

MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on February 18, 2011, in Room 783 in the Docking State Office Building.

All members were present except:

Representative Rocky Fund - Excused
Representative Charlotte O'Hara - Excused
Representative Michael Peterson - Excused

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Michael Wales, Kansas Legislative Research Department
Kay Scarlett, Committee Assistant

Conferees appearing before the Committee:

Senator Ty Masterson
Representative Joe Seiwert
Representative Kyle Hoffman
Tony DeRossett, President, Kansas Hunters Feeding the Hungry, Tonganoxie (oral only)
Senator Steve Abrams (written only)
Walt Burling, Walt Burling Farms, Inc., Partridge, Kansas (written only)
Gary Rohlman, Rohlman Farms, Kingman, Kansas (written only)
Steve Westfahl, Irish Creek Outfitters, Haven, Kansas (written only)
Jane Wallace, Executive Director, Kingman County Economic Development (written only)
Fred Simon, Kingman County (written only)
Heath Weninger, Kingman County (written only)
Steve Schweizer (written only)
Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks

Others attending:

See attached list.

Representative Wetta moved to approve the minutes of February 3, 4, 7, 8, 9, and 10. Seconded by Representative Hayzlett, the motion carried.

Hearing on HB 2295 – Amending state hunting laws and regulations relating to hunting seasons, permits and the use of bows.

Chairman Powell opened the hearing on **HB 2295**. Sean Ostrow, Office of the Revisor of Statutes, explained that the bill would amend and make technical corrections to existing laws concerning the regulation of hunting. The bill would remove the requirement that a family member must be domiciled with the landowner to be exempt from the requirement to have a valid hunting license and would allow them to apply for resident big game permits as landowners or tenants; allow any person to hunt with a crossbow; prohibit the extended season for female white-tailed deer hunting with firearms from ending prior to January 23, 2012; increase the fee cap for non-resident big game and mule deer permits and non-resident big game applications; and require that anyone purchasing a deer permit to also pay \$2 to the Kansas Hunters Feeding the Hungry program.

Senator Ty Masterson testified in support of **HB 2295** and the proposed change to allow any person to hunt with a crossbow. He also supports the provisions of the bill that extend the season and help the Kansas Hunters Feeding the Hungry program. (Attachment 1)

Representative Joe Seiwert appeared in support of **HB 2295** introduced at his request. He stated that he is trying to work with the Kansas Department of Wildlife and Parks to make the roads safer, build a quality deer population in the State of Kansas, provide quality hunting for local hunters, and help feed the hungry. With the changes proposed in this bill, he believes the state can improve highway safety along with a quality hunting program by reducing the doe population. (Attachment 2)

CONTINUATION SHEET

The minutes of the House Agriculture & Natural Resources Committee at 9:00 a.m. on February 18, 2011, in Room 783 of the Docking State Office Building.

Representative Kyle Hoffman testified in support of **HB 2295** with the goal to reduce the number of deer accidents in Kingman County. He supports the Kansas Hunters Feeding the Hungry program. The provision to allow a crossbow to be used during bow season will allow older, younger, and female hunters to participate thus selling more hunting permits and helping to reduce the deer population. He also believes these changes in statute will help reduce damage done to farmers' property by large deer herds. ([Attachment 3](#))

Tony DeRossett, Tonganoxie, President of Hunters Feeding the Hungry, appeared in support of the requirement in **HB 2295** that anyone purchasing a deer permit also pay \$2 to the Kansas Hunters Feeding the Hungry program. The program is in need of additional monetary support.

Letters of written testimony in support of **HB 2295** were submitted by: Senator Steve Abrams ([Attachment 4](#)); Walt Burling, Walt Burling Farms, Inc., Partridge, Kansas ([Attachment 5](#)); Gary Rohlman, Rohlman Farms, Kingman, Kansas ([Attachment 6](#)); Steve Westfahl, Irish Creek Outfitters, Haven, Kansas ([Attachment 7](#)); Jane Wallace, Executive Director, Kingman County Economic Development ([Attachment 8](#)); Fred Simon, Kingman County ([Attachment 9](#)); Heath Weninger, Kingman County ([Attachment 10](#)); and Steve Schweizer. ([Attachment 11](#))

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, appeared in opposition to the provisions contained in **HB 2295** and outlined the Department's objections. He explained that the current deer management system went into effect in 2008 and was a direct result of stakeholder participation, including landowners, tenants, hunters, guides, and general members of the public. He said that scientific management and fee funding are basic tenants of the North American Model of wildlife management. Deer hunting in Kansas alone generates, approximately, \$350,000,000 in economic benefit to the State of Kansas. This influx of spending to the State is a direct result of professional and scientific management by Kansas biologists. He said the proposals in **HB 2295** would jeopardize the existence of the current system. ([Attachment 12](#))

There being no other conferees, the Chairman closed the hearing on **HB 2295**.

The meeting adjourned at 10:10 a.m. The next meeting of the House Agriculture & Natural Resources Committee is scheduled for February 21, 2011.

HOUSE AG & NATURAL RESOURCES COMMITTEE
GUEST LIST

DATE: FEBRUARY 18, 2011

[illegible]

State of Kansas

Senate Chamber



TY MASTERSON
STATE SENATOR, 16TH DISTRICT
P.O. BOX 424
ANDOVER, KANSAS 67002
senatormasterson@gmail.com

ROOM 541-E, STATE CAPITOL
TOPEKA, KANSAS 66612
OFFICE: 785.296.7388
CAPITOL HOTLINE: 1-800-432-3924
ty.masterson@senate.ks.gov

Mr. Chairman & Members of the committee,

Thank you for this opportunity to testify in support of HB 2295.

The key component of this bill, for me, has a personal connection. My father-in-law is an avid bow hunter, who has always loved and enjoyed the sport. Currently he has reached a point at which getting his bow back and holding it in a ready position has become prohibitive to his ability to hunt. He is not disabled in any way that would qualify him for a disability use under our current statute; consequently he is unable to continue bow hunting here in Kansas. With the changes proposed in this bill, a horizontal bow, or "crossbow", which allows him to hold his bow in a locked back position, will be authorized for use in season. He and others in the same position could again enjoy the hunt and the resources of our great state. I have personally benefited from his enjoyment with an annual supply of venison, which my family has come to look forward to every year. He actually brought us two this year from South Carolina where he has some property and is free, as a bow hunter, to hunt doe in season without even needing a tag. I have never understood the opposition to the use of a crossbow by some. Hunting is a sport of "weapon of choice", each one bringing with it a different challenge for the hunter. It is the responsibility of the Department of Wildlife and Parks to manage our wildlife populations through permitting and seasons. It's a completely unnecessary overreach for us to limit a hunter's choice of firearm or bow.

I also support the provisions of this bill that extend the season and help with hunters feeding the hungry. I think both of these provisions are positives for our constituents allowing more flexibility for our hunters and providing food for many in need. The only provision I have concern with is the fee increase, but I will leave that decision to the wisdom of this committee.

Thank you for letting me testify, and I would be glad to stand for questions at the appropriate time,

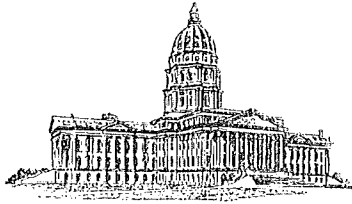


Sen. Ty Masterson

House Ag & Natural Resources
February 18, 2011
Attachment 1

State of Kansas
House of Representatives

State Capitol
Topeka, KS 66612
785-296-7689
joe.seiwert@house.ks.gov



Joe Seiwert
Representative, 101st District

- COMMITTEES:
- Energy and Utilities
 - Economic Development and Tourism
 - Veterans, Military & Homeland Security
 - Local Government
 - Vision 2020

Thank you Chairman Powell and the committee for allowing me to come here today and testify in favor of HB 2295, I will try to be brief and cover some of the highlights that I feel are important.

What the bill will allow is:

- Extend the antlerless deer hunting season seven days,
- Allow crossbows to be used during bow season.
- Includes provisions to include a contribution to Hunters feeding - the Hungry.

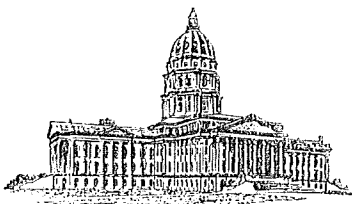
I support this action for several reasons listed below, but my main objective is to make the roads safer for the people of Kansas, and in turn help give meat to food shelters and food banks.

There are so many deer, that most bow and rifle hunters can pick and choose the one they want to shoot. I DO NOT have a problem with this as it is definitely the pride of all hunters to bag the trophy. However, what will happen over time, the population will climb to uncontrollable and it has.

The current method of controlling the population by hunting is not working as statistics show. However, W & P implemented an extended doe season the last two years. Many of the hunters and landowners in unit 15 think it has helped and feel it was successful, but still needs to be expanded.

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Joe Seiwert
Representative, 101st District

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 - Vision 2020

We need to weed out or cull the does and promote heard quality. This bill will accomplish this - and ultimately lessen the number of growing vehicle - deer collisions.

Chairman, ladies and gentlemen of the committee, we have a duty to our citizens of Kansas to make the roads safe to drive on. We implemented seat belt laws, texting and cell phone laws and further in depth laws to secure safety on the roads last session, yet we let over 12,000 accidents happen last year, and over 100,000 in the last ten years alone due to deer accidents.

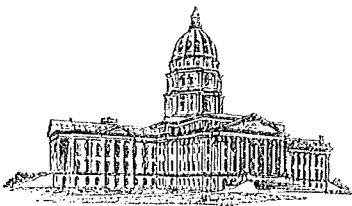
We are obligated to try to reduce these accidents. You will hear testimony by Wildlife and Parks that they are afraid of killing a few extra bucks that don't have antlers during a few extra days of an extended season.

I have attached letters stating that farmers have counted herds of all sizes from a 25 to over 50 in one field. If a great hunter were to shoot one deer a day in these fields for the total of the 21 days, they wouldn't even kill half of one herd.

Does any one of you on this committee want to tell the families of the people killed or injured in deer collisions that a few bucks are more important than the memory of their family members that may have died

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Joe Seiwert
Representative, 101st District

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- Vision 2020

or were injured in one of these 12,000 plus deer accidents last year!

You will also hear testimony the Wildlife and Parks will lose millions of dollars in Federal funds if they have a fee charge to help hunters feeding the hungry. That simply put is not true. We have offered help with the way legislation is wrote to protect these valuable funds. I have talked with other states that have enacted legislation like this and will help us to do the same.

You will hear Wildlife and Parks testify that it's not the number of days, license or permits that's the problem, but access to farmers land to hunt. They will say its because it is leased to out of state hunters and they cannot get permission to hunt on it. That is simply not true also.

I have attached a number of letters from local farmers and landowners in this area totaling over 20,000 acres of land that they would let a qualified hunter to hunt antlerless deer in this extended season. They want the deer gone also. However, most land owners and farmers will not lease it for walk in hunting because they want to know the hunters and make lasting relationships with them. I personally have had over 20 hunters hunt on my land, half which I have only know for a year or two and have become friends with many of them.

In conclusion, I support HB2295 for all the positive reasons. I am trying to work with Wildlife and Parks to make the roads safe and also build a

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Joe Seiwert
Representative, 101st District

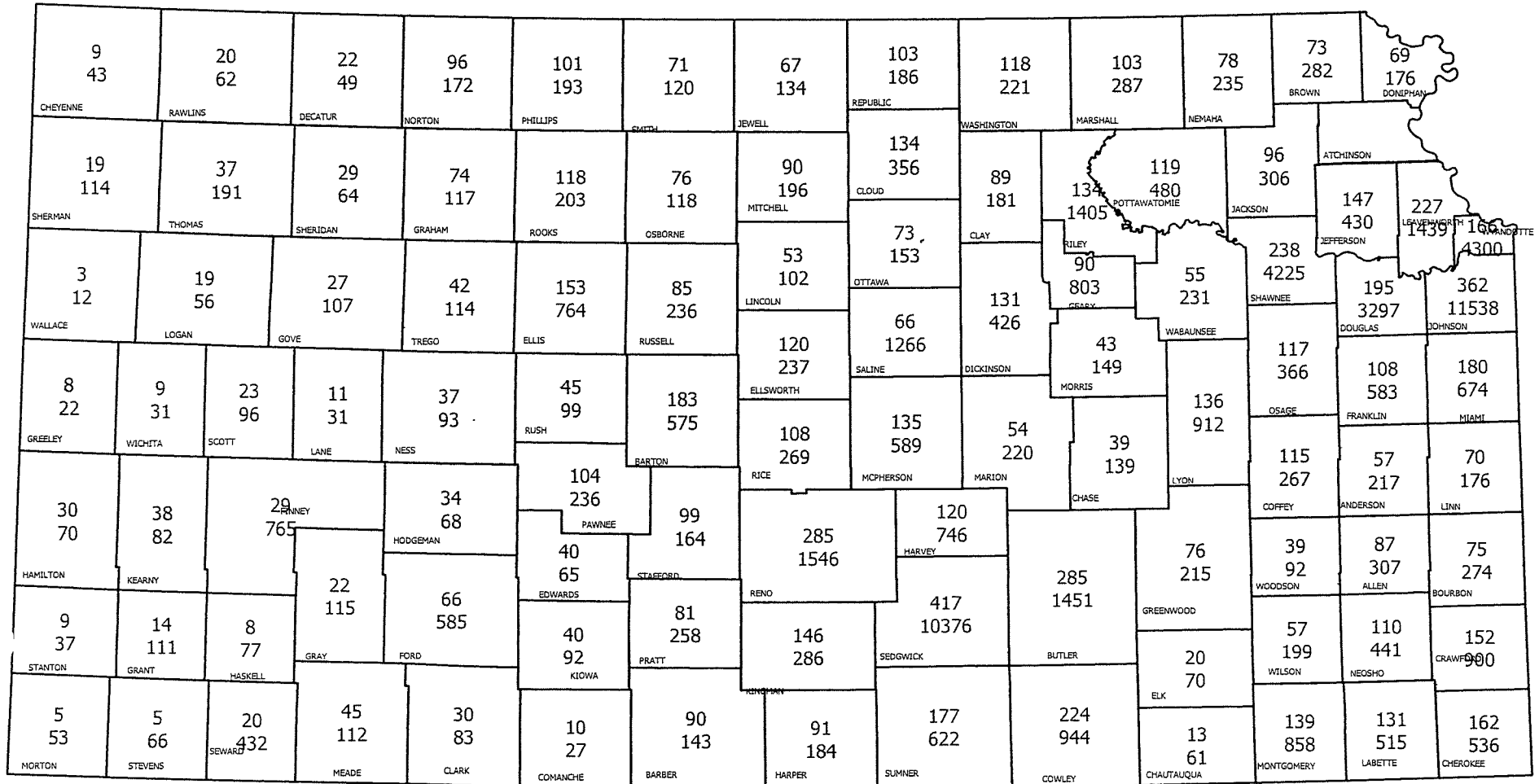
- COMMITTEES:
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 - Local Government
 - Vision 2020

quality deer population for the State of Kansas, provide quality hunting for locals hunters, and help feed the hungry. With these additions to this bill, I believe we can start to improve highway safety along with a quality hunting program by reducing the doe population.

Joe Seiwert
Kansas State Representative
101st District

TOTAL ACCIDENTS AND DEER ACCIDENTS BY COUNTY 2008

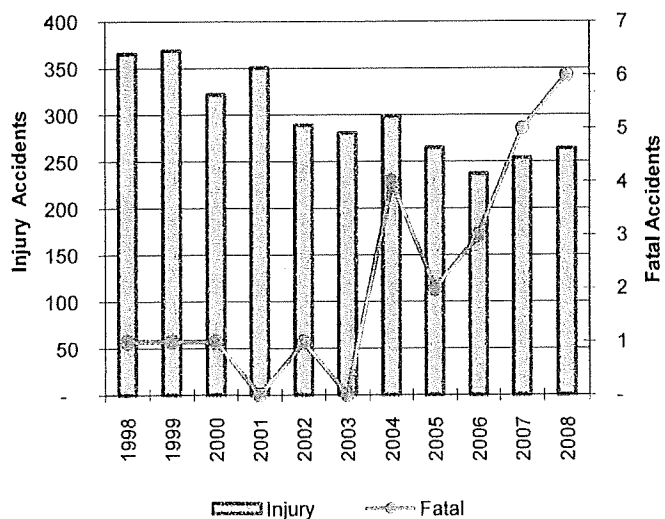
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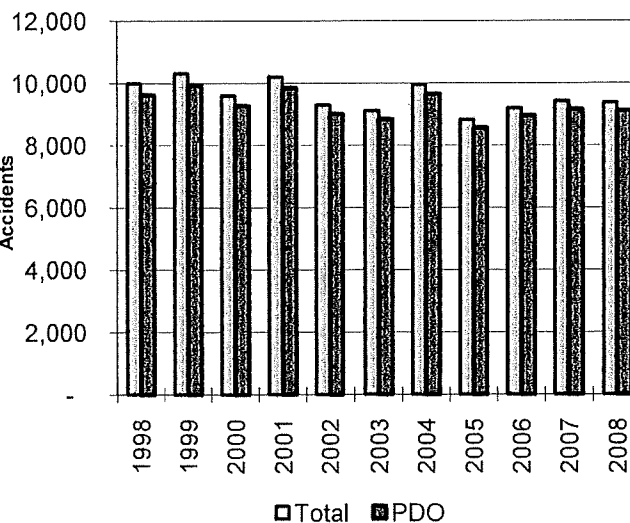
Deer Accidents

| Year | Accidents | | | | People | |
|--------------|----------------|-----------|--------------|----------------|-----------|--------------|
| | Total | Fatal | Injury | PDO | Deaths | Injuries |
| 1998 | 9,990 | 1 | 366 | 9,623 | 1 | 439 |
| 1999 | 10,312 | 1 | 369 | 9,942 | 1 | 450 |
| 2000 | 9,591 | 1 | 322 | 9,268 | 1 | 384 |
| 2001 | 10,192 | - | 351 | 9,841 | - | 418 |
| 2002 | 9,296 | 1 | 289 | 9,006 | 1 | 341 |
| 2003 | 9,114 | - | 281 | 8,833 | - | 332 |
| 2004 | 9,952 | 4 | 299 | 9,649 | 4 | 364 |
| 2005 | 8,825 | 2 | 265 | 8,558 | 2 | 329 |
| 2006 | 9,197 | 3 | 237 | 8,957 | 3 | 291 |
| 2007 | 9,417 | 5 | 254 | 9,158 | 5 | 298 |
| 2008 | 9,371 | 6 | 264 | 9,101 | 6 | 318 |
| Total | 105,257 | 24 | 3,297 | 101,936 | 24 | 3,964 |

Injury & Fatal Deer Accidents



Total & PDO Deer Accidents



In 2008, 14.2% of all accidents in Kansas involved striking deer as the first harmful event.

Deer Hunting Research**Resident Permits/Licenses/Game Tags**

2009- 149,667

2008- 143,188

2007- 137,550

2006- 139,572

Non Resident Permits/Licenses/Game Tags

30,111

27,276

28,385

23,169

Deer Accident Research**Kansas Deer Accidents**

2007- 9,417 (5 Fatal)

2008- 9,371 (6 Fatal)

2009- 9,628 (5 Fatal)

Kingman County

125 Deer Accidents

136 Deer Accidents

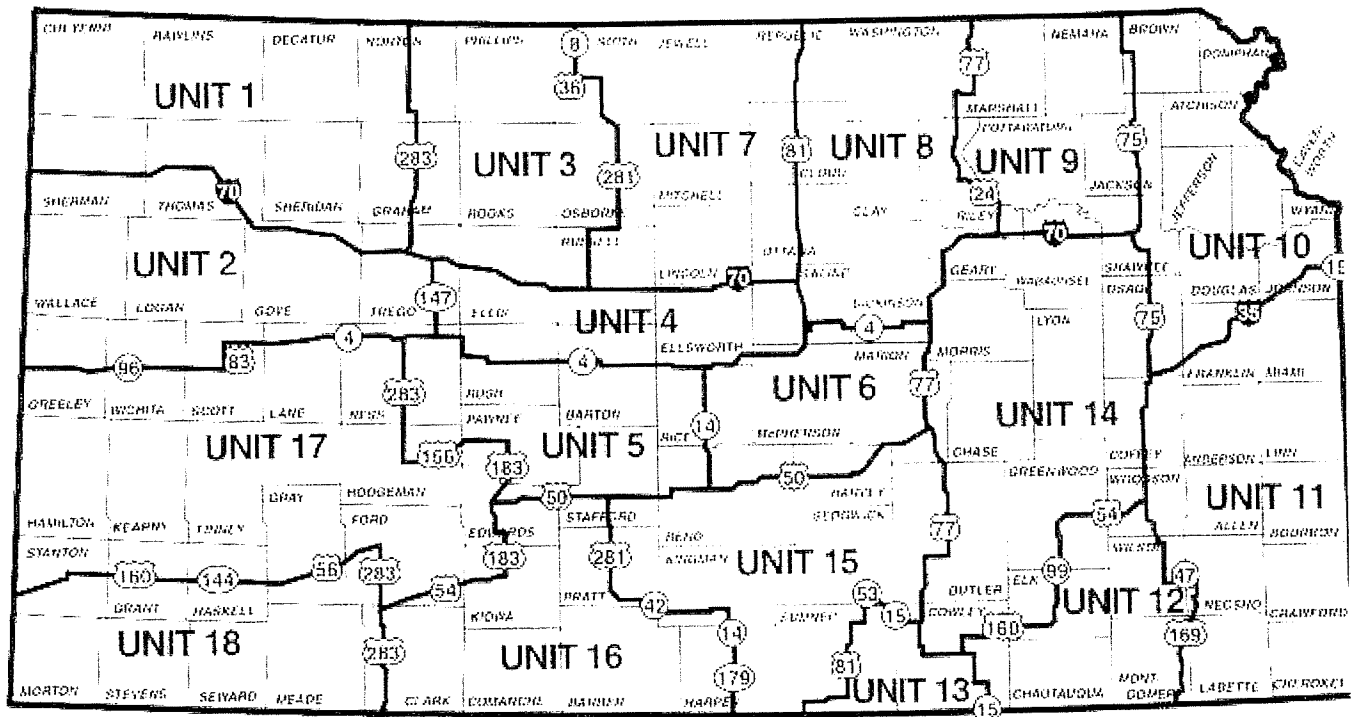
121 Deer Accidents

Reno County

288 Deer Accidents

285 Deer Accidents

265 Deer Accidents



☐ No Special Extended Season
 ☐ Special Extended Season Open

For Testimonials

Among the 35 states where at least 7,000 deer-vehicle collisions occur per year (we are not including the percentage changes in the other 15 states plus D.C. because the lower volume of total collisions makes the percentage changes less credible), New Jersey and Nebraska have posted the largest increases, 54 percent. ***Kansas is next at 41 percent.***

| STATE | Estimated number of deer-vehicle collisions July 1, 2008-June 30, 2009 | Motor vehicle registrations as of November 2008 | Likelihood of vehicle colliding with deer over the next year |
|--------|--|---|---|
| KANSAS | 11,902 | 2,429,064 | 1 in 204.09 |

Deer Accident Facts

According to the National Highway Traffic Safety Administration (NHTSA) there are 1.5 million car accidents involving deer per year. And, according to the Insurance Institute for Highway Safety, the average collision cost for this type of accident is \$2,800, with the figure leaping to \$10,000 if injury is involved. (DMV)

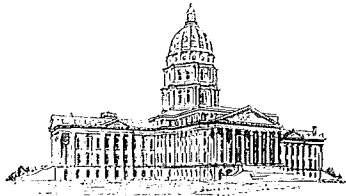
Statistically, one in every 100 drivers nationally is likely to have a collision with a deer at some time during their driving years. Mid-fall and mid-spring are likely times of the year for deer to be seen on roadways, because of breeding habits during the fall and growth of vegetation during the spring. (Kansas insurance journal)

According to KDWP biologist, Lloyd Fox, the increase in deer-vehicle crashes is strongly influenced by the deer mating season, with activity peaking in mid-November.

According to KDOT spokesperson Steve Swartz, there were 9,628 deer-vehicle collisions in 2009. Deer-vehicle collisions occur in every Kansas County. In most cases, counties with the highest populations recorded the most deer-vehicle crashes. Sedgwick County had the most crashes with 395, followed by Johnson County with 353 and Butler County with 286. More details, including a map showing all accidents and deer accidents by county, may be found on the KDOT web site.

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HOUSE OF REPRESENTATIVES

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COLDWATER, KANSAS 67029
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(620) 635-5844 C



TOPEKA

KYLE D. HOFFMAN
DISTRICT 116

STATE CAPITOL BUILDING
TOPEKA, KANSAS 66612
(785) 296-7643
kyle.hoffman@house.ks.gov

Chairman Powell

Members of Ag Committee

I am testifying my support for HB 2295. There is a number issue I feel important and will be addressed with this bill. One of the most important is the goal of HB2295 is to reduce the number of deer accidents in Kingman county by allowing an extended hunting season for antlerless deer in to January 23rd. Also supporting this bill is written testimony by the Kingman County Economic Development Council, Jane Wallace, Executive Director, stating their concern for the high number of car-deer accidents in their area.

Most of the hunters I know are not the farmers, they are people that work in town and like to hunt when they can, however, with the short days in January, by the time they get off work, they are unable to make it to their deer stands before sunrise or sunset. By extending this season to January 23rd, they will actually have two weekends to hunt. With this in mind, I believe it will actually encourage more people to hunt that might not buy a license during the regular season.

I also support the hunters feeding the hungry as a great program to help provide high protein meat for food banks, shelters, and people in need of a healthy food. I know hunters that after they take their deer, would like to continue to hunt but have nowhere to go with the meat and cannot afford to pay another processing bill to give it away. Also, as good stewards of hunting, they do not like to shoot a deer just to kill one, this will be a way to allow them to hunt more and do something positive for their community: by helping reduce the deer population and provide meals for the needy.

Also, the provision to allow a crossbow to be used during bow season will allow older, younger, and female hunters that might not be able to pull a regular bow to hunt, thus, selling more hunting permits and help reduce the overpopulation.

I get many reports of large herds grazing on farmer's wheat, stored hay along the fields, damaging bales, and fences. Many are saying and asking that something needs to be done. I do believe this will help them address this problem also.

In closing, I urge you to consider a workable solution to this problem by helping me support HB2295.

House Ag & Natural Resources
February 18, 2011
Attachment 3

STATE OF KANSAS

COMMITTEE ASSIGNMENTS

AGRICULTURE
EDUCATION
FEDERAL AND STATE AFFAIRS
NATURAL RESOURCES

E-mail: sabrams@hit.net

DR. STEVE E. ABRAMS

SENATOR, 32ND DISTRICT
6964 252ND ROAD
ARKANSAS CITY, KANSAS 67005

DURING SESSION

STATE CAPITOL—541-E
TOPEKA, KANSAS 66612
OFFICE: 785-296-7381 FAX: 785-368-6365



TOPEKA

SENATE CHAMBER

January 18, 2011

Mr. Chairman:

As a landowner in the Cowley County area, I am totally in support of HB 2295. At one point I counted 35 deer grazing my property and destroying my soybeans. I therefore am in favor of allowing an extension of the deer season, and the use of crossbows, as the population of deer has grown tremendously since I have lived in this area.

I would further support the donation of deer meat to food pantries or other such organizations that feed the hungry.

I thank you for consideration of this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve E. Abrams", with a stylized flourish at the end.

Steve E. Abrams
Senator, District 32

SEA/ef

House Ag & Natural Resources
February 18, 2011
Attachment 4

Chairman Powell and members of the Agriculture and Natural Resources Committee,

I am writing in support of HB 2295

I wanted to take this opportunity to share with the Ag Committee a concern of mine in Reno County. The past several years I have seen a marked increase in the deer population in our area, and each year observe more crop and property damage from their activity. It is not uncommon to see herds in my fields of twenty or more deer.

I have heard there is a belief that a possible solution to this overpopulation is to rent farm ground to the Wildlife and Parks Department for open hunting. I farm over 6,000 acres in Reno country and let hunters that go through me hunt does on over 2500 acres for free already. It's not that they don't have a place to hunt, they don't have enough time because they work in town and it's dark before they can get out here during the week.

Renting my land to Wildlife and Parks is not an option for me; I do not permit hunting on my ground by anyone I do not expressly know, due to safety and asset protection concerns. I have seen far too much damage done to crops, fencing and irrigation systems by irresponsible hunters to allow those I do not know to hunt on my ground.

I would like to see an extended deer hunting season for our area, unit #15, permitting me to allow designated hunters on my ground for a greater period of time with the goal of further controlling the deer population and preventing further damage.

I also support hunters feeding the hungry and W & P's need to support this great program. I feed the deer on my irrigated corn all season long for free, the hunter' could pay a little to feed hungry people also.

Thank you for your time and consideration to this matter.

Walt Burling
Walt Burling Farms, Inc.
13215 S Partridge Road
Partridge KS 67566
620-567-2421

Chairman Larry Powell
Members of the Agriculture and Natural Resources Committee,

I'm writing in support of HB 2295 to lengthen the doe hunting season in January in Kingman county. I farm around 2,320 acres and have let hunters hunt for free to take the doe's for food after the buck season. The biggest problem with the short hunting season is all the people I let hunt work in town and can't get out here to hunt during the week and the only time they have is weekends.

I know a number of hunters that won't buy a license to only hunt a couple of weekends, especially if the weather gets bad and that is another reason I support the extended season for the hunters benefit. I really don't care if they accidentally shoot a buck that lost his antlers as they will probably ruin one of my tires. Right now there is not enough hunters to shoot all the deer on our land is they hunted everyday for several months. There are time I seen over 45 or more on my wheat in less busy areas and I also farm along US hwy 54 and it is not at all uncommon to see 15 to 20 standing in the wheat less than a quarter mile from the highway.

We also need a program to help pay the hunters feeding the hungry. Several of the guys hunting on our land would gladly shoot as many as they can because they love to hunt, however, they have no place to go with the excess meat after they fill their freezers.

Thanks for your time and please consider extending the season, I would go for six months but I am sure that won't happen

Gary Rohlman,
Rohlman Farms,
Kingman Ks, 67068
620-532-5341

To Chairman Powell, Agriculture and Natural Resources Committee
Testimony in support of HB 2295

Dear Chairman Powell and members of the Ag committee:

My name is Steve Westfahl and I own and operate Irish Creek Outfitters, Haven Kansas. I write in support of Joe Seiwert's bill to extend the antlerless deer season in January. We lease about 7,000 acres of private property and offer this at no cost to local hunters that want meat for their families. Out of state hunters are here for antlers and do not want to pay the price for a doe permit. If they could get a cheaper doe permit they would harvest a few more does. Our local hunters want meat and will harvest does in the January season. We are in unit 15 and have more does than needed. I would also support the use of a crossbow during archery season. Many bow hunters quit hunting as they get older because they do not want to get a Dr's letter that says they are too weak or not able to pull a bow. As I get older it just makes sense. I also support the Hunters feeding the hungry program. I believe some out of state hunters would kill does for that program if they could get a cheaper tag for does. Thank you for letting me share my thoughts.

--

Steve Westfahl
Irish Creek Outfitters, LLC
3907 E. Irish Creek Rd.
Haven, KS 67543
1-888-880-7887
620-960-3894



February 17, 2011

Chairman Powell
Agriculture and Natural Resources Committee
149-S Capitol Building
Topeka, KS 66612-1504

RE: Support of HB2295

Chairman Powell and members of the Agriculture & Natural Resources Committee:

This letter is written in support of an extended deer hunting season in Kingman County. We need this extended season because of the high number of car-deer accidents in our area.

We appreciate the work you do.

Best regards,

Jane O. Wallace
Executive Director
Kingman County Economic Development
324 N Main
Kingman, KS 67068
620-532-3694
kcedc@terraworld.net

House Ag & Natural Resources
February 18, 2011
Attachment 8

Chairman Larry Powell,
Members of the Agriculture and Natural Resources Committee
Testimony in support of HB 2295

Dear Committee Members,

As a land owner of over two hundred acres in Kingman County, I would support and work with bow and rifle hunters to hunt on my land for free, if the deer hunting season were extended to hunt does. I have seen deer herds of over thirty deer on my place. We see them almost every day in our fields and pasture. The damage they cause is sometimes extensive, costly, let alone the danger to my family, cattle, and the nearby State highway. I see dead ones several times a week on highway 54 on my way to work in Kingman. Please help us to control them in our area and make our roads safe.

Thank you for your consideration.

Fred Simon
Kingman County
Cell 620-532-9054

To Chairman Larry Powell and Members of the Agriculture and Natural Resource Committee:
Testimony supporting HB2295

My name is Heath Weninger and I am a farmer from Kingman County and I support legislation that will do anything to get rid of more deer. My family and I are strongly in support of any extension in the deer hunting season. The main reason for my support is public safety.

My experience with deer in this state has been nothing less than what I would describe as a Horror Movie that never ends and every time I get behind the wheel of a car, I think my blood pressure goes up 10 points. Something has got to be done about the deer numbers in this state. Believe me, I am doing my best to help control the numbers. I don't even hunt deer, yet I've probably killed more deer with a vehicle in the last five years than most die hard hunters have killed their entire life. I am 40 years old and since I was 10, I would bet any hunter that I have had more deer vehicle collisions than they have had shots at deer.

The reason: **I HUNT EVERY SECOND OF EVERY DAY I DRIVE A ROAD OR HIGHWAY IN KANSAS.** That doesn't make any sense. I shouldn't have to get nervous about having to go somewhere in a vehicle because of a 500lb + animal running loose might dart in front of me at any given second.

In this last five years alone, I have totaled five vehicles, one accident nearly being fatal, and where I have my deductibles set, that has gotten very expensive. My near misses and minor hits that I DON'T CLAIM are off the charts. I have a commute between Kingman and Wichita and there is a 5 mile stretch midway I call "*Deer Alley*", of which almost every day, I see a deer running or see one lying dead along the road. I failed to mention that I had a friend who was killed in a deer collision. This is shameful.

I myself farm a large number of acres of which I allow hunting on for free with only one rule, "Its free hunting as long as they kill as many deer as they can ". Its one less that could potentially kill me or my family.

I ask one thing: Either loosen the restriction on hunting by lengthening the season, **OR** I ask the FISH AND GAME COMMISSION to pay my deductibles on my deer hits. Remember, they are the overseers of the deer in the state. One other option is that all deer hit deductibles get charged at the exact rate of what a deer tag cost.

A concerned motorist

Heath Weninger
Kingman County Resident

Chairman Powell ,
Members of the Ag Committee ,

I would like to offer my support for HB2295 in regards to extending the doe hunting season for a number of reasons. I farm with my two brothers in western Reno, Stafford, and, Rice counties. The week of February 7, while driving cattle, I observed a herd of over 60 deer grazing on soybean and milo stalks. Through the winter months we regularly observe 15 - 30 per herd, but this winter the numbers have increased.

My son and daughters have been attending school in the Fairfield school district, and, over the last 5 years of driving to school functions have had 5 collisions with deer. My wife has had an accident involving deer that totaled our car. Anyone in this area has noticed an increase in deer carcasses lying along the roadways. We usually have hunters approach us about bow and early rifle season, but, typically these are trophy-buck hunters, and this time of the year conflicts with later grazing of livestock on stalks and grass. We need hunters who seek only does, and a longer season so that they can be successful.

The deer population needs to be more tightly controlled and it seems a waste not to harvest them so as to benefit someone. Also a system needs to be in place to put hunters in contact with land operators and vice versa to target the doe population specifically.

Respectfully,

Steve Schweizer



**Testimony on HB 2295 relating to Deer Hunting
To
The House Committee on Agriculture and Natural Resources**

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

February 18, 2011

HB 2295 seeks to make significant changes to deer hunting, deer permitting and hunting licensure. **The Department opposes the provisions contained in the bill.**

Section 1 of the bill removes the requirements that immediate family be domiciled with a landowner or tenant to be unlicensed. The Department opposes this change because it further erodes the license base of a fee funded agency and would be largely unenforceable.

Section 2 of the bill removes requirements for a person to have a disability to use a crossbow for big game. While the Department currently has authority to allow the use of crossbows in any season and does allow them during firearms seasons, it is believed that the proposal is intended to allow the use of crossbows during the archery season, when mature bucks are most vulnerable. The Department is opposed to any provisions which could potentially alter the age structure of the herd. The age structure of the herd is the primary reason Kansas is a world class destination when it comes to hunting.

Section 3 of the bill does many things. First, the section removes domicile requirements for purchasing deer permits to hunt on immediate family members' land they own or operate. Again, this erodes the license base of a fee funded agency and would be largely unenforceable. Second, the provisions mandate an arbitrary ending date for firearms season not based on biological opinion. Further, to modify a statute book for a deer season when deer seasons are set through regulations annually because of the changing dates of the calendar discounts the public regulatory process, is arbitrary and is financially imprudent. Finally, the provisions in section (1)(2) are modified such to automatically increase nonresident deer permit numbers annually at least ten percent without regard to the biological or social impact.

Section 4 of the bill mandates "contributions" of \$2 or more by every hunter when purchasing a deer permit to Hunters Feeding the Hungry. While the Department supports HFH and encourages donations by individuals, the provisions in the bill will likely cause the Department to be in diversion and cause the loss of some or all of the Department's federal funds. Wildlife fee funds are protected by federal and state law and the loss of control of wildlife fee funds results in diversion and loss of federal funds. The Department received approximately twelve million dollars in federal funds last fiscal year.

Section 5 of the bill increases the caps on nonresident deer permits for fees set by the Wildlife and Parks Commission in regulation. Increasing the caps does nothing at this point because the Department has not proposed an increase in fees nor are the current fees up against the cap.

The current deer management system is a direct result of stakeholder participation, including landowners, tenants, hunters, guides and general members of the public. The current system and changes went into effect in 2008 and most of the primary stakeholders exhibited the strong desire to leave the system unchanged for a long period of time. Continued change confuses participants in the system and results in participants leaving deer hunting, which leads to reduced funding as well as fewer people to take deer.

Scientific management and fee funding are basic tenants of the North American Model of wildlife management. Deer hunting in Kansas alone generates approximately \$350,000,000 in direct and collateral economic benefit to the State of Kansas and its citizens. This influx of spending to the State is a direct result of the professional and scientific management by Kansas biologists. To enact the proposals before you would jeopardize the existence of the current system.

The Department appreciates the support of the Committee in opposition to the bill.



The 20010-2011 deer seasons were as follows:

| | | |
|----------------------|------------------------------|-----------------------------|
| Sept 11-19, 2010 | Youth and disabled season | 9 days |
| Sept 20-Oct 3, 2010 | Muzzleloader season | 14 days |
| Sept 20-Dec 31, 2010 | Archery season | 102 days |
| Oct 9-17, 2010 | Unit 19 Firearms season | 9 days |
| Dec 1-12, 2009 | Statewide Firearms season | 12 days |
| Jan 1-9, 2011 | Extended Firearms season | 9 days |
| Jan 10-16, 2010 | Special Ext. Firearms season | 7 days (Units 7, 8, and 15) |
| Jan 10-31, 2010 | Unit 19 Archery season | 22 days |

This management scheme has resulted in the stabilization of the herd on a statewide basis as well as has provided the age class of deer that makes Kansas a world class destination for deer hunting. The primary consideration in season structure to maintain the age class of buck deer is to keep large numbers of hunters out of the breeding time, when mature bucks are most vulnerable, and therefore it has been placed post-rut and begins the first Wednesday after Thanksgiving.



In 2010-11 there were 91,994 residents and 23,936 non-residents with a permit that allowed them to take an antlered deer. Using the value of \$1,100 (pg 158 of the 2006 National Survey on Fishing, Hunting and Wildlife-Associated Recreation [<http://www.census.gov/prod/2008pubs/fhw06-nat.pdf>]) you get **\$127.5 million in direct economic benefit** from spending on trip related items. The total economic effect (multiplier effect) is about 2.5 times that value ([http://www.fishwildlife.org/pdfs/Hunting Economic Impact.pdf](http://www.fishwildlife.org/pdfs/Hunting_Economic_Impact.pdf)) or **\$318.8 million in collateral economic benefit from deer hunting.**

There were 2,802,134 people in Kansas in 2008. There are approximately 787,000 Kansans and a total of 816,000 residents and non-residents (Page 102 of the 2006 National Survey) that recreationally watch wildlife. Nationwide approximately 56% of the people participating in wildlife viewing observe large mammals. The average annual expenditure of people involved in wildlife watching is \$179/ person. Thus recreational watching of deer in Kansas may generate another \$23,628,000. Suffice it to say that watching deer in Kansas is enjoyed by many people (46% of the residents) and it generates positive economic value.

Hunting and viewing deer generate \$342.4 million per year in Kansas.



Here is the link to the sign-up on our website:

<http://www.kdwp.state.ks.us/news/Hunting/Hunting-Programs/Hunter-Referral-Program>

KDWP has pursued for years of trying to provide a system where hunters who wanted an opportunity to take antlerless deer could be united with landowners who wanted more deer removed from their property. The system produced thousands of hunters looking for opportunities. Landowners were given an opportunity to view lists of potential hunters and even lists limited to hunters using certain equipment, or living in certain areas. The problem is that while many landowners complained about too many deer, only a couple landowners in the state even requested a list of potential hunters. This agrees with the surveys of Kansas landowners conducted by the Docking Institute for KDWP. Those surveys show that 50-60 percent of the landowners have damage on their property that they consider to be caused by deer but that only ~5% of those landowners consider the damage severe. Furthermore when the landowners were asked what they did to address that damage, few contacted KDWP. That survey has been conducted since 1963 and one of the consistent findings is that about 25% of the landowners do not hunt deer or allow other people to hunt deer on their property.

Table 2. History of deer hunting season dates in Kansas.

| YEAR | FIREARMS OPEN DATES | NO. DAYS | ARCHERY OPEN DATES | NO. DAYS | MUZZLELOADER OPEN DATES | NO. DAYS | YOUTH AND DISABILITY OPEN DATES | NO. DAYS | EXTENDED OPEN DATES | NO. DAYS | YEAR |
|---------|------------------------|----------|--------------------------------------|----------|----------------------------|----------|------------------------------------|----------|--|----------|------|
| 1965 | Dec. 11 - 15 | 5 | Oct. 1 - Nov. 15 | 46 | 0 | 0 | 0 | 0 | 0 | 0 | 1965 |
| 1966 | Dec. 10 - 14 | 5 | Oct. 1 - Dec. 9 | 70 | 0 | 0 | 0 | 0 | 0 | 0 | 1966 |
| 1967 | Dec. 8 - 12 | 5 | Oct. 1 - Nov. 26 | 57 | 0 | 0 | 0 | 0 | 0 | 0 | 1967 |
| 1968 | Dec. 13 - 17 | 5 | Oct. 1 - Dec. 1 | 62 | 0 | 0 | 0 | 0 | 0 | 0 | 1968 |
| 1969 | Dec. 6 - 10 | 5 | Oct. 1 - Nov. 30 | 61 | 0 | 0 | 0 | 0 | 0 | 0 | 1969 |
| 1970 | Dec. 5 - 9 | 5 - WEST | Oct. 1 - Nov. 30 | 61 | 0 | 0 | 0 | 0 | 0 | 0 | 1970 |
| | Dec. 5 - 13 | 9 - EAST | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 1971 | Dec. 4 - 8 | 5 - WEST | Oct. 16 - Nov. 25, Dec. 11 - Dec. 31 | 62 | 0 | 0 | 0 | 0 | 0 | 0 | 1971 |
| | Nov. 27 - Dec. 5 | 9 - EAST | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 1972 | Dec. 2 - 6 | 5 - WEST | Oct. 1 - Nov. 30 | 61 | 0 | 0 | 0 | 0 | 0 | 0 | 1972 |
| | Dec. 2 - 10 | 9 - EAST | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 1973 | Dec. 1 - 9 | 9 | Oct. 1 - Nov. 25, Dec. 15 - Dec. 31 | 73 | 0 | 0 | 0 | 0 | 0 | 0 | 1973 |
| 1974 | Dec. 7 - 15 | 9 | Oct. 1 - Nov. 30, Dec. 21 - Dec. 31 | 72 | 0 | 0 | 0 | 0 | 0 | 0 | 1974 |
| 1975 | Dec. 6 - 14 | 9 | Oct. 1 - Nov. 30, Dec. 20 - Dec. 31 | 73 | 0 | 0 | 0 | 0 | 0 | 0 | 1975 |
| 1976 | Dec. 4 - 12 | 9 | Oct. 1 - Nov. 30, Dec. 18 - Dec. 31 | 75 | 0 | 0 | 0 | 0 | 0 | 0 | 1976 |
| 1977 | Dec. 3 - 11 | 9 | Oct. 1 - Nov. 30, Dec. 17 - Dec. 31 | 76 | 0 | 0 | 0 | 0 | 0 | 0 | 1977 |
| 1978 | Dec. 2 - 10 | 9 | Oct. 1 - Nov. 30, Dec. 16 - Dec. 31 | 77 | 0 | 0 | 0 | 0 | 0 | 0 | 1978 |
| 1979 | Dec. 1 - 9 | 9 | Oct. 1 - Nov. 28, Dec. 12 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1979 |
| 1980 | Dec. 6 - 14 | 9 | Oct. 1 - Dec. 3, Dec. 17 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1980 |
| 1981 | Dec. 5 - 13 | 9 | Oct. 1 - Dec. 2, Dec. 16 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1981 |
| 1982 | Dec. 4 - 12 | 9 | Oct. 1 - Dec. 1, Dec. 15 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1982 |
| 1983 | Dec. 3 - 11 | 9 | Oct. 1 - Nov. 30, Dec. 12 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1983 |
| 1984 | Dec. 1 - 9 | 9 | Oct. 1 - Nov. 30, Dec. 10 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1984 |
| 1985 | Dec. 7 - 15 | 9 | Oct. 1 - Dec. 6, Dec. 16 - Dec. 31 | 79 | 0 | 0 | 0 | 0 | 0 | 0 | 1985 |
| 1986 | Dec. 6 - 14 | 9 | Oct. 1 - Dec. 5, Dec. 15 - Dec. 31 | 79 | Dec. 6 - 14 | 9 | 0 | 0 | 0 | 0 | 1986 |
| 1987 | Dec. 5 - 13 | 9 | Oct. 1 - Dec. 4, Dec. 14 - Dec. 31 | 79 | Dec. 5 - 13 | 9 | 0 | 0 | Jan. 2 - 10, 1988 | 9 | 1987 |
| 1988 | Nov. 30 - Dec. 11 | 12 | Oct. 1 - Nov. 29, Dec. 12 - Dec. 31 | 79 | Nov 30 - Dec 11 | 12 | 0 | 0 | Jan. 2 - 10, 1989 | 9 | 1988 |
| 1989 | Nov. 29 - Dec. 10 | 12 | Oct. 1 - Nov. 28, Dec. 11 - Dec. 31 | 79 | Sept. 22 - 30 | 9 | 0 | 0 | 0 | 0 | 1989 |
| 1990 | Nov. 28 - Dec. 9 | 12 | Oct. 1 - Nov. 27, Dec. 10 - Dec. 31 | 79 | Sept. 22 - 30 | 9 | 0 | 0 | 1st seg Jan. 1 - 14, 2nd seg Jan. 22 - Feb 4 | 28 | 1990 |
| 1991 | Dec. 4 - 15 | 12 | Oct. 1 - Dec. 3, Dec. 16 - Dec. 31 | 79 | Sept. 21 - 29 | 9 | 0 | 0 | 1st seg Jan. 1 - 13, 2nd seg Jan. 21 - Feb 3 | 28 | 1991 |
| 1992 | Dec. 2 - 13 | 12 | Oct. 1 - Dec. 1, Dec. 14 - Dec. 31 | 79 | Sept. 19 - 27 | 9 | 0 | 0 | Jan. 13 - 26 | 14 | 1992 |
| 1993 | Dec. 1 - 12 | 12 | Oct. 1 - Nov. 30, Dec. 13 - Dec. 31 | 79 | Sept. 18 - 26 | 9 | 0 | 0 | Jan. 11 - 24 | 14 | 1993 |
| 1994 | Nov. 30 - Dec. 11 | 12 | Oct. 1 - Nov. 29, Dec. 12 - Dec. 31 | 79 | Sept. 17 - 25 | 9 | 0 | 0 | 0 | 0 | 1994 |
| 1995 | Dec. 1 - 10 | 12 | Oct. 1 - Nov. 28, Dec. 11 - Dec. 31 | 79 | Sept. 16 - 24 | 9 | 0 | 0 | 0 | 0 | 1995 |
| 1996 | Dec. 4 - 15 | 12 | Oct. 1 - Dec. 3, Dec. 16 - Dec. 31 | 79 | Sept. 21 - 29 | 9 | 0 | 0 | 0 | 0 | 1996 |
| 1997 | Dec. 3 - 14 | 12 | Oct. 1 - Dec. 2, Dec. 15 - Dec. 31 | 79 | Sept. 20 - 28 | 9 | 0 | 0 | 0 | 0 | 1997 |
| 1998 | Dec. 2 - 13 | 12 | Oct. 1 - Dec. 1, Dec. 14 - Dec. 31 | 79 | Sept. 19 - 27 | 9 | 0 | 0 | Jan. 9 - 10, 1999 | 2 | 1998 |
| 1999 | Dec. 1 - 12 | 12 | Oct. 1 - Nov. 30, Dec. 13 - Dec. 30 | 78 | Sept. 18 - 30 | 13 | 0 | 0 | Dec. 31 - Jan. 9, 2000 | 10 | 1999 |
| 2000 | Nov. 29 - Dec. 10 | 12 | Oct. 1 - Nov. 28, Dec. 11 - 31 | 79 | Sept. 16 - 29 | 14 | Sept. 30 - Oct. 1 | 2 | Jan. 1 - 14, 2001 | 14 | 2000 |
| 2001 | Nov. 28 - Dec. 9 | 12 | Oct. 1 - Nov. 27, Dec. 10 - 31 | 79 | Sept. 15 - 28 | 14 | Sept. 29 - 30 | 2 | Jan. 1 - 13, 2002 | 13 | 2001 |
| 2002 | Dec. 4 - 15 | 12 | Oct. 1 - Dec. 3, Dec. 16 - 31 | 79 | Sept. 14 - 27 | 14 | Sept. 28 - 29 | 2 | Jan. 1 - 12, 2003 | 12 | 2002 |
| 2003 | Dec. 3 - 14 | 12 | Oct. 1 - Dec. 2, Dec. 15 - 31 | 79 | Sept. 13 - 26 | 14 | Sept. 27 - 28 | 2 | Jan. 1 - 4, 2004 | 4 | 2003 |
| DMU 19* | Oct. 18 - 26 | 9 | Jan. 5 - 31 | 26 | | | | | | | |
| 2004 | Dec. 1 - 12 | 12 | Oct. 1 - Nov. 30, Dec. 13 - 31 | 79 | Sept. 11 - 24 | 14 | Sept. 25 - 26 | 2 | Jan. 1 - 2, 2005 | 2 | 2004 |
| DMU 19* | Oct. 16 - 24 | 9 | Jan. 3 - 31 | 28 | | | | | | | |
| 2005 | Nov. 30 - Dec. 11 | 12 | Oct. 1 - Dec. 31 | 91 | Sept. 10 - 23 | 14 | Sept. 24 - 25 | 2 | Jan. 1 - 8, 2006 | 8 | 2005 |
| DMU 19* | Oct. 15 - 23 | 9 | Jan. 9 - 31 | 23 | | | | | | | |
| 2006 | Nov. 29 - Dec. 10 | 12 | Oct. 1 - Dec. 31 | 91 | Sept. 9 - 22 | 14 | Sept. 23 - 24 | 2 | Jan. 1 - 7, 2007 | 7 | 2006 |
| DMU 19* | Oct. 14 - 22 | 9 | Jan. 8 - 31 | 23 | | | | | | | |
| 2007 | Nov. 28 - Dec. 9 | 12 | Oct. 1 - Dec. 31 | 91 | Sept. 15 - 28 | 14 | Sept. 29 - 30 | 2 | Jan. 1 - 6, 2008 | 6 | 2007 |
| DMU 19 | Oct. 13 - 21 | 9 | Jan. 7 - 31 | 24 | | | | | | | |
| 2008 | Dec. 3 - 14 | 12 | Sept. 22 - Dec. 31 | 100 | Sept. 22 - Oct. 5 | 14 | Sept. 13 - 21 | 9 | Jan. 1 - 4, 2009 | 4 | 2008 |
| DMU 19 | Oct. 11 - 19 | 9 | Jan. 5 - 31 | 26 | | | | | | | |
| 2009 | Dec. 2 - 13 | 12 | Sept. 21 - Dec. 31 | 101 | Sept. 21 - Oct. 4 | 14 | Sept. 12 - 20 | 9 | Jan. 1 - 10, 2010 | 10 | 2009 |
| DMU 19 | Oct. 10 - 18 | 9 | Jan. 11 - 31 | 21 | | | | | Jan. 1 - 17, 2010 (DMU 7, 8, & 15) | 17 | |
| 2010 | Dec. 1 - 12 | 12 | Sept. 20 - Dec. 31 | 100 | Sept. 20 - Oct. 3 | 14 | Sept. 11 - 19 | 9 | Jan. 1 - 9, 2011 | 9 | 2009 |
| DMU 19 | Oct. 9 - 17 | 9 | Jan. 10 - 31 | 22 | | | | | Jan. 1 - 16, 2011 (DMU 7, 8, & 15) | 16 | |

* Additional days of hunting opportunity in DMU 19

Deer Management Units in Kansas.

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