

Approved: 4-4-97  
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 19, 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:  
Rex Buchanan, The Kansas Geological Survey  
Mike Theurer, Kansas Department of Wildlife and Parks  
Mike Beam, Kansas Livestock Association  
Bill Fuller, Kansas Farm Bureau  
Representative Joann Freeborn  
Shawn Harding, Kansas Bowhunters Association

Others attending: See attached list

Chairperson Corbin called on Rex Buchanan, Publications and Public Affairs with The Kansas Geological Survey. Mr. Buchanan introduced Bob Sawin, Geology Extension, with The Kansas Geological Survey. They presented the itinerary for the 1997 Field Conference, June 4-6, 1997, brochure on the field conference and a map of Kansas showing the sites they would visit. They invited members of the committee to attend their field conference as they believe it is an opportunity for decision makers, such as legislators, state agency heads, business people teachers and others, to learn more about the natural resource issues. It would give them an opportunity to see those issues first hand in the field, and talk with professionals about the issues (Attachment 1).

**HB 2307 - Nonresidents eligible for deer permit each year.**

A fiscal note was distributed and is on file in the Division of the Budget Office.

Mike Beam, Kansas Livestock Association, supported the bill . He said they believe landowners/tenants should be able to transfer or sell deer permits to nonfamily members. He offered an amendment to allow more flexibility in transferring these permits (Attachment 2).

Mike Theurer, Kansas Department of Wildlife and Parks, said the department has heard concerns from Kansas residents both for and against expanding nonresident hunting opportunities, and the department believes **HB 2307** offer a reasonable middle ground on this issue at this time (Attachment 3). The department also distributed information listing benefits to deer-hunting landowners, benefits to non-hunting landowners (Attachment 4). The department also distributed a letter from Secretary Steve Williams to Senator Janis Lee concerning the deer population growth and control in Kansas( Attachment 5). A brochure "Deer Damage" was also distributed. The brochure outlines options landowners may use to address damages caused by deer, this brochure is on file in the committee office. Responding to questions, Mr. Theurer said they had some concern with KLA's amendment which would allow landowners to sale their permits. They thought it would take deer management control out of the hands of the department. They recommended that collateral relatives be further defined.

Representative Joann Freeborn supported the bill. She said her constituents are upset at the cost to them for the damage resulting from deer related auto accidents. The overpopulation of the deer herd at this time, could create an economic benefit by allowing the harvest of more deer for sport. This could result in more tourism

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, Room 254-E Statehouse, at 8:00 a.m. on March 19, 1997.

in their area (Attachment 6).

Bill Fuller, Kansas Farm Bureau, supported **HB 2307** and the amendments offered by Mike Beam from the Kansas Livestock Association (Attachment 7).

The hearing was closed for the proponents.

Shawn W. Harding, The Kansas Bowhunters Association opposed **HB 2307**. His association does not think it would help control the growing deer population in the State. It probably would make it more difficult for resident hunters to get permits, and it would make it difficult for the Wild Life and Parks to control the number of deer in the State (Attachment 8). He thought the definition of collateral relatives need to be amended to limit the transfer to true family members with ties to the property.

The meeting adjourned at 9:00 a.m.

The next meeting is scheduled for March 20, 1997.



SENATE ENERGY AND NATURAL RESOURCES COMMITTEE  
19 March 1997  
Rex Buchanan, Kansas Geological Survey

My name is Rex Buchanan and I am an associate director at the Kansas Geological Survey. I'd like to thank Senator Corbin for the invitation to talk with you about the Survey's annual field conference. For those of you who are not familiar with the Survey, it is a division of the University of Kansas. The Survey is charged with studying and reporting on geologic resources and issues, particularly those related to water, oil and gas, minerals, and geologic hazards.

For the past two years, the Survey has operated a field conference as part of its geology extension program. The field conference is an opportunity for decision-makers--legislators, state agency heads, business people, teachers, and others--to learn more about natural resource issues, to see those issues first-hand, in the field, and to talk with professionals about the issues. In 1995, the field conference focused on energy. Last year the topic was water and the field conference was co-sponsored with the Kansas Water Office.

By now you should have received invitations to the 1997 field conference on urban expansion and natural resource issues, co-sponsored by the Survey, the State Conservation Commission, and the Kansas Department of Health and Environment. Our purpose today is to brief you about this year's trip and to encourage your attendance and involvement. We would also like to solicit your thoughts about this field conference and get your suggestions for topics of future conferences. The members of this committee, and the House Environment Committee, are among the primary audiences of the field conference. If you have thoughts about future topics that you would like to see addressed, or different approaches that you believe we should take, we would appreciate hearing them, either today or at some point in the future. Thank you.

*Sen Energy & Nat Res*  
*3-19-97*  
*Attachment 1*  
*1-1*

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KANSAS EARTH RESOURCES FIELD PROJECT

**Urban Expansion And Natural Resources  
*Land Use, Water, and the Environment***

**1997 FIELD CONFERENCE**

June 4-6, 1997

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**ITINERARY**

**Wednesday June 4, 1997**

*Emporia - Topeka - Kansas City - Emporia*

- Site 1** - East Topeka Limestone Quarry Reclamation Project
- Site 2** - Big Springs Limestone Quarry
- Site 3** - Jefferson-Douglas County Landfill
- Site 4** - Kansas River Sand Dredging - Bonner Springs
- Site 5** - Urbanization Impacts on Wetlands and Riparian Areas - Johnson County
- Site 6** - Hillsdale Lake Water Quality Project

**Thursday June 5, 1997**

*Emporia - Wichita*

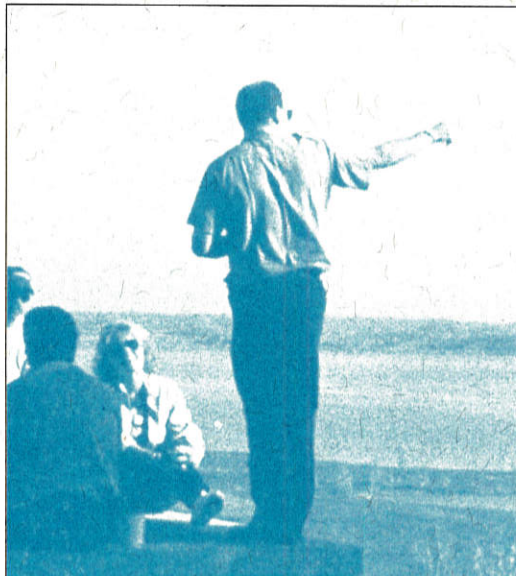
- Site 7** - Sand and Gravel Operation
- Site 8** - Sand and Gravel Reclamation and Redevelopment
- Site 9** - Gilbert and Mosley Ground Water Contamination Site
- Site 10** - Cheney Lake Water Quality Initiative

**Friday June 6, 1997**

*Wichita - Halstead - Emporia*

- Site 11** - Brooks Landfill
- Site 12** - Proposed Landfill Site
- Site 13** - Equus Beds Groundwater Management District
- Site 14** - Equus Beds Groundwater Recharge Demonstration Project

Attachment 1  
1-4



## Issues and Topics

The 1997 Field Conference will address issues and topics involving:

- Sand Dredging in the Kansas River
- Limestone Quarries
- Quarry and Pit Reclamation
- Sand and Gravel Floodplain Operations
- Urban Impacts on Wetland and Riparian Areas
- Solid Waste Landfills
- Public Water Supplies
- Land-use Planning
- Water Quantity and Quality
- Ground-water Recharge, Storage, and Recovery Project

## 1997 Field Conference

Urban expansion and its effect on natural-resource development will be the topic of the 1997 Field Conference for decision- and policy-makers, sponsored by the Kansas Geological Survey, the State Conservation Commission, and the Kansas Department of Health and Environment. During the two and one-half day conference, participants will travel by chartered bus to selected sites, including limestone quarries, river and floodplain dredging operations, quarry and pit reclamation projects, landfills, riparian and wetland areas, public water-supply reservoirs and wellfields, and a ground-water recharge demonstration project.

Local and regional experts in resource development will brief the participants on what they will see and what issues

relate to the sites. In addition, a comprehensive Field Guide will present background on the sites and issues. Opportunities will be provided for interaction with county, State, and regional officials, environmental groups, and citizens' organizations. This information base will give participants new and broader perspectives useful in formulating land-use, water, and environmental policies.

The Field Conference does not seek to resolve policy or regulatory conflicts, but rather provides unique opportunities to acquaint participants with the various perspectives on resource problems and issues. The Field Conference goes beyond identifying the issues by bringing together experts who examine topics in light of technical, geographical, geological, environmental, social, and economic realities.

## Urban Expansion and Natural Resources

### Conference Agenda

#### Wednesday, June 4

- Assemble in Emporia, KS
- Conference Overview
- East Topeka Quarry Reclamation Project - Topeka, KS  
*State Conservation Commission  
Martin Marietta Aggregates*
- Big Springs Limestone Quarry  
*Martin Marietta Aggregates*
- Jefferson-Douglas County Landfill  
*N.R. Hamm, Inc.*
- Kansas River Sand Dredging  
*Holliday Sand and Gravel Company  
U.S. Army Corps of Engineers*
- Urbanization Impacts on Wetland and Riparian Resources - Tomahawk Creek and Wolf Creek Watersheds, Johnson County, Kansas  
*Urban Resource Assessment and Management Project (URAMP)*
- Hillsdale Lake Water Quality Project - Hillsdale, KS
- WEDNESDAY EVENING SESSION -  
"Kansas River - Recreation and Development"  
*Sandy Praeger, State Senator, Second District*

#### Thursday, June 5

- Ritchie Sand and Gravel Operation - Wichita, KS  
*Ritchie Sand Inc.*
- Sand and Gravel Reclamation and Redevelopment
- Gilbert and Mosley Ground Water Contamination Area -  
Downtown Wichita  
*Wichita - Sedgwick County Dept. of Community Health,  
Kansas Dept. of Health and Environment*
- Cheney Lake Water Quality Project
- THURSDAY EVENING SESSION

#### Friday, June 6

- Brooks Landfill  
*Public Works Dept., City of Wichita*
- Equus Beds Groundwater Management District -  
Halstead, KS
- Salt Contamination of Ground Water  
*Equus Beds Groundwater Management District  
Kansas Geological Survey*
- Equus Beds Ground-water Recharge Demonstration Project  
*Equus Beds Groundwater Management District  
Water Dept., City of Wichita*
- Return to Emporia, KS - early afternoon



## The Kansas Earth Resources Field Project

Administered through the Kansas Geological Survey's Geology Extension program, the Field Project is an outreach program providing educational opportunities to individuals who make and influence policy about earth resources and related social, economic, and environmental issues in Kansas. The industries that deal with earth resources include energy, mining, and agriculture.

The Field Project consists of a series of onsite conferences at which participants are introduced to the technical, economic, environmental, social, and policy-related aspects of earth-resource development. Using a field experience, the program provides participants with an educational opportunity that will assist them in making better informed, efficient, and effective decisions when dealing with earth-resource issues.

### *Comments from the 1996 Field Conference "Kansas Water Issues:"*

"The conference provided a good atmosphere for information exchange between a diverse group of participants. The trip was fun, enjoyable, and educational." - *Steve Williams, Secretary, Kansas Department of Wildlife and Parks*

"The information we gained on this trip will be valuable as we deal with water issues in the legislature." - *Janis K. Lee, State Senator, Kensington*

"The field conference was interesting, informative, and worthwhile — a diverse mix of participants, presenters, and issues." - *John Strickler, Executive Director, Kansas Association for Conservation and Environmental Education (KACEE)*

## Who Should Be Involved?

- State and Federal agencies
- Business and industry leaders
- Legislators and legislative staff
- Educators
- Public interest groups
- Municipal and county governments
- General public

The 1997 Field Conference will be limited to 25 invited participants. These individuals will be private and public leaders involved in earth-resource issues who are in policy- and decision-making positions in the state of Kansas.

## General Information

Registration fee for the 1997 Field Conference is \$95. Transportation, meals, three nights lodging, and the Field Guide are included in the registration fee. Participants will be responsible for transportation to and from Emporia, Kansas.

## Further Information

For more information about the Kansas Earth Resources Field Project or the 1997 Field Conference, please contact



The Kansas Geological Survey  
913/864-3965  
Bob Sawin, Geology Extension;  
Rex Buchanan, Publications and Public Affairs;  
Lee Gerhard, Director.



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*Kansas Earth Resources  
Field Project*

# Urban Expansion and Natural Resources

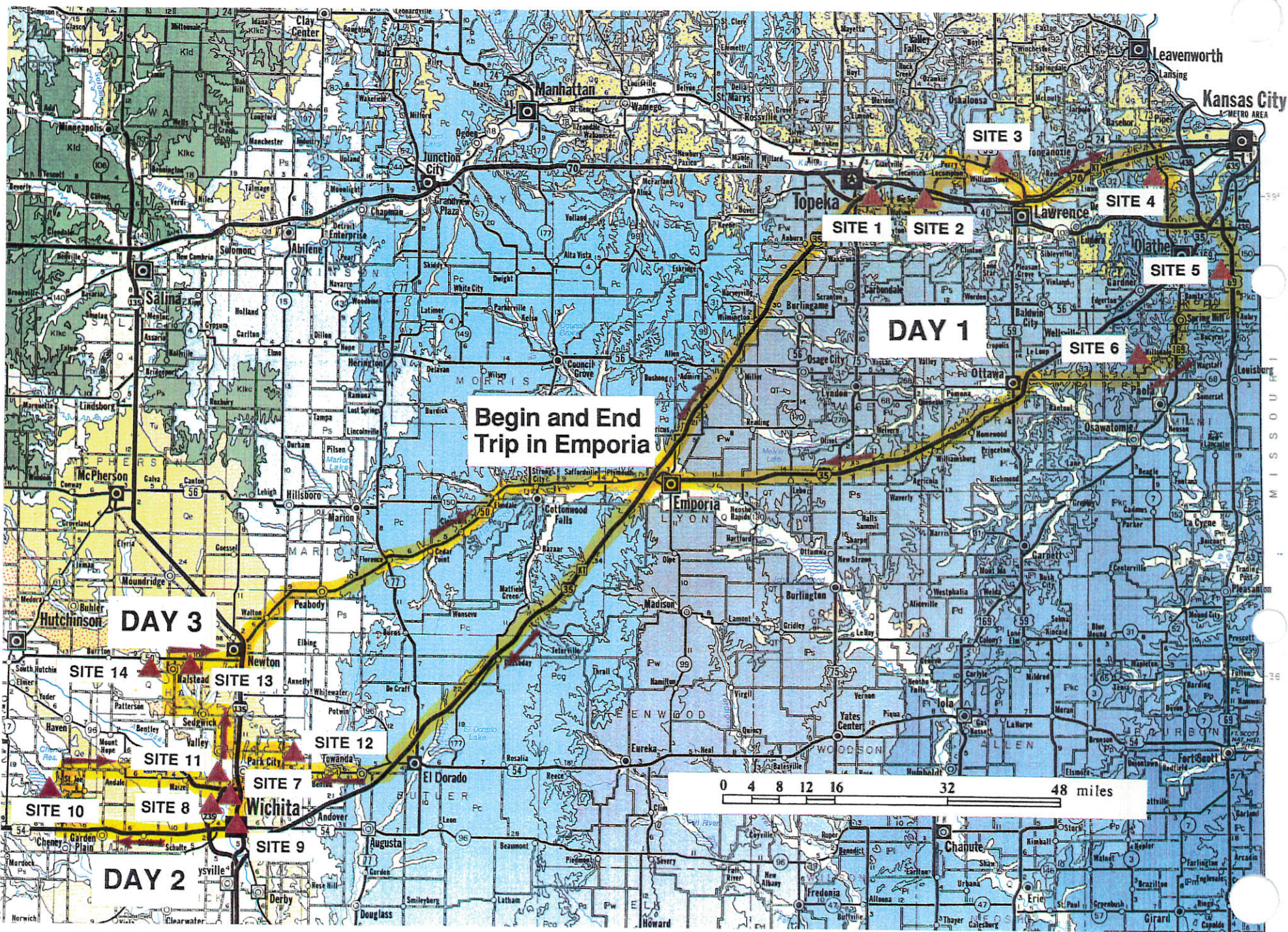
*Land Use, Water, and  
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1997  
FIELD  
CONFERENCE

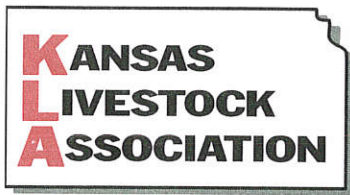
June 4–6, 1997

*Sponsored by  
Kansas Geological Survey  
State Conservation Commission  
Kansas Department of Health and  
Environment*

9-1



6-1



*Since 1894*

March 12, 1997

To: Senate Energy and Natural Resources Committee  
Senator David Corbin, Chairman

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

Re: HB 2307 - Deer Hunting Permits

Mr. Chairman and committee members, I'm Mike Beam with the Kansas Livestock Association. The deer population, damage caused by deer, and deer hunting are consistently topics that generate a lively discussion among our members. Several weeks ago KLA members were in Topeka and we reviewed the pending bills on these subjects. In accordance with our policy resolution, and recent actions at our Legislative and Board of Directors meetings, we appear today in support of the concept of House Bill 2307 and to offer an amendment.

Regarding our policies, KLA supports:

- ⇒ an increase in the total number of permits issued
- ⇒ deer permits to landowners at no charge
- ⇒ an increase in the issuance of out-of-state permits
- ⇒ changes in the Kansas Department of Wildlife and Parks (KDWP) policies to give farmers and ranchers more flexibility and legal authority to control deer causing damage to crops and livestock feed
- ⇒ amendments to the deer permit laws that empower landowners and tenants to transfer permits for lease hunting purposes.

We are pleased KDWP recognizes the deer population problems and plans to increase the number of deer hunting permits. We also appreciate the department's new policy for issuing damage control permits when appropriate.

*Sen Energy + Nat Res*  
*3-19-97*  
*Attachment 2*

Today, I won't address the issues of permit fees for landowners or increasing the allotment of nonresident deer hunting permits. I want to focus on the issue of transferring deer permits.

Attached is our recommendation for amending subsection (h) of K.S.A. 1996 Supp. 32-937. It's our intent to allow landowners and tenants, as defined in subsection (a), to transfer deer permits to anyone who is legally able to hunt in Kansas. To do so would make it easier for landowners to conduct deer hunts on a fee or lease basis. We are advocating this change for two basic reasons.

First, it's one method of compensating the individual who provides the habitat and tolerates the nuisances often associated with deer and other wildlife species. We all recognize the state of Kansas owns the deer. It's a resource or asset KDWP manages on behalf of Kansas citizens. There are hidden costs, however, associated with our states deer. These costs are especially apparent to farmers and ranchers who invest and manage crop and grass lands. Such costs are absorbed on behalf of the state and its citizens.

This state does not compensate landowners for damages caused by wildlife. To date, our membership has not advocated such a program. As an alternative, however, why not let landowners/tenants profit from the presence of deer?

Secondly, lease or fee hunting is another method of capitalizing on one's resources. Our members recognize cattle producers are total resource managers. They manage the grass and water systems for beef cattle production *and* wildlife. For generations farmers and ranchers provided this habitat as stewards of the land. As total resource managers, shouldn't they be entitled to gain financially from the costs associated with wildlife habitat? Some farmers and ranchers are realizing a financial gain from waterfowl and upland game ventures. Nothing in the law impedes landowners from operating lease or fee hunting for waterfowl or upland game. What is so sacred about deer hunting?

Sportsmen, wildlife specialists, conservationists, and many others are advocating the need for wildlife habitat. We could see landowners become **more** interested in deer habitat if they had more opportunities to capitalize on this resource.

I realize there is no law or regulation prohibiting lease or fee hunting of deer. With our current deer permit program, however, it's difficult for a landowner to market a deer hunting venture if the prospective hunter cannot be assured of obtaining a deer permit. On at least a limited basis, we believe landowners/tenants should be able to transfer or sell deer permits to nonfamily members.

For these reasons, we are offering an amendment to allow more flexibility in transferring these permits. We recognize the problems this change could have for KDWP if they are to continue to manage this state's deer herd and we hope to work with KDWP and this legislature in resolving any obstacles. We would also welcome alternative language that gives farmers and ranchers more opportunities for providing deer permits on a lease/fee basis. I'd be happy to respond to any questions or comments. Thank you!

1 the secretary and in addition to any other license, permit or stamp re-  
 2 quired by law or rules and regulations of the secretary, a valid big game  
 3 permit and game tags are required to take any big game in this state.

4 (c) The fee for big game permits and game tags shall be the amount  
 5 prescribed pursuant to K.S.A. 32-988, and amendments thereto.

6 (d) A big game permit and game tags are valid throughout the state  
 7 or such portion thereof as provided by rules and regulations adopted by  
 8 the secretary in accordance with K.S.A. 32-805 and amendments thereto.

9 (e) Unless otherwise provided by law or rules and regulations of the  
 10 secretary, a big game permit and game tags are valid from the date of  
 11 issuance and shall expire at the end of the season for which issued.

12 (f) The secretary may adopt, in accordance with K.S.A. 32-805, and  
 13 amendments thereto, rules and regulations for each regular or special big  
 14 game hunting season and for each management unit regarding big game  
 15 permits and game tags. The secretary is hereby authorized to issue big  
 16 game permits and game tags pertaining to the taking of big game. Sep-  
 17 arate big game permits and game tags may be issued for each species of  
 18 big game. No big game permits or game tags shall be issued until the  
 19 secretary has established, by rules and regulations adopted in accordance  
 20 with K.S.A. 32-805, and amendments thereto, a regular or special big  
 21 game hunting season.

22 (g) The secretary may authorize, by rule and regulation adopted in  
 23 accordance with K.S.A. 32-805, and amendments thereto, landowner or  
 24 tenant hunt-on-your-own-land big game permits. Such permits and ap-  
 25 plications may contain provisions and restrictions as prescribed by rule  
 26 and regulation adopted by the secretary in accordance with K.S.A. 32-  
 27 805, and amendments thereto.

28 (h) The secretary may authorize, by rule and regulation adopted in  
 29 accordance with K.S.A. 32-805 and amendments thereto, special land-  
 30 owner or tenant hunt-on-your-own-land deer permits. ~~Such special per-  
 31 mits shall not be issued to landowners or tenants in possession of a hunt-  
 32 on-your-own-land deer permit as authorized in subsection (g). The special  
 33 permits shall be transferable to any immediate family member of the  
 34 landowner or tenant, whether or not a Kansas resident, or the permit may  
 35 be retained for use by the landowner or tenant. The special permits shall  
 36 be transferable through the secretary at the request of the landowner or  
 37 tenant and by paying the required fee for a general or nonresident deer  
 38 permit and the additional payment of the permit transfer fee. The special  
 39 permits and applications may contain provisions and restrictions as pre-  
 40 scribed by rule and regulation adopted by the secretary in accordance  
 41 with K.S.A. 32-805 and amendments thereto. For the purposes of this  
 42 subsection, "member of the immediate family" means lineal or collateral  
 43 ascendants or descendants, and their spouses.~~

The special permits may be sold or otherwise transferred by the landowner or tenant to any resident or nonresident individual who holds a valid Kansas hunting license or to a person exempt by law from the requirement of having a hunting license to hunt in this state. The landowner or tenant may sell such permits for an amount in excess of the fee paid by the landowner.



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



House Bill No. 2307: Testimony

Presented to: Senate Committee on Energy and Natural Resources  
Provided by: Kansas Department of Wildlife and Parks  
Date: March 19, 1997

As originally introduced, this bill was a proposal of the Department of Wildlife and Parks. The department continues to support the bill as amended by the House Committee on Environment, but would make one suggestion in the language of the bill.

Under current law, a recipient of a nonresident deer hunting permit is not eligible to receive a nonresident permit in the following year. HB 2307 would eliminate this restriction, and allow any nonresident to apply for a nonresident permit in consecutive years. The bill would also clarify that nonresident permits that remain unissued due to an insufficient number of applications would be made available to residents.

The number of nonresident deer permits in a given management unit may not exceed 5% of the total number of resident deer permits issued in that management unit. Also, nonresident deer permits of a particular type (e.g. "any deer," "antlerless only," etc.) may only be issued if resident firearm permits of that type remained unissued after the previous year's first random drawing. Nonetheless, as many as half of the nonresident permits made available currently go unissued. The department believes one reason for this may be that permits are not available to nonresidents in consecutive years. Because the legislature has already determined that it is appropriate to issue 5% of deer permits to nonresidents, the department has proposed this legislative change to make it more likely such numbers will be issued.

The department has heard concerns from Kansas residents both for and against expanding nonresident hunting opportunities. Many Kansas hunters express worries that resident hunting

*Sen Energy & Nat Res*  
*3-19-97*  
*Attachment 3*

opportunities may be compromised if too many nonresidents begin hunting in our state. Other persons believe the state would benefit economically if nonresident hunting opportunities are greatly increased. The department believes HB 2307 offers a reasonable middle ground on this issue at this point in time.

The House Committee on Environment did add two amendments to the bill, both of them in subsection (h). The first would allow a nonresident family member to whom a special hunt-on-your-own-land permit is transferred to pay the resident, rather than nonresident, fee for the permit. The department considers this a friendly amendment.

The second amendment from the House committee would add that special hunt-on-your-own-land permits may be transferred to “collateral” ascendants or descendants, and their spouses, in addition to “lineal” ascendants or descendants, and their spouses. The term “collateral” is generally used to refer to relatives from a common ancestor, but who are not themselves lineally related. The department does not oppose some collateral relatives, such as siblings or other close relatives who may have previously farmed the land together, being eligible to receive these transferred permits. However, without further qualification, this provision would allow special hunt-on-your-own-land permits to be transferred to any person for whom the landowner could show a common ancestor of any distance. Confirming such distant relationships would be extremely difficult, practically speaking, and could open the door to abuse. Consequently, the department suggests that the bill be amended to further define the intent of “collateral,” by specifying “siblings and their spouses,” or some similar language.

With these comments and suggestions, the department continues to support HB 2307.





STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

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The Kansas Department of Wildlife and Parks believes it is important to recognize the contributions landowners make to our state's natural resources. However, the department also feels it is important to find a balance between representing landowner interests and representing general resident interests. Currently, our deer management practices and deer hunting regulations provide several benefits to landowners which are not available to other state residents. While many of these provisions specifically benefit landowners interested in deer hunting, some apply to landowners who are not themselves interested in hunting.

Benefits to deer-hunting landowners

1. A landowner is exempt from requirement of purchasing a hunting license, while hunting on one's own land (\$15.50 savings).
2. A hunt-on-your-own-land permit is guaranteed to any owner of 80 acres or more, and to each family member domiciled there for whom there is an additional 80 acres (\$10.50 - a savings of \$20 from general resident permit, which is not guaranteed).
3. A landowner may purchase a landowner/tenant permit to hunt anywhere in the unit (\$15.50, savings of \$15 from a general resident).
4. Hunt-on-your-own-land permits can be used for any deer -- not restricted by sex.
5. Hunt-on-your-own-land permits can be used in any season -- muzzleloader, archery, or firearm.
6. Hunt-on-your-own-land permits are available for open purchase through the last day of the season.
7. Overall financial savings: a general resident hunting deer pays four times what a landowner pays to use a hunt-on-your-own-land permit.

Benefits to non-hunting landowners

1. Deer depredation permits are available at no cost to a landowner.
2. WIHA program: can provide financial compensation to landowners who voluntarily open their land for public hunting.
3. Special hunt-on-your-own-land permits may be transferred to lineal family members who are not domiciled with the landowner and wish to hunt.
4. With HB 2307 as it stands, special hunt-on-your-own-land permits can transferred to nonresident family members who can pay resident prices.
5. Also with HB 2307 as it now stands, special hunt-on-your-own-land permits could be transferred to collateral relatives (although KDWP would like to see this provision made more specific, regarding which relatives are included).

*Sen Energy & Nat Res*  
*3-19-97*  
*attachment 4*



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

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900 SW Jackson, Suite 502  
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MEMORANDUM

**To:** Senator Janis Lee  
**From:** Steve Williams, Secretary *SW*  
**Date:** March 10, 1997  
**Subject:** Deer Population Control

Thank you for the opportunity to respond to concerns about deer population growth and control in Kansas. The department clearly recognizes that deer populations in some areas of the state have reached levels that are incompatible with human desires. Deer have caused crop damage and have been involved in numerous deer-vehicle accidents.

In response to deer population levels, the department has taken a more aggressive approach to deer control. Last year's deer permit numbers increased 15 percent on a statewide basis. In deer management units in northcentral Kansas, deer permits were increased as much as 50 percent. It is our intent to continue to increase deer permit numbers until we realize a significant decline in crop damage and the number of deer-vehicle accidents.

In addition, the department has established a deer damage permit program (I will provide brochures for your use as soon as I am resupplied from our Pratt office). This permit program provides private property owners with free permits that allows the taking of deer throughout the year to protect crops. These permits may be used by the landowner or they can be given to another for their use. I believe that this program provides a responsive, customized, and flexible approach for landowners experiencing deer damage.

Our Walk-In-Hunting-Area program also provides landowners with financial compensation for permitting public access to their land. This voluntary program allows landowners to focus hunting pressure on tracts of land receiving deer damage. This program, coupled with increased deer permits and the deer damage permit program, should address the concerns of landowners.

The department and I remain committed to reducing the level of deer crop damage and the number of deer vehicle accidents. I appreciate the opportunity to provide you information regarding the department's response to concerns expressed by your constituents. Please do not hesitate to contact me if you have any further questions.

encl.

*Sen Energy & Nat Res  
3-19-97  
attachment 5 5-1*

## Kansas Department of Wildlife and Parks

Deer Permit Allocations for Selected (northern tier) Deer Management Units:

| Unit      | 1994   | 1995   | 1996 <sup>a</sup> | % Change 1994 to 1996 |
|-----------|--------|--------|-------------------|-----------------------|
| 3         | 1,863  | 2,257  | 2,583             | +39%                  |
| 7         | 2,411  | 2,752  | 3,210             | +33%                  |
| 8         | 2,728  | 3,063  | 4,177             | +53%                  |
| 9         | 3,251  | 3,621  | 5,099             | +57%                  |
| 10        | 7,497  | 7,736  | 9,076             | +21%                  |
| Statewide | 58,634 | 60,784 | 69,000            | +18%                  |

<sup>a</sup> Estimate, data is still being collected.

# 1996 BIG GAME

## APPLICATIONS AND PERMITS

### ANTELOPE

Application Deadline: Firearms - June 15.  
Archery - June 1-Sept. 20.  
Firearms Season: Oct. 4-Oct. 7.  
Archery Season: Sept. 21-29.

### DEER

Application Deadline: Firearms - July 13.  
Archery - Dec. 31.  
Firearms Season: Dec. 4-15.  
Archery Season: Oct. 1-Dec. 3 AND Dec. 16-Dec. 31.  
Muzzleloader Season: Sept. 21-29 AND Dec. 4-15.

### ELK

Application Deadline: July 1-29, 3 p.m.  
Season: Fort Riley Unit - Archery and Muzzleloader only, Sept. 21-29. Firearms or Archery, Oct. 26-Dec. 31.  
NOTE: Military training exercises will prevent hunting on many of the days indicated in the Fort Riley Season.  
Shooting Hours: Elk, antelope and deer are one-half hour before sunrise to one-half hour after sunset.

### UNIT ARCHERY DEER PERMITS

Antlerless-only unit archery permits are available for Units 6, 8, 9, 10, 11, 12, 13, 14, and 15. These permits will be sold over the counter until the end of the season. Over-the-counter permits are not valid until the day after purchase. You cannot purchase both statewide archery and a regular firearms or muzzleloader permit. Persons having statewide archery or regular firearms or muzzleloader permits may purchase unit archery permits and apply for leftover firearms permits.

### ANTLERLESS DEER TAGS

Primary permit holders may purchase antlerless-only deer game tags for Sub-Unit 12A. These tags will be available from July 1 through the end of the season. They may be used with legal equipment in the firearms, muzzleloader or archery seasons. No individual may purchase more than two deer game tags in a single calendar year.

### LANDOWNER/TENANTS

Landowners, tenants, and managers who own, operate, or manage at least 80 acres in Kansas may obtain "Hunt-Own-Land" deer permits or enter the regular firearms drawing.

"Hunt-Own-Land" permits are guaranteed but allow the holder to hunt only on land he or she owns, operates, or manages. Landowner/tenant permits from the regular deer firearms drawing are not guaranteed, but allow the holder to hunt anywhere in the management unit where the applicant qualifies as a landowner or tenant.

Individuals who apply for "Hunt-Own-Land" permits may not apply for or purchase a statewide archery or firearms deer permit, but may apply for leftover permits and purchase unit archery permits and Sub-Unit 12a antlerless deer game tags.

For a "Hunt-Own-Land" application, contact Department of Wildlife and Parks offices.

## BIG GAME AGE LIMITS

Persons under 14 years old may not hunt deer, antelope or elk. Persons 12 to 14 years old may hunt turkey in firearms seasons if supervised by someone 21 years or older.

## LEGAL GUNS AND BOWS

Big Game

**Elk:** long, recurve or compound bows with at least 50 lbs. draw weight; centerfire rifles greater than .25 cal.; and muzzleloading rifles at least .49 cal.

**Deer and antelope:** long, recurve or compound bows with at least 45 lbs. draw weight; centerfire rifles greater than .23 cal.; handguns greater than .23 cal. with cartridge case length of 1.280 inches or greater; shotguns, 20 gauge or larger (slugs only); muzzleloaders at least .39 cal.; and muzzleloading pistols .45 cal. or greater, with at least 10-inch barrels firing only conical lead or sabot bullets weighing at least 210 grains.

**Turkey:** long, recurve or compound bows with at least 45 lbs. draw weight and shotguns and muzzleloading shotguns 20 gauge or larger using shot sizes 2 through 9.

NOTE: Arrows for big game hunting must be at least 20 inches long and equipped with non-barbed broadheads with all-metal cutting edges. Expandable broadheads are legal.

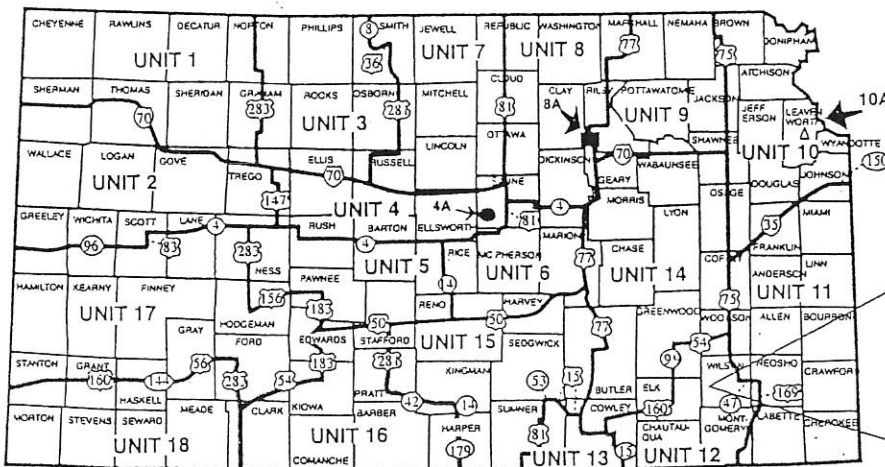
## TRANSPORT

Except for deer taken with "any deer" permits, deer heads must accompany the tagged carcass until taken to a place for processing.

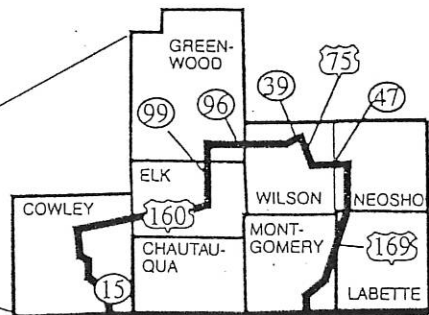
## ORANGE REQUIRED

All firearms deer hunters and persons assisting firearms deer hunters must wear blaze orange during the early muzzleloader deer season, the regular firearms deer season, and special firearms deer seasons. Elk hunters must also wear blaze orange. A minimum of 200 square inches of orange, 100 that is visible from the front and 100 that is visible from the back, is required. A blaze orange hat is also required.

1996 KANSAS DEER MANAGEMENT UNITS



MORE DETAILED BIG GAME INFORMATION IS INCLUDED IN SPECIAL PUBLICATIONS AVAILABLE THROUGH DEPARTMENT OFFICES



Sub-Unit 12A

● SMOKY HILL A.N.G. RANGE, UNIT 4A    ■ FT. RILEY, UNIT 8A    △ FT. LEAVENWORTH, UNIT 10A

JOANN LEE FREEBORN  
 REPRESENTATIVE, 107TH DISTRICT  
 CLOUD, OTTAWA COUNTIES  
 AND PART OF CLAY AND DICKINSON COUNTIES  
 RR 3, BOX 307  
 CONCORDIA, KANSAS 66901-9105  
 913-446-3675  
 OR  
 STATE CAPITOL RM 180-W  
 TOPEKA, KS 66612-1504  
 913-296-7645  
 1-800-432-3924



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 VICE-CHAIR ENVIRONMENT  
 MEMBER AGRICULTURE  
 PUBLIC HEALTH AND WELFARE  
 JOINT COMMITTEE ON CHILDREN  
 AND FAMILIES

Re: House Bill 2307

March 19, 1997

Mr. Chairman and members of the Senate Committee, I am here today in support of the three House bills sent to the Senate which pertain to big game permits. I support the changes which were brought forth by Wild Life and Parks personnel in HB 2305 and 2307. Allowing the department to more fully utilize unclaimed permits as established in HB 2307 would be helpful in generating a better harvest of deer, and thereby cutting down on a few of the many accidents which occur in the state of Kansas. My further remarks will be addressed toward HB 2307.

There were some provisions from HB 2325, which did not pass out of House Environment Committee, which were amended into HB2307 during committee deliberations. In my opinion it was a compromise by which the committee chair did not work HB2325 which had several changes which were greatly objected to by the department of Wildlife and Parks. I did not push for those changes as I felt we had reached a compromise. Now, I understand that the compromise is threatened and am here to talk in behalf of the changes made in committee.

The committee change I am addressing in particular expands the category of family members who can qualify for HOYOL transferable permits. This policy is family friendly. Current law only lets those of lineal descent purchase the transferable permit. The change would add the transfer of the permit to brothers, sisters, in-laws, nieces and nephews and their spouses. It can also be interpreted to be used by even further extended relatives. I feel that this is a reasonable provision.

Objections offered by the division of Wildlife and Parks when we added the transferable permit several years ago was that it would be used by up to 15,000 persons per year. It was said that it would undermine the departments ability to manage a trophy buck herd in the state. Last years report showed that it was used by less than one hundred persons. I believe that large projections of abuse are unreasonable.

*Sen Energy & Nat Res*  
*3-19-97*  
*Attachment 6*  
 6-1

The majority of serious hunters do not want to be limited by the boundary of one landowners property. They want to hunt the management district so that they can walk areas at the end of the hunting season if they have not gotten the trophy they are "aiming" for. The hunter wants the ability to set up a tree stand by the best traveled deer trail or crossing in a clearing. Being limited by defined property line is not the most desirable. For these reasons among others, I feel that this "collateral" use will be prudently utilized. For a few dollars more, the hunter can likely hunt a management district. The ability to use the transfer is limited by the number of landowner/tenants who domicile the property. This factor will also serve to limit the overuse of the transferable permit.

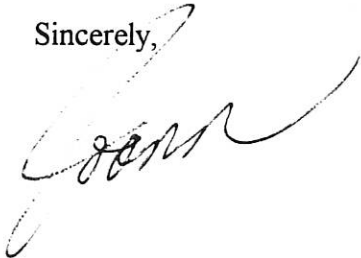
While I understand the concern of Wildlife and Parks that we may do something to damage the deer herds of Kansas, I would like offer some concerns of mine. For example, the sheriff of Clay County said that his department spent a total of 330 man hours per year working the accidents due to the overpopulation of deer. This runs at a cost of \$2,000.00 per accident in addition to his department costs and does not include the medical costs or lost time to the person involved in the accident.

This brings me to the last concern. In a recent issue of the magazine published by the Department of Wildlife and Parks there is an extensive article written about the overpopulation of snow geese and the damage that is being done to crops and the devastation to the tundra where they nest. Much of the tundra denudement will not recover due to the salt content which increases when the plants which use the water are removed. The result is lack of vegetation and death to other birds who depend on the food system. The overpopulation is a result of management agreements for the flyway that also include other states and Canada. I do not place entire blame on the department I only use this as an example that the department, in my opinion is over cautious in estimating the numbers of a certain species which we may reasonably sustain. I feel that the same has happened in the deer herd and now we need to take actions which will bring some valid correction of the situation.

Constituents in my district are upset at the cost to them for the deductibles which they have to pay as a result of deer related accidents. They are not happy that their lives are threatened due to the overpopulation of deer. They are not happy with the damage done to crops. Frequently I am shown articles that list accident after accident. This has become a public health issue.

When alcohol is the cause of accidents we try to diminish the incidents. I believe that we should take the threat of death from deer-auto accidents seriously. Let us create economic benefits from the harvest of deer for sport. Let us create tourism by bringing hunters coming to our area. Help reduce the deer-motor vehicle accidents by giving careful consideration to the bills you have before you today.

Sincerely,

A handwritten signature in black ink, appearing to be "JAM", written over a horizontal line.



# PUBLIC POLICY STATEMENT

## SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

**RE: HB 2307 - Concerning nonresident and special landowner or  
tenant hunt-on-your-own-land deer hunting permits.**

**March 12, 1997  
Topeka, Kansas**

**Presented by:  
Bill R. Fuller, Associate Director  
Public Affairs Division  
Kansas Farm Bureau**

Chairman Corbin and members of the Senate Committee on Energy and Natural Resources, I am Bill Fuller, Associate Director of The Public Affairs Division for Kansas Farm Bureau.

Deer overpopulation and deer damage to crops and vehicles is a hot button issue for the farmers and ranchers who are members of the 105 county Farm Bureaus in Kansas. The issue often becomes emotional and sometimes sends our meetings and conferences into overtime.

We applaud the Wildlife and Parks' philosophy, goals and programs for managing the State's growing deer herd. We commend Secretary Williams and the agency for the current programs and proposed initiatives. We especially appreciate the increase in general hunting permits and the creation of the special deer control permits for developing site-specific damage control plans with landowners. This is progress, however more must be done to reduce property damage caused by deer (see attachment 1).

*Sen. Energy & Nat Res  
3-19-97  
Attachment 7 7-1*

HB 2307 repeals the section in the statute that makes nonresidents ineligible to apply or receive deer hunting permits in consecutive years. Additionally, authorized nonresidents permits that remain unissued will be made available to residents. These are the original provisions of the bill and were requested by Kansas Wildlife and Parks

The House Committee on the Environment amended HB 2307 to expand the special landowner or tenant hunt- on-your-land big game permits to add "collateral" ascendants or descendants and their spouses to the definition of "member of the immediate family." Additionally, the House Committee reduced the cost for a nonresident using a special transferable hunt-on-your-own-land permit to the same cost as for a Kansas resident. We believe the House amendments, some provisions coming from HB 2325, made a good bill even better.

We have attached the "Hunting and Fishing Regulations" policy adopted by the more than 435 Voting Delegates at the 78<sup>th</sup> Annual Meeting of Kansas Farm Bureau (see attachment 2).

The policy specifically supports the opportunity for nonresidents to apply for big game permits on consecutive years. While our membership was nearly equally split in responding to a Policy Development Questionnaire concerning expanding the special hunt-on-your-own-land to non-family persons, we believe Farm Bureau farm and ranch members welcome broadening the family provision to include "collateral" ascendants or descendants, and their spouses.

Thank you for this opportunity to express support for HB 2307.



## Deer toll up on area roads

Mark Scott  
Staff Writer

Scenes of winter include peaceful portrayals of deer playing in the snow. But the scene is anything but peaceful when that same pack of deer races across the highway just a few feet from your front bumper.

Mid-November through December is the peak period for vehicle/deer accidents in Kansas. And in Riley County, numbers to date suggest 1996 totals may exceed vehicle/animal accident totals for 1995.

Capt. Allen Raynor, commander of the RCPD patrol division, said 164 vehicle/animal accidents reports have been filed so far this year. Raynor said 182 reports were filed in 1995. Raynor said while these reports are officially classified as vehicle/animal accidents, the majority were vehicle/deer accidents since it's rare for vehicles to hit a horse or pig, and reports are not filed for dog or cat accidents.

According to statistics compiled by the Kansas Department of Transportation, there were 6,737 vehicle/deer accidents in Kansas in 1995. KDOT reports

See No. 6, back page

The Manhattan Mercury

Thursday, November 14, 1996

## Deer toll up

⑥ Continued from Page A1

that these accidents resulted in 239 injuries, two deaths and a costly amount of property damage.

Paul Miller, a Kansas Department of Wildlife and Parks ranger at Tuttle Creek Lake, said this is the breeding season for deer, which means deer move in groups and are very active. Miller emphasized that vehicle/deer accidents can occur at any time during the year. Miller said the most critical time of day to watch for deer is the first hour of daylight and last hour of daylight.

Miller said two areas deer are likely to appear are where the highway crosses rivers and creeks and at the end of guard rails. Bad spots in Riley County include Anderson Avenue, Zeandale Road, Deep Creek Road and

McDowell Creek Road, which all border rivers or creeks.

"Deer are nocturnal and when they get up they want to get a drink of water," Miller said. "And a deer will run a long way not to have to jump over a guard rail."

Miller said the state's deer population is up this year. To combat that increase the Wildlife and Parks department has issued more permits to deer hunters. Miller said the deer/firearms season ends Dec. 15.

Raynor said two warning signs motorists can watch for when deer are crossing the highway are "eyes shining in the headlights" or "an interruption in the headlights of on-coming traffic."

"Deer travel in groups so drivers must be extremely cautious," Raynor said. "If you see one you can probably expect there will be three or four of them at one time."

## **Hunting and Fishing Regulations**

**CNR-5**

We believe those who hunt and fish should possess written permission, signed by the landowner or operator, stating the days hunting or fishing is permitted and giving a description and the location of land on which permission is granted.

We believe each farmer, whether landowner or tenant, who requests a big game permit for hunting on his own land or that on which he is tenant or operator, should be guaranteed the permit and it should be granted at no cost.

Owners of Kansas land who live in another state should be able to receive a permit to hunt all big game on their Kansas land. Non-Kansas residents should not be prohibited from applying for a big game permit on consecutive years.

HOUSE BILL #2307

The Kansas Bowhunters Association (KBA) opposes House Bill #2307. Our organization feels this bill will adversely affect our availability to hunt property currently unleased.

Due to the "Alternate " nature of the current Non-Resident application process, leasing is a minor problem. However, many guides (Non-Resident and Resident) would like the chance to lease areas in Kansas if they could guarantee a continuous clientele to warrant the cost of such a lease. This bill (2307) makes this client base an attainable goal. Many hunting clubs have started doing this already, one of which we know is based in Missouri. It would only be a matter of time until Resident hunters will have to ban together to salvage some areas for their own outings.

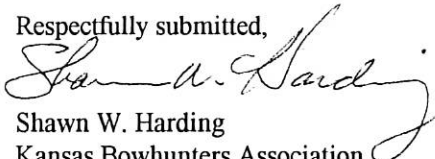
The current regulations eliminate the availability of a obtaining or applying for a permit the year following the issuance of a permit to an individual. By doing this, it makes Non-Resident Permits available to a larger cross section of individuals. It also discourages the expense of leasing large tracts of land needed to guide several hunters on at any given time. The KBA feels the system in place is our best choice to allow all persons hunting opportunities, not just the people who can afford to pay for leases and guides.

Amended to this bill (line 42) is the additional word collateral. This term means, "descended from the same ancestors but not the same line.", as defined in Webster's New Ideal Dictionary . The KBA doesn't have a problem with transfers to siblings and spouses. This amendment however, allows for very loose interpretation of "immediate family". Our KDWP does not need to check a genealogical data base on all landowning families in Kansas to impede their true purpose. This needs to be amended to limit the transfer to true family members with ties to the property.

Most of the deer permit related issues the KBA have spoken in opposition of, have a distinct appeal to guided Non-Resident hunting in the State of Kansas. This doesn't address deer populations because the Non-Resident hunters are not here to shoot doe deer, they come to take the bucks that Kansas is famous for. Their (Non-Resident hunters) numbers are based on a percentage of left over tags with-in a management unit so they don't add anything to the figures KDWP set for those specific units. Weak arguments on helping control deer populations, or helping the farmers are a ploy for guide services to get a stronger hold in the State of Kansas. Since the KDWP doesn't have different cost or procedures for licensing Non-Resident guide services, we could see large western outfitting organizations looking into our States private properties for leasing rights. With established client bases and stronger finances they will soon displace most of this States small guide services just like they could displace the small budgeted hunters. That money won't necessarily go back to Kansas like we've been told, it will go to corporations set up for tax and liability purposes in whatever State suits their needs best.

Please don't vote on this bill thinking you're helping control our growing deer population, if anything this amended bill could hurt our declining mule deer population in the western part of our State. The management of specific units could be jeopardized by the vague wording to define "immediate family", and using the 1 per 80 tag formula will complicate our conservation officers efforts to control misuse of our States resources. This bill does nothing for Resident hunters or controlling a deer herd it is a bill that could do more damage than good.

Respectfully submitted,



Shawn W. Harding  
Kansas Bowhunters Association  
Legislative Committee Chairperson

Sen Energy + Nat Res  
3-19-97  
attachment 8