

SESSION OF 2003

**SUPPLEMENTAL NOTE ON  
SUBSTITUTE FOR SENATE BILL NO. 125**

As Recommended by Senate Committee on  
Natural Resources

**Brief\***

Sub. for SB 125 would provide for the issuance of a big game management stamp for each big game permit issued in the state effective January 1, 2004. This requirement would not apply to persons who are not required to possess a hunting license. The Secretary of the Kansas Department of Wildlife and Parks (KDWP) is authorized to promulgate necessary rules and regulations to carry out this provision. The big game management stamp could not exceed \$10.

The bill would require that all moneys received pursuant to the issuance of the big game management stamps be credited to the newly created Big Game Management Fee Fund. The bill also would require that all moneys credited to the fund be used only to increase public access to private land for the purpose of big game hunting. The Secretary of KDWP would be required to give priority to hunting parcels: that are in geographical areas in which significant damage to private property has been caused; on which additional public hunting access would tend to lessen damage to private property; and which are owned or leased for agricultural purposes by persons who have suffered significant crop loss or other property damage.

Further, the bill would require that if the KDWP sells seized firearms or wildlife parts with a dollar value, that the proceeds are to be credited to the Big Game Management Fee Fund.

In addition, the bill would require the Secretary of KDWP to establish a process by which landowners or tenants engaged in crop production may certify a loss in excess of \$2,500. The Secretary of KDWP is to accomplish this through rules and regulations and in consultation with the Secretary of Agriculture. The bill would require

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

that the Secretary of KDWP issue to each landowner or tenant one nonresident deer permit for each \$2,500 in certified crop loss. The deer permits under this provision would be transferable, with or without consideration, to any resident or nonresident. Any of these nonresident deer permits would be in addition to any other nonresident deer permits which the landowner or tenant may be allowed under other provisions of law.

Finally, the bill would require the Secretary of KDWP to identify local geographical areas in which deer populations are causing significant property damage. The Secretary would be authorized and directed to take actions that are necessary to reduce the deer population for the purpose of reducing damage to private property.

## **Background**

This bill was introduced to address losses to crops from deer. Proponents included representatives of the Kansas Livestock Association and the Kansas Farm Bureau. Another proponent was a crop producer from Chautauqua County who explained to the Committee the extent of crop damage on his land. The Secretary of the Department of Wildlife and Parks appeared in opposition to the bill.

The Committee amended the bill by adopting a substitute bill.

The fiscal note on the original bill indicates that its passage would decrease State General Fund receipts beginning in FY 2004. The note states that the magnitude of the decrease cannot be estimated currently because the State Treasurer's Office is not provided by the clerks of each district court a breakdown of fines and penalties issued only for wildlife and park violations.

The Department of Wildlife and Parks estimates that receipts to the Big Game Animal Depredation Management Fund would total at least \$1,291,520 in FY 2004. The Department based this estimate on the number of permits and licenses sold during calendar year 2001 and the amounts of the newly imposed surcharge and stamp. All receipts from fines and penalties would be in addition to that amount.

The fiscal note also indicates that the Department also believes that passage of the original bill would require at least 3.0 new FTE positions as attorneys to handle the magnitude of expected

claims. The estimated amount of salaries and wages for the positions would be \$135,000 per year and \$15,000 in ongoing operating expenses.