

Approved: March 2, 2000

Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Senator David Corbin at 8:00 a.m. on February 22, 2000 in 245-N of the Capitol.

All members were present except:

Committee staff present:

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

Conferees appearing before the committee:

Senator Umbarger  
Steve Williams, Secretary, Wildlife and Parks  
Teresa Laporte, Operational Manager, Lil' Toledo Lodge, Cainito, KS 66720  
Mike Beam, Kansas Livestock Assn.  
Bill Fuller, Kansas Farm Bureau

Others attending:

See attached list.

**SB 568—Increase in number of nonresident deer permits authorized.**

Chairperson Corbin said Senator Umbarger and twenty-six other senators were the sponsors of **SB 568**. He called on Senator Umbarger.

Senator Umbarger said the bill would provide for an increase in the nonresident deer permits from 5% of the number of resident permits, to 10% of the number of resident permits for firearms and archery permits. This would provide for added economic and tourism benefits of nonresident hunters. It adds another step to Kansas Department of Wildlife and Parks efforts to control the deer populations and the problems associated with the over population of deer. Finally it should satisfy the demand for nonresident permits based on the number of applications received in 1999 (Attachment 1).

Steve Williams, Secretary, Wildlife and Parks, supported the bill as a sound approach and said it adds to current efforts for effective deer management. He suggested several amendments that the department thought would further their efforts to reduce deer numbers and respond to public concern (Attachment 2). He responded to questions.

Teresa Laporte said to increase the out of state deer permits would be beneficial for the economy of Kansas. She thought that increasing permits to those who abide by our rules and regulations will not hurt the deer population in the state. Finally, she suggested that there are more poachers in the state taking deer illegally than by avid hunters that obey and respect the laws (Attachment 3).

Mike Beam, Kansas Livestock Association, said their members supported more nonresident hunting permits, because it broadens the field of hunters and that can help reduce the deer herd and enhances the opportunity for landowners to gain financially from nonresident deer hunters (Attachment 4).

Bill Fuller, Kansas Farm Bureau, supported the bill, as their members believe there is a desperate need to bring the state's deer herd under control. He recommended the bill be amended to include a toll free

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

number to Wildlife and Parks were their members could report crop damage and assist landowners in connecting with control programs (Attachment 5).

Written testimony supporting the bill was submitted from Senator Lana Oleen (Attachment 6).

The hearing on **SB 568** was closed.

The committee continued the review and discussion of the subcommittee report of **SB 388**. Senator Huelskamp said the Chief Engineer had attended their subcommittees. It was stressed that the Chief Engineer would need to approve the charter of any water bank, and that a charter would have to comply with current statutes and can not violate the current rules and regulations. A member of the committee stressed that water conservation was the important part of the bill and if the bill is adopted it may need to be adjusted in several years. A member suggested that it might be well to have a pilot water bank project. Senator Huelskamp said the subcommittee thought it was best not to limit the program to one section of the state.

The committee time expired. Chairperson announced the committee would meeting at 7:45 on February 23, and continue discussion and possible action on **SB 388, SB 568 and SB 518**. The meeting adjourned at 9:00 a.m.

SENATE ENERGY & NATURAL RESOURCES  
 COMMITTEE GUEST LIST

Please Sign in  
 Black Ink

DATE: 2-22-2000

NAME	REPRESENTING
Reslie Kaufman	Ks Farm Bureau
Carissa McKenzie	Ks Farm Bureau
STEVE WILLIAMS	KDWP
Ron King	Lil' Toledo Lodge
TERESA LaForte	Lil Toledo, charato KS
Mike Beam	Ks Luth. Ann.
Bill Fuller	Kansas Farm Bureau
Ladana Lee	Sen Tyson Office
Lloyd Fox	KDWP
Chad Wice	KDWP
Tom Bruno	MGA
Ann Durkes	DOB
DRVILLE COLE	SEN. TYSON
Wesley Moses	KAPP
Charles Benjamin	KWRC / Sierra Club

Senator Umbarger

**SB 568**

Senate Committee on Energy and Natural Resources

February 22, 2000

**TALKING POINTS**

Bill Summary:

Very simple change: Increase the cap on nonresident deer permits from 5% of the number of resident permits, to 10% of the number of resident permits. *Firearm & Archery Permits*

How this works:

KDWP can provide up to, but not more than, this number of nonresident permits. So, in management units with fewer deer, mule deer, or similar concerns, KDWP can take these factors into consideration.

Reasons to support SB 568:

- Provides for added economic and tourism benefits of nonresident hunters.
- Provides for additional opportunity for landowners to work with guides and nonresidents to profit from allowing deer hunting on their property.
- Increases the number of hunters, including those receiving antlerless deer permits. Consequently, it adds another step to KDWP's efforts to control deer populations.
- Retains ability to focus deer permits in specific units, which also helps KDWP's efforts to control deer population problems.
- According to KDWP, by doubling the number of nonresident permits, this would satisfy the demand for nonresident permits based on the number of applications received in 1999.

KDWP position:

- KDWP has said they would support this bill.
- KDWP has also said they would offer some amendments (which I support/don't support/haven't had time to consider).

Senate Energy & Natural Resources

Attachment: 1

Date: 2-22-2000 1-1

**Senate Committee on Energy and Natural Resources**  
February 22, 2000

**Testimony on Senate Bill No. 568**  
Steve Williams, Secretary  
Department of Wildlife and Parks

Thank you for the opportunity to testify on SB 568 concerning the increased authorization of nonresident deer permits. Currently, statute limits the number of nonresident deer permits to no more than five percent of resident permits issued. SB 568 would increase this authorization to authorize no more than ten percent of resident permits.

Increasing the number of nonresident deer hunters in Kansas is consistent with the department's objective of reducing the number of antlerless white-tailed deer. Although most nonresidents are drawn to Kansas for the opportunity to hunt bucks, the increased availability of nonresident antlerless permits and big game tags (antlerless-only permits) would undoubtedly increase the overall harvest. The department supports SB 568 and would suggest amendments to the bill that would further our efforts to reduce deer numbers and respond to public concern.

The effect of our suggested amendments include:

- authorizing permits for nonresidents at no more than 10% of the number of resident permits for antlered deer -- this would include "any deer and either-sex permits"
- removing the cap on antlerless-only permits for nonresidents;
- requiring publication of the Hunter Referral Program in newspapers across the state;
- requiring publication of the Damage Control Permit Program in newspapers across the state;
- establishing a toll-free telephone number, for both programs mentioned above, to provide landowners with information and department contacts for each program; and
- developing site-specific plans to address deer-vehicle accident concentration areas, for review by the legislature.

Senate Energy & Natural Resources

Attachment: 2

Date: 2-22-2000 2-1

The administrative, regulatory, and statutory initiatives described on a separate sheet, entitled "2000 Deer Management Initiatives" (attached) are designed to incorporate legislative desires expressed in bills submitted to both House and Senate Committees. These amendments and actions would comprehensively address deer population reduction and associated issues.

SB 568 and these measures complement and expand current department efforts to reduce deer numbers and resolve conflicts. The measures are effective and efficient. We believe that they will add substantially to our ability to reduce deer numbers and respond to public concern about deer. Regulatory actions will increase the harvest of antlerless deer by establishing a 14-day antlerless-only season. During this season all unfilled/unused permits will be valid for use but only for antlerless deer. Through other regulatory action, hunters will be restricted to one opportunity to take a buck. All other permits issued will be for antlerless deer only. Antlerless-only permits will be increased statewide. Finally, additional regulatory changes would ensure that any licensed hunter or landowner would be able to purchase big game tags (antlerless-only) for the 14-day, antlerless-only season.

Statutory actions described in SB 568, with amendments suggested by the department, would increase nonresident hunting in Kansas. Unlimited antlerless permits for these hunters would add to the doe harvest. Increased nonresident hunter numbers would provide landowners, guides, and outfitters with a larger pool of individuals to market deer hunting. The increase in nonresident permits authorized would match the demand (as measured by permit applications) that we received for the 1999-2000 seasons. This increase would make it more certain and financially viable for landowners or guides to lease land for nonresident deer hunters. Land leasing involves charging for the hunting opportunity. It provides money for landowners and opportunities for guides and hunters. Although we recognize the difficulty that exclusive hunting access creates with deer management, we appreciate landowner desires to make money from providing hunting opportunities.

The suggested amendments should provide better public knowledge of opportunities to resolve deer damage to property. In addition, we may be able to devise plans to reduce deer-vehicle

accidents in those areas experiencing a concentration of accidents. These plans will involve KDOT, department personnel, and adjacent landowner cooperation.

I believe that SB 568 as introduced, is a sound approach and adds to current efforts for effective deer management. The suggested amendments and complimentary actions described in our "2000 Deer Management Initiatives" make this comprehensive package a substantial step toward reducing deer numbers and the conflict associated with deer. I will be testifying later today to the House Committee on Environment encouraging them to adopt the same substitute language, I am optimistic about their concurrence. I encourage you to report SB568 and our suggested amendments, favorable for passage.

Thank you for the opportunity to comment.



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary  
900 SW Jackson, Suite 502  
Topeka, KS 66612-1233  
785/296-2281 FAX 785/296-6953



## 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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785/296-2281 FAX 785/296-6953



## 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.

Teresa LaForte  
Operational Manager  
Ron King – Owner



10600 170th Rd.  
Chanute, KS 66720  
(316) 244-5668  
Web: [www.liltoledo.com](http://www.liltoledo.com)  
E-Mail: [liltoled@erieks.com](mailto:liltoled@erieks.com)

Dear Representatives of our great state of Kansas, I am here to tell you why I feel it is in Kansas' best interest to allow more out of state deer permits to be issued.

Many avid deer hunters from across the United States would love an opportunity to try for one of Kansas' famous White Tail Bucks. If the State Of Kansas were to allow these hunters the chance for these permits it would be most beneficial to the State and it's residence.

Lets think a moment on what this would mean for our economy. Not only will the state get the revenue from his hunting license, permit and appropriate tags, but many in the state will feel the effect as more and more hunters head our way. From hotel reservations, to restaurants, souvenirs shops, grocery and convenience stores, gasoline and more. This will also provide a great opportunity for struggling farmers to earn some much needed extra income by leasing their land. The list is endless as to how and where the revenue will come in, but it can only help our economy in Kansas and in no way can it hurt us. The more hunters that come to our great state in search of their trophy buck, the more people will learn what a great state Kansas is and all that it has to offer. Once they have entered they will want to return again and again.

Our deer population is not in danger by allowing more law abiding hunters into our hunting program. I believe our focus should not be on keeping out of state hunters out of our state, but by having more regulation and stricter penalties to the poachers within our own borders. I assure you ladies and gentleman, there are more deer taken each year by poachers than by avid hunters who obey and respect our laws. Lets not punish those who wish to abide by our rules and regulations and will bring in revenue to our state while continuing to allow these vile poachers to continually commit these crimes unpunished each year.

I want to thank you for taking the time to allowing me to speak and to for considering my opinion on this issue.

Ron King

Senate Energy & Natural Resources

Attachment: 3

Date: 2-23-2000

3-1



*Since 1894*

Date: February 22, 2000

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

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

Re: Testimony in support of **Senate Bill No. 568**

The Kansas Livestock Association (KLA) supports SB 568. In recent years, KLA has testified on several proposals to increase the opportunities for nonresidents to hunt deer in Kansas. Two years ago this committee, and the entire legislature, gave approval to a KLA supported bill, which amended this section and loosened the statutory limit on nonresident deer hunters. The change dropped the requirement that a management unit must have leftover deer permits before a nonresident could obtain a permit.

I was informed last week that KDWP issued approximately 3,500 nonresident permits in 1999. (This number does not include any antlerless game tags that may have been purchased by nonresidents.) Furthermore, KDWP indicated about half of the nonresidents applying for a permit were successful in the deer-hunting lottery.

This bill, **SB 568**, doubles the number of nonresident permits KDWP may issue. Considering last year's interest, this change could fulfill considerably more requests from nonresidents. The bill increases the 5% statutory limit to 10% for firearm and archery nonresident permits. I'd ask the committee to consider bumping the archery limit to 15% or 20%. The success rate for bow hunters is substantially less than firearm hunters. I might also add several guides/outfitters claim nonresident archery hunters are a lucrative market.

Our members support more nonresident hunting permits because it broadens the field of hunters that can help reduce the deer herd and enhances the opportunity for landowners to gain financially from nonresident deer hunters. I have had several members tell me the current restrictions on nonresident deer hunters have cost them several thousands of dollars.

This committee has heard from guides and landowners who will directly benefit from an increase in nonresident deer hunters. This legislation accomplishes this goal and KLA urges this committee to give SB 568 favorable consideration

Thank you!

Senate Energy & Natural Resources

Attachment: 4

Date: 2-22-2000

4-1



# PUBLIC POLICY STATEMENT

## SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

**RE: SB 568 – Increases the nonresident firearm and archery deer permits to not more than 10 % of the resident permits authorized.**

**February 22, 2000  
Topeka, Kansas**

**Prepared by:  
Bill R. Fuller, Associate Director  
Public Policy Division  
Kansas Farm Bureau**

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

Kansas Farm Bureau's strong support for SB 568 is based upon member-adopted policy that calls for:

1. Expanding the harvest of antlerless deer.
2. Increasing non-resident deer permits.

SB 568 proposes to increase firearm and archery deer permits to not more than 10% of the total number of resident deer permits authorized. The current limit is 5%. We believe every Kansas resident and landowner should have priority over non-residents. We support the current process that issues non-resident permits in addition to the permits authorized for residents.

As a method to expand the harvest in order to reduce the \$20 to \$25 million crop damage and \$38 million in vehicle damage from the exploding deer herd each year, we recommend an increased focus on harvesting antlerless deer. We ask for an amendment

Senate Energy & Natural Resources

Attachment: 5

Date: 2-22-2000

to SB 568 that would increase the limit to 20% for antlerless deer by non-resident hunters, while capping the limit for bucks at the proposed 10%.

We believe SB 568, coupled with a number of bold initiatives by the Kansas Legislature and the Kansas Department of Wildlife and Parks, is desperately needed to begin bringing the state's out-of-control deer herd under control:

- Expand the number of deer permits.
- Increase the harvest of antlerless deer.
- Lengthen the special antlerless season.
- Install a toll-free telephone number to report crop damage and assist landowners in connecting with control programs.
- Establish a system to compensate landowners experiencing significant crop damage until the deer damage is reduced to an acceptable level.

We thank you for allowing the farm and ranch members of Kansa Farm Bureau to express their solid support for SB 568. We respectfully ask the committee to amend and advance SB 568 to the full Senate.

LANA OLEEN  
SENATOR, 22ND DISTRICT  
GEARY AND RILEY COUNTIES



TOPEKA

SENATE CHAMBER

CHAIR: FEDERAL AND STATE AFFAIRS  
CHAIR: CORRECTIONS/JUVENILE JUSTICE  
CHAIR: LEGISLATIVE POST AUDIT  
VICE CHAIR: JUDICIARY  
MEMBER: EDUCATION  
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LEGISLATIVE HOTLINE  
1-800-432-3924

February 22, 2000

Chairman Corbin and Members of the Energy and Natural Resources Committee:

There has been a great amount of discussion concerning the deer population in Kansas. Numerous approaches to address the over-population have made their way into bill form. I believe Senate Bill 568 is a reasonable way to work towards the problem.

The authority for deer management will rest with the trained professionals. In recent years strides have been made to manage the population; this bill continues those efforts. I would urge your favorable consideration of Senate Bill 568.

Senate Energy & Natural Resources

Attachment: 6

Date: 2-22-2000

HOME  
3000 STAGG HILL ROAD  
MANHATTAN, KANSAS 66502  
(785) 537-3300

DISTRICT OFFICE  
1619 POYNTZ AVENUE  
MANHATTAN, KANSAS 66502  
(785) 537-9194—PHONE  
(785) 537-9198—FAX

STATE OFFICE (JAN.-APRIL)  
STATE CAPITOL, ROOM 136-N  
TOPEKA, KANSAS 66612  
(785) 296-7360 PHONE  
(785) 296-6718 FAX