

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 P.M. on January 18, 2007 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Chris Tymeson, Chief Counsel, Department of Wildlife and Parks
Dr. Lloyd Fox, Big Game Coordinator, Kansas Wildlife and Parks
Mike Miller, Chairman of the Deer Task Force

Others attending:

See attached list.

Review of State Regulations of Deer Populations and Report of Deer Task Force

Chairman Faber introduced Chris Tymeson, Chief Counsel, Department of Wildlife and Parks, who recalled for members the difficulty he experienced in obtaining a license to hunt deer about ten years ago. During that period there have been many additional statutes and regulations which have complicated the process further. The introduction of the proposed bill will simplify both the statutory and regulatory process for residents and non-residents.

Dr. Lloyd Fox, Big Game Coordinator, Kansas Wildlife and Parks, commented on the large number of deer in the Great Plains hundreds of years ago and the exploitation of that population as the years progressed. By the early 1990's, the deer population was negligible. Kansas was one of the last states to re-institute a deer hunting season, which occurred in 1965.

Deer hunting opportunities in Kansas have increased dramatically since the first season. In 1965, only 3,925 permits were issued to firearms hunters with only 1,340 deer harvested. In recent years, up to 165,000 permits and tags have been issued with hunters harvesting approximately 75,000 deer per year. The hunting season has been increased from a five-day time period for firearms hunters and 46 days for hunters using archery equipment in 1965, to an expanded time period of five months, depending on the availability in the region.

Deer management personnel in Kansas have conducted surveys of landowners' and their tolerance of damage caused by deer as well as reviewing trends in deer-related vehicle accidents. Surveys also include monitoring population trends and harvest information from landowners. The management program began with authorization of a limited number of deer permits for hunters to take antler-less or female deer. The Deer Task Force was formed to establish parameters for streamlining the deer management program.

Mike Miller, Chairman of the Deer Task Force, said the task force came into being in 2005 for the purpose of determining how deer-related statutes could be simplified and condensed (Attachment 1). He brought recommendations as well as comments and ideas garnered from landowners and other public entities. Mr. Miller advised the members that a time period for youth and disabled persons could be established on the next to last Saturday and Sunday of September; the following Monday would open the season for muzzle loader hunters.

Mr. Miller explained permit types for both resident and non-resident opportunities and how permit allocation could function. He stated that after the application period is closed, any permits left over are available on a request basis; eighteen deer management units will be maintained for out-of-state permits. A purchased hunt-on-own-land permit is transferable and can only be given to a relative; the purchase of a non-resident transferable permit can be used anywhere in the county. Mr. Miller said there is an inequality that exists in the kind of permit issued for the type of weapon used; firearm, archery, and muzzle permits are determined

CONTINUATION SHEET

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by demand of the hunter. The process of obtaining a permit can be made more accessible by providing more readily available places such as Wal-Mart, the local license vendor, or on-line acquisition. The resident land-owner may purchase a white-tail-either-sex permit or an antler-less permit, which allows hunting anywhere in the state at any season.

The Task Force has presented their recommendations to the Commission. When the legislative statutes are adjusted to allow implementation through the regulation process, changes would then be in place for the 2008 hunting season.

The Chairman thanked those who brought testimony from the Department of Wildlife and Parks and the Deer Task Force.

By consensus, a bill introduction by Representative Bill Light to designate Bluegill as the state fish was approved.

The meeting adjourned at 4:35 p.m. No meeting is scheduled for Monday, January 22, 2007

Kansas Department of Wildlife and Parks Deer Permitting

In 2005, the House Wildlife, Parks, and Tourism Committee requested that the department examine deer-related statutes and report back in 2006 on ways those statutes could be simplified and condensed. A 10-member task force of KDWP employees was assembled.

The task force discovered that it could not change or modify one part of the deer program with affecting it all, so it began looking at all facets. The current deer permit program is complicated and confusing for even veteran hunters. One analogy compares the history and evolution of our deer permitting program to that of a multi-room house. We started in 1965, the first modern deer season, with a small number of permits and opportunities – a one-room house. As deer numbers grew through the 1980s, more permits and hunting opportunities were added – room by room, our house was added on to. In the 1990s, things really began to change, and more permits and permit types were added. And regulations weren't the only things that changed – statutes governing deer permitting and management were added or changed. We ended up with a large, multi-roomed house that is a difficult maze to navigate through and understand. The task force decided to completely revamp the program.

In January 2006, the task force presented draft recommendations to the Kansas Legislature and asked for a year to gain public input before making final recommendations. House committee members agreed since the draft recommendations would affect such a wide array of deer resource stakeholders.

The task force began soliciting public input immediately, initially through email, telephone and a department BLOG site. The recommendations were discussed at the public Kansas Wildlife and Parks Commission meetings held throughout the state. And a mailed survey of resident, nonresident and landowner permit holders was conducted in July. In August, a series of 14 public meetings were held throughout the state to solicit further public input. More than 600 attended those meetings. To date, more than 300 have posted on the department's BLOG site, several hundred emailed their thoughts, and dozens of telephone calls were taken. Task force members looked at and considered all comments.

The main issues remained constant – resident hunters are concerned about their hunting opportunities as leasing for hunting access has become more common. In some cases, they are competing with nonresident hunters who are willing to pay what many consider exorbitant amounts for hunting access. Landowners who have begun gaining income through deer hunting leases are concerned about nonresident permit availability under the current system. Constituents from both sides expressed dislike for the current nonresident allocation method and the nonresident transferable permit system.

The following recommendations represent a culmination of the input task members received, as well as the comments and ideas that have been expressed to members through the last few years. It is an attempt to provide all stakeholders with something they want, while at the same time returning these decisions to the public regulatory process. If the statutes can be amended, all of these recommendations would then have to be established through regulation, voted on publicly by the department's seven-member Commission. This system could then easily be adjusted each year, reflecting both biological and societal desires.

KDWP Deer Task Force Recommendations

Last January, the Kansas Department of Wildlife and Parks Deer Task Force presented to the Kansas Legislature draft recommendations that would simplify and condense deer-related statutes. The recommendations also addressed many other deer permitting issues and could affect many different constituencies, so the Task Force requested a year to solicit input from the public before making final recommendations. After conducting surveys and public meetings throughout the past year, the 10-member Task Force has assembled a final set of recommendations that will be presented to the legislature this month.

The overall goals of the Task Force are similar to those listed a year ago:

- Reduce and simplify deer-related statutes to allow changes and continuing adjustment necessary for permitting and resource management to be made through the regulatory process.
- Through regulation, establish a permitting system that distributes permits fairly while conserving the deer resource and hunting traditions.
- Simplify the permitting process while increasing and improving deer hunting opportunities for residents hunters.
- Develop a formula/model to establish nonresident deer permit numbers that satisfy desires of resident landowners and protect resident hunting opportunities.

Resident Deer Permit recommendations:

- Establish resident, statewide, whitetail either sex, any season permit
- Establish resident statewide archery either species, either sex permit
- Establish two units for use of limited either species, either sex firearms and muzzleloader permits.
- Maintain 19 Deer Management Units for use of whitetail antlerless only permits
- Eliminate whitetail antlerless only game tags – instead establish one type of whitetail antlerless only permit, the first one purchased is valid on public or private land statewide. Up to four additional permits can be purchased and are valid only in specific units and on private land and designated public lands.
- Eliminate transferable Hunt-Own-Land permit – instead allow lineal family members, two generations up or down from landowner to qualify for HOL, regardless of residency – one per 80 acres.

Nonresident Deer Permit recommendations:

- Eliminate the landowner/transferable nonresident permit – establish nonresident permit quotas based on demand, landowner tolerance and resource biology. An adjustment number will be determined using seven factors: Population trends, deer-related vehicle accidents, age structure, deer damage, landowner desire for NR deer permits, and general public desires, health and habitat (professional judgment). The adjustment factor will be used to determine 2008 permit numbers based on an average of NR demand from the previous 6 years, however, we recommend not less than a 10 percent increase per DMU and not more than 50 percent increase per unit (Unit 16 is the exception).
- Maintain 18 Deer Management Units for all nonresident hunting
- Establish “Hunter Designate” permit application process – setting quotas of whitetail deer permits and allowing applicants to designate season/hunt type – either archery, muzzleloader or rifle.
- Establish a mule deer stamp. When a nonresident applies for an archery or muzzleloader whitetail either sex permit in DMU 1, 2, 3, 4, 5, 7, 16, 17, and 18, they will have an option of applying for a limited number of mule deer stamps that, if they are drawn, will convert their muzzleloader or archery whitetail either sex permit to an either species permit. Stamp cost -- \$100.

Seasons:

- Open youth and persons with disabilities season on the Friday before the second to last full weekend in September, running it through Sunday. Establish half-price permits for youth.
- Open the muzzleloader and archery seasons on the following Monday. Run the muzzleloader season through two full weekends and the archery season through Dec. 31.
- Maintain season structure for all other seasons.

Landowner/Tenant:

- Reduce fraudulent landowner/tenant permit purchases by adding “teeth” to qualification requirement such as a statement on the permit that states “by signing this permit I state that I am legally qualified as a landowner/tenant and agree to provide necessary proof of qualification if requested.”

Simplification:

- A resident hunter will be able to purchase a whitetail either sex permit and a whitetail antlerless only permit over the counter or online. With those two permits, he or she will be able to hunt anywhere in the state on public or private land during any open season with the equipment legal for that season.

RESIDENT DEER OPPORTUNITIES

4-1

PERMIT TYPES	WHERE VALID	AVAILABLE
*Hunt-Own-Land (either species, either sex)	land owned or operated (80-acre minimum)	Over the counter/internet
Whitetail either sex, any season	statewide	Over the counter/internet
Archery either species, either sex	statewide	Over the counter/internet
Muzzleloader, either species, either sex	West Unit 1 or West Unit 2	Over the counter/internet
Firearms, either species, either sex	West Unit 1 or West Unit 2	Pratt office, limited draw
Antlerless only (any deer)	West Unit 1 or West Unit 2	Pratt office, limited draw
Whitetail antlerless only	First permit valid statewide public/private land, others, up to four, private land in designated units.	Over the counter/internet

*Hunt-own-land permit is not transferable. A landowner and lineal relatives, two generations up or down from landowner are eligible, regardless of residence, 80 acres required for each family member permit.

Whitetail antlerless only permits are \$15. An antlered permit is required prior to purchase antlerless permits through Dec. 30. A hunter may purchase five whitetail antlerless only permits; the first one is valid statewide on public and private land; the subsequent permits are valid only in designated management units on private land and designated public areas.

NONRESIDENT DEER OPPORTUNITIES

5-1

PERMIT TYPES	WHERE VALID	AVAILABLE
*Hunt-Own-Land (either species, either sex)	land owned or operated (80 acre minimum)	Over the counter/internet
**Whitetail either sex, rifle	One of the 18 Deer Management Units	Pratt office, limited draw
**Whitetail either sex, muzzleloader	One of the 18 Deer Management Units	Pratt office, limited draw
**Whitetail either sex, archery	One of the 18 Deer Management Units	Pratt office, limited draw
Archery whitetail either sex (either species with stamp)	One of 9 units for either species (DMU 1, 2, 3, 4, 5, 7, 16, 17, 18)	Pratt office, limited draw
Muzzleloader whitetail either sex (either species with stamp)	One of 9 units for either species (DMU 1, 2, 3, 4, 5, 7, 16, 17, 18)	Pratt office, limited draw
Whitetail antlerless only	First permit valid statewide public/private land, others, up to four, private land in designated units.	Over the counter/internet

*Hunt-own-land permit is not transferable.

**Applicant will specify permit type on application.

Successful archery and muzzleloader permit applicants in DMUs 1, 2, 3, 4, 5, 7, 16, 17, and 18, can also apply for a limited number of mule deer “stamps” that convert their whitetail only permits to either species permits.

Whitetail antlerless only permits are \$77.15. An antlered permit is required prior to purchase of antlerless permits until after Dec. 30. A hunter may purchase five whitetail antlerless only permits; the first one is valid statewide on public and private land; the subsequent permits are valid only in designated management units on private land and designated public areas.

Example of how nonresident permit allocation formula could work

1-6

UNIT	2006 ALLOCATION	2008 MODEL	2008 ALLOCATION	UNIT	2006 ALLOCATION	2008 MODEL	2008 ALLOCATION
1	299	524 (+75%)	449 (+50%)	10	1174	1174 (+0%)	1291(+10%)
2	225	657 (+192%)	338 (+50%)	11	2492	2492 (+10%)	2741(+10%)
3	450	531 (18%)	531 (18%)	12	1067	1606 (50%)	1606 (50%)
4	303	303 (+0%)	333 (+10%)	13	301	446 (+48%)	446 (48%)
5	350	365 (+4%)	385 (+10%)	14	1419	1464 (+3%)	1561 (+10%)
6	463	463 (+0%)	509 (+10%)	15	1006	1134 (+13%)	1134 (13%)
7	768	867 (+13%)	867 (+13%)	16	1168	2358 (+102%)	2336 (+100%)
8	1006	1550 (+40%)	1550 (+40%)	17	365	365 (+0%)	402 (+10%)
9	837	837 (+0%)	920 (+10%)	18	217	217 (+0%)	239 (+10%)
					14,046	17,353	17,638
						(+23%)	(+25%)

Percent of deer harvested by nonresidents would go from 11 percent to 13 percent.

2008 Model numbers are figured using an adjustment factor based on an average slope number from seven factors, including deer population trend, deer/vehicle accidents, landowners' desire for more nonresident permits, deer damage complaints, age structure in harvest, nonhunting public opinion, health habitat --professional input.

Insurance support from agriculture groups, an minimum increase of 10 percent was added for allocation, and to prevent over- saturation in western units, a maximum increase of 50 percent (except for Unit 16) was set.