

Approved: 3-13-98
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson David Corbin at 8:13 a.m. on March 11, 1998 in Room 254-E of the Capitol.

All members were present except:

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

Conferees appearing before the committee:
Steve Williams, Secretary, Kansas Wildlife and Parks
Mike Beam, Kansas Livestock Association
John Doty, Kansas Outfitters
Jean Barbee, Travel Industry Association of Kansas
Bill Fuller, Kansas Farm Bureau Association

Others attending: See attached list

A motion was made by Senator Tyson with a second from Senator Biggs to approve the minutes of March 6, 1998. The motion carried.

HB 2868 - Nonresident deer permits and tags; removal of certain restrictions.

Chairperson Corbin called on Secretary Williams.

Steve Williams, Secretary, Kansas Wildlife and Parks supported the bill as it would provide increased opportunity and flexibility in the issuance of nonresident deer permits. The primary effects would give the department the authority to issue 5% more nonresident firearm permits in any given unit. It would increase the number of archery deer permits, and the bill would allow game tags for antlerless deer on a unlimited basis for the 12A Subunit in southeastern Kansas (Attachment 1).

Mike Beam, Kansas Livestock Association, said they had work with several groups to develop a bill that would stimulate additional nonresident deer hunting permits. He thought this bill would accomplish that by altering the statutory restrictions for nonresident permits (Attachment 2).

John D. Doty, Vice President, Kansas Outfitter's Association, told the committee the bill represented considerable time and effort by various groups. They supported the bill in it's present form. He thought it would have an economic impact on two of the poorest counties in the State, Chautauqua and Elk County (Attachment 3).

Jean Barbee said they were pleased to be a part of the coalition that worked on the concept to increase the number of state hunting permits. She said according to an economic impact study by the Southwick Associates of Alexandria, Va. deer hunting in Kansas was an opportunity to import more out-of-state dollars through hunting revenues (Attachment 4).

Bill Fuller, Kansas Farm Bureau, supported the bill as passage of it would result in the harvest of more Kansas deer. They did not expect **HB 2868** to have a detrimental impact on Kansas deer hunters nor on the ability of the Kansas Department of Wildlife and Parks to manage the deer herd (Attachment 5).

There were no opponents. The hearing was closed on **HB 2868**.

Chairperson Corbin opened the discussion on the bill. A motion was made by Senator Biggs that **HB 2868** be passed. Senator Morris seconded the motion. The motion carried.

The next meeting is scheduled for March 12, 1998. The meeting adjourned at 8:55 a.m.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

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House Bill No. 2868

Testimony

Presented to: Senate Committee on Energy and Natural Resources
Provided by: Kansas Department of Wildlife and Parks
Date: March 11, 1998

HB 2868 would amend current statute to provide increased opportunity and flexibility in the issuance of nonresident deer permits. The department is not opposed to these changes, and does not believe that they will negatively affect resident hunting opportunity in Kansas. The proposed amendments would have three primary effects:

1. The department would be given authority to issue nonresident firearm deer permits, the total for each type of permit not to exceed 5% of the number of that type of permit available to residents in that hunting unit. Currently, the department may issue nonresident permits only if leftover resident permits of that type and in that unit existed in the previous hunting season. The amendments would eliminate this restriction, allowing the department to issue from 0% to 5% in any given unit, at its discretion.
2. The department also would be given authority to issue nonresident archery deer permits without the restriction concerning the previous season's resident firearm leftovers (but with the same 5% restriction). Consequently, the department would be able to issue statewide archery permits to nonresidents. Because resident statewide archery permits are available on an unlimited basis, the number of nonresident permits could be up to 5% of the total statewide archery permits purchased by residents in the previous hunting season.
3. Currently, the department issues game tags, valid only for antlerless deer, on an unlimited basis for the 12A Subunit in southeastern Kansas. The bill would allow these game tags, or similar game tags if other subunits are designated, to be purchased over-the-counter by nonresidents.

HB 2868 should not negatively affect resident deer hunters or the number of deer permits they may receive; the bill's language preserves the department's authority and ability to protect resident hunting opportunity. However, HB 2868 would also provide the department flexibility to enhance nonresident hunting opportunity where and when appropriate, including the possible increase of desired nonresident buck-type permits in some units. Consequently, the department feels the bill will allow us to strike a reasonable point of balance among potentially affected interests, including resident deer hunters, agricultural producers, Kansas guides and outfitters, and others interested in promoting nonresident hunting in Kansas.

Senate Energy & Natural Resources

Attachment: 1

Date: 3-11-98 VI



Since 1894

March 11, 1998

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

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

Re: KLA Support for House Bill 2868

Thank you Chairman Corbin for scheduling a hearing on HB 2868. This is a bill the House Environment Committee introduced a few weeks ago in response to a request from several groups you will hear from this morning. These organizations, including the Kansas Livestock Association (KLA), have met on several occasions since last fall trying to develop a bill that would stimulate additional nonresident deer hunting permits. This bill accomplishes that mission by altering the statutory restrictions for nonresident permits. Furthermore, the bill increases the Kansas Department of Wildlife and Parks (KDWP) flexibility in issuing permits. This flexibility should enhance the availability of nonresident permits in management units with large deer numbers and offer protection to resident deer hunters who apply in management units with a more limited deer population.

The bill before you today includes the following provisions:

- Strikes existing law (page 4, lines 1-6) that has limited nonresident permits to management units where resident firearm permits were unused the previous year.
- Amends existing law (page 3, lines 26, 27, 29, 31, 32 and 34) to clarify KDWP may promulgate rules and regulations to prorate the nonresident firearm and archery permits by type (i.e. buck only, any deer, or antlerless only).
- New authority to restrict nonresident archery permits by species of deer (page 3, lines 36-38).
- New authority to issue "game tags" to residents (page 4, lines 6-9)

Senate Energy & Natural Resources

Attachment: 2

Date: 3-11-98

Farmers and ranchers are more than food producers. They are actually resource managers who manage land, water, and sunshine to produce forages, crops, and livestock. An additional resource of farming and ranching is wildlife. While these stewards of the land have produced raw food material for people all over the world, they have also provided habitat for wildlife.

As total resource managers, farmers and ranchers are looking to capitalize on nontraditional economic opportunities that exist on their farms and ranches. One method is to diversify their farm and ranch income with outdoor recreation ventures such as fee or lease hunting.

Fee hunting offers many opportunities for Kansas landowners. Many farmers and ranchers are realizing a financial gain from upland, waterfowl, and turkey hunting leases. A few are able to lease land or provide guide service for deer hunters. **The existing law, however, inhibits and limits our members' ability to market fee or lease hunting of deer, especially since the largest and most lucrative market is for out-of-state hunters.**

Last year, KDWP issued 96,000 deer hunting permits. Only 1,000 of these permits were obtained by nonresidents. This legislation is needed to unlock the over protective law that shuts out thousands of nonresident hunters and denies Kansas the economic benefit nonresident hunters would provide to rural communities. In addition, additional nonresident permits create a positive fiscal note to KDWP.

This bill is not the first attempt by KLA to seek changes in the deer permitting system. We proposed an amendment last year, which this committee approved, that would have authorized landowners to sell special "hunt-on-your-own-land" permits. This would have allowed farmers and ranchers to obtain an "any deer" permit and sell it to others for financial gain. Although this legislation would have allowed our members to more easily market fee hunting ventures, the proposal was strongly opposed by sportsmen and sportswomen who were fearful of a large loss in the availability of general resident permits. Furthermore, this plan would have undermined KDWP's ability to manage the deer herd.

This bill, HB 2868, has broader support and acceptance than the concept we pushed for in 1997. We believe it is a work of compromise between groups wishing to increase nonresident deer hunting and the state agency charged with managing the deer herd and providing deer hunting opportunities for Kansas residents.

KLA supports HB 2868 and encourages this committee to refer the legislation favorably. Thank you.

Kansas Outfitters Association
P.O. Box 37
Sedan, KS 67361
316-673-9791

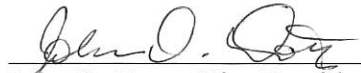
TO THE SUB-COMMITTEE ~~THE~~ ENERGY AND NATURAL RESOURCES COMMITTEE

re: Senate Hearing on Housebill 2868

On behalf of the Kansas Outfitters Association, we would like to see the present Housebill 2868 go through without change.

1. Considerable time and effort by representatives of KLA , Kansas Farm Bureau Kansas Outfitter's and most importantly, the Wildlife and Parks, Secretary has gone into the writing of this bill.
2. The economic impact to the two poorest counties in the State, Chautauqua and Elk County should also be a consideration in the passing of this bill.

*Travel Industry
association of
Kansas*


John D. Doty, Vice President
Kansas Outfitter's Assoc.

Senate Energy & Natural Resources

Attachment: 3

Date: 3-11-98 3/1



Travel
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EXECUTIVE DIRECTOR
Jean Barbee

STATEMENT

DATE: February 18, 1998
TO: Senate Committee on Energy & Natural Resources
FROM: Jean Barbee
Executive Director
RE: Non-resident deer permits (HB-2868)

Mr. Chairman and members of the committee, I am Jean Barbee, representing the Travel Industry Association of Kansas (TIAK).

TIAK supports HB-2868. We were pleased to be a part of the coalition of Kansas Livestock Association, Farm Bureau and Kansas Guides and Outfitters who worked with Secretary Williams to come up with this concept to increase the number out of state hunting permits.

According to an economic impact study of hunting by *Southwick Associates of Alexandria, Virginia, deer hunting in Kansas provided 2,867 jobs, and generated \$139,093,751 in retail sales; \$6,578,953 in sales tax; and, \$1,186,593 in state income tax in 1996. The study did not break down out-of-state income versus in-state income, but we have always supported increasing the opportunity to import more out-of-state dollars through hunting revenue. We believe HB-2868 will give us an opportunity to do this.

* Southwick Associates, Fish & Wildlife Economics & Business Consulting,
P. O. Box 1706, Alexandria, VA 22313

Senate Energy & Natural Resources

Attachment: 4

Date: 3-11-98 4-1



PUBLIC POLICY STATEMENT

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

**RE: HB 2868 – Authorizes increases in non-resident deer permits and
game tags.**

**March 11, 1998
Topeka, Kansas**

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

Senator Corbin and members of the Senate Committee on Energy and Natural Resource, my name is Bill Fuller. I am the Associate Director of the Public Affairs Division for Kansas Farm Bureau.

HB 2868 allows the Secretary of the Kansas Department of Wildlife and Parks to issue up to 5 percent of the resident firearm permits to non-residents in the various management units. Additionally, the bill covers game tags. If unlimited game tags are offered in a management unit, KDWP may issue an unlimited number of deer tags for that unit to non-residents.

We appreciate this opportunity for Kansas Farm Bureau to express support for HB 2868. We believe passage of this bill will result in the harvest of more Kansas deer. Additionally, the proposal will bring more out-of-state dollars to Kansas. These non-residents will eat in restaurants, stay in motels, buy gasoline and make purchases in sporting goods stores.

Senate Energy & Natural Resources

Attachment: 5

Date: 3-11-98 5-1

We do not expect HB 2868 to have a detrimental impact on Kansas deer hunters, nor on the ability of the KDWP to manage the deer herd.

Kansas has an exploding deer population. While no official statistics are kept in Kansas, estimates of crop damage could be as much as \$16 million dollars and vehicle damage may be near \$30 million each year. This damage caused by deer in Kansas is unacceptable!

We certainly acknowledge the positive impact of HB 2303 approved by the 1997 Legislature that expanded hunt-on-your-own-land permits. The order by Secretary of KDWP last spring to increase deer hunting permits for 1997 by 10,494 over 1996 was another appropriate action. We appreciate these positive actions by both the Legislature and the KDWP.

Recognizing that a significant reduction in the deer herd will take some time, we suggest even more must be done this year. HB 2868 is another step in the right direction.

The 435 Voting Delegates representing the 105 county Farm Bureau at the 79th Annual Meeting of Kansas Farm Bureau developed and adopted policy that includes this statement: *"In management districts where permits are available and not requested by Kansas residents, those permits should be made available to non-residents."* (See attachment for complete "Hunting and Fishing Regulations" resolution.)

We appreciate this opportunity to outline KFB Policy on this important issue. We respectfully encourage the Committee to approve and advance HB 2868 to the full Senate. We welcome any questions you may have. Thank You!

Kansas Farm Bureau Resolutions 1998

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. Any person receiving a deer permit in Kansas may harvest an additional deer (antlerless) in management districts identified by the Secretary of Kansas Wildlife and Parks where excessive deer damage occurs. In management districts where permits are available and not requested by Kansas residents, those permits should be made available to non-residents.