

SESSION OF 2004

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 364**

As Amended by House Committee of the Whole

**Brief\***

SB 364 would eliminate wild turkey from the definition of "big game animal" in the Wildlife and Parks statutes. New language in the bill would allow the Secretary of Wildlife and Parks to issue valid wild turkey permits and game tags. Authority would be given to the Secretary to issue wild turkey permits to nonresidents in wild turkey management units where there are unlimited permits available. In addition, the bill would provide that 50 percent of the wild turkey permits authorized for a regular season in any management unit would be issued to landowners or tenants, provided that a limited number of turkey permits have been authorized. The maximum fees for the various permits and tags would be the same as they are for other big game species. General authority would be given to the Secretary to manage wild turkeys in this state.

The bill also would allow the Department of Wildlife and Parks to reissue big game or turkey limited draw permits to military personnel forced to forfeit their limited draw permit due to deployment in the event of armed conflict or war, upon application and payment of the prescribed fee to the agency. Sufficient proof of deployment would have to be provided. The permit, if reissued, would have to be the same type, season, and species permit that was forfeited and would be valid during the next available hunting season upon return from the armed conflict or war by the applicant. This language would replace similar language passed for those who participated in the Gulf War of the early 1990s.

Pursuant to the House Tourism and Parks amendment, the bill would provide for the total number of nonresident deer archery permits as follows:

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

<u>Year</u>	<u>Percentage</u>
2004	4% - 8.5%
2005	4.5% - 9%
2006	5% - 10%
Thereafter	6% - 11%

These percentages would be based on resident deer firearm permits rather than resident deer archery permits.

Also nonresident archery tags would be allocated equally among the management units. Resident and nonresident archery management units for deer would be the same as firearm management units for deer. Finally, the House Committee incorporated the provisions of HB 2668 into this bill. Those provisions would provide that the Secretary, by rules and regulations, would be required to establish a subunit within deer management units 7 and 8 and provide for a special season in the subunit which would extend by seven days the time currently provided for taking antlerless deer. This provision would expire on June 30, 2006.

The bill further amends existing law pertaining to hunt-on-your-own-land deer permits to be transferrable to any person, whether a resident or not. Currently, these permits are issued only to an immediate family member of the landowner or tenant. The bill would also allow members of the Kansas Army or Air National Guard to hunt or fish without a license. Finally, these persons would be exempt from annual and temporary park and recreation motor vehicle permits.

The provisions relating to wild turkey regulation would take effect January 1, 2005. Other provisions would take effect upon publication in the *Kansas Register*.

## **Background**

The Senate Committee on Natural Resources amended the bill to eliminate provisions which would have given the Wildlife and Parks Commissioners the authority to issue "commissioner permits." These

permits would have been issued to nonprofit organizations that actively promote wildlife conservation and the hunting and fishing heritage. The permits would have been marketed by the organizations to the public in order to raise money for the organizations.

This bill was introduced at the request of a spokesperson from the Kansas Department of Wildlife and Parks. At the hearing on the bill, the spokesperson from the agency indicated that the Department wanted to recognize and extend appreciation to those military personnel who have been deployed and were forced to forego their permit. In addition, the spokesperson stated that wild turkeys have been classified as big game since the beginning of their recovery in Kansas. The spokesperson stated that the current law creates confusion among constituents in regard to regulations for wild turkeys. The spokesperson stated that many states in the west offer commissioner permits in order to aid financially some of the partners that wildlife management agencies have.

Written comments in support of the legislation were also provided by the Kansas Sport Hunting Association and the State Director for Kansas Farmers and Hunters Feeding the Hungry.

Appearing in opposition to the "commissioner permit" and revision of the designation of wild turkey portions of the bill was a spokesperson for the Kansas Wildlife Federation.

In the House Tourism and Parks hearings, Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, appeared in support of the bill. Written comments were submitted by Larry Konrade, Tamarack Outfitters, Ashland, Kansas; Kent Janazin, Cimarron River Guided Hunts, Protection, Kansas; Greg Hill, Caldwell, Kansas; and Roger Giles, Giles Ranch, Clark County, Kansas. These conferees supported the original bill.

One of the amendments of the House Tourism and Parks Committee pertains to the total number of nonresident deer archery permits that would be issued. These percentages would be based on resident deer firearm permits rather than deer archery permits. Other amendments would:

- ! allocate nonresident archery tags equally among management units;

- ! provide that resident and nonresident archery management units for deer would be the same as firearms management units; and
- ! require the Secretary, by rule and regulation, to establish a subunit within deer management district 7 and 8 and provide for a special session in the subunit which would extend by seven days the time currently provided for taking antlerless deer, which would expire on June 30, 2006.

The House Committee of the Whole amendments would allow the transfer of hunt-on-your-own-land permits to any person, rather than to members of the immediate family of the landowner or tenant. The other amendment would exempt members of the Kansas Army or Air National Guard from obtaining annual and temporary park and recreation motor vehicle permits. These persons would be allowed to fish or hunt without a license.

An updated fiscal note is pending.