

Approved: 3-11-97
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson David Corbin at 8:00 a.m. on March 6, 1997 in Room 254-E of the Capitol.

All members were present.

Committee staff present: Raney Gilliland, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
Lila McClafin, Committee Secretary

Conferees appearing before the committee:
Jim Aller, Kansas Outfitters Association Hiawatha, KS
Spencer Tomb, Kansas Wildlife Federation
Mike Theurer, Kansas Department of Wildlife and Parks

Others attending: See attached list

On a motion by Senator Huelskamp, seconded by Senator Schraad, the minutes of February 21, 24 and 25 were adopted.

SB 379 - Archery deer permits authorized for people 12 and 13 years of age.

Chairperson Corbin said Mr. Aller requested **SB 379** and **SB 380** be introduced on February 3, at a meeting at the rail, due to an oversight the bills failed to be drafted, so Chairperson Corbin had the bills introduced in the Ways and Means Committee. He called on Mr. Aller to support the bill.

Jim Aller, Kansas Outfitters Association, Hiawatha, KS supported lowering the bow hunting age from 14 to 12, which is the same age for shotgun turkey hunting. The bill provides that the young person must have direct supervision of an adult hunter, have the same equipment requirements of other bow hunters, must have passed the bow hunter education course as well as hunter education course, and the adult supervisors information and signature should appear on the young person's deer application to wildlife and parks (**Attachment 1**). Mr. Aller responded to a question regarding the adult supervisors information and signature. Chairperson Corbin pointed out on page 2, lines 14 & 15 that the bill requires this information be included

Spencer Tomb, Kansas Wildlife Federation, supported the bill to reduce the age restriction with adult supervision and additional instruction. He did question that if you are going to be more permissive for one group perhaps you should make it consistent and included other groups. He suggested that it could be improved by establishing a statutory age limit of 12 for all big game permits and give the commission the task of determining how to resolve the other issues (**Attachment 2**). Responding to questions Mr. Tomb stated at this age young people are at very different stages of development, therefore in the end it is the parents of the young person who ultimately makes the decision, so if the safeguards are build in he could support the younger age.

Mike Theurer, Kansas Department of Wildlife and Parks, offered some comments for consideration, such as whether it is appropriate for 12 year old to be involved in bow hunting for deer, and if an adult in another tree stand in the area qualifies as providing "immediate supervision." The department believes implementation of **SB 379** to be feasible, and they are neutral on the desirability of the bill (**Attachment 3**). Mr. Theurer responded to questions.

The hearing on **SB 379** was closed.

SB 380 - Deer permits; nonresident applications to hunt with others ("buddy permits").

Chairperson Corbin called on Jim Aller.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, Room 254-E Statehouse, at 8:00 a.m. on March 6, 1997.

Jim Aller, Kansas Outfitters Association, supported the bill. He said since the time he asked to have the bill introduced he had been told the department is willing to expand the buddy permits for up to four. If it can be done without legislation he could support that (Attachment 4).

Mike Theurer said they did not believe a statutory provision was necessary for this change in departmental practice, and would prefer to implement the changes requested in **SB 380** without the creation of a new statutory subsection (Attachment 5).

Spencer Tomb, Kansas Wildlife and Federation opposed the bill as he did not think it was a legislative matter and it was a waste of time (Attachment 6).

The hearing was closed.

Chairperson Corbin opened the committee discussion on **SB 379**.

Senator Biggs moved **SB 379** be passed. Senator Huelskamp seconded the motion. Motion carried.

The agenda for the week of March 10 was announced. The meeting adjourned at 8:41 a.m.

The next meeting is scheduled for March 11, 1997.

KANSAS OUTFITTERS ASSOCIATION
ROUTE 5 BOX 10
HIAWATHA, KANSAS 66434

DEAR SENATORS:

THE KANSAS OUTFITTERS ASSOCIATION IS IN SUPPORT OF THE FOLLOWING SENATE BILLS. THEY ARE SENATE BILL 379 AND SENATE BILL 380. WE URGE YOUR FULL SUPPORT ON BOTH OF THESE BILLS.

SENATE BILL 379:

1. LOWER BOWHUNTING AGE FROM 14 TO 12 YEARS OF AGE WHICH IS THE SAME AGE FOR SHOTGUN TURKEY HUNTING.
2. MUST BE IN DIRECT SUPERVISION OF ADULT WHO WOULD BE RESPONSIBLE FOR THE HUNTER.
3. MUST HAVE SAME EQUIPMENT REQUIREMENTS OF OTHER BOWHUNTERS.
4. MUST HAVE PASSED BOWHUNTER EDUCATION COURSE AS WELL AS HUNTER EDUCATION COURSE.
5. SHOULD HAVE ADULT SUPERVISORS INFO AND SIGNATURE ON DEER APPLICATION WHEN SENT IN TO WILDLIFE AND PARKS FOR APPROVAL.

*Sen Energy & Nat Res
3-6-97
Attachment 1*

KANSAS WILDLIFE FEDERATION

The Voice of Outdoor Kansas

March 6, 1997

Statement in Support of Senate Bill 379

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 379 will reduce the age restriction for archery hunting from 14 to 12 years of age and require adult supervision and a bow hunting course for these young hunters.

Several years ago when the Federation worked for the reduction in the age limit for turkey hunting our issues and actions committee contacted hunter education coordinators and child development and physical education professionals in several states in order to sort through the issue as to when a kid is ready to hunt. The consensus was that age by its self is not a good measure of when a kid is ready to hunt. The professionals agreed that there is a 4 year variance in kids at this age and most thought that parents should be deciding. In other words some kids are ready physically and mentally to hunt big game (with supervision) at 10 and others may not be ready at 16.

We think that reducing the age restriction and requiring adult supervision and additional instruction is reasonable. We are concerned that young hunters who may wish to hunt deer with a rifle, shotgun or muzzle loader are not covered by this change. It seems that if you are going to be more permissive for one group it should be for the others as well.

Would it not be best for the Legislature to establish a possible lower age for big game permits and keeping a requirement for adult supervision like was done for wild turkeys, but have the Wildlife and Parks Commission work out the details by regulation.

We should add in closing that reducing the age limit for wild turkey permits has worked very well.

We do not oppose S B 379 as it is written but think that it could be improved by establishing a statutory age limit of 12 for all big game permits and give the Commission the task of determining how to resolve the other issues including letting them be more restrictive for certain methods of taking big game.

200 SW 30th St., Suite 102 - Topeka, KS 66611
913-266-6185 Fax 913-266-6226

Sen Energy & Nat Res
3-6-97
Attachment 2



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612
913/296-2281 FAX 913/296-6953



Senate Bill No. 379 - Testimony

Presented to: Senate Committee on Energy and Natural Resources

Provided by: Kansas Department of Wildlife and Parks

Date: March 6, 1997

SB 379 would allow persons between the age of 12 and 14 years to purchase a deer archery permit. Such persons would be required to have completed a bow hunting safety education course, and would be required to hunt under the immediate supervision of an adult over 21 years of age. Currently, a wild turkey firearm permit is the only big game permit that may be issued for use by persons under 14 years. The department is neutral on SB 379.

Lowering the required age for deer archery permits, by itself, would have little impact on the department or its operations. However, the requirement that each of these persons complete a bow hunting safety education course would have a substantial impact. The department's voluntary bowhunter education program currently involves approximately 25 volunteer instructors teaching approximately 200 students per year. Using the hunter education program as a benchmark, the department estimates as many as 1000 students per year would take the bowhunter education course, requiring as many as 200 volunteer instructors, if this bill were implemented. The current voluntary program uses the International Bowhunter Education Program, which is the standard in most states, and this program does not provide for completion by correspondence course. Once again using the hunter education program as a benchmark, it would cost approximately \$30,000 to effectively manage a bowhunter education program expanded to meet the needs of SB 379.

On the other hand, the sale of additional deer archery permits would add revenue to the

Sen Energy & Nat Res
3-6-97
Attachment 3 3-1

department. Depending on whether the permits were sold as general resident permits or as hunt-on-your-own-land permits, the additional revenue would be between \$10,000 and \$30,000.

The number of individuals who actually take advantage of this provision, however, is uncertain, and the estimate of 1000 students per year would be the upper end of the probable range. For example, regulation requires that bows used to hunt deer have at least a 45 pound draw weight, which may limit the number of 12 to 14 years capable of using a deer archery permit.

The department would agree that certification in a bowhunter education course would be important if 12- to 14-year-olds were allowed to purchase a deer archery permit. Some concerns about the bill to be taken into consideration include whether it is appropriate for 12-year-olds to be involved in bowhunting for deer -- although the department recognizes that many persons at this age may be physically and mentally mature enough at these ages to appropriately enjoy the opportunities this bill would provide -- and whether the requirement that the hunter be accompanied by an adult is enforceable. Most deer bowhunting in Kansas is done from a tree stand, and the bill language is unclear as to whether an adult in another tree stand in the area qualifies as providing "immediate supervision."

The department believes implementation of SB 379 to be feasible. The department offers these comments for consideration, and is neutral on the desirability of the bill.

C:\OFFICE\WPWIN\WPDOCS\LEGISLAT\SB379.TES

SENATE BILL 380:

1. INCREASE PERMIT APPLICATION LEVEL FOR BUDDY PERMIT HUNTERS FROM 3 TO 4.

2. MOST NON-RESIDENT HUNTERS TRAVEL IN GROUPS OF 4 DUE TO BETTER COST SHARING FOR HUNTING TRIP.

3. WILL NOT EFFECT RESIDENT HUNTERS DRAWING.

4. WILL INCREASE REVENUE FOR STATE WITH MORE HUNTERS.

Sen Emergent Nat Res
3-6-97
attachment 4



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612
913/296-2281 FAX 913/296-6953



Senate Bill No. 380 - Testimony

Presented to: Senate Committee on Energy and Natural Resources

Provided by: Kansas Department of Wildlife and Parks

Date: March 6, 1997

SB 380 would allow nonresident deer permit applicants to designate up to three other nonresidents with whom the applicant plans to hunt, and request that the application not be granted unless all four individuals receive a deer permit.

The department currently provides this option for up to two other individuals (or three people total), under the name "buddy permits." Such provision is not required by statute or regulation. In the past, the department voluntarily provided this option to deer permit applicants, and was not aware that some applicants wished the option to be expanded to include four applications total. The department is willing to expand the buddy permits for up to four applications, and the computer system used to randomly select successful deer applications can be adapted to accommodate this expansion. The department does not believe a statutory provision is necessary for this change in departmental practice, and would prefer to implement this change without the creation of a new statutory subsection.

C:\OFFICE\WPWIN\WPDOCS\LEGISLAT\SB380.TES

Sen Energy & Nat Res
3-6-97
Attachment 5

KANSAS WILDLIFE FEDERATION

The Voice of Outdoor Kansas

March 6, 1997

Statement in Opposition to of Senate Bill 380

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 380 will give the chance for non resident big game hunters to apply for deer permits in groups of two or three. This is a reasonable request. Change in the big game statutes is not needed to give this chance to non residents. We think that this can be done by the Secretary saying add two lines to the deer application.

We oppose this bill because it is not a legislative matter and wastes your time.

200 SW 30th St., Suite 102 - Topeka, KS 66611
913-266-6185 Fax 913-266-6226

Sen Energy & Nat Res
3-6-97
Attachment 6