

SESSION OF 2007

**SUPPLEMENTAL NOTE ON
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2437**

As Recommended by Senate Committee on
Natural Resources

Brief*

Senate Sub. for HB 2437 would enact new provisions of law and delete existing provisions of law dealing with the issuance of big game and wild turkey permits by the Kansas Department of Wildlife and Parks (KDWP).

The bill would permit members of a landowner's or tenant's immediate family who are domiciled with the landowner or tenant to apply for resident big game permits as landowners or tenants. The total number of landowner or tenant regular hunt-on-your-own-land permits issued to a landowner or tenant and such person's immediate family members for each big game species could not exceed one permit for each 80 acres owned by the landowner or operated by the tenant. The bill would require evidence of ownership or tenancy, as set out in the bill, if requested by KDWP.

New language in the bill would permit the issuance of special hunt-on-your-own-land deer permits to a landowner or tenant's siblings and lineal ascendants or descendants and their spouses, whether or not a Kansas resident who would pay the fee for a general deer permit. The bill would allow the total number of such permits to be a number equal to or less than one deer permit for each 80 acres owned or each 80 acres operated by a tenant. Evidence of ownership or tenancy, or sibling or lineal ascending or descending relations, could be required if requested. The provisions of current law dealing with special landowner or tenant hunt-on-your-own-land deer

*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>

permits which were transferable to any immediate family member of the landowner or tenant, whether or not a resident, would be repealed.

New language would allow the Secretary of KDWP to issue resident deer hunting permits available on a limited basis and valid for a designated species and sex in designated units, as well as antlerless-only deer permits in designated units as necessary for management purposes with the following options:

- Either sex, white-tailed deer permits valid statewide during any season with the equipment legal for that season;
- Either species, either sex archery permits valid statewide;
- Either species, either sex muzzle loader permits valid in designated units; or
- Either species, either sex firearm permits valid in designated units.

Current law permitting members of the immediate family who are domiciled with a landowner or tenant to apply for a resident big game permit would be superceded by new provisions not would be repealed by the bill.

The bill would provide that the Secretary of KDWP issue deer hunting permits to nonresidents, subject to certain limitations as follows:

- The total number of nonresident deer permits that may be issued for a season in a management unit and which may be used to take antlered deer would be established with the goal of meeting demand for such permits and using a formula based on adjustment factors set out in the bill;
- The 2008 permit number would be based on the adjustment factors and an average of nonresident demand

for permits in each management unit from the previous six years with certain percentage and unit limitations;

- Nonresident deer permits could be restricted to a particular deer species;
- Nonresident deer permits would be restricted to two adjacent deer management units;
- Nonresident deer hunters would select one season at the time of application; and
- For an additional fee, nonresident deer hunters applying for a whitetail, either sex archery or muzzle loader permit in a designated mule deer unit also could apply for one of the limited number of mule deer stamps (if successful in both drawings, the person would be issued a permit that will allow such person to take either a whitetail deer or a mule deer in that unit).

Current laws establishing the total number of antlered deer permits; the number of nonresident deer archery permits; the number of resident firearm permits; landowner and tenant nonresident deer permits which were transferable to residents and nonresidents; and archery management units for deer would be repealed.

The bill would permit the Secretary to require any big game permittee to provide survey information at the conclusion of the open season and to retain the carcass tag until the carcass is consumed, given to another, or otherwise disposed of.

With regard to fees, the bill would establish a maximum fee for a nonresident mule deer stamp at \$150 and delete maximum fees for resident big game tags and nonresident big game tags since the bill would eliminate the tag requirements for big game.

With regard to wild turkey, a permittee may be required to provide survey information and to affix a wild turkey game tag to the carcass of a killed wild turkey. Language authorizing the issuance of a turkey permit to nonresidents and the issuance of a permit to person under 12 years of age would be repealed, but rule and regulation authority would be available for the Secretary to provide for such provisions. Evidence of ownership or tenancy could be required by KDWP. The evidence for tenancy would be the same as that for the issuance of a big game permit.

Finally, the bill would establish that the fee for a big game or wild turkey hunting permit for a resident under 16 years of age would be an amount equal to one-half the fee for a general resident big game or wild turkey hunting permit.

Background

Pursuant to a legislative directive, a task force created by the Department of Wildlife and Parks developed a plan for the management of big game and wild turkey hunting that was presented by agency representatives to committees of the Legislature early in the 2007 Session. Legislation was introduced in the Senate, at the request of Wildlife and Parks, which would replace the statutory provisions relating to big game and wild turkey permits with authority to implement the task force recommendations through rules and regulations adopted by the Commission on Wildlife and Parks. The bill, in its original form, was introduced at the request of a member of the House Committee as a way in which to extend the existing statute relating to transferable nonresident deer permits. Proponents appearing in support of the original bill included representatives of the Kansas Farm Bureau, the Kansas Livestock Association, the Kansas Outfitters Association, and the Kansas Sport Hunting Association. A representative of the Department of Wildlife and Parks expressed opposition.

The House Committee amended the bill to change the sunset date from June 30, 2011 to June 30, 2008. The House

Committee amendment was suggested by a representative of the Department of Wildlife and Parks.

The agency was requested to develop legislation which incorporates the task force's recommendations into law. Senate Sub. for HB 2437 is the result of this effort.

No fiscal note on the substitute bill was available.