

Approved: March 14, 2008
Date

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 February 25, 2008, in Room 783 of the DSOB.

All members were present except:

Representative John Grange- excused
Representative Carl Holmes- excused
Representative Bill Feuerborn- excused

Committee staff present:

Raney Gilliland Kansas Legislative Research
Gordon Self, Revisor of Statutes
Kristen Kellems, Revisor of Statutes
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks
Constantine Cotsoradis, Deputy Secretary, Kansas Department of Agriculture

Others attending:

See attached list.

The Chair opened the hearing of **HB 2829 - declaring a temporary season for taking antlerless deer.**

Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, spoke in opposition to the bill (Attachment 1). He stated that the bill violates the principle of professional wildlife management, relying instead on arbitrary statistics. He noted that the bill would reduce license revenues, create sporadic enforcement patterns, and have little long-term impact on deer population.

Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau, provided written testimony, noting that the bill is incomplete in dealing with deer population and recommending that the topic be referred for an interim study (Attachment 2).

The hearing on **HB 2829** was closed.

Constantine Cotsoradis, Deputy Secretary, Kansas Department of Agriculture, said the Department, responding to issues raised by **HB 2625**, has prepared a resolution to address some of the concerns regarding IGUCAs (Intensive Groundwater Use Control Area). He commented that Walnut Creek Groundwater Management District has developed a commendable plan, and the Chief Engineer is available to present a report to the Committee. John Donley, Kansas Livestock Association, recommended developing a positive policy to address concerns about the bill. Mr. Cotsoradis and Mr. Donley, responding to questions, said that other organizations support their position. Mr. Cotsoradis said that the Division of Water Resources will have hydrological models available.

The Chair announced that the Committee will plan to work **HB 2625 - intensive groundwater use control areas, mandatory review and advisory committees** at the next meeting as well as **HB 2897 - Commodity Commission; assessment rates; voting process.**

Regarding **HB 2860 - registration of agriculture chemicals**, Representative Svaty made a motion, seconded by Representative Feuerborn, to amend the bill, striking the words except that such fee shall not exceed \$130; or commencing July 1, 2002, and ending on June 30, 2010, such fee shall not exceed \$150 for each agriculture chemical registered and inserting *Such fee shall equal an amount multiplied by the number of years registered and shall not exceed \$150 per each agricultural chemical registered.* The motion passed.

A motion was made by Representative Svaty to recommend **HB 2860** as favorable for passage as amended. Representative Feuerborn seconded. Discussion ensued. Representative Moxley made a substitute motion. Representative Flora seconded; motion and second was withdrawn. Returning to **HB 2860** for a vote, the

CONTINUATION SHEET

MINUTES OF THE House Agriculture and Natural Resources Committee at 3:30 P.M. on February 25, 2008, in Room DSOB 783 of the Capitol.

motion passed.

The Chair opened **HB 2800** - **wildlife; youth hunt of a lifetime deer permits** for consideration.

Staff Raney Gilliland briefed the committee by stating the bill amends a section of the law regarding youth hunt of a lifetime deer permits awarded to organizations would not be required to pay for the awarded permit.

After some discussion, Representative Knox made a motion to table any considration of the bill.
Representative Svaty seconded. Motion passed to table **HB 2800**.

The meeting was adjourned at 4:30 p.m. The next meeting is scheduled for Tuesday, February 26, 2008.

**Testimony on HB 2829 regarding the Taking of Deer
To
The House Committee on Agriculture and Natural Resources**

**By Christopher J. Tymeson
Chief Legal Counsel
Kansas Department of Wildlife and Parks**

25 February 2008

HB 2829 seeks to create a new statute related to the taking of deer. The provisions of the bill would be effective on publication in the statute book. **The Department opposes the provisions contained in HB 2829.**

HB 2829 would allow the board of county commissioners of a county, if twenty-five percent of the vehicle accidents in a twelve month period were related to deer (DVA's), to require the Secretary of the KDWP to declare a season for the taking of antlerless deer within the county. The season cannot be less than seven days and cannot overlap with other seasons. Any person holding a valid hunting license could take one antlerless deer per day within the county and no big game permit could be required.

The Department opposes this legislation for several reasons. First, this bill sits diametrically opposed to the century old principle of wildlife management by trained professionals by transferring that authority to untrained individuals based on arbitrary statistics. Additionally, this bill would cause some reduction in license revenues as some individuals, rather than purchasing a permit, would wait for the opportunity to harvest a deer at no cost. Further, law enforcement personnel would have to be redirected to counties that declare open seasons, thereby compromising other enforcement efforts for activities occurring at that time.

Finally, this bill would have little long term impact on the number of deer harvested. The percentage of DVA's in rural areas might be high but the actual number of accidents low. In urban and suburban areas, the number of accidents might be high but the percentage of DVA's minute. Deer would be taken, if access allowed, in areas where the total deer population is low comparatively. And it is also anticipated that some hunters would not participate in the seasons due to the potential over-harvest of bucks, unidentifiable without antlers, and the weather conditions, as the seasons would be in the warmer parts of the year and therefore risk spoilage of the venison.

The Department appreciates the opportunity to address the bill and your support in opposing the provisions contained in the bill.

Kansas Farm Bureau
WRITTEN POLICY STATEMENT

House Agriculture and Natural Resources Committee

Re:HB 2829 an act concerning deer

February 25, 2008

Submitted by:

Steve M. Swaffar

Director of Natural Resources

Chairman Faber and members of the committee, on behalf of the members of Kansas Farm Bureau (KFB) the following comments are provided concerning HB 2829. KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 county Farm Bureau Associations.

As you will recall, this committee addressed the deer permitting system during last year's legislative session. The intent of those regulations is to make permits more widely available for resident and non-resident hunters; in turn more permits should mean a greater number of deer harvested. KDWP is preparing regulations to implement those statutory changes for the upcoming hunting season. So we don't know what the actual impact of those regulations will be for a couple of years. Additionally, HB 2829 may have unintended consequences on the deer herd, particularly in sparsely populated counties.

Some of our members are clearly concerned about the amount of crop and livestock damage they experience due to wildlife. KFB's policy calls for landowners to receive compensation equivalent to the damages they experience to their crops and livestock. Although HB 2829 does not address this particular aspect of wildlife damage, we believe the concept of damages caused by wildlife to agriculture and property should be addressed in a comprehensive manner.

Since we don't know what the impact on the deer herd will be from the new permitting system and our belief that there is need to address deer damages in a broader context, we suggest to you that this topic is a perfect topic for an interim committee discussion.