasurer of the Douglas County Coon Hunters' Association. I have had a number of coon dogs, including UKC night champions and bench champions.

Senate Bill 655 condones opening raccoon running season year-around. This would be a serious and sad mistake. At the present time, coon kill and running season stretches to 180 days which is more than enough time to adequately train and hunt one's dogs.

The fur sales in Europe are going on now, and it was reported recently that nearly 80% of the coon hides at the auctions were sold. This means good prices next year for coon hides and even more pressure from the hunters. The raccoon fur is the back bone of the fur industry at the present time and the revenues to the state of Kansas are good.

Last summer, the raccoon suffered heavy population losses due to infectious canine distemper and this epidemic was widespread (see citation below). In Missouri, distemper struck in 1979, 1980, and 1981 and also was widespread. Other diseases hurt raccoons including rabies and parvo virus.

Last winter I hunted with dogs and killed 34 raccoons. Out of those 34 raccoons there were only about 6 that were probably born in 1983, which is a very poor kit crop. Besides the distemper factor in Kansas, a number of other factors play against the survival of the raccoon:

- 1) The drought was widespread and forced many coons to leave frequently habited areas and made food even more scarce. Lack of food made small litters or even none at all, later in the season.
- 2) The PIC program left many fields empty from crops where the raccoons ordinarily feed. In my area many coons were killed on the highways due to no feed in their section of land, when they crossed the roads in search of food.
- 3) The hardwood timbers, the ideal habitat for raccoon, is also disappearing due to the firewood demands of today and the clearing of timberland for farming and industry. As energy costs rise in

in the future, this will even be a bigger factor, and it is already pressing.

The training of coonhound pups and young dogs takes on many facets. Training them to go out in the dark and hunt, cross fences and streams, check back in and be able to find the hunter, and track and tree a coon. The intensity to hunt hard and tree hard is derived from their hatred for the coon and the fight that follows treeing it. For example, during running season:

One hunter to another: "Young Drum sure did a good job trackin' and treein' that 'coon. He deserves that 'coon and I'm a-gonna give it to him, because that will really get him goin'."

It's a well-known fact that many coons get killed during running as well as killing season.

Running dogs in the summertime even when one doesn't want to kill them, The little ones are caught on the ground in brush piles, in bushes and low trees. Many times, they get scattered out and the mother is squalled out of the tree, and she gets re-run. If she's not injured and makes her get-away, does she ever round up her family again?

There is no excess of raccoons. Many times I would turn out in the evening in two or three different areas before we could find a 'coon track to run. There are more deer than there are raccoons.

My dad grew up hunting and trapping. He always told me to hunt when the furs were prime, leave plenty of seed, leave them alone to breed and raise their young, and then I could feel assured that my grandchildren would have the same opportunities to trap and hunt with the hounds.

Best regards,

Thomas H. Swearingen

Meyen, Bradley E., 1983, Age-Related Reproduction of Raccoons in Missouri, Master's Thesis, University of Missouri at Columbia.

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Test one of mandas Fish and Game Commission Presented to Senate Energy and Natural Resources Committee on February 27, 1984

Current state law governing furbearers restricts certain activities (pursuing, injuring, trapping, taking, attempting to take, capturing, killing, destroying or chasing with dogs) unless authorized under hunting, trapping and running season regulations which are established annually by the Kansas Fish and Game Commission at public hearing. Senate Bill 655 would limit the ability of the Kansas Fish and Game Commission to properly manage the furbearer resource by amending current law to permit pursuing furbearers, chasing furbearers with dogs and unintentionally injuring furbearers at any time. In fact, any activity would be permissible as long as the intent to injure, trap, take, capture, kill or destroy was not demonstratable. Intent is a very difficult condition to prove and would severely restrict proper law enforcement effort in resource conservation.

A running season on certain furbearers (raccoons, red and grey fox, and opossum) has been established. there is no open running season on other furbearers. The 1983-84 running season was from July 15, 1983 through November 10, 1983 and from February 10, 1984 through March 31, 1984 which is a total of 166 days. In addition, running is a legal activity during the established hunting season which was from November 23, 1983 through January 31, 1984, a total of 70 days. The 1983-84 furbearer season provided 236 days that certain furbearers could legally be ran.

Sanctioned furbearer field trial events may be held anytime except between the fall closure of the running season and the opening of the furbearer hunting season. Thus, combining running and hunting seasons and sanctioned field trials together, there are only 16 days that some form of furbearer running is not available. Further, hounds can be trained at any time using techniques not dependent on wild furbearers.

S.B. 655 would create a year round running season on all furbearers. The Commission considers and sets the running season annually based on recommendations and data provided by its professional staff and by testimony provided by the public at a public hearing. Year round running seasons have been recommended to the Commission by a segment of the furbearer user groups for many years. The Commission has considered the recommendation each time, but has not authorized year round running seasons. The Commission action is based on their resopnsibility to properly manage the furbearer resource and their responsibility to a wide range of user groups.

Biologically, a year round running season on raccoons (primary species of running season interest) cannot be justified. Breeding takes place in mid to late winter and young are born a little over two months later. By late spring to early summer, the young are old enough to venture out from the "home" for brief excursions, but are still not mature enough to survive on their own. By mid to late summer, the young raccoon is better equipped to fend for itself. Running seasons during those periods now closed would place stress on pregnant females and can affect reproduction and result in death of some "heavy" females unable to allude hounds. Running seasons after the birth of young does result in loss of some raccoons through disruption of rearing activities, loss of females and loss of young when caught by hounds. The objective of dog handlers may be to not harm the furbearer; however, that is not necessarily the objective of the hound.

Late winter, spring and early summer running seasons would also have adverse impact on other nontarget species that utilize similar habitats for breeding and rearing of young. This is particularly true for deer and certain ground nesting birds.

Furbearer user groups fall into three primary categories; trappers, hunters and houndsmen. Each group has further subdivisions depending on interest. Within the houndsmen category, there are those interested primarily in dog training, competitive activity or sport activity. Each group has different opinions concerning running seasons tailored to their specific needs and wishes. There are many individuals including some who hunt raccoons with dogs that believe there should be no running

seasons at all because it reduces the population available to them during the hunting season. Many trappers and hunters also would be pleased if no running season was established.

The Commission has considered the biological data and the needs of the several user groups. The running season has been established at a time of year which avoids a period when furbearers and other wildlife are vulnerable. In so doing, the Commission has also provided a season that affords houndsmen ample opportunity to pursue their interest and at the same time recognizes the rights of trappers and hunters to share the furbearer resource with houndsmen.

The Commission, in formal action taken at their February meeting in Topeka, strongly opposes S.B. 655.

There is fligh and skey January 1, 1984

LUMP SUM PAYMENT FOR LIFETIME HATCHERY FEE

Calender Year	Maturity Value	Recommended Charge
1984-1985	24.00	19.00
1986	21.00	17.00
1987	18.00	15.00
1988	.15.00	13.00
1989	12.00	11.00
1990	9.00	9.00
1991	6.00	6.00
1992	3.00	3.00