

Approved: Carl Dean Holmes
Date 3-17-93

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Carl Holmes at 3:30 p.m. on March 10, 1993 in Room 526-S of the Capitol.

All members were present except: Representative Ruff, excused

Committee staff present: Raney Gilliland, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Mary Torrence, Revisor of Statutes
April Howell, Committee Secretary

Conferees appearing before the committee: Theodore D. Ensley, Dept. of Wildlife and Parks
Darrell Montei, Dept. of Wildlife and Parks
William A. Anderson, Jr., Dept. of Wildlife and Parks
Jerry Hazlett, Kansas Wildlife Federation
Senator Bill Wisdom
Ron Smith, Kansas Bowhunters Association
Bill Fuller, Kansas Farm Bureau

Others attending: See attached list

Chairman Holmes opened the meeting and hearing on **SB20**. Theodore Ensley presented testimony in support of **SB20** stating that this proposed legislation will address the needs of Kansas residents while providing a responsible level of non-resident deer hunting. ([Attachment 1](#))

Darrell Montei presented testimony in support of this Bill in that it provides general parameters and safeguards under which a nonresident deer hunting program would be developed. It places responsibility on the Commission and the Department to carry out the program and provides reasonable flexibility for implementation. ([Attachment 2](#))

William A. Anderson, Jr. presented testimony in support of this Bill in that it is a pro-hunting initiative that does not jeopardize the quality hunting opportunity now available to Kansas residents nor the Kansans who choose to hunt out of state. ([Attachment 3](#))

Jerry Hazlett presented testimony in support of nonresident deer hunting and also presented a Resolution adopted at the annual meeting of the Kansas Wildlife Federation. ([Attachment 4](#))

Senator Bill Wisdom presented an amendment to **SB20** inserting a new subsection on Page 3, after Line 37 allowing family and friends to participate in hunting under given situations. ([Attachment 5](#))

Ron Smith presented testimony in support of this Bill with the amended wording that stipulates that non-resident permits, both archery and firearms, can only be issued in management units with leftover permits. The Kansas Bowhunters Association strongly endorses this amendment. ([Attachment 6](#))

Bill Fuller presented testimony in support of this Bill because farmers have become frustrated with wildlife damage to their crops and property. He stated that passage of this Bill would increase revenue to the state, provide communities opportunities for economic development and erase the fact that Kansas does not offer non-resident deer hunting. Also attached was a copy of newspaper clippings. ([Attachment 7](#))

Mike Beam requested that his testimony be included in the minutes as a prior commitment required him to be unable to attend the meeting. ([Attachment 8](#))

The floor was opened to questioning of the Committee to all Conferees.

The meeting adjourned at 5:15 p.m.

The next meeting is scheduled for March 11, 1993.

Date: March 10th 93

GUEST REGISTER

HOUSE

COMMITTEE ON ENERGY AND NATURAL RESOURCES

[illegible]

STATE OF KANSAS



Joan Finney
Governor

DEPARTMENT OF WILDLIFE & PARKS
OFFICE OF THE SECRETARY
900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
(913) 296-2281 / FAX (913) 296-6953

Theodore D. Ensley
Secretary

MEMORANDUM

To: Honorable Carl Holmes, Chairman
Committee Members
House Energy and Natural Resources Committee
From: Theodore D. Ensley, Secretary *TDE*
Date: March 10, 1993
Re: Senate Bill 20, Non-resident Deer Hunting

Mr. Chairman and Members of the Committee, the Department of Wildlife and Parks proposes to establish non-resident deer hunting. We ask you to support passage of Senate Bill 20. I believe this proposed legislation will address the needs of Kansas residents while providing a responsible level of non-resident deer hunting.

Kansas deer hunting has grown dramatically since the first modern deer season was conducted in 1965 when slightly fewer than 4,000 permits were issued. By 1992, the number of permits had grown to more than 60,000. It is my belief that this increase reflects a thriving deer herd and important outdoor recreation and economic resource for the state.

In keeping with my desire to provide as much public information as possible, we have conducted a series of meetings across the state to bring this issue forward. With the input received, a proposal has been crafted to balance the concerns of resident hunters with the need to provide fair hunting opportunities.

Once again, we urge you to support passage of Senate Bill 20.

Attachment 1

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STATE OF KANSAS



Joan Finney
Governor

DEPARTMENT OF WILDLIFE & PARKS

James Holderman, Chairman
Commissioner
1021 Denker
Wichita, KS 67216-1202
(316) 267-5008

Theodore D. Ensley
Secretary

March 10, 1993

Representative Carl Holmes, Chairman
House Energy and Natural Resources Committee
Room 115-S
State Capitol

Dear Representative Holmes:

The subject of nonresident deer hunting was considered during the October, 1992 meeting of the Kansas Wildlife and Parks Commission. The Commission unanimously went on record at that time endorsing nonresident deer hunting and urged that the issue be brought before the 1993 Legislature. In view of that position and on behalf of the Kansas Wildlife and Parks Commission, I would like to convey to you and the House Energy and Natural Resources Committee our strong support for S.B. 20 as amended by the Senate.

Nonresident deer hunting has come before the Commission on numerous occasions, both as unsolicited public input and in response to announced Commission meeting agenda items. The majority of public comments received during these Commission meetings have been supportive of allowing limited nonresident deer hunting in Kansas. The Department and the Commission have considered that input in preparing the proposed amendments to current statute as contained in S.B. 20.

S.B. 20 provides general parameters and safeguards under which a nonresident deer hunting program would be developed. It properly places responsibility on the Commission and the Department to carry out the program and provides reasonable flexibility for implementation.

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An in-depth statement of the Commission position on nonresident deer hunting and S.B. 20 will be provided by Commissioner Bill Anderson during the March 10, 1993 hearing on S.B. 20. The Commission strongly encourages the support of and favorable action on S.B. 20 by the House Energy and Natural Resources Committee.

Thank you,

A handwritten signature in cursive script, appearing to read "Jim".

Jim Holderman, Chairman
Wildlife and Parks Commission

xc: House E&NR Committee Members
KDWP Commissioners
Sec. Ted Ensley

STATE OF KANSAS



Joan Finney
Governor

DEPARTMENT OF WILDLIFE & PARKS

Theodore D. Ensley
Secretary

OFFICE OF THE SECRETARY
900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
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S.B. 20

Testimony Presented To: House Energy & Natural Resources Comm.

Presented By: Kansas Department of Wildlife and Parks

March 10, 1993

S.B. 20 addresses nonresident deer hunting and would amend K.S.A. 32-937 and K.S.A. 32-988 to provide a manageable, yet limited, nonresident deer hunting program for Kansas. Current statute authorizes the issuance of nonresident deer hunting permits, but precludes implementation of a nonresident program due to restrictive provisions within K.S.A. 32-937.

Under those restrictions, nonresidents are granted access to "doe only" permits, but that authorization is rescinded on and after July 1, 1993. Nonresidents are limited to not more than 2% of the number of authorized resident firearms permits and not more than 1% of the number of archery permits issued during the prior archery season.

The Department does not issue "doe only" permits because of the identification difficulties in the field thus creating possible violation situations. Setting up a procedure to administer a nonresident deer hunting program requires effort and expense. The Department has been reluctant to commit to such a process due to the July 1, 1993 sunset clause in current statute. S.B. 20 as amended by the Senate deletes the two restrictive provisions of K.S.A. 32-937.

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The Department recommended to the Senate that the present 2% and 1% limitations on nonresident firearms and archery permits be amended to a maximum of 5%. That amendment was included in the Senate's amendments to S.B. 20. The current percentage limitations result in a very low number of nonresident deer permits available. It is the Department's position that a larger number of permits can be accommodated without impacting the resource or the Kansas deer hunter in those units where nonresident deer hunting permits would be authorized.

S.B. 20 creates a \$5 maximum nonrefundable application fee for nonresidents. The actual amount would be established by regulation. This would cover costs of administering the nonresident program. Many other states charge a big game application fee and it is nonrefundable.

Two minor amendments of a housekeeping nature are also included in S.B. 20. On page 1, lines 35 and 36, a definition of "nonresident permit" is included. The provisions of K.S.A. 32-937 do not apply to big game animals legally taken from another state. This exception is too narrow as it does not take into account that big game can also be taken from other countries such as Canada. On page 4, line 18, the words "from another" have been struck and the words "outside this" have been added.

The issue of nonresident deer hunting is a subject of much discussion and has been so for some time. There has always been a vocal constituency opposing nonresident hunting, particularly deer hunting. There is also a growing number of people who support nonresident deer hunting as long as it is accomplished within reasonable limitations. S.B. 20 as amended in the Senate maintains adequate limitations.

Kansas is now the only state to not have a nonresident deer hunting program. Iowa was the most recent state to allow nonresident deer hunting and they have a reciprocal clause that prohibits a hunter from another state from hunting in Iowa if an Iowa hunter is prohibited from hunting in that state. Several other states have considered similar reciprocal legislation including Nebraska, Colorado, Oklahoma and Wyoming. Several states such as Missouri have appealed to the Department to consider allowing their residents some level of access to Kansas permits.

The state of Kansas is currently under no federal mandate to

allow nonresidents or to be reciprocal with other states. There is a concern that if challenged, a court case could result in a nonresident deer program being established for the state. This would be based primarily on the fact that Kansas does have some federal land and that the Department manages deer under the federal aid (P.R.) program.

The Department and the Commission recognizes that some deer management units do not have enough resident deer permits available to largely satisfy the resident demand. Out of the 18 deer management units, it is anticipated that less than 1/2 of the units may have nonresident deer permits authorized. For those units with nonresident permits, it is important to note that those permits would be issued in addition to the number of resident permits set. And it could be any percent between 0 and 5%.

S.B. 20, if enacted, would become effective upon publication in the Kansas Register. That should allow enough time to initiate some level of nonresident deer hunting for 1993.

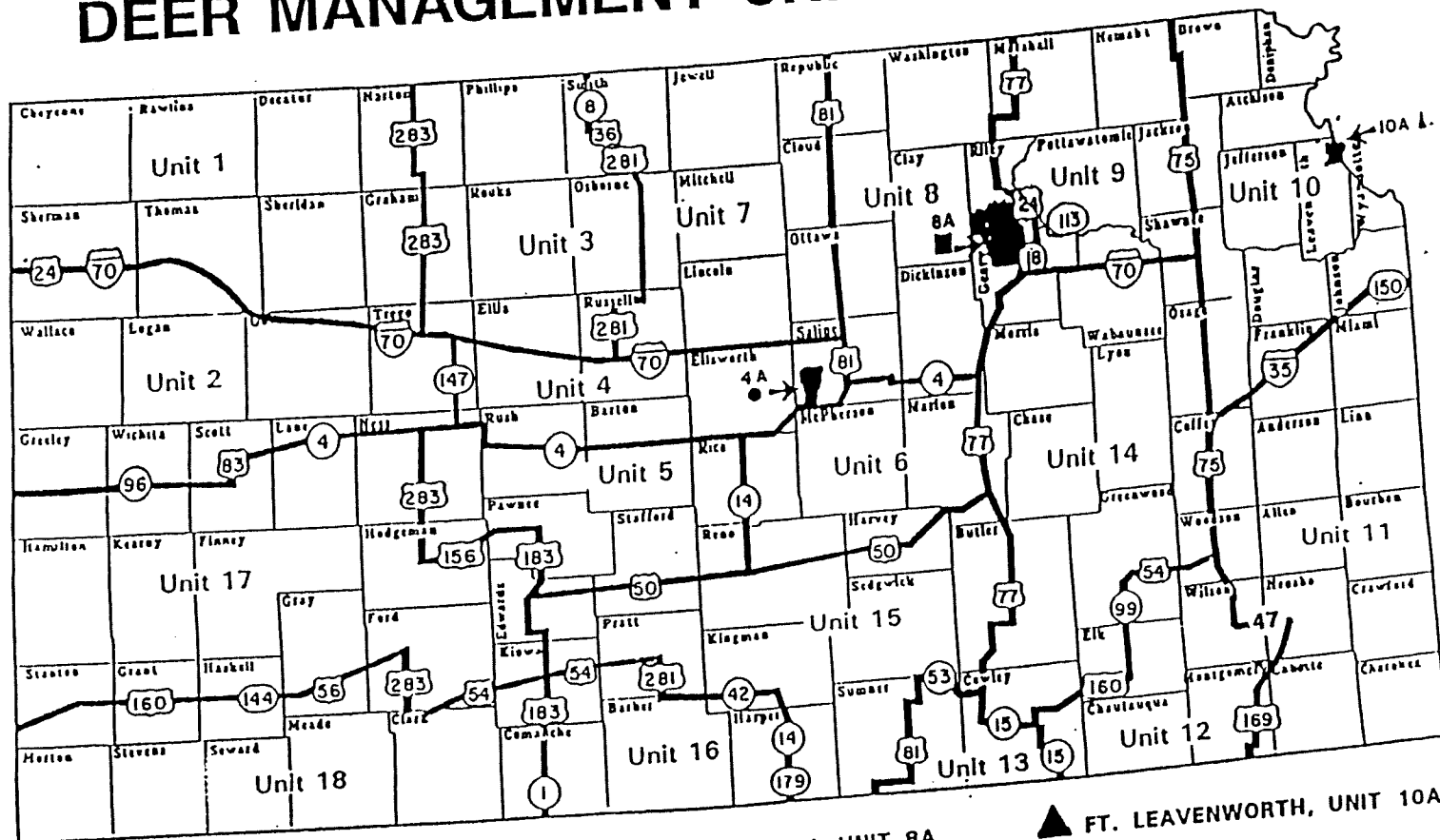
It was the Senate's intent that nonresident deer permits could be issued only in those management units with left-over resident deer permits available. This would be based on the prior season results after the first selection process was completed. The type of nonresident permits be made available would also be tied to the type of resident permits left-over from the prior year. The Department is concerned that the Senate amended language does not accomplish their intent and should be further clarified as per the amendment attached to this testimony.

The Department of Wildlife and Parks supports S.B. 20 and encourages favorable action by the House Energy and Natural Resources Committee.

HE & NR

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DEER MANAGEMENT UNITS -- 1993



● SMOKY HILL A.N.G. RANGE, UNIT 4A

■ FT. RILEY, UNIT 8A

▲ FT. LEAVENWORTH, UNIT 10A

1 operated by such tenant. The secretary may require proof of own-
 2 ership or tenancy from individuals applying for a big game permit
 3 as a landowner or as a tenant.

4 (j) The secretary may issue permits for deer or turkey to non-
 5 resident landowners, but any such permit shall be restricted to hunt-
 6 ing only on lands owned by the nonresident landowner.

7 (k) The secretary may issue turkey hunting permits to nonresi-
 8 dents in turkey management units with unlimited turkey hunting
 9 permits available.

10 (l) The secretary may issue deer hunting permits to nonresidents,
 11 subject to the following limitations:

12 (1) ~~No nonresident deer permit shall be issued for any deer~~
 13 ~~season commencing on or after July 1, 1993;~~

14 (2) ~~nonresident deer permits shall only permit hunting of~~
 15 ~~does;~~

16 (3) (1) The total number of nonresident deer firearm permits
 17 issued for a deer season in a management unit shall not exceed ~~2%~~
 18 5% of the total number of resident deer firearm permits authorized
 19 for such season in such management unit; and

20 (4) (2) the total number of nonresident deer archery permits
 21 issued for a deer season in a management unit shall not exceed ~~1%~~
 22 5% of the total number of resident deer archery permits authorized
 23 for such season in such management unit.

24 If an unlimited number of resident deer permits is authorized for
 25 a deer season or management unit, the percentage limitations of
 26 subsections ~~(1)(3) and (1)(4)~~ (1)(1) and (1)(2) shall be based upon the
 27 total number of resident firearm permits and the total number of
 28 archery permits, respectively, issued in the management unit during
 29 the most recent preceding similar season. ~~Notwithstanding the fore-~~
 30 ~~going provisions of this subsection, no nonresident permit of a par-~~
 31 ~~ticular type shall be issued for a deer season in a management unit~~
 32 ~~unless all resident permits applied for in such unit for such particular~~
 33 ~~type for the preceding deer season were issued.~~

34 (m) Any recipient of a nonresident deer hunting permit as au-
 35 thorized under subsection (l) shall be ineligible to apply for or to
 36 receive a nonresident deer hunting permit for any deer season es-
 37 tablished for the following year.

38 (n) No big game permit issued to a person under 14 years of
 39 age shall be valid until such person reaches 14 years of age, except
 40 that a wild turkey firearm permit may be issued to any individual
 41 who is 12 years of age or older but is under 14 years of age if the
 42 individual has been issued a certificate of completion of an approved
 43 hunter education course. Such turkey firearm permit shall be valid

← nonresident firearm deer permits of particular type and nonresident archery deer permits of a particular type may be issued in a firearms management unit if resident firearm permits of such type remained unissued after the close of the previous year's first permit selection process in that management unit."

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DEPARTMENT OF WILDLIFE & PARKS
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Equal Opportunity Employer

William A. Anderson, Jr
Commissioner
5733 Reinhardt Drive
Fairway, KS 66205-3324
(913) 362-3648

DATE: MARCH 10, 1993

TO: HOUSE OF REPRESENTATIVES COMMITTEE ON ENERGY & NATURAL RESOURCES

**FROM: WILLIAM A. ANDERSON, JR.
COMMISSIONER, KANSAS DEPT. OF WILDLIFE AND PARKS**

RE: SENATE BILL 20, NON-RESIDENT DEER HUNTING

I appreciate the opportunity to appear before you and encourage your positive action on Senate Bill 20. I have had the pleasure of serving on the Wildlife and Parks Commission since its inception in July of 1987. Non-resident deer hunting has been a topic of concern and debate since the department was created.

The bill before you represents a reasonable compromise allowing limited non-resident deer hunting in Kansas. This is a pro-hunting initiative, one that does not jeopardize the quality hunting opportunity now available to Kansas residents nor the Kansans who choose to hunt out of state.

As you know, from earlier presentations, Kansas deer management is an intense activity including biological, social, and economical factors. This proposal would allow limited non-resident hunting in management units that have historically allowed for multiple permits for Kansas hunters.

In 1965 when we began modern deer hunting in Kansas, 1,220 permits were issued and 164 deer were harvested. This represented a very limited sporting opportunity for Kansas hunters. In 1991, the year for which we have the most recent data, there were over 75,000 permits issued and over 42,000 deer were harvested. Many Kansans were afforded the opportunity to harvest multiple deer. The proposals in Senate Bill 20 will not jeopardize the current system for Kansas general residents and land owners to obtain permits.

KANSAS OUTDOORS "America's Best Kept Secret"

HE&NR
Attachment 3
3/10/93

(Page 2)

It has been suggested that non-resident permits should not be allowed until each resident hunter can obtain a permit of his preference. Frankly, this notion is an impossibility, and will never occur under the present form of deer management. I would broaden my statement to say that you will find that all states that manage deer cannot assure each sportsman the deer permit of his preference each year. As a specific example, the demand in Western Kansas for mule deer permits far exceeds the supply. Kansas deer management is dependent on landowner tolerances, and while it appears the deer herd population is generally within landowner acceptable levels, it is unlikely that the numbers can be increased to the point where we can annually meet the demand for mule deer permits in Western Kansas. This situation makes it highly unlikely that non-residents will be granted the opportunity for firearms hunting in Western Kansas. However, in South-Central and Eastern Kansas firearms permits are often available after the drawing and many Kansans obtain multiple permits.

We urge your positive action on Senate Bill 20, because it is a thought out, biologically and socially sound plan allowing limited non-resident opportunities in Kansas. It is important that the state, through the Dept. of Wildlife and Parks, maintain total control over the management of this resource, and at the same time, is allowed to fairly and equitably allow a small number of non-residents to participate in deer hunting. Although the non-resident numbers will be limited, they do represent an extremely positive economic force in those rural areas of Kansas that can accommodate additional deer hunting activity. The non-residents will bring in new dollars, not only to the department, but to the new guides and outfitters businesses in Kansas and to the many enterprises that benefit from hunting activity: motels, restaurants, service stations, sporting goods stores, etc. Former Kansans will be allowed the opportunity to come back and hunt with family and friends.

Some of you may remember, in 1987, the legislature authorized non-resident turkey hunting. In spite of concern and opposition at the time, non-resident turkey hunting, in no way, adversely impacts resident hunting.

In conclusion, I can assure that the Wildlife and Parks Commission unanimously and enthusiastically supports this legislative proposal, and having recently attended a number of the public meetings held to discuss the non-resident deer issue, I believe that landowners and sportsmen, in general, accept the proposal for limited non-resident deer hunting.

KANSAS
Hillsboro Star Journal

What if other states do like Kansas?

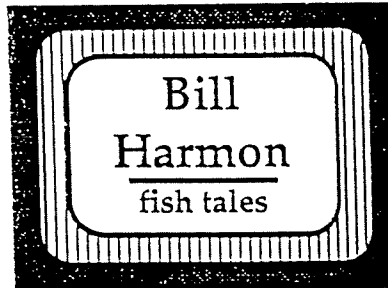
Welcome 1993. Most of us are looking forward to the new year, anticipating some great outdoor activities. It's going to cost a little more. (So what else is new?) Licenses have increased in price, (including lifetime, \$240 each), as well as boat registration and camping permits.

Other changes could include permitting non-residents to hunt deer in Kansas. Touchy subject, especially when talking to ardent deer hunters against such a move. Seems some are afraid of losing their favorite hunting grounds to the rich outsiders or worried that not enough are available to go around for the Kansans. Most are the same folks that go to Wyoming and Colorado each year to hunt elk and antelope. Kind of different when the shoe is on the other foot, huh?

Did you know, Iowa won't allow Kansans to hunt their big game just because we don't allow them to hunt ours? Not hard to reason with that. Some of the other states are keenly looking at that law with the thought of doing the same thing.

One thing for sure, if the Kansas law is implemented, only the serious deer hunters will be invading our treasured lands, at \$200 per license. That amount of money would deter most hunters. Until last year, Texas turkey license for out-of-staters was \$200. Much as I wanted to hunt Texas turkey, it wasn't affordable. Last year, they changed the fee to \$75...I went.

Non-residents could spend \$500 or more for a trophy buck all expenses considered. Most of us would benefit from the additional income. If they hunt for the trophy, most probably the animal will be a six or seven-year-old (prime whit tail) and depending on the severity



of the weather, they won't live much longer anyway.

No doubt as long as there are deer hunters, there will be arguments for and against the non-resident. Kansas is the only state that doesn't allow non-residents to hunt deer. However, the handwriting is on the wall. If we continue to bicker and argue, the federal government is going to cut us off of the much needed and much utilized federal funds. Think about that.

For what it's worth, I say we should share. For several reasons. First, I personally know of hunters in the central Kansas area that reap six or seven deer each year, not counting a few more other members of the family are entitled to reap. Doesn't seem too much to ask if they couldn't get along with one less so a non-resident could bag a trophy.

However, the main reason is because I hunt and fish in several states every year. I have always been welcomed with open arms, met lots of nice folks and have shared their fish and game, as well as their friendship. I really feel guilty when one of them asks, "When is Kansas going to let us hunt some of those big bucks?" I sure would hate it if those same states refused to allow me to enjoy their generosity.

Keep a tight line.

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Kansas Wildlife Federation, Inc.

P.O. Box 5715
Topeka, Ks. 66605

Affiliate of National Wildlife Federation
913/266-6185

200 S.W. 30th
Suite 106
Topeka, Ks. 66611

TESTIMONY SB 20

HOUSE ENERGY & NATURAL RESOURCES COMMITTEE

March 10, 1993

Thank you Mr. Chairman and members of the House Energy and Natural Resource Committee for this opportunity to speak in favor of SB20. I am Jerry Hazlett representing the Kansas Wildlife Federation. The Federation is a statewide volunteer organization whose members and supporters are dedicated to the conservation of our air, soil, woodlands, water and wildlife resources.

For several years we have appeared before this Committee advocating the sound and professional management of our wildlife resources. The Federation supports regulated harvest like hunting as a sound and wise tool in modern management of healthy wildlife populations. Our organization also believes that these resources be managed by a professional wildlife agency. Kansas law mandates the Kansas Department of Wildlife and Parks carry out this wildlife management responsibility.

Deer in general has been a political hot button issue over the past several years. All kinds of special interests want the deer herd managed to meet their wants. These wants must be measured against maintaining a healthy deer population for all Kansas residents.

Nonresident deer hunting is one of the issues. The Federation in the past has supported nonresident hunting as long as Kansans have an equitable opportunity to hunt and if it is not harmful to the deer resource.

In the Federation's Annual Meeting of March 6, the members again considered the nonresident deer hunting issue and passed a resolution showing our support of nonresident hunting. That resolution of support is attached and I respectfully ask this Committee to recommend passage of SB20.

House E & NR
Attachment 4
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Kansas Wildlife Federation

Resolution 1993-1

SUPPORT FOR NONRESIDENT DEER HUNTING IN KANSAS

WHEREAS, Kansas is the only state that does not allow general nonresident deer hunting; and

WHEREAS, the state of Iowa has enacted reciprocal legislation which prohibits Kansans from hunting deer in Iowa; and

WHEREAS, the potential for other states to enact similar legislation is real and being considered in Colorado, Oklahoma, Wyoming; and

WHEREAS, the Kansas deer herd is sufficient to provide the harvest of several deer per individual in some areas; and

WHEREAS, there is concern that prohibiting nonresidents from hunting deer in Kansas is discriminatory and may jeopardize Pittman-Roberts federal funds for Kansas; and

WHEREAS, current legislative authority for nonresident deer hunting was not enacted due to language which made the enforcement of this hunt extremely difficult and would place nonresident hunters in a possible violation situation; and

WHEREAS, the existing statutory authority for nonresident deer hunting expires June 30, 1993;

Now, Therefore Be It Resolved, that the Kansas Wildlife Federation, assembled at its annual meeting March 6, 1993, in Manhattan, KS, supports the approval of legislation which would allow controlled nonresident deer hunting in Kansas; and

Be It Further Resolved, that the Kansas Department of Wildlife and Parks develop policies and regulations for nonresident hunting based on public input; and

Be It Further Resolved, that copies of this approved resolution be distributed to the Governor of the State of Kansas, members of the Kansas Legislature and the Secretary of the Department of Wildlife and Parks.

HE & NR
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Proposed Amendment to SB 20, as Amended by Senate Committee

On page 3, after line 37, by inserting a new subsection to read as follows:

"(n) Any landowner may authorize two or less resident deer hunting permittees to hunt on the land of such landowner if such land is located within a management unit where nonresident deer hunting permits are issued and notwithstanding that the permits issued to such permittees are in a management unit other than the management unit in which the land of such landowner is located. Nothing in this subsection shall be deemed to allow more than two such permittees to hunt on such land notwithstanding that such land may be owned by more than one landowner. As used in this subsection, landowner means a resident owner of farm or ranch land of 640 acres or more located in this state.";

By relettering existing subsections (n) to (q), inclusive, as subsections (o) to (r), respectively

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SENATE BILL 20

Non-resident big game hunting has always been opposed in Kansas, primarily, because resident big game hunters are afraid of losing their hunting permits and hunting lands to the non-residents wanting to hunt in Kansas. Kansas does not have a lot of public land or national forests to accommodate the additional hunting pressure. In Kansas, the majority of hunting is on private land. Kansas residents have heard about Texas, where the majority of the land is leased and unless you are wealthy, you can't afford to hunt. They are afraid that big game hunting in Kansas could become like Texas. They are afraid that allowing non-residents to hunt would increase leasing in our state.

On the other hand, based on information from Wildlife and Parks, Kansas is the only state that doesn't allow non-residents to hunt big game. And there are a tremendous amount of Kansas hunters that go to other states every year to hunt big game. The Kansas Bowhunters Association (KBA) feels that it is time for Kansas to allow limited non-resident big game hunting, provided sufficient protection is given to the resident big game hunter. We must insure that all residents wanting to hunt deer in our state are given the opportunity to hunt before the non-residents are allowed permits.

In the Senate Energy and Natural Resources Committee, Senate Bill 20 was amended to add the stipulation that non-resident, both archery and firearm, permits can only be issued in management units with leftover permits from the drawing for resident rifle permits. The Kansas Bowhunters Association strongly endorses this amendment.

Explanation: In an effort to talk to sportsmen about non-resident big game hunting, the Department of Wildlife and Parks recently held meetings around the state. In these meetings, sportsmen were told that non-resident big game permits would only be issued to non-residents in management units that had left over permits from the regular drawing (for residents). This concept was pushed by Wildlife and Parks at these meetings. If non-residents were allowed to hunt, it would only be in units with leftover permits. Wildlife and Parks later explained that this didn't include archery permits. The KBA states that it must include archery permits. The western part of our state is just as susceptible to non-resident big game hunting as eastern Kansas. In the western part of our state, the habitat for

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bowhunting is limited. The western units do not have a large number of deer as shown by the number of firearm permits that are issued in these units. Guides will lease up the good habitat, eliminating the resident a place to hunt. This has already happened in Colorado. Lets keep the non-residents, both archers and firearm hunters, in areas with sufficient deer populations and habitat to accommodate the non-residents and the residents.

Senate Bill 20 was amended by the Senate to add the stipulation as outlined in paragraph 3 of this letter. However the wording in the amendment is very confusing and is questionable whether this wording meets the intent of the amendment by the Senate. This wording is on page 3, line 29 through 33, and reads as follows: *Notwithstanding the foregoing provisions of this subsection, no nonresident permit of a particular type shall be issued for a deer season in a management unit unless all resident permits applied for in such unit for such unit for such particular type for the preceding deer season were issued.*

To correct this problem and make this provision more understandable, we suggest that lines 24 through 33 be stricken and the following wording added:

Nonresident permits, both firearms and archery, cannot be issued in any management unit unless that unit had left over permits from the resident firearms drawing for the previous season.

The Kansas Bowhunters Association asks that you support Senate Bill 20 with the amended wording that stipulates that non-resident permits, both archery and firearms, can only be issued in management units with leftover permits. The Kansas Bowhunters Association strongly endorses this amendment.

Thank you for your consideration.



Ron Smith, Chairman
Legislative Committee
Kansas Bowhunters Association

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3/10/93



PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES

RE: S.B. 20 - Big Game Permits ... amending non-resident deer permit provisions

March 10, 1993

Topeka, Kansas

Presented by:

Bill Fuller, Assistant Director
Public Affairs Division
Kansas Farm Bureau

Chairman Holmes and Members of the Committee:

My name is Bill Fuller. I am the Assistant Director of the Public Affairs Division for Kansas Farm Bureau.

Discussions of hunting regulations create spirited and prolonged debates at Farm Bureau Policy Meetings. Many farmers have become extremely frustrated with wildlife damage to their crops and property.

In 1991, Kansas Farm Bureau conducted an Animal Damage Survey. Farmers and ranchers told us that:

1. 81% experienced wildlife damage;
2. 60% estimated annual damages between \$100 and \$1,000 ... 30% said more than \$1,000; and
3. Deer were identified more than 2 to 1 over other animal species (coyote, raccoon, waterfowl, prairie dog, skunk, beaver, mice/mole, rabbit, groundhog, fox) as causing the damage.

Attachment 7

House E & NR

3/10/93

Some landowners commented when they returned the surveys. Examples included:

Chautauqua County - Deer population is out of control ...

Wildlife and Parks Department want a lot of deer with no liability for them.

Cherokee County - The department in control of wildlife had better be ready to pay for damages from wildlife.

Clark County - Most damage is eating trees, etc. Also running into deer on the roads ... less deer is better. Just a few deer is enough!

Ford County - Deer is our biggest damage.

Labette County - Deer eat bean plants. When they ripen, they eat the beans.

Logan County - Deer destroy much more than they eat.

Montgomery County - Wildlife and Parks needs to be very aggressive in controlling our deer population.

Smith County - Deer populations are growing to a nuisance level.

Thomas County - Crop damage by deer acceptable, but damage to young windbreak trees very irritating.

The farm and ranch members of Farm Bureau appreciate the sensitivity and efforts of the Kansas Department of Wildlife and Parks in recent years to better manage the deer herd. We believe S.B. 20 can be another useful tool for the Department.

Farm Bureau's support of S.B. 20 is based upon policy adopted by the 459 Voting Delegates representing the 105 County Farm Bureaus at the 74th Annual Meeting of Kansas Farm Bureau in Wichita on November 21, 1992. The policy concerning "Hunting and Fishing Regulations" in part states: "We support the initiative of the department in authorizing up to 5% additional permits to non-residents ... we

HEUR
Attachment 7-2
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encourage non-resident deer hunting participation and strongly support removal of the "doe only" restriction."

Kansas citizens desiring a deer permit must remain a high priority. We do not believe passage of S.B. 20 will result in Kansans being unable to acquire permits. The language added by the Senate on page 3, lines 29-33 protects the Kansas hunter: "no nonresident permit of a particular type shall be issued for a deer season in a management unit unless all resident permits applied for in such unit for such particular type for the preceding deer season were issued." Non-resident permits would be in addition to the number allocated for Kansas residents. Also, a substantial number of "any deer" and "buck only" permits have not been claimed in past years in several deer management areas.

Chairman Holmes and Members of the Committee: In closing, we encourage you to approve S.B. 20. We believe passage will reduce deer damage, increase revenue to the state, provide communities opportunities for economic development and erase the black-eye Kansas has earned for being the only state that does not offer non-resident deer hunting. We have attached two newspaper clippings (Attachment A article from The Wichita Eagle dated November 9, 1992 and Attachment B article from the Manhattan Mercury dated November 23, 1992) that reinforce these points.

Thank you! We will attempt to respond to any questions.

HE & NR
Attachment 7-3
3/10/93

The Wichita Eagle
Monday, November 9, 1992

PUBLIC FORUM

Kansas should open deer hunting

As a sportsman who's traveled to eight states this year, I can attest to the "black eye" Kansas and Kansans are receiving for being the only state that doesn't offer non-resident deer hunting. Without exception, from Pennsylvania to New Mexico, it is a fact that I had angrily thrown in my face by sportsmen.

A movement to even the score is indeed gaining momentum. Sportsmen in several states are asking their state game agencies to follow Iowa's lead and not let Kansans deer hunt in their state. Though I know of no serious action, talk is flowing about a court case to either open the state to non-residents or cut federal funding. I've also heard of some sportsmen who are urging a boycott of all non-resident bird hunting in Kansas. That would be a loss of important dollars to many small Kansas towns.

Granted talk is all we're facing right now, but let's hope that the 1993 Legislature will settle the problem before the proposed threats occur. The biologists of the Kansas Department of Wildlife and Parks have done an excellent job of managing the Kansas deer herd into one of, if not the, finest in America. They'll no doubt manage non-resident permits so it has no adverse effect on the quality of our deer herd.

Yes there are those who oppose such a move, saying their primary concern is the leasing of land by out-of-state hunters. If managed properly such action would be rare. And like it or not, the leasing of hunting rights is already spreading throughout Kansas. Kansas sportsmen are already learning that landowners need to be appreciated, if not with cash with other forms of payment including labor, the sharing of taken game and good honest friendship.

I spend many days and miles in the field. I see the numbers and quality of deer in my area. If I thought for one minute that non-residents would have an effect on my hunting, I would be against it.

Rich Pianalto

There's one fact non-resident opponents seem to ignore. Shouldn't it be up to Kansas landowners who gets to hunt their ground? With the issues of leasing and guiding aside, I know of many landowners who would like to host out-of-state children, grandchildren, friends and business associates on an occasional deer hunt. I think it's selfish to deny them that right to please a few squeaky wheels.

MICHAEL PEARCE
Manhattan



I would like to congratulate the Kansas Department of Wildlife and Parks on its successful management of the state's deer herd. The residents of Kansas should be proud of the trophy deer that we continue to place in the top of the record books.

For years, Kansas residents have traveled to neighboring and distant states to spend their money hunting big game. I feel it is time to get some

return on our dollars. With the deer herd that we currently have, a 5 percent increase in the harvest would not be a detriment to our herd in any way. It is time to stop being so stingy with our trophies and start sharing with our neighbors, as it will benefit Kansas residents in a substantial way.

Nonresidents coming into the state would spend \$200 for the permit, and spend around \$500 more while they are here. This will benefit the grocery store owner, motel operator, gas station attendant and nearly every resident in the state. Aren't we trying to promote tourism in Kansas? On the proposed archery tags alone, the state would see a minimum of half a million dollars. OK, so I am being very conservative.

In 1989, the Legislature approved nonresident tags, but cut it back to 2 percent, and to 1 percent for archery tags, along with some other insulting wording. Five percent is not at all out of line, in fact in some areas it is very conservative. For instance, archery tags at 5 percent would offer about 750 tags to nonresidents. The state wide success rate for archery hunters is about 32 percent. This would increase the deer harvest by about 240 deer. That comes up to about two deer per county. Not much is it?

As an avid bow hunter, I spend many days and miles in the field. I see the numbers and quality of deer in my area. If I thought for one minute that non-residents would have an effect on my hunting, I would be against it.

It is time for Kansas residents and sportsmen alike to start letting others enjoy our deer population as much as we do.

RICH PIANALTO
Lakin

House En NR
Attachment 7-4
3/10/93

Letters

Deer population must be thinned

To the Editor:

I thank *The Mercury* for printing the article "Deer, Deer. Be Careful Drivers" Nov. 17 from *The Kansas City Star*, authored by Russ Pulley. I hope all the "Bambi" lovers will see the facts of how much damage deer do to cars, crops, parks and forest preserves to say nothing of injured people. That figure of \$1.2 million in car repair costs in just Greater Kansas City is not a very acceptable way to cull the deer. Why not let hunters do the job without being harnessed by anti-gun people. And the Fish and Game Department should lessen its restrictions on who gets a deer permit and which sex they harvest.

What better way is there to control deer population, while making money on licenses and putting some good meat on people's tables. (Venison is low in cholesterol, I'm told.) With the rate of deer reproduction rising — yearling does, 1 fawn, 2 year olds; twins and three-year olds, triplets — I think it'll be a few years before so many regulations need to be placed on deer hunting. I'm tired of paying the higher insurance on my car so that a bunch of deer can cause more accidents. I live in the country and love seeing deer as well as anyone but too many is too many.

Ella Parsons
3693 Deep Creek Road.

House E&LR
Attachment 7-5
3/10/93



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Owens and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

March 10, 1993

To: House Energy and Natural Resources Committee
Representative Carl Holmes, Chairman

From: Mike Beam, Executive Secretary, Cow-Calf/Stocker Division

Re: Nonresident Deer Permits, SB 20

Mr. Chairman and committee members, I'm Mike Beam representing the Kansas Livestock Association. I'd like to make a brief statement in support of Senate Bill 20.

First let me say, the size of our deer herd has caused much discontent and concern among many landowners. This issue becomes quite emotional and always stirs a great deal of debate when we discuss it at our policy meetings. Usually the complaints include damage to crops, fences, and punctured tires from the antlers laying in the fields.

We appreciate the Wildlife and Parks efforts in recent years to issue more permits, especially antlerless permits, with the intention of causing a larger harvest of the deer population. I feel progress has been made, but we encourage Wildlife and Parks to continue to manage the herd to a number more acceptable to landowners.

KLA policy supports the issuance of nonresident permits. If the issuance of nonresident deer permits results in more total permits issued, it should put more pressure on our large deer herd and not reduce the number of permits available to Kansas residents.

More importantly, nonresident deer hunters provide more opportunities for farmers, ranchers, or guides to set up fee hunting ventures. Furthermore, out-of-state deer hunters will likely provide some economic activity in our rural restaurants, motels and related businesses.

I'd be happy to respond to any questions or comments. Thank you.

House E & NR
Attachment 8
3/10/93