

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on March 7, 2000.

Rep. Dan Johnson made a motion **SB500** be recommended favorable for passage as amended. Rep. Vaughn Flora seconded the motion. Motion carried.

The Chairperson opened **SCR1630** for public hearing.

SCR1630: A concurrent resolution urging the Kansas Water Office to pursue the purchase of water supply storage capacity in Kanopolis Reservoir from the United States Army Corps of Engineers.

Terry Duvall, Kansas Water Office, was welcomed to the committee. She testified in support of the resolution. In December of 1985, a Memorandum of Understanding (MOU) was signed with the Corps of Engineers, giving the State of Kansas the right of first refusal to buy storage space reallocated from water quality to water supply in federal lakes at original construction costs and interest rates. Kanopolis Lake was not included in the list of lakes covered by the MOU because of complications relating to how a proposed pool raise would be funded, and questions relating to use of water made available by a pool raise by local irrigation interests. That MOU expired on June 30, 1996. The Kansas Water Office has been in contact with the K.C. District of the Corps of Engineers regarding their interpretation of the language of legislation that was approved by Congress during the 1999 Session, which would make Kanopolis storage available to the State of Kansas at a reasonable cost. (See attachment 3)

Chairperson Freeborn closed the hearing on **SCR1630**. She opened **SCR1630** for discussion and possible action.

Rep. Dan Johnson made a motion **SCR1630** be recommended favorable for passage. Rep. Laura McClure seconded the motion. Motion carried.

The Chairperson opened **SB568** for public hearing.

SB568: An act concerning big game; relating to nonresident deer permits; concerning reduction of certain deer populations; relating to disposition of certain fees.

Rep. Gerry Ray gave a preliminary report on what the sub-committee on deer issues has done to date. They have had two meetings and have come to a consensus that they will use **SB568** as a vehicle for a deer bill. They do plan to remove the amendments that were put in the bill on the floor of the Senate. They have language that has been worked out between the sub-committee and other interested parties and plan to meet at 3:30 p.m., Monday, March 13, and will report back to the full committee on Tuesday, March 14.

Wes Traul, Garnett, KS, was welcomed to the committee. He testified in support of the bill as a landowner and hunter. In listening to the opposition of the bill, he continually hears that landowners will price their resident Kansas hunters out of their hunting rights by leasing their property to the highest bidder. If we review the demographics of the hunting population on a national basis, he does not believe this to be possible with the economic power of this group. The relationship between ownership of wildlife and control of it is a paradox in our society. The public owns it, but in most situations private land managers control it. Private land managers control wildlife populations because they control the existence and quality of wildlife habitats. (See attachment 4)

Written testimony in support of the bill by Bruce Miller, Garnett, Kansas, was read to the committee by Wes Traul. He believes unlike the walk-in hunter program, this bill would allow landowners to control the number of people on their property and still be financially compensated. He understands this is not traditional hunting, but as a farmer can tell you these are no longer traditional times. (See attachment 5)

Lee Robbins, Yates Center, Kansas, was welcomed to the committee. He testified as a proponent to the bill and believes there will be many landowners benefit monetarily but not all of them, because they are not interested in the hunting business. It would cost the taxpayers nothing but however save them money by helping lower the deer population. He thinks it is time the landowners, tenants, and citizens of the state, stop suffering such huge losses because Kansas Department of Wildlife and Parks is afraid bills such as this one would eliminate a place for the common man to hunt. (See attachment 6)

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Written only testimony in support of the bill was submitted by; J. Richard Pringle, Yates Center, Kansas (See attachment 7); Charles Eagle, Landowner in Woodson and Wilson counties. (See attachment 8); Loren Steinforth, landowner and tenant. (See attachment 9); Robert Brown, Yates Center, Kansas. (See attachment 10); and Jim and Herb Beason, Elk City, Kansas. (See attachment 11)

Senator Robert Tyson, was welcomed to the committee. He spoke in favor of the bill and believes the Kansas deer population has become too large and the damage, to both crops and vehicles, has become too severe. We have 10,000 vehicle accidents in Kansas attributed to deer resulting in over \$30 million in damages not to mention cost of injuries to the occupants. In a tabulation of his 5 counties' statistics for 1999, 40% of the total auto accidents in his district are deer accidents. On top of this the farmers are experiencing another \$30 million in crop damage. Something more must be done to control this oversized deer herd. He believes if we want to keep any deer in Kansas we must let the farmer participate in recovering his costs. After all, he owns the habitat and property rights. If we want to continue to irritate landowners by coming up with solutions that do not include them, who knows, maybe no one will get to hunt. (See attachment 12)

Senator Edward Pugh was welcomed to the committee. He spoke in support of the bill and believes the major provisions of this bill are simple. If enacted we would develop a leading tourist attraction in Kansas and compensate the landowner for the loss of his resources required to maintain and feed these large animals. Let the farmer recover some of his costs with the certificates and let him know the state is concerned about the requirement we have imposed on him to manage the deer herd. Or continue to increase hunter benefits at the expense of the farmer and reap the consequences for the hunter, the state and anyone else who the landowner considers as abusive (See attachment 13)

Bill Fuller, Kansas Farm Bureau, was welcomed. He testified in support of the bill on behalf of Farm Bureau. Their strong support of the bill is based upon member-adopted policy that calls for; expanding the harvest of antlerless (doe) deer; increasing nonresident deer permits; establishing a toll-free telephone number to report wildlife damage; and promoting the landowner hunting referral and other damage control programs. As a method to expand the harvest in order to reduce the \$20 to \$25 million in crop damage and \$38 million of vehicle damage from the exploding deer herd each year, the current version of this bill is a giant step in the right direction. (See attachment 14)

Mike Beam, Kansas Livestock Association, was welcomed to the committee. He testified in support of the bill on behalf of KLA. In recent years, KLA has testified on several proposals to increase the opportunities for nonresidents to hunt deer in Kansas. He believes this bill doubles the number of nonresident permits Kansas Department Wildlife and Parks may issue. Considering last year's interest, this change could fulfill considerably more requests from nonresidents. The bill increases the 5% statutory limit to 10% for firearm and archery nonresident permits. He asked the committee to consider bumping the archery limit to 15% or 20%. The success rate for bow hunters is substantially less than firearm hunters. He also added that several guides/outfitters claim nonresident archery hunters are a lucrative market. (See attachment 15)
Questions and discussion followed.

Secretary Steve Williams, Kansas Department Wildlife and Parks, was welcomed to the committee. Secretary Williams addressed the committee in opposition to the bill. He believes the legislative intent of this bill amendment detracts from the Department's current management objective. The Department manages deer to control the population size. This bill would manage deer for private financial gain. It would dictate a major shift in their deer management objective and would ensure a major shift in the very nature of hunting in Kansas. Should residents be forced to compete with wealthy nonresidents for the privilege to hunt, they may find themselves treated as a nonresident in their own state. This bill, in its current form, changes the legislative direction provided to the Department during the past five years. They can continue to make progress in the right direction if they work with the committee to refine the "2000 Deer Management Initiatives", presented at their last meeting. (See attachment 16) Included with the attachment are; Deer Management Initiatives since 1995; 2000 Deer Management Initiatives; Testimony on **Senate Bill 518** (2-16-00); and Testimony on **Senate Bill 568** (2-22-00).

Dennis Brown, Carbondale, Kansas, was welcomed to the committee. He testified in opposition to the bill. He believes Wildlife and Parks has already effected programs to contain the population and improve the

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quality of the herd, such as the deer game tag and the extra season in January. These programs are well thought out by experts in this field. They are flexible to our changing yearly needs and they target the root of the problem, Whitetail Does. These are responsible programs that benefit sportsmen and landowners alike. He does not object of sharing our rich Kansas hunting heritage with nonresidents, but it should be done the right way, it should be well thought out and carefully planned by qualified experts, not hastily thrown together as this bill appears to be. (See attachment 17)

Jess Hoeme, Pratt, Kansas, was welcomed to the committee. He testified in opposition to the bill. He opposes the amendment to the bill and does not believe the purpose of the bill is to reduce the deer population but to allow landowners to make money on the deer. He feels this legislation is taking away the manageability from Wildlife and Parks. (No written testimony)

Shawn Harding, Kansas Bowhunters Association, was welcomed to the committee and testified in opposition to the bill. The Bowhunters Association adamantly opposes this bill as it is currently written. The language amended to the bill on the Senate floor does meet the states interests in reducing the deer problem. Populations of deer that anger certain regions of our state are not going to be reduced if this ongoing battle over selling deer continues. Selling a product that has “demand” requires a “supply”. He believes Kansas Department Wildlife and Parks is working hard to eliminate the problem areas and does it under constant criticism. The Bowhunters feel it is undeserved and nonproductive considering the complexity of the problem concerning deer population control in an agricultural environment. The problem is private land access and reduction of doe deer. Let the biologists and resident hunters continue to pressure the herd back to controllable levels. (See attachment 18)

Spencer Tomb, Kansas Wildlife Federation, was welcomed. He spoke in opposition to the bill. The Federation considers this bill to be the single most far-reaching piece of wildlife legislation that has been considered in the Kansas Legislature in the last ten years and are strongly opposed to it. The amendment, to the bill, would give landowners two deer permits for each 80 acres that they own and these permits could be sold by landowners to resident or nonresident hunters. That would give a landowner with 640 acres 16 deer permits. He urges the committee to delete the amendment that will give deer permits to landowners that can be sold because this is counter to tradition of the wildlife belonging to all of the people of a state and because of the unintended and far reaching negative consequences it will have. (See attachment 19)
Questions and discussion followed.

The Chairperson closed the hearing on **SB568**. She announced that due to the lack of time the Chairperson of the House sub-committee on deer issues has already announced that they will be working through a Senate bill rather than a House bill.

The meeting adjourned at 5:45 p.m. The next meeting is scheduled for March 9, 2000.