

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on February 22, 2000 in Room 231-N of the Capitol.

All members were present except:

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Secretary Steve Williams, Department of Wildlife & Parks, 900 SW Jackson Suite 502, Topeka, KS 66612-1233
Clint Riley, Attorney, KS Department Wildlife & Parks, 900 SW Jackson, Suite 502, Topeka, KS 66612-1233
Representative Shari Weber, District 68
Shawn Harding, KS Bowhunters Association, 2237 SE Shawnee Drive, Tecumseh, KS 66542
Stacy Hoeme, P.O. Box 196, Scott City, KS 67871

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She opened public hearing on **HB2954**.

HB2954: An act concerning taking of coyotes.

The Chairperson welcomed Rep. Shari Weber to the committee. She appeared in support of the bill at the request of a constituent, Lance Homman. This bill would allow the hunting of coyotes by any individual in possession of a current and valid fur harvesting license or hunting license. Under current statutes, coyotes may be hunted only with a hunting license, and trapped only with a fur harvesting license. The conflict this creates for the sportsman involves the requirement of possessing two separate licenses to pursue and take the same animal. Furthermore, predator calling enthusiasts must currently purchase and carry both a hunting and a fur harvesting license to participate in a form of hunting where there is an equal likelihood that bobcats, foxes, or any of a whole host of other legally harvestable furbearers or predators might respond in addition to coyotes. To require two separate licenses for the legal pursuit and harvest of a species (the coyote) that enjoys no protection whatsoever under present state law makes current statutory requirements a glaringly unique oddity. By enacting this bill, you will be reducing the overall number of licenses required to pursue coyotes while, at the same time, increasing opportunities to hunt. (See attachment 1)

Clint Riley, Attorney, Kansas Department of Wildlife and Parks, was welcomed to the committee. He appeared on behalf of the Department in support of the bill. This bill would allow coyotes to be hunted by anyone having either a furharvesting license or a hunting license. The bill amends the definition of "furharvesting" to include any legal means of taking a coyote, and adds clarifying language to the statutes requiring hunting licenses and furharvesting licenses. The Department does not believe this change will affect a great number of people, since only those who hunt coyotes, trap furbearers, and hunt nothing else would be affected. Nonetheless, the Department believes this bill is a sensible change that would address the concerns of these individuals. Therefore, the Department supports this bill and encourages its adoption. (See attachment 2) Questions and discussion followed.

The Chairperson closed the hearing on **HB2954**. She opened **HB2831** for discussion and possible action.

HB2831: An act concerning solid waste; relating to fees and charges for the collection and disposal thereof.

Rep. Tom Sloan made a motion to adopt the amendments recommended by Marion County Commissioner

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 22, 2000.

at the hearing of the bill on 2-17-00. Rep. Gerry Ray seconded the motion. Motion carried.

Rep. Laura McClure made a conceptual motion to adopt amendment "person receiving bill to be responsible for bill". Rep. Douglas Johnston seconded the motion. Motion carried.

Rep. Gerry Ray made a motion the bill be passed favorably as amended . Rep. Tom Sloan seconded the motion. Motion carried. Rep. Becky Hutchins voted no.

The Chairperson opened **HB2954** for discussion and possible action.

HB2954: An act concerning taking of coyotes.

Rep. Ted Powers made a motion to table the bill. Motion failed.

Rep. Sharon Schwartz made a motion the bill be passed favorably. Rep. Ray Merrick seconded the motion. Motion carried.

Chairperson Freeborn opened hearings for **opponents only** on **HB2813; HB2816; HB2819; HB2863; HB2937; HB2974; and HB2977**

HB2813: An act concerning deer; relating to permits to take; providing for certain tax credits; providing for certain payments to processors of deer meat and entities operating solid waste management disposal areas.

HB2816: An act concerning big game permits; relating to deer.

HB2819: An act concerning deer; relating to the taking thereof.

HB2863: An act concerning big game; relating to deer permits.

HB2937: An act relating to big game animals; providing for reimbursement for big game damage under certain circumstances.

HB2974: An act concerning wildlife; relating to big game permits; purchase, sale and transfer thereof; report of property damage.

HB2977: An act concerning wildlife; relating to big game permits.

The Chairperson appointed a Sub-Committee to work with deer issues. Members appointed were, Rep. Gerry Ray, Chairperson; Rep. Clay Aurand; Rep. Bill Light; Rep. Laura McClure; and Rep. Tim Tedder.

The Chairperson welcomed Steve Williams, Secretary, Kansas Department Wildlife and Parks, to the committee. Secretary Williams addressed the committee in opposition to the above seven bills. He believes these bills address a variety of issues associated with deer management in the State of Kansas. The Department opposes these bills due to serious concerns and reservations about certain provisions of these bills and their effects. The Department shares serious concerns about deer population levels throughout the state. His testimony identifies specific concerns about individual bills. He suggests a substitute bill that would incorporate portions of individual House and Senate bills and additional actions to be taken by the Department and the Kansas Wildlife and Parks Commission. He hopes that the committee will agree that their suggestions provide a more comprehensive and effective approach than each bill considered individually. (See attachment 3) Included with testimony is a copy of "2000 Deer Management Initiatives", the management objective is to reduce white-tailed deer numbers statewide by increasing the antlerless deer harvest. Also a copy of "Deer Management Initiatives Since 1995".

Secretary Williams introduced Will Carpenter, Commissioner, Kansas Department of Wildlife and Parks, in

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 22, 2000.

attendance.

Shawn Harding, Kansas Bowhunters Association (KBA), was welcomed to the committee. He appeared in opposition to the seven bills. The Bowhunters Association recognizes the deer problem that has angered certain regions of the state. The Association has worked to be a part of an answer to the problem by enrolling the majority of their members in the hunter referral program. Unfortunately they only had 37 Landowners for placement of hunters. They have aggressively pushed for the membership to improve landowner relations and harvest more antlerless deer. **HB2813** has its heart in the right place by addressing the antlerless harvest. However with only one Conservation Officer per three counties this becomes a logistics nightmare. The coupon idea of **HB2816** is interesting but the ways it can be abused are numerous. In **HB2819**, what percentage of a rural county's accidents are deer related and what percentage of a county with a large metro area's accidents are deer related? If the number of accidents in the county with a metro area are twice as high as a rural county but it's half the percentage of the rural county, is this a fair tool? In **HB2863**, the state is selling a lot of "game permits" for \$10.50. The state is selling more tags than ever. Until this trend slows down there doesn't seem to be a need to cut the price down to \$2.00. **HB2937** could promote the increase in our states deer herd by simply paying for damages instead of promoting access to private land and actually reducing the deer herd. This bill eliminates the motivation to allow access and kill deer. **HB2974** creates the possibility of a leasing problem that actually could cause deer increases. In **HB2977** the KBA feels that this increased number of permits could be better utilized if you raised the non-resident archery percentage on "either or" permits to a 10% cap from the current 5% cap and remove the cap on archery non-resident antlerless permits. (See attachment 4)

Stacy Hoeme, Scott City, Kansas, was welcomed to the committee. He appeared in opposition to the seven bills. He is manager of his family's feed yard, HCR Feed Yard, of Scott City. They lease and own three different ranches, which includes about 23,000 acres. He also manages a farm of 4800 acres. Being both landowner and tenant, has some concerns about the bills before the committee today. He believes **HB2813** does not specify between mule deer and whitetail. It would totally wipe out the mule deer population in western Kansas. In **HB2816**, he feels this would be a hassle to get the coupon from hunters and to get the cash back from the state. He believes the problem addressed in **HB2819** has been taken care of with the regular hunting season, especially this year. **HB2863** concerning purchase of doe permit for \$2 when purchasing hunting licence, he feels people will pay \$2 or \$10, if they want to hunt. He sees problems in certain areas with **HB2937**. Who would adjust claims, how would you go about it, and how much hunting would be allowed. **HB2974** and **HB2977**, he feels these bills would shut off private property to state residents and create more deer population problems than there are now. KDW&P have increased resident and non-resident deer tags every year and most people are getting the tags they request. (See attachment 5) Questions and discussion followed.

Written only in opposition to the bills heard today was submitted by Troy B. Mattheyer, Ellis, Kansas. He is a Kansas hunter education instructor and a National Bowhunter Education instructor and believes many of these proposed laws undermine the basic things taught to young people about hunter ethics, following game laws, safe ways to hunt, and the importance of managing our resources correctly. (See attachment 6)

The Chairperson closed the hearings on **HB2813; HB2816; HB2819; HB2863; HB2937; HB2974; and HB2977**. She asked the committee if anyone had corrections on committee minutes for January 25, 27, and February 1 and 3, which had been distributed for review. No one had corrections. The minutes were considered approved.

The meeting adjourned at 5:30 p.m. The next meeting will be announced.

HOUSE ENVIRONMENT COMMITTEE GUEST LIST

DATE: February 22, 2000

NAME	REPRESENTING
Brenden With	KFB
ORVILLE COLE	SIEN, Tyson
DICK CAULLEN, JR	TIAK
John Doty	Kansas Outfitters
Don Lindsey	UTU
Jack Bruner	Marion Co. Commission
Jim Kauf	Marion County
Bill Brady	KS Gov't Consulting
Manuel Minney	Student!
Michael Joseph Flores	STWHA
Jeffrey Sand	Student
Stacey Rangel	student!!
Ann Dukes	DOB
Will Caterpillar	KWP Commissioner
Kloyd B. Fox	KDWP
Ladene Cole	Sen. Support Office
NEVE WILLIAMS	KDWP
Shari Nebu	Rep - House
Clint Riley	KDWP

STATE OF KANSAS

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HOUSE OF REPRESENTATIVES
68TH DISTRICT
Assistant Majority Leader

TESTIMONY ON HB 2954
HOUSE ENVIRONMENT COMMITTEE
February 22, 2000

Thank you, Madame Chairman and members of the committee, for the opportunity to appear before you today in support of HB 2954. I bring this to you at the request of a constituent. This bill would allow the hunting of coyotes by any individual in possession of a current and valid fur harvesting license **OR** hunting license.

Thank you for your favorable consideration. I appreciate your time.

Sincerely,


Shari Weber

House Environment
2-22-00
Attachment 1

14 February 2000

Greetings. My name is Lance Homman. As a third generation coyote hunter and native of the state of Kansas, I have been a lifelong outdoorsman. I have trapped, hunted and called coyotes across the state of Kansas for nearly thirty years and it is in that capacity that I testify today on behalf of House Bill Number 2954, An Act Concerning the Taking of Coyotes.

By its most modest interpretation, this bill would allow the hunting of coyotes by any individual in possession of a current and valid fur harvesting license **OR** hunting license. Under current statutes, coyotes may be hunted only with a hunting license, and trapped only with a fur harvesting license. The conflict this creates for the sportsman involves the requirement of possessing two separate licenses to pursue and take the same animal. Furthermore, predator calling enthusiasts must currently purchase and carry both a hunting and a fur harvesting license to participate in a form of hunting where there is an equal likelihood that bobcats, foxes, or any of a whole host of other legally harvestable furbearers or predators might respond in addition to coyotes.

There are several reasons that this bill should be supported.

First, we are currently in the midst of what has been recognized as a historical low point for the international fur trade industry. Because of economic instability in major fur buying countries such as China and the former Soviet Union, fur prices are presently at the lowest they have ever been. In response to this, trapping activity has decreased dramatically with fur harvesting enthusiasts resorting to less labor intensive means. Predator calling - a form of hunting where the hunter calls a predator (i.e., coyote, bobcat, fox) within shooting range by mimicking the sounds of a prey animal in distress - has shown increasing favor among Kansas sportsmen as they seek out the challenge and excitement of hunting nature's most elusive prey - the predator. Passage of HB 2954 would further increase accessibility to hunting coyotes by allowing their harvest under either a hunting **or** furharvesting license.

Second, with trapping activity at an all time low, managing and controlling predators becomes increasingly more difficult. At times like these, we note increases in depredation losses due to increasing numbers of coyotes. Livestock producers across the state can relate stories of coyotes circling and stalking cows as they attempt to calf, or lamb losses resulting in hundreds of thousands of dollars in preventable costs. By increasing access to harvesting coyotes by either a hunting **or** fur harvesting license, we can encourage hunters and trappers alike to take an active role in the proactive management of coyotes.

Third, the state of Kansas can be proud of its longstanding history of being sportsman friendly, especially with respect to the means by which it licenses its hunters and fur harvesters. In many other states, constituents are required to buy separate licenses to hunt small game animals, upland game birds, and so forth. In Kansas, the hunter needs only to buy one license. In doing so, he has provided himself with the legal right to pursue and take any legal game, whether it be a squirrel, a rabbit, a pheasant or a quail.

To require two separate licenses for the legal pursuit and harvest of a species (the coyote) that enjoys no protection whatsoever under present state law makes current statutory requirements a glaringly unique oddity. By enacting HB 2954, you will be reducing the overall number of licenses required to pursue coyotes while, at the same time, increasing opportunities to hunt.

Why is this important? Of what significance is the coyote in Kansas and why should we be concerned?

Coyotes are regarded as one of the most adaptive and opportunistic predators in North America today. Despite repeated attempts to extirpate this species, it has responded by increasing its presence in terms of both overall numbers and range. Today, coyotes are common across the continental United States, having extended their range throughout New England and along the East Coast. Historically, Kansas has boasted one of the highest populations of coyotes in the country. Consider this fact with our agricultural and livestock industries, and the potential for a volatile situation exists.

Conflict between humans and coyotes is well documented. Whether the issue is the slaughter of lambs, newborn calves being attacked and killed, pets being eaten, or increased nesting losses of ground nesting gamebirds, coyotes are and can often be a serious depredation problem if the problem itself is not addressed through reducing their numbers.

Unlike deer, pheasants, or other conventional game species, coyotes do not have the primary attraction of being a potential source of food. They are a carnivore and a scavenger which efficiently responds to the absence of hunting pressure by increasing their numbers at an alarming rate. Through the combined benefits of hunting, predator calling and trapping, coyote numbers can be controlled and managed at a level which minimizes their negative influence on other human interests. In order to achieve these benefits, efforts must be taken to encourage sportsmen and -women to pursue and harvest this challenging and wily predator.

There is no foreseeable downside to passage of HB 2954. Passage of this bill in its present form increases the opportunities to hunt coyotes under either license, while at the same time avoiding the creation of further restrictions on coyote hunting. For the Kansas sportman or woman who limits their outdoor activities to coyote hunting, trapping, running hounds, and predator calling, passage of this bill will reduce their licensing requirements as well as the costs incurred for purchasing those licenses by one-half. Having done this, passage of HB 2954 will be a positive step toward increasing accessibility to coyote hunting, consistent with Kansas' other sportsman-friendly licensing programs.

I request and encourage you to support passage of House Bill 2954, and to provide for coyotes to be taken under either a hunting ~~or~~ fur harvesting license.

Thank you for your time and consideration.

Respectfully submitted,



Lance Homman



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

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HOUSE BILL NO. 2954

**Testimony Provided to
House Committee on Environment
February 22, 2000**

House Bill No. 2954 would allow coyotes to be hunted by anyone having either a furharvesting license or a hunting license. The bill amends the definition of "furharvesting" to include any legal means of taking a coyote, and adds clarifying language to the statutes requiring hunting licenses and furharvesting licenses.

Under current law, trapping a coyote is defined as "furharvesting," while taking a coyote using firearms or other legal methods is defined as "hunting." These definitions were created in response to hunters who wish to shoot coyotes, but do not wish to buy a furharvester license, as well as furharvesters who wish to trap coyotes, but do not wish to buy a hunting license.

The current definition of "furharvesting," however, includes taking furbearing animals by trapping or hunting methods. Therefore, if an individual is using hunting methods to take bobcats or other furbearers, but wishes also to shoot a coyote, the individual would need both a furharvester license (to shoot the bobcats) and a hunting license (to shoot the coyotes). A few individuals have expressed frustration with this result, because they have no interest in hunting deer, pheasant, or any other non-furbearing animal, and do not wish to buy a hunting license.

The department does not believe this change will affect a great number of people, since only those who hunt coyotes, trap furbearers, and hunt nothing else would be affected. Nonetheless, the department believes HB 2954 is a sensible change that would address the concerns of these individuals. Therefore, the department supports this bill and encourages its adoption.

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*House Environment
2-22-00
Attachment 2*

House Committee on Environment
February 22, 2000

Testimony on House Bills No. 2813, 2816, 2819, 2863, 2937, 2974, 2977
Steve Williams, Secretary
Department of Wildlife and Parks

Thank you for the opportunity to testify on the seven House Bills being considered by this committee today. These bills address a variety of issues associated with deer management in the State of Kansas. As you are aware, the department opposes these bills due to serious concerns and reservations about certain provisions of these bills and their effects. As you are also aware, we share your serious concerns about deer population levels throughout the state. This testimony will identify specific concerns about individual bills. I will conclude my testimony by suggesting a substitute bill that would incorporate portions of individual House and Senate bills and additional actions to be taken by the department and the Kansas Wildlife and Parks Commission. I hope that you will agree that our suggestions provide a more comprehensive and effective approach than each bill considered individually.

Our brief comments follow:

HB 2813

This bill requires a hunter to kill two antlerless (doe) deer in each season before he/she would be eligible for an antlered (buck) permit. It requires an assessment of property damage, presumably crop and vehicle damage. It also provides certain tax credits for meat donated to a charitable organization.

The provisions of this bill would be virtually unenforceable given the current financial and staffing limitations facing the department. The bill would dictate that the hunting community change longstanding traditions, with no enforcement underpinnings to assure that this change would be forced to materialize. Past department efforts (increased doe permits, increased doe seasons, public information campaigns, and increased regulatory flexibility) have already accomplished

*House Environment
2-22-00
Attachment 3*

much of the intent of this bill. The department has already accomplished an increased doe harvest without alienating most of our hunters and will introduce more restrictive buck harvests through regulatory action. HB 2813 would, without a doubt, alienate most Kansas deer hunters, the very people that kill deer to reduce statewide deer numbers. Property damage assessment is expensive and difficult, I will address this issue in later testimony. The tax credit provisions of this bill should be addressed by the Department of Revenue.

HB 2816

This bill provides redeemable coupons for each deer killed in the state. A hunter would receive a coupon with each deer permit. This coupon could be signed by any landowner. Upon receipt of this coupon and an undefined legal affidavit, the department would be required to mail \$10 to the submitting landowner.

The coupon redemption system suggested is fraught with problems. It would require an administrative, auditing, and enforcement system that currently does not exist within the department. In spite of our best efforts, the system would be open to widespread abuse by unscrupulous hunters and/or landowners. Based on 1999 estimates, the department would be liable for payments of more than \$360,000 (based on the 1999 estimated deer harvest). Landowners concerned about deer populations on their property already have measures at their disposal to deal with these problems. Landowners receiving financial payments for deer killed on their property have no incentive and may actually have a disincentive to reduce total deer numbers.

HB 2819

HB 2819 allows the board of county commissioners to direct the department to set a deer season of not less than 7 days for killing deer, if deer-vehicle accidents reach a preset level. The bill does not address a vehicle-accident certification, oversight, or appeal procedure at the county level. It removes state authority for deer management based on an arbitrarily set condition. The season

would not require any reporting or analysis requirements, would be in addition to our already recommended 14-day antlerless-only season, and would be questionably effective at targeting specific areas of increased accidents.

Currently, the department has established a longer antlerless-only season for the entire state than is prescribed in this bill. Because of the timing of that season and the recording of deer-vehicle accidents, we have not yet seen the results of our previous action. Only 44 have days elapsed since the end of the last deer season, none of us can gauge the results of that action at this time. Meanwhile some landowners may be legally killing deer as I speak. Last year, Kansas held a 10-day, antlerless-only season (12/31/99-1/9/00). We plan a 14-day season in 2001. This bill proposes an additional 7-day (minimum) season in 2001 well in advance of our assessment of the results of the season held in 1999-2000 (not to mention the previous season).

HB 2863

This bill allows anyone, resident or nonresident, purchasing a general hunting license to purchase a \$2 antlerless-only deer permit.

The department has increased the number of antlerless-only permits by 700% in the last five years. Hunters continue to buy available permits at current prices. It is clear to the department that permit fees are not a limiting factor in the purchase of these permits. Hunters are willing to pay current prices and continue to kill does (the antlerless harvest is 4.5 times that of the harvest in 1994). These facts coupled with other department measures, lead us to the conclusion that hunter access to private property is becoming the key limiting factor to deer control, not permit availability or permit price. However, we continue to examine ways to simplify the process for obtaining antlerless-only permits. We suggest a measure in the initiatives that I will discuss later.

HB 2937

HB 2937 establishes a big game damage compensation system. This system is outlined in some

detail establishing payment and compensation for all landowners that demonstrate damage ranging from \$500-\$10,000 or above.

The bill describes an assessment, administrative, auditing, and enforcement capability that does not presently exist within the current staffing and budgetary constraints of the department. In a small department that has absorbed a 16% reduction in current SGF funding and a six-year FTE reduction of 27 positions, this bill and its inherent staffing and funding requirements are beyond practical capabilities.

Further, damage compensation does not solve crop damage. Rather, it guarantees a long-term expenditure of public dollars with no end or solution in sight. In fact, compensation may provide a disincentive for landowners to take action to kill deer. This may be acceptable for those receiving compensation payments, but what about neighbors or motorists traveling adjacent to affected properties? Under current law, landowners are provided significant rights to protect property. The department has expanded this ability using big game control permits, the hunter-landowner referral system, and the Walk-In-Hunting-Area program.

I have first-hand experience in deer damage assessment and compensation. I can tell you it is an inexact procedure and full of the potential for abuse. Please refer to my testimony on SB 597 (attached) for a more complete dissertation on the problems inherent with this idea. Please understand that, although I understand legislative desire to compensate private individuals for costs associated with perceived inadequate state and/or public oversight, this is a potentially dangerous public policy arena. Those affected make impassioned pleas, but they do not willingly implicate landlords, neighbors, or themselves in their claims for state relief. I ask you to consider this -- should the state be held liable for the actions of private individuals when these private actions conflict with the demonstrated intention and actions of the state?

HB 2974

This bill would allow certain residents to sell statutorily guaranteed deer permits to residents or

nonresidents at a price that the most wealthy could afford. Only those residents that own 80 acres or more would be eligible for this entitlement which would allow them to profit from a state issued permit.

Currently, resident and nonresident landowners (those owning or operating 80 acres or more for agricultural purposes) already receive statutorily-derived benefits. These landowners are not required to purchase a hunting license for hunting on their own land. They are guaranteed a reduced priced deer permit allowing them to take any deer species of either-sex. This benefit is afforded to all members of the extended family for each 80 acres owned. Unlike general residents, these permits can be used in any of the three seasons available. Other benefits are available to nonhunting landowners. We do not quarrel with existing entitlements but we do and will question proposed entitlements that run counter to the department's goal of reducing white-tailed, antlerless deer numbers and providing equal opportunity for all resident and nonresident hunters.

The bill's provision to provide applications through the department's Internet web site is consistent with our goal to improve customer service, therefore we concur. An additional provision to provide a toll-free telephone number for constituents to report deer damage is acceptable to the department, although we will suggest alternative language that will improve the legislative intent, as we understand it.

HB 2977

HB 2977 removes any permit authorization restrictions for nonresident archery deer hunters.

Although the intent of this bill, killing more deer is consistent with the department's objectives, we think it can be amended in a manner that will result in better resident hunter acceptance and more focused doe hunting. We suggest that nonresident, archery, antlered deer permit numbers be based on a percentage of resident, archery, antlered deer permit numbers (as we proposed in our attached testimony to SB 568). In regards to nonresident, antlerless deer permit numbers, the

department suggests removing the current cap. Concluding testimony will incorporate this suggestion into a substitute bill.

We appreciate the concern of the legislators that introduced bills on their own behalf and/or on behalf of their constituents. Deer populations are a problem in many areas of the state. I have provided a summary of the last five years of department response to this issue, as well as the "2000 Deer Management Initiatives" proposed for this year (attached). Please review these initiatives before you decide on the individual merits of each of these bills. I believe that our comprehensive approach includes the effective aspects of individual bills in a way that complements and expands our current management approach.

We ask that you consider a substitute bill for HB 2977 or the amended version of SB 568. These bills and associated administrative and regulatory action are identified in our handout entitled "2000 Deer Management Initiatives". These initiatives cover the issues associated with:

- reducing the number of antlerless (doe) deer through various statutory and regulatory means,
- increasing the number of nonresident hunters and therefore increasing the financial compensation of landowners while still encouraging deer reduction,
- publicizing effective department programs to reduce deer numbers on properties that are experiencing deer damage, and
- addressing deer-vehicle accidents in an effective and efficient manner.

I hope that you will view these suggested amendments and complimentary actions described in our "2000 Deer Management Initiatives" as a comprehensive package that takes a substantial step toward reducing deer numbers and the conflict associated with deer. I have testified earlier today to the Senate Committee on Energy and Natural Resources and hope for their concurrence. I encourage you to report the suggested Substitute for HB 2977, favorable for passage.

Thank you for your patience, interest, and opportunity to comment.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

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2000 DEER MANAGEMENT INITIATIVES

Management Objective: reduce white-tailed deer numbers statewide by increasing the antlerless deer harvest

Administrative:

- Continue to develop urban deer management plans.
- Conduct "Deer 2000" public workshops and internal/external workgroups across the state to inform residents of our deer management efforts and programs, receive input on simplifying the permit process, and to listen to concerns and ideas.
- Provide HOYOL applications over the Internet. (*HB 2977*)

Regulatory (Wildlife and Parks Commission):

- Establish a 14 day white-tailed deer, antlerless-only season (Jan. 1-14, 2001). All unfilled deer permits may be used during this season for antlerless deer only.
- Decrease the number of buck permits (either sex and any deer permits) issued by establishing a cut off date (first drawing) after which all deer permits issued will be antlerless -- 3 year pilot project.
- Provide increased white-tailed deer, antlerless-only permits on a daily competitive basis throughout all seasons.
- Permit the sale of big game tags to any licensed hunter for the antlerless-only season.
- Provide deer processing training and information to hunters.

Statutory:

- Increase nonresident firearm and archery, any deer/either-sex deer permits (used for antlered deer), allowing up to 10% of the resident permit numbers. (*SB 568, HB 2977*)
- Remove the cap on nonresident firearm and archery, antlerless deer permits. (*SB 568, HB 2977*)
- Require publication of the Hunter Referral Program in newspapers across the state prior to deer hunting seasons.
- Require publication of the Damage Control Permit Program in newspapers across the state on a quarterly basis.
- Provide a toll-free telephone number for the Hunter Referral Program and Damage Control Permit Program to assist landowners in reaching the department. (*HB 2977*)
- In conjunction with KDOT, develop a site-specific plan to address deer-vehicle accident concentration areas, for review by the 2001 legislature. (*HB 2819, 2873*)



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DEPARTMENT OF WILDLIFE & PARKS

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DEER MANAGEMENT INITIATIVES SINCE 1995

Management Goal: to manage deer populations at levels compatible with their habitat and acceptable to the public

- 1. Increased Permit Availability** - KDWP has nearly doubled the availability of resident deer permits in the past five years. Over-the-counter game tags (up to two tags per person, for antlerless deer only) are available in sixteen of the eighteen deer management units. Nonresident permit availability has been significantly expanded. Most important for deer population control, the vast majority of the increased permit numbers are targeted for does (antlerless-only permits have increased over 700% statewide in the last five years). We estimate a harvest of more than 108,000 deer during the 1999-2000 seasons.
- 2. Extended Season** - Last year's two-day extended season has been lengthened to 10 days (Dec. 31, 1999-Jan. 9, 2000). During this extended season, all unfilled permits revert to antlerless-only status. Again, the focus is on reducing female deer numbers.
- 3. Increased Hunting Access** - Through the Walk-In Hunting Area (WIHA) program over 635,000 acres of private land are available to the hunting public. Most of these leases are open to firearms deer hunting.
- 4. Options For Landowners** - Landowners, tenants, and managers are guaranteed a "Hunt-Own-Land" permit at one-third the cost of a regular permit. Family members living with the landowner, tenant, or manager may also obtain a "Hunt-Own-Land" permit, or the permits may be transferred to another relative that wishes to hunt.
- 5. Deer Control Permits** - Where crop damage is a problem, landowners can also apply for deer damage control permits. These permits allow the landowner to harvest a prescribed number of deer on his or her property outside of the normal season dates, free of charge (with the emphasis on doe harvest).
- 6. Landowner-Hunter Referral Service** - KDWP encourages landowners to allow hunters to harvest deer on their property. In an effort to put hunters in touch with landowners who wish to increase harvest on their property, the department has implemented a landowner referral system. Under this system, a landowner may obtain from the department a list of hunters who have registered an interest in harvesting does in the area.
- 7. Increased Regulatory Flexibility** - KDWP has removed regulatory restrictions to provide increased hunting opportunity for archers, firearms hunters, and muzzleloaders. Among other changes, leftover permits may now be used in any season; residents may obtain up to six deer permits (of which at least three would be for antlerless deer); and bowhunters have additional flexibility regarding approved equipment.

KANSAS BOWHUNTERS ASSOCIATION

To: House Committee on Agriculture

RE: House Bills 2813, 2816, 2819, 2863, 2937, 2974, 2977,

The **Kansas Bowhunters Association** recognizes the deer problem that has angered certain regions of our State. Our association has worked to be a part of an answer to the problem by enrolling the majority of our members in the hunter referral program. Unfortunately we only had 37 Landowners for placement of hunters. We have aggressively pushed for the membership to improve landowner relations and harvest more antlerless deer. We feel these efforts have made a difference and while we haven't always agreed with the KDWP we feel they are the vehicle to improve these problem areas. The **KBA** membership has put our trust in the KDWP biologists and proposed alternatives to achieve similar reduction results. Legislation is usually "broad brushed" in nature and these bills would adversely affect areas in our State that currently don't share the population problems of the Southeast and North Central regions.

Please review the following concerns and the reasoning behind them for each of the proposed bills:

HB-2813 This bill has its heart in the right place by addressing the antlerless harvest. However with only one Conservation Officer per three counties this becomes a logistics nightmare. The State doesn't have check stations or the manpower to run them. This bill would certainly test the effectiveness of HB-2976 for the poaching of trophy deer. The **KBA** feels this legislation will be abused. Based on the number of conservation officers in the State it will be easily done. As far as paying for disposal of carcasses the **KBA** asks that the department clarify the law of "Wanton Waste" we feel that the use of depredation permits are the only way a deer can be legally shot and dumped without it being utilized. If that is the practice of known hunters then they should be turned in for their illegal actions. The **KBA** promotes the ethic of using what you kill. We are sure that there are groups out there that could utilize the meat that this bill proposes to dump. Trust the hunters to work at reducing the antlerless deer herd. The increase from 35% to over 65% harvested shows you that we are serious about this. Trust the KDWP to

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also work on this problem. They don't enjoy this process anymore than the landowners and hunters do.

HB-2816 The coupon idea is interesting but the ways it can be abused are numerous. :

- Any deer taken on State or Federal property has the potential for being transferred to a landowner of choice.
- The swapping of tags for the affidavit.
- Lease the land and charge the hunters as well as cash in the coupons

The **KBA** feels there is better ways that the Landowner can make some cash from the deer herd. Put fallow, harvested or CRP land into the WIHA program. It will increase deer harvest on private land and it pays the Landowner for doing it.

HB-2819 What percentage of a rural county's accidents are deer related and what percentage of a county with a large metro area's accidents are deer related. If the number of accidents in the county with a metro area are twice as high as a rural county but it's half the percentage of the rural county, is this a fair tool. If a county records 16 accident and four were due to deer/vehicle collisions is that a proper way to measure the deer problem. We don't think so. This bill could harm some deer populations where it is least needed and since this doesn't address species of deer it could open the season on mule deer which can't take the pressure. The KDWP are looking at ways to increase Landowner awareness of the depredation permits. They are also working on "hot spot" control programs that would utilize modifications to habitat near roadways and suggest agricultural practices that might improve visibility and limit crossing patterns.

HB-2863 The State is selling a lot of "game permits" for \$10.50. The State is selling more tags than ever. Until this trend slows down there doesn't seem to be a need to cut the price down to \$2.00. The department, much to some people's surprise, doesn't just work with the deer herd. This money from tag sells goes to Park improvements, habitat acquisition for all wildlife (The kinds you hunt and the kinds you can't.), fisheries etc....

HB-2937 Could promote the increase in our States deer herd by simply paying for damages instead of promoting access to private land and actually reducing the deer herd. This bill eliminates the motivation to allow access and kill deer. They are paid up to \$10,000.00 for damages if deer eat the

crops. How can the State validate if that person(s) did or did not hunt on these properties? This would open up "Pandora's box". Where does this end and ultimately who pays for this.

HB-2974 This bill creates the possibility of a leasing problem that actually could cause deer increases. Limited lease hunting on private lands will effectively reverse the trend to reduce the herd. This doesn't seem to fit the goals we are setting out to achieve.

HB-2977 The KBA feels that this increased number of permits could be better utilized if you raised the non-resident archery percentage on "Either Or" permits to a 10% cap from the current 5% cap and remove the cap on archery non-resident antlerless permits. While this idea doesn't promote "over the counter" sales they could be applied for and purchased via the Internet program. We think this idea would sell more tags (which is the goal) and still work within the States current tag sales system. Less changes to an already complicated system.

In closing, the KBA asks that the House Committee on Agriculture to carefully consider our comments and look at the problem in a Statewide perspective. Allow the KDWP to focus on the "problem areas" and reduce the deer numbers to an acceptable number for the landowner and insurance companies without restricting our States hunters from their hunting heritage.

Respectfully Submitted,
Shawn W. Harding, Legislative Committee Chair

TO: House Committee on Agriculture – Representative Freeborn Chair

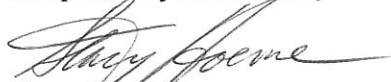
RE: House Bills No. 2813, 2816, 2819, 2863, 2873, 2937, 2974, and 2977

I am manager of my family's feed yard, HRC Feed Yard, of Scott City. We lease and own three different ranches, which includes about 23,000 acres. I also manage a farm of 4800 acres. Being both landowner and tenant, I have some concerns about some of the bills in front of the committee today.

- House Bill 2813 This bill does not specify between mule deer and whitetail. It would totally wipe out the mule deer population in western Kansas. Our numbers are already down, and I feel this would be impossible to enforce.
- House Bill 2816 This would be a hassle to get the coupon from hunters and to get the cash back from the state.
- House Bill 2819 I feel that this problem has already been taken care of with the regular hunting season, especially THIS year. Our County Commissioners have a lot more headaches than worrying about deer in our part of the state.
- House Bill 2863 People will pay \$10.00 or \$2.00, if they want to hunt!!
- House Bill 2873 This bill would create more of a problem than help, by creating more accidents. The deer would be pushed out onto the highways!
- House Bill 2937 I can see problems in certain areas. Who would you have adjusting claims and how would you go about it? How much hunting would be allowed? Would it be just enough to get by with, so you can have another claim for the next year?
- House Bill 2974
2977 These bills would shut off private property to state residents and create more deer population problems than there are now. KDW&P have increased resident and non-resident deer tags every year and most people are getting the tags they request.

I ask that you review the bills listed above. I'd like to keep deer hunting manageable and enjoyable for all people to help maintain our hunting heritage.

Respectfully Submitted,


Stacy Hoeme
P. O. Box 196
Scott City, KS 67871

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Attachment 5*

Tuesday February 22, 2000

Dear Representative Freeborn

I was looking over the various bills that I understand will be heard today in the legislature. I noticed that many of the bills point to the actual reason some people support them such as SB518. This bill shows that money, not deer population is the reason for proponents support. I oppose this bill. HB 2379 is ridiculous. NO permit? Shoot as many as you like? What about safety, hunter orange, proper hunter ethics? Do they think deer live only within one mile of various highways and stay there. What about wanton waste? I addamantly oppose this bill.

HB 2819 The county commission to establish deer hunts? These people could do this on a whim regardless of facts. Again, what about safety, hunter training and education, what method of take, no permits and waste. I oppose this bill.

HB2863 Again, the issue of how many? Uncontrolled shooting, What areas can they hunt? No deer anywhere? I oppose this bill.

HB 2873 What is the sheriff doesn't know how many deer there are? What if he doesn't like deer at all. Anywhere a deer related accident has occured? For how long? 1 year, 5 years, 25 years? I oppose this bill.

HB 2974 Again a money issue with no "concern" over the deer "problem"

I oppose this bill

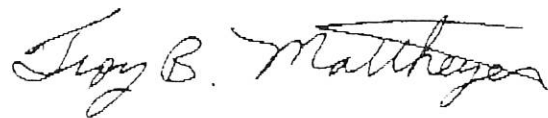
HB 2975 Who thinks this stuff up? Do we have that many people who can't read? I oppose this bill

HB 2977 No limit on the archery permits. What would be the take? Bucks? does? will we be invaded with nonresidents with money? I oppose this bill.

Please use common sense in our management approach. Lets not wipe out the deer herd in a couple of years based on politics.

Thankyou

Troy B. Mattheyer



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2-22-00
Attachment 6

Representative Joann Freeborn
Topeka, Ks

Troy Mattheyer
RR 2 Box 74
Ellis, Ks 67637
785-726-4212

Dear Representative Freeborn,

I had the pleasure of talking to your secretary in the recent past and she said you were going to hear the proponents of the legislation on the deer issue in Kansas on one day and the opponents on another. I am definitely an opponent to the various new pending proposals concerning the deer management issue in Kansas. I would like you to know my views on this issue at this time.

Kansas is a diverse state in the topography and terrain and as such is the reason the Wildlife and Parks created game management areas in the first place to address different populations of deer in different areas. For instance from my western kansas plains to your eastern woodlands there is a diversity of habitat. Some of the main points I have to make are:

---- Please let our professional game managers manage the deer for a quality herd based on facts and not insurance and media generated perceptions of populations.

---- Kansas (for the time being) has a quality deer herd that is the envy of all other states and should be managed based on our state and not others.

---- Have we looked at the increase in speed limits and the fact that many more cars and many more miles are driven now than before?

---- This I am not sure of, but isn't Kansas toward the bottom of the list on deer/vehicle collisions compared to other states?

--- A final point. I am a Ks hunter education instructor and a National Bowhunter Education instructor and many of these proposed laws undermine the basic things we teach young people about hunter ethics, following game laws, safe ways to hunt and the importance of managing our resources correctly. The law enforcement

Troy B. Mattheyer

officials role is going to be tough when you have people like the Smith Co Attorney setting bad examples for everyone on the issue of poaching wildlife and the consequences. As an avid outdoorsman I think that the current proposals are heading kansas in the wrong direction for a quality wildlife state.

Thankyou

Troy B. Mattheyer

A handwritten signature in cursive script that reads "Troy B. Mattheyer". The signature is written in black ink and is positioned below the typed name.