

MINUTES OF THE Senate COMMITTEE ON ENERGY & NATURAL RESOURCES

The meeting was called to order by Senator Merrill Werts at
Chairperson

8:00 a.m./~~p.m.~~ on March 17, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Don Hayward - Revisor
Nancy Jones - Secretary

Laura Howard - Research
Raney Gilliland - Research

Conferees appearing before the committee:

Spencer Tomb, Manhattan, Ks.
Ron Smith, Kansas Bowhunters Association
Mike Pierce, Outdoor Life Magazine
Mike Beam, Kansas Livestock Association
Howard Tice, Kansas Wheatgrowers Association
John Blythe, Kansas Farm Bureau

Hearing continued on:

HB 2729 - Relating to fish and game licenses and permits

Howard Tice stated the deer harvest this year was the highest ever but 3,000 below the anticipated take. On the other hand, crop damage caused by deer and repairs to equipment are increasing the losses to farmers throughout Kansas. Mr. Tice feels more deer permits should be made available and landowners/tenants should be allowed to hunt land they own or manage without the cost of a deer permit. As it is, the farmer who feeds the deer and pays for any damage caused has little compensation. Mr. Tice suggested hunters could be charged an additional \$5.00 which would be given to the landowner. Lack of communication between farmers and hunters and disrespect for private property by sportsmen are problems which could be addressed positively by issuing free permits as described in HB 2729. Passage of HB 2729 will generate good will and understanding between urban hunters, the state agency and the farmer. A favorable recommendation by the committee was urged. (Attachment I)

John Blyth stated the Farm Bureau is urging Wildlife & Parks to increase the number of big game permits issued and grant landowners/tenante free permits to hunt their own property. Consideration should be given to passage of legislation to pay landowners for damage incurred by the big game population. The establishment of a toll free number to be used by farmers and other citizens to report wildlife damage was urged. With the increase in deer herds, excessive crop damage is being sustained by the farmer, and amendment of HB 2729 granting free permits will enhance population control measures as well as acknowledge the fact farmers feed the deer with little compensation. (Attachment II)

Mike Beam supports HB 2729 as one step to ensure all deer permits are granted as a means of addressing the deer population situation. The KLA continues to hear complaints from members who are fed up paying the bill for feeding and providing habitat for the state's deer herd. Providing a free deer permit to landowners for damage & feeding costs would be a small compensation. Mr. Beam requested that consideration be given to further amending HB 2729 to provide a procedure allowing landowners to use their deer permits in a fee hunting program to recoup their costs. (Attachment III)

Spencer Tomb stated he is in agreement with the Wildlife Federation that this bill should not leave the committee. The KDWP should be given time to develop a comprehensive deer management plan. Mr. Tomb feels free deer permits to landowners will not increase the harvest, but authorization of limited out of state permits is a means of increasing harvest as well as

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES,
room 123-S Statehouse, at 8:00 a.m./~~a.m.~~ on MARCH 17, 1988

adding funds for the agency program and could reduce resident fees. Consideration should be given to lowering the age restrictions on firearms deer hunting as young hunters become better sportsmen with earlier supervised experience. (Attachment IV)

During discussion, Mr. Tombs proposed the required taking of doe is another means of herd control that could be pursued. A system needs to be developed for informing hunters of available permits in all areas and the time span between required purchase of a permit and season opener should be shortened. Continuation of the Hunter Safety program is essential.

Mike Pierce testified that the issuing of free deer permits to landowners could be a crippling factor to the economics of the agency and hurt all sportsmen. Mr. Pierce feels the proposed legislation forces decisions upon the KDWP that should be carried out by the Wildlife & Parks Commission as they are highly qualified and were appointed for this purpose. (Attachment V)

Ron Smith stated sportsmen would prefer no legislation be passed this year dealing with the deer issue. With input gained from sportsmen and the professional skills available within the agency, the Wildlife & Parks Department should be allowed to develop a comprehensive deer management plan. The Bowhunter Association endorses two recommended amendments presented by the KDWP. A hunter must attain the age of 14 years before a big game permit can be issued; also, permits & tags should expire upon close of the season. Expiration at this time allows more latitude in setting big game seasons. Mr. Smith stated further that observations of the bowhunters indicates the programs in place are working in controlling the deer population as herd counts are down. (Attachment VI)

Senator Vidricksen asked conferees for their opinions regarding the tag system employed in Wyoming as a means of reimbursing landowners. Conferees had no objection to such a program and favored consideration.

Meeting adjourned. The next meeting will be March 22, 1988.

3-17-88
Guest List

Bob Meinen	Kansas Wildlife & Parks	Top.
Ron Smith	Kansas Bowhunters Assn.	Top.
W. Moore	Kansas Bowhunter Assn.	Tecumseh
Mike Bone	Manhattan Outdoor Club	Manhattan
Spencer Town	K W F	Manhattan
Keith Sexson	Ks Dept Wildl. & Parks	Emporia
John Strickler	Governor's Office	Topeka
MIKE BEAM	Ks. LUTK. ASSN.	TOPEKA
Paul E. Fleener	Kansas Farm Bureau	Manhattan
John Ki Blythe	" " "	" "



KANSAS ASSOCIATION OF WHEAT GROWERS
"ONE STRONG VOICE FOR WHEAT"

TESTIMONY

Tice

Senate Committee on Energy and Natural Resources
Senator Merrill Werts, Chairman

HB-2729

Mr. Chairman, members of the committee, I am Howard W. Tice, Executive Director of the Kansas Association of Wheat Growers. I appreciate this opportunity to appear today in support of HB-2729.

We have heard a great deal this session about the deer situation in Kansas. We have heard that the number of deer harvested this year was the highest ever, 29,000. Unfortunately, that is still 3,000 less than had been anticipated. We have also heard that the number of automobile accidents involving deer is much greater than any previous year.

On the other hand, we have heard some very disturbing figures concerning crop damage from the large deer herd. Farmers have reported large numbers of deer in soybean fields, eating thousands of dollars of unharvested beans. Farmers in western Kansas have reported large numbers of deer grazing wheat fields. I have personally been told of numbers as high as 150 deer in a very small field. Farmers have had expensive tractor and combine tires ruined by deer antlers they were unable to see in the fields. One farmer testified in the House, on HB 2216, that they were very fortunate they saw a deer rack about to be picked up in their combine header during wheat harvest. If it had not been noticed, the damage could have been in the thousands of dollars. In addition, down time while tires or other equipment damage is repaired is also costly. This year, it rained so much during harvest, that each delay that kept farmers from cutting, resulted in further delays from the rain, and loss in value as the wheat was bleached out.

The Parks and Wildlife Department has said that hunting is the best method of reducing the deer herd. With that in mind, it would seem to be in order to make more deer permits available. It would also seem appropriate to encourage landowners and tenants who know where the deer are, to participate in the harvest. I must also add, that considering that it is the farmer who is feeding the deer, often at a considerable cost, and sustaining expensive equipment damage as well, that it is appropriate that the landowner or tenant should be allowed to hunt deer on the land they own or manage, without the additional cost of a deer permit.

The Parks and Wildlife Department is working with the Board of Agriculture to arrive at a workable access plan for hunters. They have also done some work with farmers in certain areas, to encourage them to open their land to hunters. We applaud this action, and hope it continues. However, I don't think enough attention is paid to the fact that the land where the hunting occurs is privately owned. Hunters have no more right to trespass on private farmland to hunt deer, than farmers have to come into town and picnic on the hunter's front lawn, or shoot squirrels out of their trees. It is said that the deer herd belongs to the state of Kansas, and its people. We have no quarrel with that, but the land belongs mostly to farmers, and it is the farmer who is footing the bill for feeding these animals, and paying for the damage they cause.

I believe the Parks and Wildlife Department would have a good public relations tool with the free deer permits allowed for landowners and tenants authorized by this bill. If they feel that would reduce their income substantially, I would suggest the other hunters be charged an additional \$5.00. After all, they want the farmers to provide the feed for the deer, and the land for the hunt, it should be worth it.

ATTACH I
3/17/88

I don't mean to imply that all hunters are trespassing. We have some very conscientious hunters in Kansas, who are respectful of landowners rights. We have some hunters in Kansas who have established long time friendships with the farmers who allow them access to their property.

On the other hand, we have hunters who cannot be described as sportsmen unless that word is preceded by the word "poor." We have hunters who leave gates open and let valuable livestock loose. We have hunters who take advantage of a farmers' generosity in allowing them property access, and leave trash all over the place, and pull down fences without making any attempt to either repair the damage or at least notify the farmer. And we have hunters who completely disregard no trespassing signs, and not only hunt for a day, but even put up deer stands year after year. Farmers have reported taking down deer stands from trees on posted land, only to find them put back up, almost immediately.

I believe that the biggest problem we have concerning access is that of simple communications. Farmers have been taken advantage of all too often, by hunters who feel they have a right to hunt regardless of who owns the land. Many farmers I have visited with would like to allow hunting, but they don't know who they can trust, so the simplest answer is not to allow any hunting at all.

If the hunters of Kansas want to communicate to the farmers who own and manage the land on which they wish to hunt, that they are willing to respect that right of ownership, and if the Parks and Wildlife Department wants to communicate to tenants and landowners that they want to work together, both could make a positive statement by dropping their opposition to free deer permits as described in this bill.

The cost of the deer permit is not the major concern. Most important is the value of the good will that could be generated when farmers understand that neither urban hunters, nor the state expect them to pay for the privilege of hunting the deer they have raised.

Mr. Chairman, members of the committee, on behalf of the members of the Kansas Association of Wheat Growers, I urge you to recommend HB 2729 favorably for passage.



PUBLIC POLICY STATEMENT

SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

RE: H.B. 2729 - Relating to Issuance of Game Permits

March 16, 1988
Topeka, Kansas

Presented by:
John K. Blythe, Assistant Director
Public Affairs Division
Kansas Farm Bureau

Mr. Chairman and Members of the Committee:

My name is John Blythe. I am the Assistant Director of Public Affairs for Kansas Farm Bureau. We appreciate the opportunity to appear before your Committee concerning the issuance of free deer permits for landowners and tenants, one of the topics of House Bill 2729.

Two of the Resolutions (policy positions) adopted by our farmers and ranchers at the most recent Kansas Farm Bureau Annual Meeting (November 30 - December 1, 1987) are attached. We want to provide you with a paragraph from each of those in our discussion about the legislation in front of you. In our Hunting and Fishing Regulations policy, our members said this:

"We urge the Wildlife and Parks Department to increase the number of big game permits granted each year. We believe each farmer, whether a landowner or tenant, who requests the big game permit for hunting on his own land or that on which he is a tenant or operator should be guaranteed, and such permit should be granted at no cost."

In our resolution on Wildlife and Parks Department, our people said this:

"We asked that legislation be enacted that would require the Wildlife and Parks Department to conduct big game population control measures or pay for damages upon petition from landowners and/or operators.

"We urge the Wildlife and Parks Department to establish a toll-free telephone number to be used by farmers and other citizens to report wildlife damage to crops and other property."

What is one of the most frequent heard complaints at Farm Bureau meetings? It is: "I have got too many deer and too much deer damage. They not only are eating my crops ... they bed down in my fields and tromp out my crops. The bucks lose their antlers in my wheat, corn or milo field and when I run over an antler with my combine that will cost \$100 or more to repair the tire if it is repairable. But the big cost will be my "down time" from my harvest." This can be a real expensive interruption of harvest.

There are large wildlife populations in Kansas today. As proof of this statement ... more than 50,000 firearm permits were issued in 1987. Although I do not have the exact number, I believe that 30,000 to 35,000 deer were harvested during a nine-day season. Some species are more abundant than ever in history. Deer consume a large amount of forage and grain, and

that, of course, is expensive for those who produce crops. Most folks do not realize that all this, or at least most of the food supply for wildlife, belongs to a farmer. Some farmer is paying for those animal's breakfast, lunch and dinner. It would seem fairer if those harvesting that crop of wildlife were paying for the upkeep of the deer herd.

Why has there been such an increase in the number of deer? Management is the key word; we can manage for large numbers as long as there is plenty of food and good habitat. **Farmers are furnishing the food.**

Why have most states been managing for greater population of game animals? Because the "sportsman" have demanded better hunting and that means more game. More game means more license fees and more money for the state department that manages the game. That also means more game. It also means that there will be more dollars coming into the state from the "sportsman."

The state gets more money, the sportsmen get more game, the businesses get more business. The farmer gets more, too -- more crop damage and more pressure from hunters to use their land.

Most farmers enjoy seeing wildlife around their farms. Farmers care about animals and many hunt. All provide habitat and food for the wildlife on their farm, whether they want to or not. Again, most do not mind what a few deer eat but when crop damage is heavy, then the economic pressure sets in and that affects a farmers nervous system. His brain tells him that there must be a better way.

Keith Sexson, Deer Project Specialist for Wildlife and Parks, told the House Committee on Energy and Natural Resources this

session that deer numbers are up significantly and that hunting and harvest is the preferred population control measure.

The House of Representatives made some good amendments to H.B. 2729. I would like to call your attention to the amendment on line 0140 and 0141 where the House tightened up the definition of a tenant by adding the language, "for the production of income or financial gain."

We would suggest to the Senate Committee that the bill needs yet another amendment and we believe it should be inserted on page 4 line 0175 following the comma. The amendment is as follows, "or it is determined by the Secretary that an overpopulation of deer is causing excessive damage to crops and property of landowners and tenants." Thus it would make the bill read as follows starting on line 0171. "If the total number of applicants for deer permits submitted by Kansas residents and non-resident landowners is less than the number of permits authorized for a regular season in a deer management unit or it is determined by the Secretary that an overpopulation of deer is causing excessive damage to crops and property of landowners and tenants, the Secretary may issue deer hunting permits to landowners and tenants in such deer management unit and such permits shall be issued without charge. An additional amendment would be a new section and would fulfill our Farm Bureau policy request that the Wildlife and Parks Department establish a toll-free telephone number to be used by farmers and other citizens to report wildlife damage to crops and property.

The Wildlife and Parks Department can, we are sure, give you accurate numbers of reported road killed deer in Kansas. I would

emphasize the word reported for I do not believe all vehicle deer accidents are reported. I believe that the number reported in 1987 was in excess of 4,000 deer automobile accidents.

I have attached a memo addressed to me from Gary Henton, Kansas Farm Bureau Mutual Insurance Claims Manager, reporting the number and amount of animal collision losses for the years 1985, 1986 and 1987. I am told that Kansas Farm Bureau insures approximately 10 percent of the vehicles in Kansas and their claims for deer auto accidents is over \$1 million annually.

Although, the wildlife in Kansas is supposed to be the property of the State, when claims have been submitted to the Committee on Claims and Accounts ... payments to the damaged person or persons have been denied.

I have also provided you with just one picture of a deer herd in Brown county to indicate that we do have deer in Kansas.

We do appreciate the opportunity to make comments on House Bill 2729 and encourage your consideration of our suggested amendment and favorable consideration of the bill.

We would be pleased to respond the questions.



Farm Bureau Mutual Insurance Company, Inc.
KFB Insurance Company, Inc.

2321 Anderson Avenue, Manhattan, Kansas 66502 / (913) 537-2261

M E M O R A N D U M

TO: John Blythe
Assistant Director of Public Affairs

FROM: Gary Henton C.P.C.U., Claims Manager

DATE: February 2, 1988

SUBJ: Animal Collision Losses

Dear John:

I am enclosing two reports, which indicate the number of losses and the amounts paid that we had on Mutual Auto for animal collision losses. The one indicates the number of losses that occurred over \$250.00. The other is the total number of losses and the amount paid. The reason for the over \$250.00 report would be that this would eliminate most of the windshield claims and grill claims that arise from a bird striking the vehicle. We feel that probably 85% to 90% of the claims over \$250.00 would be vehicles striking deer. You can see that the numbers greatly increase from the year 1985 to 1986 and 1987. Also, you can see that we pay out over a million dollars in a year for these types of claims in 1986 and 1987.

I also spoke with Mr. Doebele concerning any underwriting changes on policies due to animal collision losses. Mr. Doebele indicated that there really is no underwriting changes or premium increases, due to the fact that an insured may have collided with an animal or deer. The only problem may occur if there are other losses and the total account's loss experience is poor. Then, of course, the total account would reflect the number of animal collision losses. John, I hope this information is what you desired. If not, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in cursive script, reading 'Gary Henton', written in dark ink. The signature is fluid and extends across the width of the text area.

Gary Henton, C.P.C.U.
Claims Manager

GH:kw

Attach II
2/17/88

ANIMAL COLLISION LOSSES BY YEAR
 YOUNG(ANMLLOSS) -- DATE RUN 19880118

YEAR	NUMBER OF LOSSES	AMOUNT PAID
85	981	518047.40
86	2044	1021984.79
87	1714	1176365.87
88	10	1744.44
TOTAL NUMBER OF LOSSES		4749
TOTAL AMOUNT PAID		2917542.50

ANIMAL COLLISION LOSSES OVER \$250 BY YEAR
 YOUNG(ANMLLOS1) -- DATE RUN 19880118

YEAR	NUMBER OF LOSSES	AMOUNT PAID
85	555	462795.55
86	1192	1113115.74
87	1016	1098370.03
88	2	1526.83
TOTAL NUMBER OF LOSSES		2765
TOTAL AMOUNT PAID		2675809.20



Large deer herd in county —

The deer population in Brown County appears to be doing well, if the above photo of a herd near Robinson is any indication.

The photo was taken recently by Marvin Shaw, rural Robinson, on a farm southwest of Robinson. Shaw estimated there were 60 deer in the herd, although most of them scattered into the nearby timber before he took the picture.

"There is no shortage of wildlife in that area," Shaw said. "Some people have seen as many as 105 deer at one time in that herd."

He said the herd is located on private property which is posted 'No Hunting without permission' during the annual deer hunting season. - Photo by Marvin Shaw.



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

March 16, 1988

TO: Senate Energy and Natural Resources Committee
Senator Merrill Werts, Chairman

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

RE: House Bill 2729

Mr. Chairman and committee members, I'm Mike Beam with the Kansas Livestock Association. I appear before you today in support of House Bill 2729. Our association supports this measure because it's one step to ensure that all deer permits are in the hands of sportsmen (including landowners/tenants) so we can have a larger deer harvest and address our deer population situation.

Several weeks ago, a representative from the Kansas Wildlife and Parks Department indicated "that the greatest limiting factor on deer population numbers in Kansas would be landowner tolerance for deer." We believe that the population has triggered this tolerance level and feel strongly that the department and the legislature should take action to address this situation.

I am sure there are numerous reports and records that verify the Kansas deer herd has grown substantially in the last few years. Lately, we have continued to hear complaints from our members who are fed-up with paying the bills for the state's deer herd. As Secretary Meinen said, you continually hear people talk about the size of the deer herd. Anytime that you go to an agricultural gathering, such as a state board of agriculture annual meeting, you'll hear farmers and ranchers say it's time to do something about this problem.

Attachment
3/17/88

The Conservation Reserve Program (CRP), a provision of the 1985 Farm Bill, will likely be a major factor in the size of the deer herd during the next 10 years. To date, approximately 2 million acres in Kansas have been enrolled in this program. I am confident that we will find this land to be a prime habitat for wildlife including deer. After the land has been seeded and maintained for a few years, we'll likely see trees and shrubs growing, which will provide a habitat situation that could let the deer herd population run rampant.

I am glad the department admits there is a deer population problem and they are looking at management alternatives to address the problem. I only hope they make this a priority in 1989 and involve farmers and ranchers in the planning and development of this project.

I only wanted to mention the deer population because it does have a bearing on the appropriateness of this legislation. Yes, state law specifically says the wildlife belongs to the people of the state. However, farmers and ranchers are stuck with paying the bills for feeding and providing habitat for the wildlife population. Providing a free deer permit to landowners is just a small token to compensate them or tenants for the costs associated with the state's deer herd.

What does it cost a farmer or rancher to feed one deer? Grazing specialists claim that a white tail deer is the equivalent of between .15 to .20 of an animal unit. This compares to .5 to .6 of an animal unit for a yearling steer. With this calculation, you'll find that a white tail deer will consume approximately 32 percent of the forage as a yearling steer. If you assume it costs a rancher \$50.00 to run a yearling steer during a 6-month grazing period, you'll find that this would be equivalent to \$16.00 for one white tail deer ($\$50.00 \times 32\% = \16.00).

I realize that a deer will often eat forbes and not graze as much on wheat pasture, cool season grasses, or native pastures. I think \$16.00 is still a conservative figure because it is only calculated for 6 months of the year. It does not include hay, which is consumed from the haystacks and fences torn down or stretched by deer. In addition, this only accounts for one deer. For example, I am sure there are thousands of farmers or ranchers who have at least four deer per section on their operation. If this is the case, it could amount to more than \$125.00 based on a \$32.00 per deer cost per year. Providing landowners with a free deer permit, valued today at \$15.00, is just a small price to pay for the damage and feeding costs. We supported HB 2216, which called for free deer permits to landowners and tenants. Perhaps this committee would like to change HB 2729 and add this provision.

Mr. Chairman, I'd ask the committee to consider a second amendment to the legislation. Perhaps the statutes could be amended to provide a procedure for landowners to use their deer permits in a fee hunting program. I can see landowners advertising a weekend retreat and provide a guide service and deer hunt. I am not sure that the landowner could legally do this today. If this option was available to landowners, it would be another method for them to recoup their cost without placing anymore financial burden on the Kansas Wildlife and Parks budget.

In closing, I'd like to thank the committee for the opportunity to provide comments on the deer population and HB 2729. Our association is willing to work with the legislature and the department in addressing the deer population dilemma. Thank you.

To: The Senate Energy and Natural Resources Committee
From: Spencer Tomb, 5321 Thompson Road, Manhattan, KS

Although I hold positions in two state wide conservation organizations, I am here representing myself. I totally agree with the position of the Kansas Wildlife Federation that the bill you are considering should not leave this committee. I would like the Legislature to wait until the wildlife professionals in the Department of Wildlife and Parks can provide a comprehensive deer management plan before acting on deer issues. If the Committee decides to send the bill to the floor, I would like to offer the following:

1. Giving free deer permits to land owners is a problem for me when the Kansas general resident deer hunter pays the highest fees in the United States. There is a need to harvest more deer in much of Kansas, however free land owner permits will not increase the harvest. A similar free permit in New Mexico resulted in less harvest.

2. As a Master Hunter Education Instructor with eight years of experience, I feel very strongly that we should remove the age restrictions on turkey hunting and reduce the firearms deer hunting age limit to 14 and require close adult supervision of these young hunters. Most youngsters are much more capable than we think. I have coached baseball and soccer and been a scout leader for ten years. I have taught my three sons to shoot and to hunt. I am certain the average young hunter is capable of hunting wild turkeys at point well before the 14th birthday. This is a decision that should be left to the parents. Texas and Oklahoma do not have these restrictions. Oklahoma requires that firearms deer hunters under 16 be in the field under the close supervision of an adult. We have no age restriction for other kinds of hunting. Any youngster that can pass the hunter ed course can hunt pheasants, but we do not let them hunt turkeys. Pheasant hunting is more dangerous. The initial reason for the age restrictions was to limit the number of permits going to the same household when deer and turkeys were in short supply. My thirteen year old twins have four seasons of hunting experience and are native Kansans, but we have to go to Oklahoma to hunt the wild turkey. We need to get the young hunter into the field before they are interested in fast cars, loud music and the opposite sex. For my 16 year old, his first deer hunt came two years to late. At 14 he was much more interested and would listen better.

3. I know that many deer hunters do not want to permit non resident hunters. This is a hard position to support logically. We have surplus deer and could use the funds from limited out of state permits to reduce the general resident fees. Money from out of state hunters is important. Kansans get to hunt in other states. It is not right for us to be so selfish.

ATTACH IV
3/17/88

Michael Pearce
405 Cherry Circle
Manhattan, KS 66502
913-539-6896

Testimony on Bill 2729
Against Wholesale Free Landowner Deer Permits

First, I should say that I am a full-time outdoor writer, a life-long sportsman and life-long Kansan. Hunting, fishing, photographing and plain enjoying Kansas wildlife are part of my jobKansas wildlife is also a major part of my life.

Senators, if I could have my way there would be free deer permits for Kansas landowners. Many of these people are my friends and relatives who've allowed me and other Kansans thousands of hours of beloved recreations. I appreciate them beyond words, care deeply for their well-being and they are also facing hard economic times.

Also if I could have my way my wife would be driving a new car rather than the '73 Ford that she's used for so many years. I want this for her because I think she deserves it. I love her and I care.

But as you, the leaders of this great state, already know there comes a time when soft, warm emotions must yield to cold, hard economic facts. My wife cannot have a new car because it would be paid for with the food from my children's mouths and the clothes from their backs.

Unfortunately it is the same with wholesale free deer permits for landowners. Despite its good intentions, it wouldn't be fair^{to} take close to a half-million dollars from the coffers of an economically-strapped agency. It could end up crippling the majority of sportsmen to help a minority.

Michael Pearce
Bill 2729

But I see something else in Bill 2729 that is of equal concern to me, and that is the way decisions are being forced onto the Wildlife and Parks Department.

Senators, in my life I have seen the morale of sportsmen, landowners and Wildlife and Parks agency personnel dwindling from year to year. The reason was due largely to a governing commission that had little grasp of the subjects at hand.

And then Governor Hayden stepped in and chose commissioners based on what they could do for Kansas wildlife rather than what they had done for politics. For the first time in my life I have total faith in a commission and I'm seeing a renewed faith and hope across the state.

To me, there is no greater loss than when those who are the most qualified to decide aren't allowed to make their own decisions. I ask, Senators, that the issues be turned over to the Wildlife and Parks Commission where they belong. They have shown an increased desire to work for the betterment of landowners, sportsmen and their own agency. Let they who have a full grasp of the biological, sociological and economical impact of the issue make the decisions.



TESTIMONY
ON HOUSE BILL NO. 2729

If the sportsmen of Kansas were given one choice, it would be to ask the legislature to pass no bills this session that deals with deer issues. We would ask that the Wildlife and Parks staff digest the input given from sportsmen across our State in recent meetings dealing with deer and deer hunting. With this information and their professional wildlife management skills, they should be allowed to put together a comprehensive plan to manage the deer herd in our State. That's our first choice.

However, realizing from information we have received, that the Kansas Legislature is intent on passing some kind of deer bill this session. With this in mind, the Kansas Bowhunters Association (KBA) hopes that if HB2729 is passed out of this committee, it will be both understandable and practical. Therefore, the KBA endorses the recommended amendments that Wildlife and Parks staff has presented to you in this hearing.

I would like to comment on two areas of HB2729 specifically. The first area is on Page 5, Line 0212 through 0215. We recommend that the words: "on or before the opening day of such season" be stricken from Line 0214 and 0215. The new sentence would read: "The secretary shall not issue any big game archery permit to any person who has not attained the age of 14 years."

The KBA was involved in giving input back when the age limits were first set for archery big game hunters. However, application periods have changed over the years. When the regulation was written, archers applied for a permit at about the same time as the rifle hunters, in early summer. Now you can purchase a archery permit up to and including the last day of November.

The KBA still firmly believes in the minimum age of 14 to hunt with a bow and arrow in the State of Kansas. We feel that in most cases, a young hunter must be at least 14 years of age to pull and accurately shoot a bow of 45 pounds, the minimum draw weight allowed under current laws in our State.

However, we feel that if a young archer attains the age of 14 during the months of October or November, he or she should not be penalized but should be allowed to purchase a archery permit and hunt the remainder of the archery season.

The second area is found on Page 6, Line 0252 through 0253, we endorse the Wildlife and Parks recommended change to strike the words: "on December 31 following date of issuance" and replace it with "upon close of the season for which issued." The new sentence would read: "The permits and tags shall expire upon close of the season for which they were issued and all moneys recieved by the office of the director from the same shall be forwarded quarterly to the state treasurer at Topeka, Kansas, for deposit in the forestry, fish and game commission fee fund."

This change is needed to allow the Wildlife and Parks Commission more latitude in setting the big game seasons. At some date in time, it may be necessary for these seasons to overlap into January. Under current law and as HB2729 is presently written, these seasons must end on December 31.

Thank-you for your consideration.

Ron Smith, Chairman
Legislative Committee
Kansas Bowhunters Association
(913) 266-8466