



The Honorable Larry Powell
Chair, Senate Natural Resources Committee
Kansas Senate
300 SW 10th St.
Topeka, KS 66612

Dear Chairman Powell and Members of the Senate Natural Resources Committee,

I am writing you today to document the opposition of the Kansas Chapter of the National Wild Turkey Federation (NWTF) to House Bill 2341, related to the ownership of deer antlers of illegally taken wildlife. The NWTF is a 240,000+ member conservation organization whose mission is *"Conservation of the wild turkey and the preservation of our hunting heritage."* On behalf of the 40 local chapters and nearly 3,700 members in Kansas communities, we appreciate the opportunity to provide our comments in opposition to HB2341. We have opposed earlier versions of this bill and will continue to oppose it, as we believe this bill challenges one of the basic tenets of the North American Model (NA Model) of Wildlife Conservation; wildlife as a public trust. While we are very supportive of private landowner rights, we also believe strongly in the utility and importance of the NA Model for wildlife conservation in the United States. We hope you will do your part to uphold its principles by stopping this bill. So, we are again submitting testimony in opposition to a bill regarding ownership of wildlife. Our reasoning, some from our previous testimony, is documented in the remainder of this letter.

HB2341 brings about a fundamental question of "Who owns wildlife in the state of Kansas; the people of Kansas or private landowners?" We understand that the people of Kansas own the wildlife that call our state home and current law (K.S.A. 32-703) supports this. The North American Model of Wildlife Conservation is based on a fundamental principle that fish and wildlife resources are held in the public trust to be managed scientifically by government wildlife and natural resource agencies for the benefit of all Americans. In other words, wildlife belongs to everyone and land ownership does not determine the ownership of wildlife. Each of our United States adheres to the public trust doctrine of the NA Model. The NWTF actively supports wildlife and habitat management across this country, working with our state and federal agency partners and private land managers to provide technical and financial assistance to ensure wildlife are here for future generations to enjoy. Our efforts, and the efforts of our partners, benefit not just sportsmen, but also the local economies that sportsmen, bird watchers, wildlife photographers, hikers, bikers, and anyone that enjoys seeing wildlife in Kansas support with their purchases. We hope that you will consider the following fundamental problems and potential unintended consequences associated with HB2341:

- 1) This bill would conflict with existing and long-standing law in the state of Kansas that says Kansas wildlife belongs to all citizens of the state. This is our biggest concern, as this bill conflicts with the NA Model of Wildlife Conservation and its foundation in public trust doctrine.
- 2) Who would determine where illegally taken wildlife rightfully came from since most wildlife species range long distances and will cross over various private and public property boundaries on a daily basis?
- 3) How would ownership of illegally taken wildlife be determined and who would be responsible for the costs associated with such efforts?
- 4) Would this bill create an environment promoting additional illegal activities (e.g. someone would profit from the illegal take of wildlife on their land, even if the landowner was not involved in the illegal activity)?

- 5) If this bill passes and private landowners are determined to have ownership of wildlife in the state of Kansas, do they also assume liability for damages by wildlife (e.g. vehicular collisions, crop damage, etc.)?

Kansas is a state rich in hunting tradition, and hunters provide significant support of wildlife management in this country through the Pittman-Robertson (PR) Act (excise taxes paid on firearms, ammunition, and archery equipment that hunters purchase). Sportsmen willfully pay these taxes with an understanding these funds will be used for the scientific management of wildlife that are held in the public trust. Should hunters continue to shoulder the burden of the costs for managing wildlife species if private landowners are allowed to "own" the wildlife that utilize the habitat on their properties and that of their neighbors'? Could this potentially pit private landowners against their neighbors?

We ask the members of the Standing Committee on Natural Resources to stop House Bill 2341 to ensure the NA Model of Wildlife Conservation remains intact in Kansas and this country. We, as the Kansas members of NWTF, appreciate the opportunity to be a part of wildlife management in the United States and appreciate the opportunity to speak for the sportsmen of Kansas. Thank you again for the opportunity to provide testimony in opposition to HB2341 and for your time and consideration of our comments.

Sincerely,



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Kansas-NWTF State Chapter President

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