

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on March 10, 2009, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Svaty

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes

Corey Carnahan, Kansas Legislative Research Department

Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Representative Anthony Brown

Bob Lee, Lake Quivira City Council President

R. J. Jubber, Vice President, Heartland Suburban Whitetail Management

Mike Meadors, Director of the Johnson County Park & Recreation District,

Chris Tymeson, Chief Legal Counsel, Department of Wildlife and Parks

Representative Joe Seiwert

Kyle Larson, President, Kansas Sporty Hunting Association

Karen DeGraaf on behalf of Steve Westfahl, Irish Creek Lodge & Outfitters, LLC

Steve Swaffar, Kansas Farm Bureau

Seth Post, Legislative Chairman, The Kansas Bowhunters Association

Others attending:

See attached list.

Chairman Powell opened the meeting requesting Mike Corrigan, Office of the Revisor of Statutes, to explain **HB 2342**. Mr. Corrigan stated that notwithstanding any provision of law to the contrary, the Board of County Commissioners of Johnson County shall provide for a season for archery for deer and is hereby directed to issue archery deer permits for hunting deer within the boundaries of Shawnee Mission Park in accordance with state statutes and rules and regulations of the secretary of wildlife and parks.

Hearing on:

HB 2342 - Establishing a special season for archery for taking of deer within Shawnee Mission park.

Proponents:

Representative Anthony Brown, (Attachment 1) appeared in favor of **HB 2342**, testifying that Shawnee Mission Park is overpopulated with deer that pose threats; such as, transmission of diseases, human injury by way of increased car accidents, and destruction of agriculture production in the area surrounding the park.

Bob Lee, Lake Quivira City Council President, (Attachment 2) spoke as a proponent of **HB 2342**, advising he lives at Lake Quivira, Kansas, and is in charge of a deer management program in the city where there is an overpopulation of deer creating problems in the neighborhood of consuming vegetation, flowers, landscape plants, and trees.

R. J. Jubber, Vice President, Heartland Suburban Whitetail Management, (Attachment 3) provided testimony in favor of **HB 2342**, stating Heartland Suburban Whitetail Management is a group of educated and experienced bow hunters who specialize in deer management for urban and suburban land management. Mr. Jubber provided various options for deer population control; such as, trapping and relocating, fencing, repellants, using sharpshooters, or bow hunting. Mr. Jubber further documented that if the park is not pushed to do something about the issue, because no deer can be killed in the park, the health of the herd in the park as well as the rest of the deer in Kansas, is at risk.

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 10, 2009, in Room 783 of the Docking State Office Building.

Opponent:

Mike Meadors, Director of the Johnson County Park & Recreation District, (Attachment 4) appeared in opposition of **HB 2342**, stating the bill as it is currently written indicates the public process the Johnson County Park & Recreation District has promised the citizens of Johnson County has been stripped away. Mr. Meadors further documented the bill states the Commissioners "...shall provide for a season for archery for deer and is hereby directed to issue archery deer permits for hunting deer within the boundaries of Shawnee Mission Park...", and determines it only appropriate to allow the local process to play out so the interests of all Johnson County citizens can be heard and be served.

Seth Post, Legislative Chairman, The Kansas Bowhunters Association (KBA), (Attachment 5) provided testimony in opposition of **HB 2342**, advising the KBA does not agree with the way that it takes deer regulation away from the Department of Wildlife and Parks (KDWP). Mr. Post further advised the bill is trying to take the current regulation out of the state's hands and transfer those powers to the Johnson County Board of County Commissioners; however, if there were some provisions put in place to allow KDWP to have some control in the regulation, then the KBA would support such a bill.

Written testimony:

Matt Shatto, Assistant City Manager, City of Lenexa (Attachment 6)

Neutral:

Chris Tymeson, Chief Legal Counsel, Department of Wildlife and Parks, (Attachment 7) documented the KDWP supports the concept contained in the bill but opposes some of the specific language contained in the bill. Additionally, the KDWP believes the issue is about the landowner, Johnson County Parks and Recreation District, developing an access program to harvest deer in the most effective means of controlling deer populations while at the same time providing for the long-term management of deer population.

Questions were asked and comments were made by members of the Committee.

The hearing was closed on **HB 2342**.

Chairman Powell opened the hearing on **HB 2362** by introducing Representative Joe Seiwert.

Hearing on HB 2362:

HB 2362 - Extending season to take deer, fees for certain licenses and permits issued by the secretary of wildlife and parks, feed the hungry fund.

Proponents:

Representative Joe Seiwert, (Attachment 8) presented testimony in favor of **HB 2362**, stating the purposes of this bill are:

- To reduce the deer population in Kansas and make Kansas highways and roads safe again.
- Donate the deer meat and processing to Kansas hunters feeding the hungry so they can distribute the meat to food banks and homeless shelters.
- Return the transferable permits back to the landowner/tenants to get the out of state hunters coming back to Kansas to hunt deer, stay in local motels, eat at local restaurants, and shop at local sporting goods stores again.

Kyle Larson, President, Kansas Sport Hunting Association, (Attachment 9) spoke in favor of **HB 2362**, advising his support of the bill is based on the following factors; the Wildlife Feeding the Hungry Program, extension of the doe season to 60 days, and reinstatement of the landowner transferable permits. Mr. Larson also distributed a copy of the 2008 Nonresident Deer Draw Statistics (Attachment 10).

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 10, 2009, in Room 783 of the Docking State Office Building.

Karen DeGraaf presented testimony on behalf of John Walker of Texas, (Attachment 11) as a proponent of **HB 2362**, documenting Mr. Walker and approximately 30 hunters visit Kansas every year to hunt and fish, spending almost \$100,000 annually until last year. Mr. Walker further documented the numbers have fallen due to the change in the licensing system to a draw only for whitetail deer and raising the price of doe tags.

Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau (KFB), (Attachment 12) spoke in favor of **HB 2362**, stating its primary interest in this discussion is adequate deer herd management to prevent excessive crop and property damage; and adequate access to deer permits for residents and non-resident clients for those farmers and ranchers trying to generate some income from hunting enterprises. KFB member-developed policy supports both of these interests which are reflected in new Sections 1 and 2 of the bill.

Written Testimony:

Steve Westfahl, Irish Creek Lodge & Outfitters, LLC (Attachment 13)

Opponents:

Seth Post, Legislative Chairman, The Kansas Bowhunters Association, (Attachment 14) appeared as an opponent of **HB 2362**, stating the KBA 's two biggest issues with this bill are a 60 day extension of the antlerless season across all deer units currently a week long in the state, and to bring back transferable tags for landowner use as they see fit. Mr. Post further documented the proposed bill would also add a \$5 increase to the price of non-resident deer permits with the proceeds going to Kansas Hunters Feeding the Hungry, Inc., which KBA feels non-resident hunters should not have to fund.

Chris Tymeson, Chief Legal Counsel, Department of Wildlife and Parks, (Attachment 15) documented the Department opposes the first four sections of **HB 2362**:

- Section 1 of the bill would require the Department to extend the season for antlerless deer by 60 days in each Deer Management Unit.
- Section 2 of the bill would allow for the issuance of landowner transferable deer permits.
- Sections 3 and 4 of the bill would require the Department to collect \$5 for every nonresident deer permit and transfer that funding out of the control of the Department to a specific nonprofit association.

Written Testimony:

Keaton Kelso, President, Kansas Outfitters Association (Attachment 16)

Questions were asked and comments were made by member of the Committee.

Lloyd Fox, Ph.D., Big Game/Furbearer Program Coordinator, Department of Wildlife and Parks, also answered questions from members of the Committee.

Tony DeRossett, President, Kansas Hunters Feeding the Hungry, Inc., gave a brief synopsis of Kansas Hunters Feeding the Hungry, Inc., and commented regarding its involvement with issues discussed in connection with the bill.

The hearing was closed on **HB 2362**.

The next meeting is scheduled for March 12, 2009.

The meeting was adjourned at 5:20 p.m.

ANTHONY R. BROWN
 REPRESENTATIVE, 38TH DISTRICT
 799 E. 2200 ROAD
 EUDORA, KANSAS 66025
 (785) 542-2293

300 SW 10TH AVE.
 TOPEKA, KANSAS 66612
 (785) 296-7679
 (1-800) 432-3924
 anthony.brown@house.ks.gov



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS

CHAIRMAN: FINANCIAL INSTITUTIONS
 MEMBER: FEDERAL AND STATE AFFAIRS
 INSURANCE
 TAXATION

HB 2342

Thank you Mr. Chairman and committee for allowing me to testify in support of HB 2342.

The State of Kansas receives an estimated \$125 Million annually from deer season. This bill is an effort to protect that industry.

- I. Shawnee Mission Park is overpopulated with deer and that proposes threats in many areas
 - A. Approximately 200 deer per square mile, healthy numbers are 70 to 120 per square mile
 - B. Poses significant threat to greater Kansas herd through transmission of diseases
 - C. Threat to human injury by way of increased car accidents on roads near park
 - D. Destroys agriculture production in the area surrounding the park

- II. How to control the herd
 - A. Forced sterilization and contraception – cost per deer \$700 with 20% failure rate. Cost for total project \$280,000
 - B. Trap and relocate – cost per deer \$400 with a ⁸25% mortality rate. Cost for total project \$160,000
 - C. Sniper hunt – cost per deer \$300. Cost for total project \$120,000
 - D. Public Archery hunt increases revenue – in excess of \$12,000 (\$30 permit)

- III. Proposed Legislation
 - A. Allow Department of Wildlife and Parks the ability to regulate the hunt as necessary
 - B. Limit the hunt to archery only
 - C. Recommend a October hunt and January hunt followed by a sniper project in February

- IV. Opponents may consider this to be cruel or inhumane but offer no viable solutions to the problem that could cost Kansas millions of dollars in lost revenue because of losses in the deer industry. Local governments want to maintain “home rule” in this action, but have not acted in the past and the overpopulation did not suddenly become a problem this year. Others will say we do not need to rush in and do something, rather we need to slow down, yet the problem becomes greater each year with inaction. Other communities in the country have had similar problems and have adequately addressed the problem. We need to act now and maintain the health of the Kansas deer herd.

Agriculture & Natural Resources

Date 3-10-09

Attachment 1



Posted on Sun, Mar. 08, 2009

Controlled hunts proposed to limit deer in Shawnee Mission Park

By FINN BULLERS
The Kansas City Star

A state representative from Eudora has sponsored a bill to create two special bow-hunting seasons to cull the exploding deer population at Shawnee Mission Park in Johnson County.

Republican Anthony Brown wants to allow archers into the 1,280-acre park for nine days in October and nine days in January to shoot deer in a controlled hunt.

The goal of House Bill 2342, he said, is to cull 400 deer from a herd that wildlife officials say is at least eight times larger than the park can support. Any animals not harvested in that time would be killed by sharpshooters, Brown said.

A hearing on the bill is scheduled for 3:30 p.m. Tuesday in the House Agriculture and Natural Resources Committee.

Overpopulation can be dangerous to the health of the deer, people and the park's ecosystem, experts say. Supporters of controlled hunts say they are done successfully in the area.

Critics say arrows are cruel and inhumane. They are pleading for a less "barbaric" solution that could involve relocation, sterilization or contraception.

Hunting is not allowed in the park, and any controlled hunt would require a change in state legislation.

"With 200 deer per square mile, this is causing a problem," Brown said.

Brown estimated that it costs \$300 per deer to hire a qualified sniper, \$400 per deer to trap and relocate each animal and up to \$700 to sterilize a deer.

"These options, given the number of animals in the park and the current economic climate, are not viable," he said.

Brown's efforts came as a surprise to county parks Director Michael Meadors.

"Everybody's wanting to rush in and do something," Meadors said. "Our caution has been ... to slow down, take a step back, gather as much information as we can, but to make sure the process is as transparent as possible and includes the public."

Meadors said a draft deer-management plan will be given to the park board in April. Public hearings will be held in May before the board decides the fate of the deer, he said.

Meanwhile, after months of debate, the St. Louis suburb of Town and Country, Mo., last month approved a plan to kill deer and sterilize does.

Deer overpopulation has long been a problem there, and officials agreed to hire a firm to bring in sharpshooters to kill some of the animals, starting this fall. The sterilization effort has begun but is expected to take years to become effective.

@ Go to [KansasCity.com](http://www.kansascity.com) to read the full text of the bill and related documents.

David Klepper, The Star's Topeka correspondent, contributed to this report. To reach Finn Bullers, call 816-234-7705 or send e-mail to fbullers@kcstar.com.

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House Bill 2342
March 10, 2009

I am in favor of House Bill 2342, allowing controlled deer hunts in areas of the state of Kansas. I live at Lake Quivira, Kansas and am in charge of a deer management program in our city where we have entirely too many deer. They pose a severe problem in our neighborhoods, consuming vegetation, flowers, landscape plants, and trees.

We pride ourselves with beautiful landscaping and neighborhood attractiveness and although we all enjoy the deer as components of our varied wildlife, they are now too numerous to exist healthily. The sheer numbers of deer here pose automobile/deer collisions.

We are in favor of an humane and practical solution to this overpopulation problem and stand behind this bill affirmatively!
We will begin the process of polling our community for the resident's input regarding some sort of control.

Thank you!

Robert. C. Lee, Lake Quivira City Council President

Agriculture & Natural Resources

Date 3-10-09

Attachment 2

HB 2342.

I am R.J. Jubber, Vice President of Heartland Suburban Whitetail Management (HSWM).

HSWM has worked with the bills sponsors in an effort to bring light to the legislature the deer population problems in Shawnee Mission Park. In an effort to expedite the local governing body's course of action the state of Kansas needs to pass HB 2342. The preceding is an official statement of support for HB 2342 from HSWM. Additionally the statement includes answers to the debate regarding the issue of how the deer in Shawnee Mission Park should be managed.

Weigh the options: What is the most logical solution?

- Trapping and relocating
- Birth control
- Fencing
- Supplemental feeding
- Using plants that deer avoid
- Repellants
- Using sharpshooters
- Being objective
- Do nothing
- Hunting as the answer
- The bow hunting option
-

TRAPPING AND RELOCATING - is labor intensive, expensive, and survival rates are frequently low (20%), resulting in high animal deaths, sometimes months after release.

BIRTH CONTROL - like trapping, is expensive. The cost of drugs, and the expense of man-hours to administer them, is not practical when considering the large number of deer that must be treated before it can become effective. Also, little research has been done on the effects that birth control steroids may have on humans and other animals in the food chain. The question of what happens if humans or other animals consume the meat of a drug treated deer must first be answered. Birth control might work on small insular deer populations (i.e. 50 acres or less) under regulated conditions, but it's not practical on free roaming deer on large tracts of land.

FENCING - is expensive and often diminishes a property's attractiveness. Fences high enough to prevent deer from jumping them are not practical in most residential areas. It is next to impossible to fence an entire neighborhood well enough to keep the deer out.

SUPPLEMENTAL FEEDING - like all the other options, is cost-prohibitive. Work in Michigan and Colorado indicates that it costs between \$37 and \$53 per deer, per month to run a winter feeding program. Multiply that by the number of deer to be fed and you'll see that it's not a feasible option.

In fact, feeding actually encourages the deer herd's growth; thereby possibly exceeding the land's carrying capacity, which damages the habitat and health of the herd. Feeding also increases the chances that disease will be transmitted between deer as they gather in large numbers at feeding sites. Feeding requires many hours of work. The question arises: Just who will do it, and who will pay for it?

Agriculture & Natural Resources
Date 3-10-09
Attachment 3

USING PLANTS THAT DEER AVOID - Deer do not eat all plants, and some of these unpalatable plants are aesthetic. However, this option means landowners would need to replace their existing plants with ones deer don't find appealing. This can be expensive for property owners. Property owners have to plant only vegetation that deer won't eat which eliminates the freedom to landscape by choice.

REPELLANTS - are only effective in controlled "spot" locations and are not a wide scale solution. They are expensive and labor intensive to apply. To be effective, repellants require frequent applications as new growth on treated plants outgrows the protection. Some might work well in one area and poorly in another. Smell and sight of repellants can reduce quality of life for residents. They are not effective in winter because of snow, or in areas with frequent rainfall. Studies show that repellants modify deer behavior. They might perform well under moderate pressure from deer, but might be ignored when alternative deer foods are scarce.

USING SHARPSHOOTERS - Typically, sharpshooters are hired to patrol a designated area and, as discreetly as possible, shoot deer with a firearm. The cost of this service can be high. A sharpshooter program in Wisconsin cost \$74/deer removed and a similar program in Ohio found that sharpshooting was a less efficient method of deer removal than controlled hunting. Using sharpshooters can be exceedingly controversial in situations where regulated hunting could be conducted. That's because it denies citizens access to a renewable public resource and recreational opportunities. Some sharpshooters use night scopes and silencers on their firearms, which can give the impression that something akin to a military operation is occurring. Therefore, some neighborhoods might reject it. The sound from shots being fired is typically considered disruptive and invasive to residents. Sharpshooting can raise safety concerns because high-powered rifles are used, and they have long-range capacity. Sharpshooting provides a workable solution only in specific instances.

BEING OBJECTIVE - With the options outlined above, any of them might work under specific situations, after costs, staffing and other variables are considered. Specifically:

- Trapping and relocating might be performed by professionals in some cases.
- Fencing is being used in many places on a limited basis, particularly around gardens and ornamental plantings.
- Supplemental feedings, when used with other reduction programs, can help keep deer from consuming valuable plants in winter.
- Repellents are the most common deer control measure used in conjunction with other deer-control programs.
- Sharpshooters have been used in some instances as a control technique to get a community to accept the idea of deer management. This plan is then followed by hunting proposals within a couple of years.

DO NOTHING - Uncontrolled deer herds soon outgrow the land's capacity to provide them with food. As the habitat degrades, the deer become susceptible to disease, parasites, starvation and, ultimately, death for unhealthy individuals and other species. Overgrazing also destroys the habitat by killing trees, brush and plants. Johnson County Park's not taking action will lead to increased suffering in the herd in problem areas. Doing nothing might be an option if the Park's deer population is growing, and if the residents have time to evaluate realistic deer-management solutions. However, lengthy procrastination has worsened the problem.

HUNTING AS THE ANSWER - Regulated hunting has been proven to be a sound, responsible method for managing deer populations. It is safe, ethical and humane. It provides deer population control for the least cost, because recreational hunters do the "work" of removing deer. In some places, the money spent by hunters for licenses and permits provides an added bonus by benefiting wildlife and habitat. Other options have been found impractical, prohibitively expensive, widely unacceptable, and limited in application.

THE BOWHUNTING OPTION - Bow hunting has been shown to be a safe, effective way to curb expanding urban deer herds. Hundreds of metro areas throughout North America allow bow hunting within city limits. Columbus, Ohio, Pittsburgh suburbs, and many cities in Minnesota, Illinois, Wisconsin and Canada allow bow hunting. Few problems and no accidents have been reported. National surveys show that most deer harvested with a bow are shot at distances of 20 yards or less, which makes it ideal for hunting in and around urban areas. Many bow hunters hunt from elevated tree stands, which means an arrow is shot downward into the ground. A hunting arrow, under most conditions, cannot travel any appreciable distance once it hits even a twig or small limb.

Archery is one of the safest sports in the United States. National Safety Council statistics show archers have an accident rate of 0.09 percent, or 92 accidents per 100,000 participants. Meanwhile, baseball shows a rate of 2.16 percent, or 2:155 accidents per 100,000 participants. Most cities and towns have, and even sponsor, little league baseball. Therefore, it's difficult to logically reject archery for safety reasons. In addition if Shawnee Mission Park is able to issue **hunting** permits for the park it can work with local organizations like Heartland Suburban Whitetail Management to insure that the hunters using the park are of a competent level. The Park will also be able to, with the help and assistance of KDWP, manage the number of deer taken from the park as well as the sex of the deer in order to increase the effectiveness of hunting the deer. There is some debate regarding the language in the bill that states the park can issue deer permits. If the bill's language is changed from deer permits to hunting permits the park will have the ability to monitor the effectiveness of the hunt and the proficiency of the hunters

Johnson County Parks has had many opportunities to take care of this problem. KDWP has advised the Park to take care of the issue. Third party biologists have told the park to take care of the problem. None of these efforts have been acted upon until now. The State of Kansas has to make a statement with the passing of this bill that Johnson County Parks has to do something about their deer problem. Following the direction of the State and with the herd management experience of KDWP and the help of experienced bow hunting groups like HSWM this issue can be resolved. The deer population in Shawnee Mission Park is one that no one wants to see destroyed or devastated by disease. If the park is not pushed to do something about the issue the health of the herd in the park as well as the rest of the deer in Kansas are at risk. The overall health of the deer population is at risk. Action needs to come today.

TESTIMONY

To

House Committee on Agriculture and Natural Resources

The Honorable Larry Powell, Chairperson
March 10, 2009

House Bill 2342

Honorable Chairperson Powell and Committee Members:

Thank you for the opportunity to appear before you today with regard to the deer population in Shawnee Mission Park and HB 2342 introduced by Representative Brown, Eudora. My name is Michael Meadors. I am the Director of the Johnson County Park and Recreation District

Background

Over the last few years District staff has recognized a visible increase in the number of deer in Shawnee Mission Park. While we have been monitoring the "browse line," that bottom four to five feet of trees and shrubs that deer so enjoy as a part of their diet, there has remained an abundant amount of other vegetation that appears unharmed. Test plots have been constructed to monitor browsing impacts, especially in critical protected areas like our prairie remnants where endangered species exist.

As a result of the population increase, staff conducted a census in November of 2007, with the assistance of Kansas Department of Wildlife and Parks, which resulted in an estimated count of 208 deer per square mile. A second census this past November estimated there were 195 deer per square mile in the park. While no visible increase was noted, the two reports do verify an overabundance of deer that, if not controlled, could have negative consequences on the native flora and fauna.

Immediately after the first census staff began contacting other municipalities and park and recreation agencies in the area and across the region. One fact that kept reappearing was the need for the development of a Biodiversity Policy. A policy that outlines management practices to ensure proper stewardship of the public's entrusted ecosystems.

This past fall a team of six Johnson County citizens and four District staff began the task of drafting this document. When completed it will outline methods and procedures to monitor and manage the following:

- Nuisance animals like geese, muskrat, beaver and deer,
- Invasive species like sericea lespedeza, bush honeysuckle, and Johnson Grass, and
- All of the natural resources within our parks including soil, air and water.

Agriculture & Natural Resources
Date 3-10-09
Attachment 4



JOHNSON COUNTY
PARK & RECREATION
DISTRICT












www.jcprd.com

SHAWNEE MISSION PARK

7900 Renner Road
Shawnee Mission, KS
(913) 438-7275

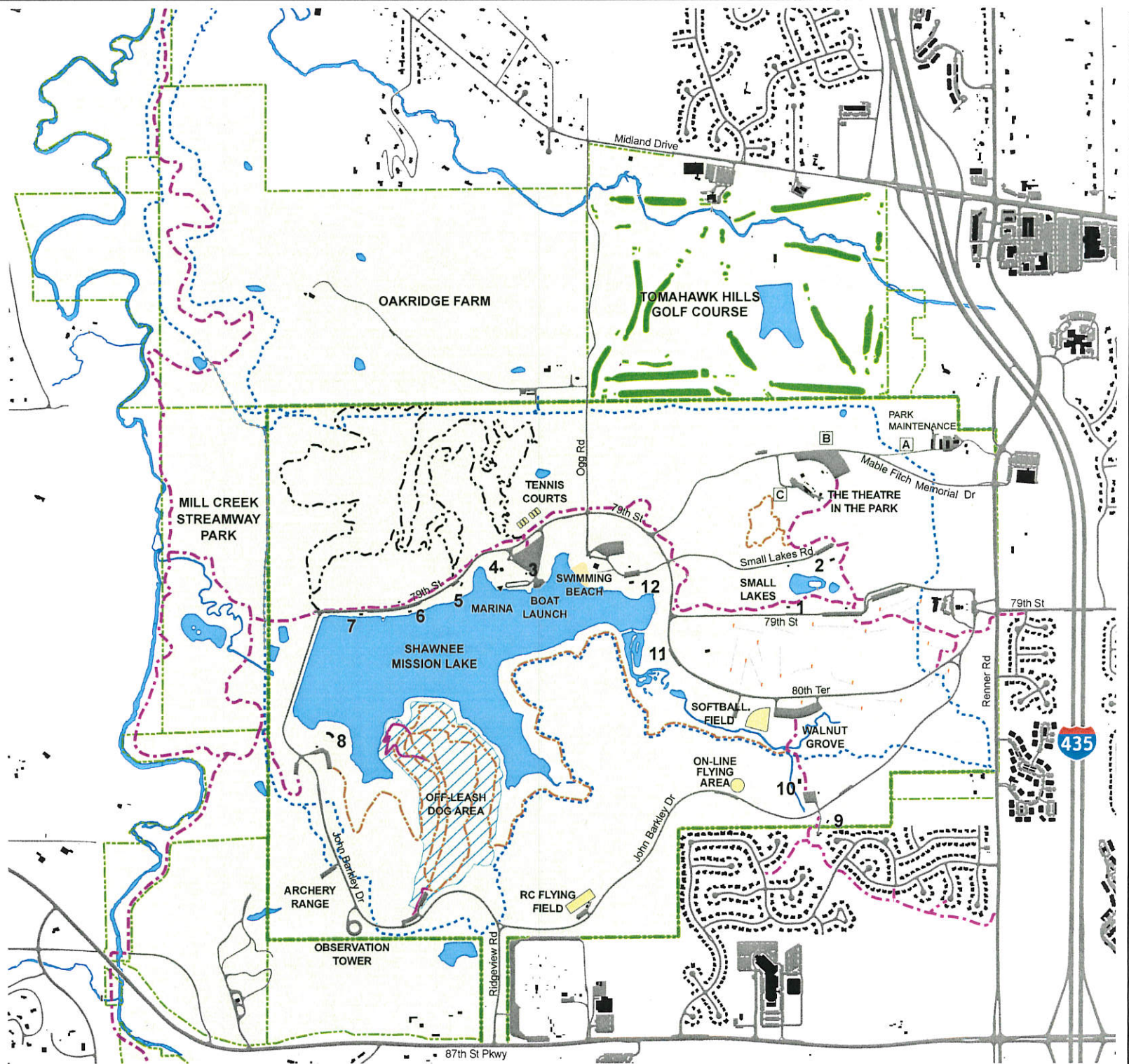


Legend

-  Building
-  Road
-  Paved Trail
-  Paved Walking Trail
-  Hiking Trail
-  Equestrian Trail
-  Mtn Bike Trail
-  Off-Leash Area
-  Shawnee Mission Park
-  JCPRD Park Property
-  Picnic Shelter

0 500 1,000 2,000 Feet

March 10, 2009



4-3

Testimony on House Bill 2342 regarding the deer population in Shawnee Mission Park
To
The House Committee on Agriculture and Natural Resources

By Seth D. Post
Legislative Chairman
The Kansas Bowhunters Association

House bill 2342 is a bill that has been proposed in an attempt to address the deer population problem in Shawnee Mission Park. The KBA **opposes** this new bill and hopes that the committee will feel the same way. Although the KBA does think that the intent is good to address this particular problem, we do not agree with the way that it takes deer regulation away from the Dept. of Wildlife and Parks. The KDWP should be the only agency in the state that has the right to issue deer permits. The bill is trying to take the current regulation out of the state's hands and transfer those powers to the Johnson County Board of County Commissioners. Hunting is already legal in Johnson County and the only thing preventing hunting from taking place in Shawnee Mission Park is Local County and city ordinances. This proposed bill would not change that scenario. If there were some revisions put in place to allow KDWP to have some control in the regulation then the KBA would support a bill such as that, because we do feel that it is a needed piece of legislation.

Agriculture & Natural Resources
Date 3-10-09
Attachment 5



TESTIMONY REGARDING HOUSE BILL 2342

To: Chairman Powell
Members of the House Committee on Agriculture and Natural Resources

From: Matt Shatto, Assistant City Administrator

Date: March 10, 2009

RE: House Bill 2342 Concerning Deer Hunting

Thank you for the opportunity to present testimony regarding House Bill 2342. The bill directs the Board of County Commissioner for Johnson County to provide an archery deer season in Shawnee Mission Park ("Park"). A significant portion of the Park is located within the city limits of Lenexa and while the City of Lenexa is keenly aware of and concerned with the overpopulation of deer within the Park, we also have significant concerns with HB 2342.

Archery hunting is prohibited in the City of Lenexa, except from an elevated shooting position on private land of at least 20 acres in size that is primarily rural in nature. Although the Park itself is very large, it is located in a fully developed portion of our community, which is definitely not "rural in nature", and is surrounded by residences. Simply providing an archery deer season in which anyone who wishes to may hunt in the Park creates a host of safety concerns for the City, given the proximity of the Park to residences and businesses. Neither HB 2342, nor the statute and regulations referenced therein, provide any mechanism for addressing these concerns. The City believes that the problem of deer overpopulation within the Park can be adequately managed in other ways that better address such safety concerns.

In fact, the City has already engaged in preliminary discussions with the Johnson County Park & Recreation District to develop and approve a plan for a special controlled deer hunt event in the Park. Through this process, we will work with the District to ensure the safety of our citizens is protected. This will include the use of qualified marksmen to conduct the hunt; adequate notification of residents, particularly those adjacent to the Park; closure and security of the Park; and a plan for safe and sanitary removal of the carcasses. The City believes that this is a better, and safer, method of reducing the deer population in the Park and we look forward to finalizing the details of this plan with the District. Once this plan is executed, the City believes there will be no need for an uncontrolled archery deer season in the Park and thus, no need for passage of HB 2342.

Please do not hesitate to contact me should you desire any additional information or assistance on this matter. Thank you for your consideration.

**Testimony on HB 2342 regarding Deer and the Taking Thereof
To
The House Committee on Agriculture and Natural Resources**

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

March 10, 2009

HB 2342 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 supports the concept contained in the bill but opposes some of the specific language contained in the bill.**

HB 2342 would require the Board of County Commissioners in Johnson County to provide for an archery season for deer and to issue archery permits for hunting deer within the boundaries of Shawnee Mission Park in Johnson County. Johnson County is within the Department's Deer Management Unit 19 and therefore the deer hunting seasons within Johnson County run from mid-September through the end of January. In addition, the number of allowable permits for use in Unit 19 is six, the maximum allowed per hunter by Department regulations, and the Department recently amended regulations to further remove any perceived barriers to hunting in Unit 19.

The frameworks set by Department regulations already exist for the creation of an effective hunting program in Shawnee Mission Park. This issue is about the landowner, Johnson County Parks and Recreation District, developing an access program to harvest deer in the most economical and effective method. The Department believes that regulated hunting is the most effective means of controlling deer populations while at the same time providing for the long-term management of deer populations.

As such, the Department has local, regional and statewide personnel ready and willing to assist in creating such a hunting program. There are also a number of cities and counties within the Metro Kansas City area that currently use legal hunting as the primary method of deer management within their jurisdictions which could be used as a template for Shawnee Mission Park.

The Department appreciates the opportunity to address the bill and the support of the Committee in modifying the language of the bill before it moves forward.

March 6, 2009

Michael Meadors, Director of the Johnson County Parks & Recreation District
District Administration Building
Shawnee Mission Park
7900 Renner Road
Shawnee Mission, KS 66219

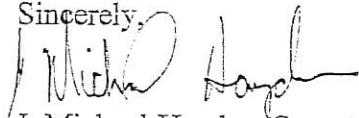
Dear Mr. Meadors;

I am writing in regard to the upcoming decision concerning deer management in Shawnee Mission Park. Kansas Dept. of Wildlife and Parks is supportive of your efforts to manage deer within the Johnson County Parks system. We understand the need to control deer numbers in the urban environment and have produced a manual to assist cities and counties with making the exact decision that you are now going through. Our local, regional and statewide staff members have been available to provide the technical knowledge and support to help with this decision as well. In fact, we have worked for several years with the cities of Lenexa and Shawnee, where Shawnee Mission Park property is contained, with urban deer management.

I would like to reiterate the position that is stated in our urban deer management manual. That position is that "Regulated hunting has a history of being the most effective means of controlling deer populations while at the same time ensuring the long-term security of deer species". We would like to see the utilization of controlled hunting as the primary tool for herd reduction in the park. KDWP has made many efforts to remove barriers that could reduce the opportunities for utilizing legal hunting as a mechanism for urban deer management. We have increased season lengths, increased permit numbers and increased hunting options in Unit 19 where the Kansas City metro area lies. We have also offered to make additional changes, if needed, to ensure that hunting will be used as a viable alternative in deer management within the park.

We understand the need to explore all alternatives before making a final decision. As you know, there are a number of cities and counties in the KC metro area that are currently using legal hunting as the primary method for deer management within their jurisdiction. We urge you to follow this footprint for success when making a final decision on the primary method used within Shawnee Mission Park as well.

Sincerely,


J. Michael Hayden, Secretary

State of Kansas
House of Representatives

State Capitol
Topeka, KS 66612
785-296-7689
joe.seiwert@house.ks.gov



1111 E Boundary Road
Pretty Prairie, KS 67570
620 727-2053
joseiwert@onemain.com

Joe Seiwert
Representative, 101st District

HB 2362

Chairman Powell and Committee, thank you for hearing HB2362 relating to procedures for the taking of deer concerning population control and the taking thereof, extending the season, fees charged relating to the feed the hungry fund, and repealing KSA 2008 Supp.32-988 and 79-3606 from existing sections.

This bill has three main parts:

Section 1. New, shall provide a special season in units to extend the season 60 days for residents and non residents, after the regular season.

Section 2. Revert back to the 2007 section regarding the purchase a nonresident deer permit by a landowner/tenant that can be transferred to any resident or nonresident at the request of the landowner/tenant.

Section 3. A fee for every resident/nonresident permit shall be increased by \$5 to be deposited in an account for feed the hungry fund. This money is to be used for the processing of deer donated to the Kansas hunters feeding the hungry, inc.

PURPOSE OF THIS BILL

The purpose of this bill is to reduce the deer population in Kansas and make Kansas highways and roads safe again. Donate the deer meat and processing to Kansas hunters feeding the hungry so they can

Agriculture & Natural Resources
Date 3-10-09
Attachment 8

distribute the meat to food banks and homeless shelters. Return the transferable permits back to the landowner/tenants to get the out of state hunters coming back to Kansas to hunt deer , stay in our motels, eat at our local restaurants, and shop at our local shop at our sporting goods stores again.

We have lost tens of thousands of dollars of spending and lease money in our local economies because out of state hunters did not come to Kansas this year because of the difficulty to get an out of state permit .

Last year in year in the State of Kansas, there were 9,417, accidents, 8 **DEATHS**, and over 340 serious injuries in Kansas. 56 Kansans have lost their lives since 1993 to deer accidents. Kansas ranked 7th in the Nation from “Deaths by Crashes with Animals” in 2007, (see attachment). The deaths and injuries will control to grow unless we make it affordable and easier for hunters to purchase permits.

Year	Accidents	Injuries	Deaths	Increase
1987	3601	107	0	
1997	9116	279	5	172/5
2007	9417	347	8	301/3
Last ten years=	95838	3031	18	

WHAT THIS BILL WILL DO

The main purpose of this bill is to reduce the deer population by extending the season 60 days, thus making our roads and highways saver for residents to travel.

This bill will make it easier for nonresident hunters to get a permit again by going back to a system that was simple, one that worked great for everyone before. The transferable permit allowed the landowner/tenant to purchase the permits before the deadline of May

1st. It then allowed the Outfitters who partnered with landowner/tenants, time to find out of state hunters to hunt leased lands and guarantee them to have a permit.

It will allow local hunters that are unable to afford to lease hunting land, or felt it was too expensive to buy a permit for only 10 days, an opportunity to hunt the extended time on land that was leased and no longer attractive for big money leases. It will also make it more affordable for them because they will have more time to fill their permit, especially if they work and cannot get time off to go hunting.

It will provide meat for food banks and homeless shelters at no cost by Hunters feeding the hungry and stimulate money for local processing plants by paying for the processing of the deer meat.

It will put much needed money back in our local towns economies and businesses from additional hunters and out of state hunters.

COST OR SAVINGS

This bill should not cost anything to Wildlife and Parks, but should generate a number of new permits. As of last year, the number of permits sold were down substantially.

A Highway Patrolman told me it takes an average of two hours to work a deer accident. 9,417 accidents times 2 hours equals 18,834 man hours. 18,834 divided by 2080 hours in a work year equals 9 full time HP or Sherriff officers dedicated to just working deer accidents. At \$70,000 per year salaries and benefits, that's over \$630,000 dollars a year just to work deer accidents.

This bill is dedicated to the following people who lost their lives to from deer:

Robert Crandall 55 Pretty Prairie

Roger House 60 Pratt

Jasen Kanak 31 Scott City

Shannon Sylvas 37 Independence

Current Requirement for Deer Hunters

DEER

PROPOSED Application Deadlines: Resident Any-Deer Draw: July 10 , 2009; Resident Whitetail Any Season Permit: Dec 30, 2009; Resident Archery: Jan. 30, 2010; All Nonresident: June 1, 2009; Antlerless Whitetail Permit: Jan 30, 2010 Hunt-own-Land Permit: Jan 2, 2010.

2009 PROPOSED Deer Season Dates:

Youth and Disability: Sept.12 thru Sept. 20, 2009

Early Muzzleloader: Sept. 21 thru Oct. 4, 2009

Archery: Sept. 21 thru Dec. 31, 2009

Early Firearm (DMU 19 only): Oct. 10 - Oct.18, 2009

Regular Firearm: Dec. 2 - Dec. 13, 2009

Firearm Extended Whitetail Antlerless Season: Jan.1 thru Jan.3, 2010 (Open for Units 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 19 only)

Archery Extended Whitetail Antlerless Season (DMU 19 only): Jan. 4 thru Jan. 31, 2010

Shooting Hours: One-half hour before sunrise to one-half hour after sunset.

Deer Accident Summary

Year	ACCIDENTS				PEOPLE	
	Total	Fatal	Injury	PDO*	Deaths	Injuries
B 1986	3,173	1	116	3,056	1	142
A 1987	3,601	-	107	3,494	-	135
R 1988	3,910	1	132	3,777	1	153
S 1989	4,020	-	149	3,871	-	166
1990	4,210	-	132	4,078	-	161
1991	4,366	1	137	4,228	1	168
1992	4,739	1	130	4,608	1	158
1993	5,582	-	145	5,437	-	171
1994	6,571	1	188	6,382	1	222
1995	6,746	2	203	6,541	2	239
1996	8,415	2	281	8,132	5	339
K 1997	9,116	5	279	8,832	5	350
A 1998	9,992	1	366	9,625	1	439
R 1999	10,312	1	369	9,942	1	450
S 2000	9,591	1	322	9,268	1	384
2001	10,192	-	351	9,841	-	418
2002	9,296	1	289	9,006	1	341
2003	9,114	-	281	8,833	-	332
2004	9,952	4	299	9,649	4	364
2005	8,825	2	265	8,558	2	329
2006	9,197	3	237	8,957	3	291

*PDO - Property Damage Only

2007 DEATH'S

8

BARS- Basic Accident Records System

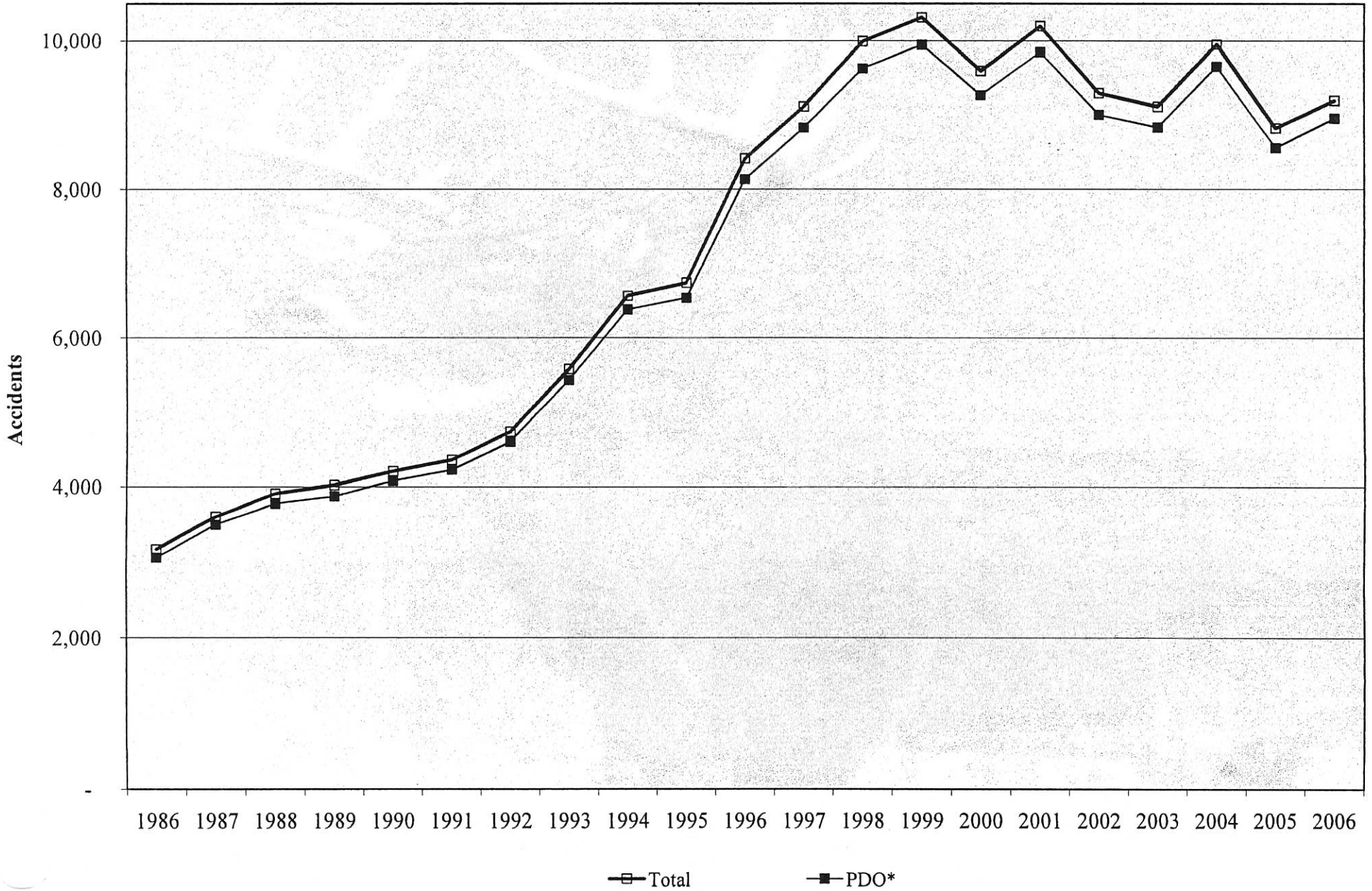
KARS- Kansas Accident Records System



In 2006, 14.0% of all accidents in Kansas involved striking deer as the first harmful event.

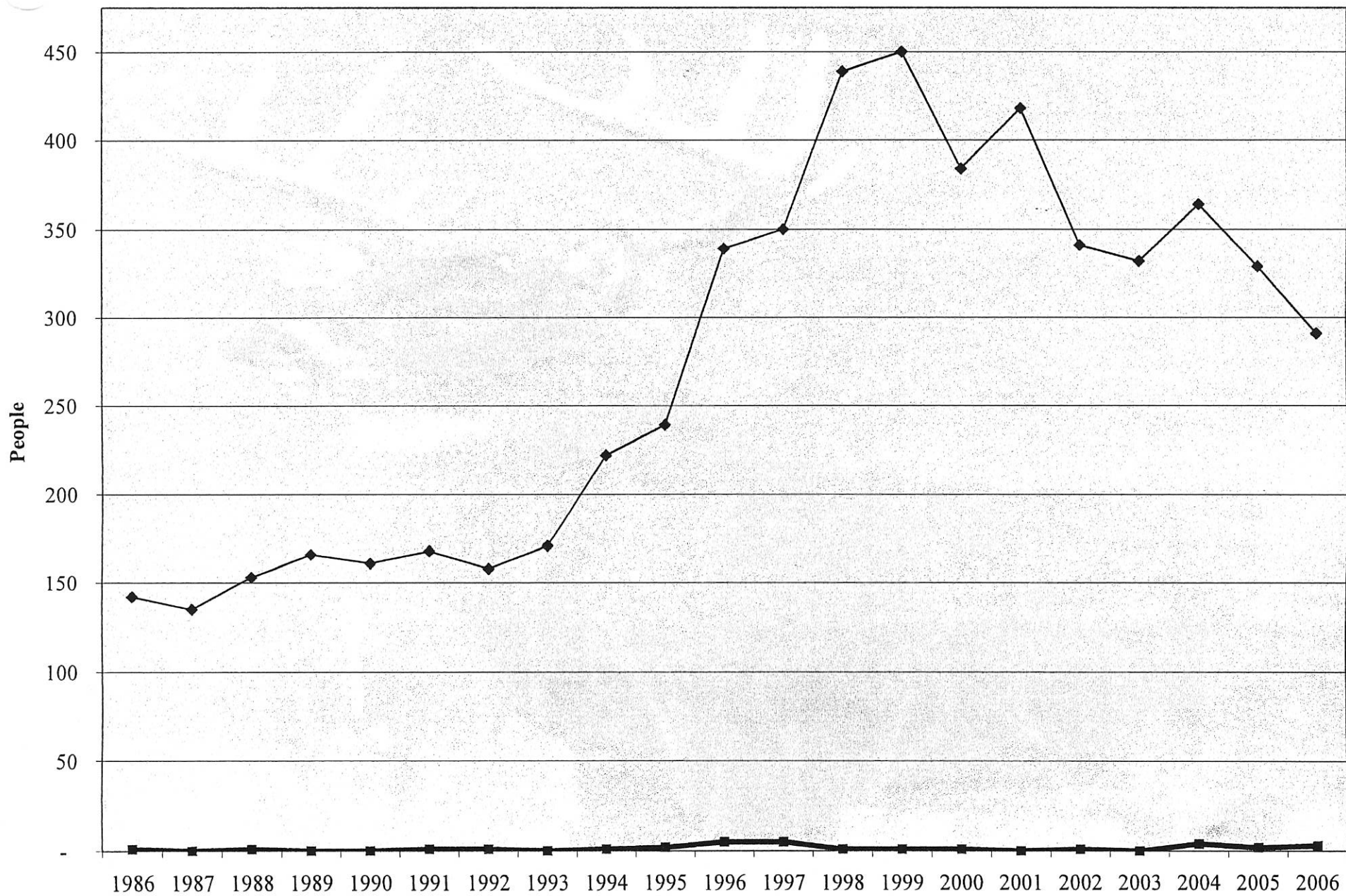
All Deer Accidents and *Property Damage Only Deer Accidents by Year

8-7



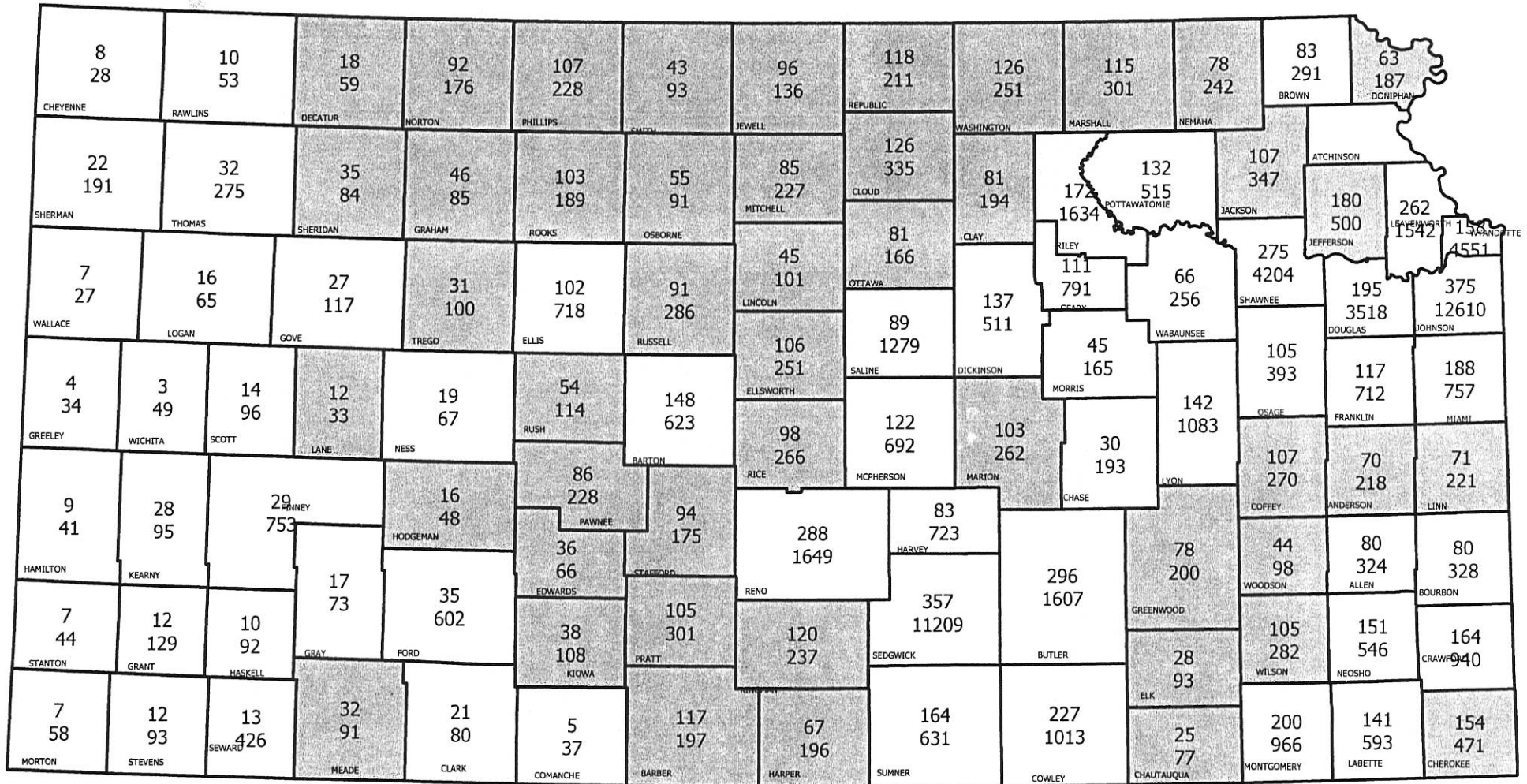
Occupant Deaths and Injuries in Deer Accidents by Year

8-8



TOTAL ACCIDENTS AND DEER ACCIDENTS BY COUNTY 2007

6-8



COUNTY HAS 30 PERCENT OR GREATER DEER ACCIDENTS

DEER ACCIDENTS

TOTAL ACCIDENTS

**ATTACHMENT
DEATHS IN CRASHES WITH ANIMALS
STATE BY STATE, 1993-2007**

	1993	94	95	96	97	98	99	2000	01	02	03	04	05	06	07	TOTAL
Alabama	-	3	2	5	1	3	3	4	3	4	1	4	2	4	2	41
Alaska	2	1	1	2	1	3	1	1	3	1	3	2	1	2	6	30
Arizona	4	2	2	2	2	7	2	2	1	3	3	4	2	1	5	42
Arkansas	2	-	2	3	3	4	3	2	3	3	2	2	3	2	1	35
California	4	6	9	6	5	3	5	3	8	9	2	5	3	7	4	79
Colorado	3	1	3	4	3	5	6	5	6	7	2	4	6	4	3	62
Connecticut	-	-	-	-	-	-	-	-	1	2	1	-	-	1	-	5
Delaware	-	-	-	1	-	-	-	1	2	1	1	2	1	-	-	9
Florida	2	5	-	2	6	6	6	1	4	3	8	5	-	6	4	58
Georgia	4	8	3	2	4	4	2	4	6	9	9	5	3	4	8	75
Hawaii	-	-	-	-	1	-	-	2	1	1	-	1	-	-	-	6
Idaho	1	2	-	4	3	2	1	3	-	2	2	3	3	6	1	33
Illinois	8	7	2	8	2	6	5	5	6	4	7	7	11	2	5	85
Indiana	3	2	5	5	1	6	4	4	6	4	3	5	3	4	4	59
Iowa	-	1	1	4	4	4	2	1	3	3	11	3	4	10	11	62
Kansas	-	2	2	9	7	4	1	3	3	4	-	4	4	5	8	56
Kentucky	3	2	2	4	2	4	1	2	3	3	3	4	6	4	4	47
Louisiana	2	1	3	2	-	2	2	2	3	-	3	2	3	3	3	31
Maine	2	-	3	3	-	5	3	3	1	3	5	5	2	2	5	42
Maryland	-	3	-	-	1	-	4	3	-	1	4	1	-	3	2	22
Massachusetts	-	-	-	-	-	1	2	-	1	-	1	-	-	-	2	7
Michigan	4	2	7	6	4	4	6	2	9	2	8	2	8	12	11	87
Minnesota	4	3	6	5	3	2	3	2	6	8	7	9	3	6	7	74
Mississippi	2	6	4	3	3	1	4	5	5	2	5	1	5	2	5	53
Missouri	2	2	3	1	6	3	8	6	5	7	7	6	4	4	5	69
Montana	5	1	6	1	8	2	2	2	-	3	3	3	8	7	6	57
Nebraska	1	1	1	3	4	2	2	2	-	-	2	3	4	4	1	30
Nevada	-	-	2	1	-	-	-	3	2	4	-	1	1	1	2	17
New Hampshire	-	1	-	-	1	2	2	2	2	1	2	3	1	1	1	19
New Jersey	1	-	2	-	-	2	1	6	1	3	2	2	3	2	-	25
New Mexico	1	3	-	2	2	2	2	2	2	1	4	7	2	5	1	36
New York	2	4	2	7	5	12	5	5	4	1	7	6	6	4	5	75
North Carolina	2	4	5	3	-	4	5	-	7	3	6	7	4	1	9	60
North Dakota	1	1	-	1	1	-	1	2	-	1	-	3	2	3	2	18
Ohio	3	3	-	4	2	5	7	6	5	7	8	8	11	14	10	93
Oklahoma	2	7	4	3	1	5	5	6	3	7	5	7	8	8	6	77
Oregon	1	3	6	3	1	-	1	1	1	1	2	-	2	2	4	28
Pennsylvania	6	11	6	5	3	5	3	4	6	13	16	3	9	13	9	112
Rhode Island	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
South Carolina	2	1	1	-	4	4	5	3	9	4	5	3	3	7	4	55
South Dakota	2	1	-	1	2	1	2	3	4	6	2	6	1	2	3	36
Tennessee	4	6	1	4	3	1	1	2	4	2	3	3	3	2	6	45
Texas	9	12	5	19	18	18	6	15	14	15	20	18	14	27	17	227
Utah	-	2	-	1	2	2	5	2	4	3	1	7	1	2	4	36
Vermont	-	-	2	-	1	1	3	2	-	-	2	-	1	1	2	15
Virginia	1	2	1	2	1	2	6	3	4	1	1	1	6	6	4	41
Washington	-	1	2	1	-	6	5	1	1	2	4	7	-	1	2	33
West Virginia	2	-	4	1	3	1	1	5	4	-	6	4	2	1	2	36
Wisconsin	3	5	9	6	10	5	6	6	11	5	11	13	10	8	15	123
Wyoming	1	3	4	4	2	4	2	1	-	1	2	3	1	6	1	35
TOTAL	101	131	123	153	136	165	152	150	177	170	212	204	180	222	223	2,499



Powered by Clickability

Man Killed By Deer Through Windshield

Reporter: Elyse Molstad
Email Address: elyse.molstad@kake.com



Every year, nearly 10,000 automobile accidents in Kansas are deer-related. Three percent of those crashes are fatal. While some of these can be prevented, authorities say not much could have been done to prevent Wednesday night's tragedy. [A](#) | [A](#) | [A](#)

A Scott City man was killed in western Kansas when a deer careened off another car and smashed through his windshield.

"It's just the fact the animal was there, it was struck and in this case it actually involved two vehicles instead of one," said KHP Trooper Ron Knoefel. □

Thirty-one-year-old Jason Kanak died Wednesday night after a deer hit by another vehicle flew into the windshield of his pickup truck on Highway 4 in Scott County. The State Highway Patrol says the deer went completely through the truck and out the back window.

Kanak's wife, Lisa, was able to grab the steering wheel and get the truck back onto the road after it swerved into a ditch. Lisa Kanak and the couple's 4-year-old son were taken to a Scott County hospital for possible injuries.

While accidents like this may be rare, Trooper Knoefel says they still happen.

"In many cases, we'll have crashes out here that make you wonder how in the world did it happen... but they do! It's a very low percent chance something like this would take place but it did, it did take place," Trooper Knoefel said.

While authorities say this accident could not have been prevented, other deer-related crashes can be, by constantly being on the lookout for deer while driving and lowering travel speed at night.

If you are confronted by a deer or any animal on the road, you should not swerve, but rather decelerate carefully and stay in your lane.

8-11



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Two Fatal Accidents in Montgomery Co.

Posted: 10:27 AM Dec 15, 2007

Last Updated: 10:27 AM Dec 15, 2007

The Kansas Highway Patrol reports that two people died Friday in separate accidents on Kansas highways.



The first accident occurred on U69, just north of the U166 junction. 19-year-old Jarred Thomas of Coffeyville, Kan. was killed when he drove his SUV off of the road, overcorrected, then crossed the center line, hitting another vehicle.

Another accident occurred on U400 when a car hit a deer, which caused the car to go into the path of an oncoming semi.

37-year-old Shannon Sylvas of Independence, Kan. died from her injuries.

Find this article at:

<http://www.wibw.com/kakeheadlines/headlines/12532336.html>

Check the box to include the list of links referenced in the article.

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ADD THIS

Published online 10/21/2008 10:15 PM

Deer declare accident season

As animals get distracted by mating, bolt into road, Reno County wrecks pile up.

By Darcy Gray - The Hutchinson News - dgray@hutchnews.com



A cold front is moving in, and so are the deer, say law enforcement and Kansas Department of Wildlife and Parks officials.

The Reno County Sheriff's Office reported eight car accidents involving deer within a 24-hour period Monday and Tuesday. And so far this month, at least 26 accidents involving deer have been recorded in the county.

"They're just everywhere," said Reno County Sheriff's Capt. Wayne Baughman. "With the cool weather coming in over the next few days, I can foresee we'll have more deer moving in. Plus, the rut is going on."

October and November are when deer are most active, according to Lloyd Fox, the KDWP big game program coordinator working out of Emporia. It's mating season, called the "rut," when does and bucks have only one thing on their mind - and it's not motorists, Fox said.

He said each doe has only a 24-hour time period in which it can conceive for the whole year. That "window of opportunity" may come anytime from early October to late January.

"The vast majority will conceive in the middle of November, so there's a lot of activity going on in a short period of time," Fox said. "They're running all over the place, they're not getting much sleep, and they're not making good decisions, like when it comes to going across the road."

Nov. 17 is traditionally the "peak day" for car accidents involving deer, based on accident statistics from

<http://www.hutchnews.com/Todaystop/deer2008-10-21T20-15-26>

3/7/2009

8-13

the past 10 years, said Kansas Highway Patrol Trooper Gary Warner. Over the past decade, there have been 727 crashes on Nov. 17.

"If you plot the number of crashes by day, there's almost a perfect bell curve plotted on a graph," he said, noting the peak on Nov. 17 likely coincides with the peak of deer rut activity.

Warner acknowledged Reno County is "one of the more popular counties for deer-related accidents," along with Stafford County, which reported 94 of its 175 car accidents last year involved deer.

In Kansas, there were 9,417 car accidents involving deer last year, with five fatalities - the highest number of deaths in 10 years.

Eight accidents in one day in Reno County is unusually high, Baughman acknowledged. He said there have been five injury accidents involving deer and one fatality in the county so far this year. Robert Crandall, 55, of Pretty Prairie, died in May after striking a deer with his motorcycle on Pretty Prairie Road.

Baughman said during this time of year, when deer activity is high, there is a greater risk for motorcyclists traveling at night.

"The best advice I have is to slow down and use your high beams at night if there's not any oncoming traffic," he said. "In the early evening and early morning hours is when they're moving pretty heavily out there."

Some spots in the county where there have been accidents involving deer include K-96, between Hutchinson and Wichita; East 30th Avenue, from Hutchinson to Buhler Road; and on North Plum.

Baughman encouraged drivers not to swerve to avoid hitting a deer, because a crash with an oncoming car or other object is likely to be more dangerous.

"The best thing to do, and I know this sounds bad, is not to swerve and just hit (the deer)," he said.

He also said drivers need to always be aware of their surroundings, be cautious in wooded areas and watch the side of the road for deer.

"If there's one, there'll be another, especially this time of year," Baughman said.

If you hit a deer ...

Pull over onto the shoulder, turn on your emergency flashers and watch for traffic before exiting your vehicle. Do not try to remove a deer from the roadway unless you are sure it's dead; an injured deer could hurt you. If you have a cell phone, dial *47 (*HP) for the nearest Highway Patrol dispatcher or *KTA for assistance on the Kansas Turnpike.

Anyone involved in a car crash with a deer that results in injury or property damage that totals \$500 or more is required to immediately report the crash to the nearest law enforcement agency. Failure to report any traffic crash is a misdemeanor and could result in suspension of driving privileges.

Avoiding collisions

Here are some tips from the Kansas Highway Patrol:

<http://www.hutchnews.com/Todaystop/deer2008-10-21T20-15-26>

8-14
3/7/2009

Toy Run rider dies after accident



By Tribune photo by Gale Rose

LifeTeam and Pratt County EMS members move 60-year-old Rodger House to the LifeTeam helicopter on US 54 for transport to St. Francis where he later died. House was injured when his motorcycle struck a deer while he was riding for Toys for Tots.

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By Gale Rose
The Pratt Tribune
Mon Oct 06, 2008, 03:31 PM CDT

Pratt, Kan. -

Pratt's Toys for Tots motorcycle run took a tragic turn Sunday when an Isabel rider died after his motorcycle hit a deer.

Rodger House, 60, died at around 7 p.m. from head injuries suffered in the accident, said Kansas Highway Patrol Trooper Mark Crump.

House was southbound on a 2000 Honda on NE 100th Ave. one mile north of Cairo and U.S. 54 when the accident occurred at 1:55 p.m.

A buck deer came out of the west ditch and onto the blacktop. House could not avoid the deer. The bike struck the deer then slid several feet before coming to rest on the east side of the road. House was thrown from the motorcycle and stopped on the west side of the road. He was not wearing a helmet.

Another rider next to House was able to stop his bike and avoided the deer. Toys for Tots riders assisted House until Pratt County Ambulance arrived at the scene.

House was moved by ambulance one mile south to the intersection of NE 100th Ave. and US 54. Traffic was stopped and a LifeTeam helicopter landed in the intersection to take him to Via Christi St. Francis Campus in Wichita where he later died.

The deer was killed in the accident and was in a pasture on the east side of the road.

House was the only person involved in the accident. He was with a group of Toys For Tots Riders at the time of the accident. The riders were from various American Legion Posts and Gabriel's Thunder, a Christian motorcycle club.

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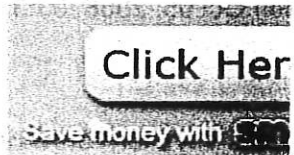
WEB BROWSING REDEFINED



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Feedback - A

8-16

HIGHWAY LOSS DATA INSTITUTE

NEWS RELEASE

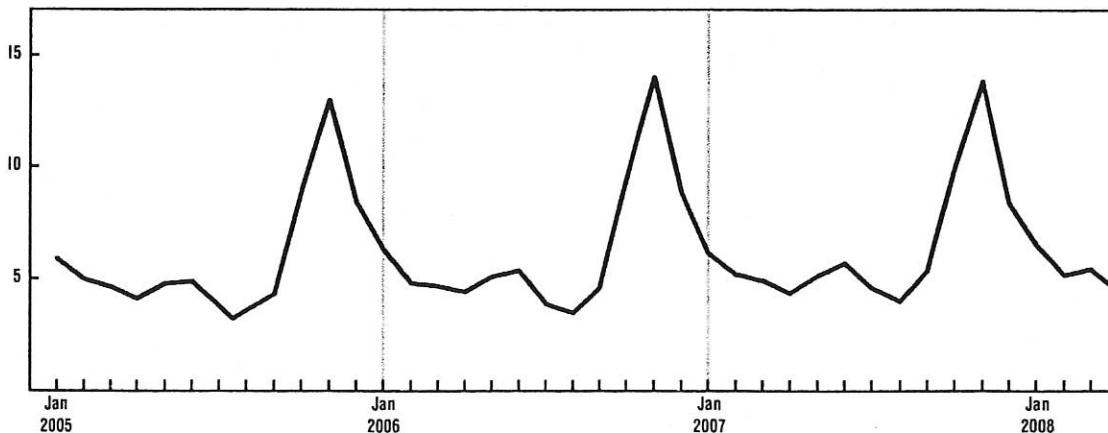
October 30, 2008

COLLISIONS WITH DEER AND OTHER ANIMALS SPIKE IN NOVEMBER; FATAL CRASHES UP 50% SINCE 2000

ARLINGTON, VA — November is the peak month for vehicle-deer collisions, and a new analysis of insurance claims and federal crash data indicate the problem is growing. The Highway Loss Data Institute (HLDI), an affiliate of the Insurance Institute for Highway Safety (IIHS), recently examined insurance claims for animal strikes under comprehensive coverage month by month from January 2005 through April 2008. The main finding is that insurance claims for animal collisions are nearly 3 times higher during November than the typical month earlier in the year. For example, for every 1,000 insured vehicles 14 claims were filed in November 2007 compared with an average of 5 claims per 1,000 during January-September. Insurance claims usually don't specify the animal involved, but other data show that deer are the main ones.

"Urban sprawl means suburbia and deer habitat intersect in many parts of the country," says Kim Hazelbaker, HLDI senior vice president. "If you're driving in areas where deer are prevalent, the caution flag is out, especially in November."

INSURANCE CLAIMS FOR ANIMAL STRIKES BY MONTH, PER 1,000 INSURED VEHICLE YEARS



— MORE —

8-17

State Farm, the nation's largest auto insurer, estimates that there were more than 1.2 million claims for damage in crashes with animals during the last half of 2007 and the first half of 2008. The company says animal strike claims have increased 14.9 percent over the past 5 years.

Most vehicle-animal collisions aren't severe enough to injure people, but data from the federal government show that crash deaths are increasing. In 1993, 101 people died in crashes involving animals. By 2000, the number was 150, and in 2007 it was 223.

The states with the largest number of total deaths are Texas with 227 deaths during 1993-2007, Wisconsin with 123, and Pennsylvania with 112 (see attached table of state-by-state deaths in crashes with animals).

Analyzing monthly data on fatal crashes of passenger vehicles and animals during the past 3 years, IIHS researchers found patterns similar to those reported by HLDI. Depending on the year, the crash deaths occurred most frequently in October or November.

"The months with the most crash deaths coincide with fall breeding season," Anne McCartt, IIHS's senior vice president for research, points out. "Crashes in which people are killed are most likely to occur in rural areas and on roads with speed limits of 55 mph or higher. They're also more likely to occur in darkness, at dusk, or at dawn."

When motorcycles are included, there's another peak in crashes in the summer when motorcycling is more common. Riders typically make up about half of the deaths in vehicle-animal crashes each year, even though registrations of cars, SUVs, and pickup trucks outnumber motorcycles on the road 40 to 1.

Safety belt use is a major factor. IIHS research from 2005 examined 147 police reports on vehicle-animal collisions in which there was a human fatality in

8-18

9 states during 2000-02. Deer were struck in 3 out of 4 of these crashes, but collisions with other animals such as cattle, horses, dogs, and a bear also led to deaths.

Most of the crash deaths occurred after a motor vehicle had struck an animal and then run off the road or a motorcyclist had fallen off a bike. Many of these deaths wouldn't have occurred with appropriate protection. The study found that 60 percent of the people killed riding in vehicles weren't using safety belts, and 65 percent of those killed riding on motorcycles weren't wearing helmets.

"A majority of the people killed in these crashes weren't killed by contact with the animal," McCartt says. "As with other kinds of crashes, safety belts and motorcycle helmets could have prevented many of the deaths."

End 3-page news release on collisions between vehicles and animals
Attachment: occupant deaths in crashes with animals, state by state

For more information go to www.iihs.org

8-19

8-20

Iowa Donated Deer 4/2/08

	HUSH Deer Donated	PVP Deer Donated	Processing Costs	Overhead costs	Total Costs	Income	Overspent	FHFH Deer Donated ^{1/}
2003-04 Season (Prison paid for PVP) @ \$55	1,604	226	89,200	9,800	100,000	78,000	23,000	0
2004-05 Season (Prison paid for PVP) @ \$60	1,898	0	118,880	10,000	128,880	69,000	59,880	0
2005-06 Season (DNR paid PVP) @ \$65	5,680	736	431,360	17,000	448,360	379,370	68,990	50
2006-07 Season (Prison paid for PVP) @ \$65	6,482	63	421,330	3,000	424,330	377,801	46,529	275
2007-08 Season (Prison paid for PVP) @ \$70	8,349	98	584,430	3,000	587,430	389,000	198,430	225
To-date Totals	24,013	1,123	\$1,645,200	\$42,800	\$1,689,000	\$1,293,171	\$396,829	550
(PVP)	1,123							
Total Deer Donated to State Programs	25,136							
(FHFH)	550							
All Donated Deer	25,686							
Meals to needy Iowans	4.6 million							

^{1/} Farmers and Hunters Feeding the Hungry

Testimony #1

To: The Honorable Larry Powell, Chair and the members of
the House Committee on Agriculture and Natural Resources

From: Kyle Larson
President, Kansas Sport Hunting Association

Re: HB 2362

Mr. Chair and Members:

As President of the Kansas Sport Hunting Association, and owner and operator of Ringneck Haven, Inc., and a farmer in the Pretty Prairie, Kansas, area, I am here in support of HB 2362.

Although I am President of the Kansas Sport Hunting Association and a hunting preserve operator, I am here primarily in my capacity as a farmer involved in crop production in an area with an abundance of deer. My support for the primary changes proposed by this bill are based upon the following factors:

1. Regarding the funding for the Wildlife Feeding the Hungry program, I have been involved in that organization locally for 3 years, and it is very beneficial, having distributed over 2 tons of deer meat to the residents of Reno County in the last two years alone. Additionally, control of the local deer population in any area is dependant upon doe harvest, which is in turn dependent upon a use for the doe meat being available.
2. Regarding the extension of the doe season to 60 days, the primary factor again is that deer population can only be controlled through control of the doe population, and the current doe only season of 4 days is wholly insufficient to make any meaningful effect on total population.
3. Regarding reinstatement of the landowner transferable permits, I believe there are two primary benefits to this change. First, if a landowner has a deer problem, he can obtain a transferable permit and require that it be used on his property. Second, if he can sell the permit for more than he paid for it, he would be reimbursed at least somewhat for the damages the deer do to the crops that are grown. Further, nothing in this bill changes the number of permits available to non-residents, so it should have no effect on resident hunters.

Sincerely,

Kyle Larson, President
Kansas Sport Hunting Association

Agriculture & Natural Resources
Date 3-10-09
Attachment 9

2008 Nonresident Deer
Draw Statistics

Rm 783
Docking

Management Unit	Permit Type	*Permits Authorized	Total # of Applicants (1st) Choice	Preference Points (PP)	Number of Permits issued by PP	Total Number of Permits Drawn	Number of Leftover Permits
Unit 1	Whitetail Either Sex	449	613	0	196	Firearms 164 Archery 163 Muzzl 122	0
				1	161		
				2	55		
				3	19		
				4	15		
				5	2		
				6	1		
	Mule Deer Stamp	50	244			Archery 16 Muzzl 34	
Unit 2	Whitetail Either Sex	338	276	0	211	Firearms 136 Archery 79 Muzzl 112	11
				1	64		
				2	22		
				3	17		
				4	7		
				5	6		
	Mule Deer Stamp	40	122			Archery 9 Muzzl 31	
Unit 3	Whitetail Either Sex	531	688	0	283	Firearms 252 Archery 206 Muzzl 73	0
				1	204		
				2	33		
				3	9		
				4	2		
	Mule Deer Stamp	44	140			Archery 22 Muzzl 22	
Unit 4	Whitetail Either Sex	333	304	0	297	Firearms 161 Archery 137 Muzzl 35	0
				1	34		
				2	1		
				3	1		
	Mule Deer Stamp	14	10			Archery 7 Muzzl 7	
Unit 5	Whitetail Either Sex	385	378	0	311	Firearms 192 Archery 155 Muzzl 32	6
				1	61		
				2	5		
				3	1		
				4	0		
				5	1		
	Mule Deer Stamp	14	16			Archery 9 Muzzl 5	
Unit 6	Whitetail Either Sex	509	278	0	236	Firearms 138 Archery 126 Muzzl 14	231
				1	35		
				2	4		
				3	3		

Agriculture & Natural Resources

Date 3-10-09

Attachment 10

**2008 Nonresident Deer
Draw Statistics**

Management Unit	Permit Type	*Permits Authorized	Total # of Applicants (1st) Choice	Preference Points (PP)	Number of Permits issued by PP	Total Number of Permits Drawn	Number of Leftover Permits
Unit 7	Whitetail Either Sex	867	1049	0	533	Firearms 419 Archery 377 Muzzl 73	0
				1	287		
				2	42		
				3	6		
				4	1		
	Mule Deer Stamp	14	42			Archery 13 Muzzl 1	
Unit 8	Whitetail Either Sex	1550	1464	0	1219	Firearms 587 Archery 721 Muzzl 206	36
				1	230		
				2	45		
				3	14		
				4	6		
Unit 9	Whitetail Either Sex	920	718	0	586	Firearms 290 Archery 365 Muzzl 63	202
				1	99		
				2	29		
				3	3		
				4	0		
				5	1		
Unit 10	Whitetail Either Sex	1291	560	0	407	Firearms 150 Archery 348 Muzzl 66	727
				1	131		
				2	22		
				3	2		
				4	2		
Unit 11	Whitetail Either Sex	2741	2219	0	1795	Firearms 872 Archery 1162 Muzzl 185	522
				1	368		
				2	46		
				3	8		
				4	1		
				5	1		
Unit 12	Whitetail Either Sex	1606	1468	0	1119	Firearms 719 Archery 678 Muzzl 72	137
				1	297		
				2	40		
				3	12		
				4	1		
Unit 13	Whitetail Either Sex	446	197	0	169	Firearms 136 Archery 48 Muzzl 12	250
				1	24		
				2	2		
				3	1		
Unit 14	Whitetail Either Sex	1561	1236	0	1007	Firearms 584 Archery 548 Muzzl 106	323
				1	186		
				2	37		
				3	7		
				4	1		

**2008 Nonresident Deer
Draw Statistics**

Management Unit	Permit Type	*Permits Authorized	Total # of Applicants (1st) Choice	Preference Points (PP)	Number of Permits issued by PP	Total Number of Permits Drawn	Number of Leftover Permits
Unit 15	Whitetail Either Sex	1134	918	0	714	Firearms 454 Archery 366 Muzzl 98	216
				1	168		
				2	26		
				3	9		
				4	0		
Unit 16	Whitetail Either Sex	2336	1659	0	1062	Firearms 771 Archery 804 Muzzl 91	670 (100 approved for sale as leftovers)
				1	428		
				2	122		
				3	40		
				4	12		
	Mule Deer Stamp	30	66			Archery 18 Muzzl 12	
Unit 17	Whitetail Either Sex	402	416	0	255	Firearms 196 Archery 140 Muzzl 66	0
				1	114		
				2	23		
				3	5		
				4	2		
	Mule Deer Stamp	50	106			Archery 18 Muzzl 32	
Unit 18	Whitetail Either Sex	239	159	0	95	Firearms 82 Archery 49 Muzzl 29	79
				1	49		
				2	9		
				3	6		
	Mule Deer Stamp	30	24			Archery 10 Muzzl 20	
TOTAL WES		WES 17638	WES 14600			Firearms 6303 Archery 6472 Muzzl 1455	3410
TOTAL Mule Deer Stamp		286	770			Archery 122 Muzzl 164	

6303
 6472
 1455
 14230

Testimony #3

To the Chairman of Agriculture Committee,

Please look at the following information in regards to HB2362:

Lodging	\$19400.00
Fuel	\$13500.00
Food	\$9750.00
Property	\$38000.00
Tags	\$8750.00
Misc.	\$3500.00
Total	\$92,900.00

We usually have around 30 hunters in our group that visit Kansas every year to hunt and fish. We spend almost \$100,000.00 annually until last year. Since you changed the licensing system to a draw only for whitetail deer our numbers have fallen. When we bought land owner tags all of our hunters were able to visit your state. We also had extra tags that we could use for guys and customers that didn't know if they would be able to hunt until the last minute. As a result of you taking the tags from the farmers our lease prices have went up to cover the lose of revenue they en cured.

On a different note can you please stop raising the price of doe tags. We did not have one person buy a doe tag in 2008. Our leases are over run with doe and junk\cull bucks that need to go to improve our herd. It seems all you care about is the all mighty dollar. While we love coming to your state to hunt you are pricing us out. We can travel to Oklahoma or Missouri and hunt for much less and buy our tags over the counter. Will you please thinks long and hard about whether or not you want us to continue hunting in your state or shall we send our money else where.

Thank you for your time,
John Walker of Texas

List of hunters names available upon request.

Agriculture & Natural Resources
Date 3-10-09
Attachment 11

Kansas Farm Bureau
POLICY STATEMENT

House Agriculture and Natural Resources Committee

HB 2362, an act concerning deer

March 10, 2009

Submitted by:

Steve M. Swaffar

Director of Natural Resources

Kansas Farm Bureau is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 county Farm Bureau Associations.

Chairman Powell and members of the committee, thank you for this opportunity to provide testimony on House Bill 2362. I am Steve Swaffar, Director of Natural Resources for the Kansas Farm Bureau. KFB stands in support of HB 2362.

As you are all aware, deer permitting and control of the deer population is one of the topics the legislature discusses almost annually. Our membership's primary interest in this discussion is adequate deer herd management to prevent excessive crop and property damage; and adequate access to deer permits for residents and non-resident clients for those farmers and ranchers trying to generate some income from hunting enterprises. KFB member-developed policy supports both of these interests which are reflected in new Sections 1 and 2 of the bill.

We also have more than a passing interest in the hunters feeding the hungry program. KFB has, in the past supported this program through policy initiatives in legislature and with financial contributions. We continue to support this program and its efforts to provide contributions of venison to organizations that supply food banks and charitable organizations. Continued funding of this program only makes sense. KFB does not have policy on the exact mechanism to provide this funding but we certainly support using this program as a mechanism to reduce the number of deer.

In regards to deer control to reduce crop and property damage, the primary interest of membership, there is clearly a need for increased deer management in certain areas of the State. We have many members who

Agriculture & Natural Resources

Date 3-10-09

Attachment 12

experience excessive deer damage to both crops and property; however this is not the case statewide and requires site-specific management solutions. Increasing the number of hunting days, particularly for antlerless deer is the main tool for controlling the herd size in these areas. We encourage KDWP annually to increase the number of days for hunting antlerless deer in these overpopulated areas. Continued identification of these areas and increased herd harvest are necessary for societal tolerance of deer and prevention of unreasonable damages for farmers and ranchers.

In regard to additional permits, particularly transferrable landowner permits, KFB policy supports this provision of the bill. However, I would remind committee members that KFB and other stakeholders helped formulate the deer permitting system that is currently in place and passed by the Legislature in 2007. This system has only been in place for one year. Although far from perfect, the permit system has probably not had adequate time to impact the deer herd and will take some getting used to by landowners, hunters and outfitters. It is also quite possible the system needs some fine tuning by KDWP and some education on the behalf of those acquiring and using permits. We certainly understand the frustration of those individuals who were unable to get permits this year, but data provided to us by KDWP shows there were leftover permits in many of the deer management units. Perhaps an extension of the non-resident permit application deadline, easier access to leftover permits during the hunting season and improved educational efforts for the new permit system to landowners, hunters and outfitters will improve satisfaction of the system for all involved.

In conclusion, we believe there are certainly areas of the State that need increased deer harvest, particularly antlerless deer. We encourage the Committee to give KDWP the direction to identify the hotspots and to increase the harvest in those areas. We also encourage the Committee to find a method to increase the effectiveness of the Farmers Feeding the Hungry Program. We also believe there are ways to improve the existing permitting system, listed above. Thank you for this opportunity to provide testimony.

Testimony #2

To the Chairman of the Agriculture Committee:
RE: H. B. 2362

I write in support of H. B. 2362. Extending the Doe season for local hunters will help reduce our large population and allow meat for the people that need it. Most land owners will be happy to allow local people to hunt if not free then at a small price. Support for the hungry is also good. Giving back the landowner permits for out of state hunting is also supported. Many out of state hunters do not decide to hunt in Kansas until Sept/Oct. If the land owner does not have a permit to sell, I can not provide a hunt for the customer. Many people lost a lot of money last year when we could not provide a hunt. The farmer/landowner, outfitter, local restaurant, gas station, liquor store, sportsmans store, etc. all lost when we could not provide a hunt. I believe it is unrealistic to expect people to decide to hunt in Kansas before the May permit draw for a Dec. Deer hunt. People that have hunted Kansas before will do fine with the May draw. Many of us need to find new clients each year. The new client is the one we really need the landowner permits for. I had 5 opportunities to sell deer hunts last year in November. That was probably \$10,000 lost for the economy of my small community. This is also new money not brought into the State of Kansas.

--

Steve Westfahl
Irish Creek Lodge & Outfitters. LLC
3907 E. Irish Creek Rd.
Haven, KS 67543
1-888-880-7887
620-960-3894

Agriculture & Natural Resources
Date 3-10-09
Attachment 13

Testimony in Regards to House Bill 2362
To
The House Committee on Agriculture and Natural Resources

By, Seth D. Post
Legislative Chairman
The Kansas Bowhunters Association

House bill 2362 searches to introduce some new deer legislation and bring back some old legislation that was eliminated last session. The KBA has been through this bill since its drafting and we wish to **oppose** this bill. The two biggest issues with this bill would be a 60 day extension of the antlerless season across all deer units currently a week long in the state, and bring back transferable tags for landowner use however they deem fit. The KBA does not understand the extension of 60 days of antlerless harvest. There is not a problem with deer populations statewide just a three county area that makes up the Northeast corner of our Kansas. The kind of biological implications of a bill like this can not be fully known without more research. I do know that a 60 day extension of the season would cause an amazing number of does in the state to be harvested and would put stress on the numbers. Also, the number of bucks that would be shot would be a staggering number as well, as most bucks lose their antlers in late January and early February which would cause many problems with the marketability of our states resource. Everyone comes to Kansas and spends money on our main streets and our hotels, because of the quality of the resource that we currently have. You take that away and then we have nothing to set us apart from any other state and no one will come to spend their money in our community businesses. Given the current status of the state and its budgeting issues why would anyone want to toy with something that is actually helping the state economically, and providing jobs for our state wildlife professionals? On the issue of the transferable tags, this legislation was removed from the regulations after the last session. They were lobbied against heavily in the past years and with the many changes to non – resident deer permits, everyone that wants a tag gets one. There were over 1600 non-resident deer permits left over this last season so there is no need to reinstate this legislation. The t-tags were unethical and allowed private individuals to profit off of the deer resource by re-selling the tags after they were purchased initially by the individual for a much higher price. This would also do nothing to address the population density problems in the urban and suburban areas. The proposed bill would also add a 5\$ increase to the price of non-resident deer permits with the proceeds going to Kansas Hunters Feeding the Hungry Inc. Everyone in the KBA feels that the work that this organization does is highly commendable, but the non-resident hunters should not have to fund an organization that is suppose to be a charity. That takes the charity function out of their program. The KBA appreciates the opportunity to address this bill and we hope we have your support in opposing this legislation.

Agriculture & Natural Resources
Date 3-10-09
Attachment 14

**Testimony on HB 2362 regarding Deer
To
The House Committee on Agriculture and Natural Resources**

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

March 10, 2009

HB 2362 seeks to create two new statutes related to the taking of deer and amend three current statutes related to the processing of deer for a charitable organization. The provisions of the bill would be effective on publication in the statute book. **The Department opposes the first four sections contained in the bill.**

Section 1 of the bill would require the Department to extend the season for antlerless deer by 60 days in each Deer Management Unit. The Department opposes this section of the bill because it will have an impact on the age structure of the deer herd, which specifically draws nonresidents and encourages resident participation in hunting, the primary control method for managing deer populations. Further, reducing the age structure of the deer herd will have a collateral economic impact on the State of Kansas as a whole. Deer hunting, based on figures provided by the USFWS in a 2006 survey, provides approximately \$100,000,000 dollars of economic benefit to the citizens of the State of Kansas

Section 2 of the bill would allow for the issuance of landowner transferable deer permits. The Department opposes this section of the bill for a number of reasons. First, these permits once existed and caused considerable dissatisfaction amongst residents, landowners and nonresidents. As a result, the Department recommended, as part of a larger extensive and comprehensive deer management program overhaul, to do away with the transferable landowner deer permits. The Legislature approved that bill, the Governor signed the bill and this past season was the first season under the new deer permitting system. Second, landowner transferable deer permits only have value if the Department maintains an artificial limit on permit availability, again counterproductive to the economic collateral benefit of the citizens of Kansas.

Sections 3 and 4 of the bill would require the Department to collect \$5 for every nonresident deer permit and transfer that funding out of the control of the Department to a specific nonprofit association. The Department opposes these sections because as currently written, they would cause a diversion of funds and thereby jeopardize the ability of the Department to obtain federal aid. The 2009 apportionment of federal aid for the Department is \$11,653,417. The bill would in turn generate approximately \$88,000 for the nonprofit entity. Please see the attached letter from the United States Fish and Wildlife Service regarding this issue.

The Department appreciates the opportunity to address the bill and the support of the Committee in opposing the bill.



United States Department of the Interior



FISH AND WILDLIFE SERVICE Mountain-Prairie Region

IN REPLY REFER TO:
FWS/R6

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228-1807

March 6, 2009

Mike Hayden, Secretary
Kansas Department of Wildlife and Parks
1020 S. W. Kansas, Suite 200
Topeka, Kansas 66612

Dear Secretary Hayden:

This letter is in response to your request for our review comments regarding Kansas House Bill 2362 (HB 2362) *AN ACT concerning deer; relating to procedures for the taking thereof; concerning certain fees charged by the secretary of wildlife and parks; relating to the feed the hungry fund; amending K.S. A. 2008 Supp. 32-988, 32-995 and 79-3606 and repealing the existing sections, that has been introduced during the 2009 legislative session.*

In our opinion, should provisions of HB 2362 be implemented, it would be considered by us as the expenditure of license fees and would constitute a diversion of license fees for a purpose other than the administration of the state fish and wildlife agency in violation of the provisions of 50 CFR 80.4, *Diversion of License Fees*.

50 CFR 80.4 states:

- (a) Revenues from license fees paid by hunters and fishermen shall not be diverted to purposes other than administration of the State fish and wildlife agency.
- (b) For purposes of this rule, administration of the State fish and wildlife agency include only those functions required to manage the fish and wildlife-oriented resources of the State for which the agency has authority under State law.
- (c) A diversion of license fee revenues occurs when any portion of license revenues is used for any purpose other than the administration of the State fish and wildlife agency.
- (d) If a diversion of license revenues occurs, the State becomes ineligible to participate under the pertinent Act from the date the diversion is declared by the Director until:
 - (1) Adequate legislative prohibitions are in place to prevent diversion of license revenue, and
 - (2) All license revenues or assets acquired with license revenues are restored, or an amount equal to license revenue diverted or current market value of assets diverted (whichever is greater) is returned and properly available for use for the administration of the State fish and wildlife agency.

Mike Hayden, Secretary

2

If the Kansas Department of Wildlife and Parks (KDWP) were required to make deposits into the State Treasury, "to the credit of the deer management account" within the feed the hungry fund as proposed in Section 3(f), the expenditure would be a diversion of license fees as defined in 50 CFR 80.4(a)(b). The reason is that "feeding the hungry" is not a legal mandate required to manage the fish and wildlife oriented resources of the State for which the agency has authority under State law.

Furthermore, while donated deer meat may benefit the feed the hungry program, deer population management is a separate and unrelated issue. We do not regard payment of deer meat processing fees alone as a wildlife management practice regardless of how the meat will be used. We only view it as an acceptable management tool when the payment of processing fees is employed as a necessary incentive to hunters to increase the harvest of deer to accomplish deer management objectives of the state fish and wildlife agency. Our understanding is that deer population management goals and objectives in the State are being met and do not require additional hunter harvest. Therefore, payment of license fees paid by non-resident deer hunters in Kansas to the feed the hungry fund as specified by HB 2362 would be treated by us as a diversion of license fees, rendering KDWP ineligible to further participate in the benefits of the Wildlife and Sport Fish Restoration Programs until the diverted funds were returned in accordance with 50 CFR 80.4(d)(1&2).

As you know, the KDWP has received an apportionment of \$11,653,417 from the Wildlife and Sport Fish Restoration Programs in 2009.

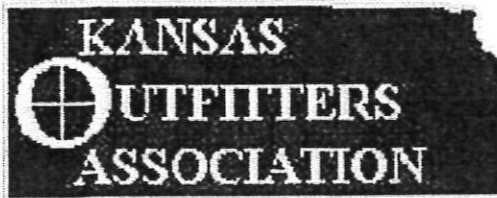
Thank you for the opportunity to comment on HB 2362. Please keep us informed of the progress of this proposed legislation and any changes that may be proposed. Please contact me at any time for further assistance at (303) 236-4411.

Sincerely,



David McGillivray
Chief, Division of Wildlife
and Sport Fish Restoration

cc: Carl Magnuson, FA Coordinator



"Your Guides to the Great Outdoors!"

March 10, 2009

Reference: HB 2362

Opponent

- reintroducing the landowner transferable deer permits
- extending the doe harvest an additional 60 days

Dear Committee Members

As President of the Kansas Outfitters Association; the only Kansas Association that focuses on big game (whitetail) hunts would like to ask the committee members **NOT** to support the reintroduction of the landowner transferable tags and the extended doe season. Our association is in agreement that these two things would negatively impact the deer herd and the millions of dollars it generates to the Kansas economy.

The current legislation provides ample tags for non-residents to enter Kansas and hunt. The Kansas Wildlife and Parks deer task force worked hard over the past few years and developed a viable plan that **MEETS DEMAND** for non-resident hunters. That demand was met in 2008 which would make transferable tags meaningless and non-valuable to the Kansas landowner.

Since demand is being met, landowners would be left holding tags that would not be sellable. In addition, the worthless tags would not be used in decreasing the current deer herd. This happened in 2007, the last year of the landowner tag program.

As for the extended doe season, the majority of current hunters are harvesting as many does as they want. Extending the number of days would not increase harvest. Currently, hunters get approximately 100 days to harvest does. In addition, if the extended season is implemented, bucks that have shed their antlers would be harvested. This would devastate or current herd structure. Bucks can start losing antlers as early as mid to late January.

Please do not support this bill as written. Wildlife and Parks has created a good workable deer program that meets the needs of non-resident hunters, resident hunters, landowners and outfitters.

Thanks you for your consideration,
Keaton Kelso
President, Kansas Outfitters Association

Agriculture & Natural Resources

Date 3-10-09

Attachment 16