

Approved: 3-12-96  
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:00 a.m. on March 6, 1996 in Room 254-E- of the Capitol.

All members were present:

Committee staff present:

Dennis Hodgins, Legislative Research Department  
Ardan Ensley, Revisor of Statutes  
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Ronald M. Ford, RMF Guide Service, Manhattan  
Ron Britt, Farmer, Land Owner, Morris County, Kansas  
Steve Williams, Secretary, Department of Wildlife and Parks  
Mike Stewart, Berryton  
Greg Waller  
Bill Thomas  
Shawn Harding, Kansas Bowhunters Association  
Darrel Montei, Kansas Department of Wildlife and Parks  
Dale Thomas, Topeka  
Written testimony only, Spencer Tomb, Vice President, KS Wildlife Federation, Inc.

Others attending: See attached list

**SB 667--relating to big game permits**

Ronald M. Ford, R M F Guide Service, Manhattan, Kansas, appeared and presented testimony in support of **SB 667** stating his belief that passage of this act would extensively promote economic development through utilization of the state's greatest asset, natural resources (Attachment 1). Mr. Ford stated he has turned away potential non-resident deer hunters due to the extremely limited number of units available to non-resident hunters. He noted loss of potential income to other businesses as well as losses of farmers suffering crop damage and insurance companies from car/deer collisions.

Ron Britt, Farmer and land owner from Morris County appeared in support of **SB 667** stating businesses would benefit with more nonresident deer permits (Attachment 2). Mr. Britt was of the opinion the increase in the state deer population was a resource which could be used for both resident and non-resident hunters. He also suggested working with the Kansas Wildlife and Parks Department on this issue.

Secretary Steve Williams, Department of Wildlife and Parks, appeared before the Committee and introduced John Dykes, Chairman, Wildlife and Parks Commission. Secretary Williams stated his belief that there may be some way that the law could be changed but it could not be done until next session. He noted he understood that deer damage is an issue and recognized there was a problem. He voiced the opinion that the problem should be dealt with at a local level rather than with the state as a whole. Secretary Williams stated he would be pleased to return at a later date and relate his plans to deal with this issue.

Mike Stewart, Berryton, appeared in opposition to **SB 667** expressing the belief that should this bill become law resident hunters would have little chance of obtaining deer permits (Attachment 3). He stated the opinion that allowing farmers additional permits would be unfair to individuals who do not own land but desire to hunt.

Greg Waller appeared in opposition to **SB 667** stating resident hunters had difficulty in obtaining deer tags and this bill would make it even more unlikely they would be able to obtain a tag. He noted Wyoming's elk hunting regulations were similar to those of Kansas and some years he did not obtain an elk tag but he could continue to try in subsequent years.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ROOM 254-E-Statehouse, at 8:00 a.m. on March 6, 1996.

Shawn Harding, Kansas Bowhunters Association, appeared and presented testimony opposing **SB 667** stating his organization felt the bill would have a negative effect on the Kansas deer herd and big game management (Attachment 4). Mr. Harding stated the bill would take big game management away from Kansas Department of Wildlife and Parks and would only benefit those who sell tags to the highest bidders.

Darrel Montei, Department of Wildlife and Parks, appeared in opposition to **SB 667** stating that passage of the bill would permit one land owner control over up to three permits (Attachment 5). Mr. Montei stated that the Department of Wildlife and Parks manages the deer population based on a prescribed harvest involving 18 deer management units. The desired level of harvest is controlled through the number of permits issued. Passage of this bill could cause the harvest to be less efficient, more selective and alter the harvest rate.

Mr. Montei stated the concern that many of the new permits could be obtained and brokered through persons offering guide services or other access privileges and would, in effect, make it more difficult to obtain permission for general residents to hunt on certain lands.

Dale Thomas, Topeka, told members of the Committee he had been a hunter and fisherman for many years and he appeared in opposition to **SB 667**. He expressed the belief that the first obligation is to the citizens of Kansas and presently some of them do not receive hunting tags.

Written testimony was presented by Spencer Tomb, Vice President, Kansas Wildlife Federation, Inc. (Attachment 6). Mr. Tombs stated the current regulatory framework for deer in Kansas is a delicate series of compromises between hunters and landowners to manage two species of deer that are very unequally distributed across the state and **SB 667** would upset the system and compromises worked out over a 25 year period. The Kansas Wildlife Federation, Inc. opposes **SB 667** because of its negative effects on the number of general resident firearms permits and the deer management system.

The meeting adjourned at 9 a.m.

The next meeting is scheduled for March 7, 1996.

# SENATE ENERGY & NATURAL RESOURCES COMMITTEE GUEST LIST

DATE: March 6, 1996

NAME	REPRESENTING
Dale C. Thomas	Hunters
GREGG WALLER	SELF
MIKE STEWART	myself & my wife
SHAWN W HARDING	KANSAS BOWHUNTER ASSOC.
CHRIS BIESTER	KANSAS BOW HUNTER ASSOC.
KEN MESSIER	INTERN - Rep. J Henry
Gue Britt	out fitter
Ron Britt	Hunter, land owner, tenant Guide
Ronald M. Ford	R.M.F. Guide Service Out Fitter
DARRELL MONTEI	KDWP
STEVE WILLIAMS	KDWP
John Dykes	Ks. wildlife/Parks Comm.
Jean Barber	Travel Ind. Assn of KS.
<del>Mark Johnson</del>	<del>Western Reservoir</del>
<del>Apari Weber</del>	<del>House</del>

R M F Guide Service  
Ronald M. Ford  
P.O. Box 1924  
Manhattan, KS 66505-1924

Good Morning Ladies and Gentlemen.

My name is Ronald M. Ford. I'm a licensed hunting guide and owner/operator of RMF Guide Service of Manhattan, KS. My guide service specializes in upland game bird hunting and has been in operation five years.

I am present today to display my support for Senate Bill No. 667, An ACT relating to big game permits. Specifically, I believe passage of this ACT would extensively promote economic development through utilization of our State's greatest asset, natural resources.

As a state, we need to move forward! We have unspoiled natural resources due to primarily being an agricultural state. Kansas is well known for its diversity in cropland such as wheat, corn, grain sorghum, soybeans and sunflowers, and its habitat in the form of CRP, prairie and woodlands. Our residents are friendly, hospitable, and offer some of the best food available; Kansas beef for instance! These statistics draw interest in our state and the wildlife resources we have available.

Popular opinion shows that Kansas and Missouri have the best whitetail deer hunting in the country. The State of Kansas is divided into 18 management units for the purpose of hunting deer. Currently, only three of these units are open to non-resident hunters.

Available statistics show Kansas issued 46,685 firearm permits for the 1995 deer hunting season and 20,814 archery permits for the 1994 deer hunting season. If Kansas were to issue 5 percent of the total deer permits available for each of the 18 units to non-resident hunters, the state would generate \$894,300. This figure is based on the 1995 firearm permit and 1994 archery permit totals and the non-resident deer permit and license fee of \$271.00. This amount is more than one-half of the total monies generated from resident permits alone.

In the past five years, I have had to turn away, or refer elsewhere, many potential non-resident deer hunters due to the extremely limited number of units available to non-resident hunters and the meager amount of permits available. This amounts to a loss of potential income not only to my business but to the hotels, restaurants, landowners, sporting good and retail businesses, and gas stations, etc. Income equals economic growth in our great state. I feel most businesses would see the possible gain from non-residents obtaining food and lodging and would be supportive of such an ACT. We all stand to gain.

Farmers suffering crop damage due to wildlife could recoup by charging access fees to hunt on their land. The increased income and reduction of damaging deer would be of great value to the farmer. Insurance companies and insureds suffer financially from car/deer collisions. Perhaps successful harvests would reduce these costly accidents.

The "good neighbor policy" is another factor for consideration. Other states welcome non-resident hunters with open arms. Colorado, for instance, makes BIG revenue off of non-resident hunters. If the truth be known, it's probably almost as great a revenue as income from skiing and vacationing. Besides the recently conducted survey and final reports listing Kansas as number 50 in regard to tourism, residents were almost boycotted by several states because our state was not participating in the "good neighbor policy".

We need to expand our frame of thinking and grow with the times. The time is now. We don't have to be at the bottom of the next tourism poll. We can do better than that and at the same time benefit our economy. Allowing five percent of the deer permits sold per unit to be for non-resident hunters would help our economy tremendously.

Thank you for your consideration in this important issue.

## INTRODUCTION

I appreciate this opportunity to express my thoughts and feeling addressing the subject of nonresident deer hunting in Kansas

I've lived in the Morris Co. area most of my life. I own and lease land for agricultural purposes. I have a deep passion for the great outdoors and have hunted most of my life.

Just recently I've started a guide service which I take people hunting on my land. We have nonresidents come in to hunt quail, pheasant and turkey. It has helped take up the slack what with the cattle and hog prices and poor growing conditions last year. We would like to extend our services to nonresident deer hunters. We have an opportunity here but need to open the doors to allow applications for nonresident trophy deer hunting.

This benefits would not end with my occupation. A lot of businesses could benefit with more nonresident deer permits. First of all, the Kansas Wildlife and Parks would receive more needed revenue in the form of fee money. A resident pays about \$45.00 to hunt deer in Kansas, a nonresident would pay about \$270.00 for a buck tag-----\$205.00 deer permit -----\$65.00 upland game license.

Land owners and tenants could receive additional income by receiving hunting fees or leasing fees from nonresident deer hunters.

You would have a considerable amount of local merchants that would benefit from nonresident deer hunters in their communities. MOTELS, RESTAURANTS, SPORTING GOODS, AUTO PARTS, SOUVENIRS, MEAT PROCESSORS. THE LIST goes on and on.

When you roll the revenue over a time or two the impact would be quite substantial for our struggling communities.

I know there will be individuals against nonresident deer hunting, but I think it might be more jealousy than anything. There was jealousy when Kansas opened it's borders to bird hunting but it has created much revenue in our states and now may communities look forward to pheasant and quail season.

I'm not advocating killing off our deer herd or bypassing our resident hunters but it is my opinion with the increase in our deer population the state has a resource here and could use it to satisfy both resident and non-resident hunters alike.

Senate Energy + Natural Res.  
March 6, 1996  
Attachment 2

There is a law now that states any resident that owns or leases 80 acres of land that is used for agricultural purposes can apply and receive a HUNT ON HIS OWN LAND DEER PERMIT.

So, if all the landowners are taken care of, this only leaves the NON LAND OWNER RESIDENTS to be reckoned with. If the nonresident is willing to pay Farmer Brown to hunt on his land then maybe it's time for the Kansas resident to also pay Farmer Brown to hunt.

This probably explains some of the resentment that some people have with nonresidents because the nonresident is willing to pay for the privilege to hunt on private land, where as some people who reside in Kansas that expect to hunt for Free. It's the simple law of supply and demand.

We need to work with the Kansas Wildlife and Parks Dept. on this issue. They have the correct information and stats to formulate a law that would let every one enjoy what the great state of Kansas has to offer.

Thanks for listening to me. If there are any questions please ask.

THANK YOU!

Ron Britt

913-349-2280



SB 667  
3-4-96

Dear Legislators :

This is just a summary of what I plan to say. I'm not used to writing long speeches and reading them and I don't have a personal secretary to type it for me. Please excuse the handwriting. I'll try to print clearly.

If I read part of this bill correctly, my wife and I might as well give up deer hunting. We both hunt deer, as does most of my family. Besides the time spent in the woods together, we also enjoy many fine deer meals throughout the year. It appears that if you pass this bill, we would have very little chance of getting a deer permit again.

We currently have about 55,000 permits in the state. About 15,000 of those are landowner permits and the rest are general population. So my chances right now are from 40,000 permits. If you allow all the farmers 2 more permits each, that means they will be able to control 45,000 total permits. That only leaves 10,000 for the same group of hunters that are now drawing from 40,000.

Last year my wife and I both went without a deer tag. If you decrease our chances of getting one drastically by this bill, I don't

see how we can ever get a permit.

What are all these permits supposed to be given to the farmers for anyway? So they can sell them? That's grossly unfair to the individual who doesn't own farmland, but wants to hunt deer. If somebody tells you it's ~~unfair~~ or illegal to sell these tags to hunters, you remind them that the farmer doesn't have to "sell" the tag, only the right to hunt on his land so you can get the tag from him. There are a lot of us who can't afford to pay some farmer a hundred bucks a day to hunt just so we can get our hands on one of his extra permits.

Please don't recommend this bill favorably. It's unfair to the vast majority of Kansas deer hunters (40,000 of us) who don't own farmland.

Thank you for your  
careful consideration,

Mike Stewart

6138 SE Stubbs Rd.

Berryton KS, 66409-9783

913-379-0865

## SENATE BILL #667

The Kansas Bowhunters Association (KBA) opposes Senate Bill #667. Our organization feels this bill will have a negative effect on the Kansas deer herd and big game management for the following reasons:

1. This Bill will effectively take big game management away from the Kansas Department of Wildlife and Parks (KDWP) and replace it with a freelance vendor system. Enforcement of whom will receive these permits, if this Bill were to be enacted, would be impossible. Considering the number of game officers in the state and the area they must police, the officers would be hard pressed to effectively control the situation. The KDWP has developed a deer herd which is the envy of most of the United States; we should let the KDWP continue doing their work.
2. The KDWP's biologists look at each management unit and determine carrying capacity, current estimated deer population, and past seasons' success rates. Then they use the statistics to determine a units number of available permits. 'Hunt Your Own Land' permits are taken out of that total first. If this number is allowed to triple, which is possible with this Bill, it will effectively eliminate leftover permits in some or all units, and deplete the number of general resident permits; a sore point with many resident hunters.
3. If the permit allocation structure is modified to accommodate the extra 'Hunt on Your Own Land' permits and the possible elimination of leftover permits, you have essentially taken money out of our State's pocket. Nonresident hunters willing to pay for a deer permit in Kansas cannot hunt in management units that do not have leftover permits. These are potential funds lost that could have helped pay for needed KDWP's programs. The only persons who would benefit will be those who sell to the highest bidders and those (resident or nonresident) wanting to get an inexpensive second or third tag from a landowner friend to shoot a second or third deer. Enforcement of this would be impossible.

This will lead to:

- ✓ Limited access hunting.
- ✓ Uncontrolled nonresident participation (misuse of permits, which equates to poaching).
- ✓ Loss of funds for KDWP.

In closing, it is the KBA's position that Senate Bill #667 be defeated. We strongly support the KDWP's position and are of the opinion that this Bill is only in the best interest of a select group of individuals.

The majority of big game hunters will be negatively impacted, as Senate Bill #667 would:

- ✓ Damage the quality of the deer herd.
- ✓ Diminish the availability to hunt the deer herd.
- ✓ In the long run destroy the efforts of the KDWP in creating a well managed big game program.

Respectfully submitted,



Shawn W. Harding  
Kansas Bowhunters Association  
Legislative Committee Chairperson

STATE OF KANSAS

DEPARTMENT OF WILDLIFE & PARKS

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S.B. 667

Testimony Provided To: Senate Energy & Natural Resources Committee  
Presented By: Kansas Department of Wildlife & Parks  
March 6, 1996

S.B. 667 creates a new landowner deer permit in addition to those landowner permits already in existence. The new permits could be used only on owned property located within the management unit for which the application was made. Landowners could receive up to two of the new permits and could either use the permits or assign them to another by writing the name of the hunter across the face of the permit. In effect, one hunter could tie up three permits. Assigned permits would only be valid on lands owned by the landowner and could only be assigned to a hunter already in possession of a firearms deer permit in another deer management unit. Only one landowner of record for a given land could apply for the new permits even if several individuals were involved in the ownership.

The fee for this new permit would be equal to the general resident deer permit which is currently \$30. The Kansas Department of Wildlife and Parks would be responsible for the issuance of the new permit. In addition, the Secretary would be authorized to adopt rules and regulations necessary for the issuance of the permits.

The Department manages the deer population based on a prescribed harvest involving 18 deer management units. Attaining the desired level of harvest is controlled through the number of permits issued and is based on predictable success rates. The primary control is realized through the number of firearms deer permits issued. In 1995, there were approximately 55,000 firearms permits including approximately 14,000 hunt-your-own-land permits.

Senate Energy & Natural Res.  
March 6, 1996  
Attachment 5

The total number of firearm permits is expected to increase in 1996 with substantial increases in some management units. Under this bill, the harvest may be less efficient, more selective and alter the harvest rate.

Issuance of a large number of the new landowner permits would have a measurable impact on deer populations and the number of regular (general resident) deer permits would be decreased to compensate. Over-harvest concerns would certainly exist, particularly in some of the central and western units. The most effective manner to handle this impact would be to have the application period for hunt-on-your-own-land and the new landowner permits established earlier in the year. The number of regular firearms permits could then be adjusted and made available to general sportsmen---if any remained. Another approach would be to make the new permits valid only for antlerless deer. These are less desirable permits, thus fewer would be obtained. However, such a restriction would not be popular with many landowners and those who would want to use the new permits for hunting purposes. In any event, general resident permits would decrease.

There is a concern that many of the new permits could be obtained and brokered through persons offering guide services or other access privileges. This would have the effect of making it more difficult to obtain permission for general residents to hunt on certain lands, particularly prime deer hunting sites.

Throughout, the Department has attempted to make firearms deer permits available to Kansas hunters on a fair and impartial basis. One effect of this bill, if enacted, would assure that those individuals with close landowner contacts would be able to obtain a "good" deer permit every year. Many sportsmen would find it more difficult to obtain a "good" deer permit due to the reduction in regular firearms permits that would occur.

# *Kansas Wildlife Federation, Inc.*

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March 6, 1996

## **Statement in Opposition to Senate Bill 667**

by

**Spencer Tomb, Vice President and  
Chairperson Conservation Issues and Actions Committee**

The Kansas Wildlife Federation is a broad based, state wide conservation and education organization dedicated to the conservation, protection and sustainable and appropriate uses of our natural resources. We are the Kansas affiliate of the National Wildlife Federation.

Senate Bill 667 will establish a new category of landowner deer permits in addition to those already in existence. The new permits would be transferable but could be used only on land owned by the landowner. These new permits would decrease the number of general resident firearms deer permits in most of the management units. These new permits may increase practices that would further displace general resident deer hunters and make it even more difficult for the average general resident deer hunter to obtain a choice deer permit.

The Kansas Department of Wildlife and Parks has taken a conservative approach in deer management. The current regulatory framework for deer in Kansas is a delicate series of compromises between bow hunters, rifle hunters and landowners in order to manage two species of deer that are very unequally distributed across the state. This bill upsets that system and the compromises that have worked reasonably well for over twenty-five years.

These new permits would be added into a permit category where there are widespread problems. Landowners currently let other family members or friends use their permits and hunt adjacent land as well as their own.

We oppose Senate Bill 667 because of its negative effects on the number of general resident firearms permits and the deer management system. We are also concerned that this is an issue that should be deliberated by the Wildlife and Parks Commission rather than the Legislature. We ask that you not recommend this bill for passage.

*Senate Energy & Natural Res  
March 6, 1996  
Attachment 6*