

**Testimony on HB 2167 regarding Transferable Deer Permits
To
The House Committee on Commerce, Labor and Economic Development**

**By Brad Loveless
Secretary
Kansas Department of Wildlife, Parks and Tourism**

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HB 2167 would create a transferable deer permit system. **The Department opposes HB 2167.** The act would be effective upon publication in the statute book.

Deer hunting is a very popular sport in Kansas to both residents and non-residents. Kansas is popular with hunters because of the quality of the deer herd. Deer management in Kansas is a continual process to find a balance between competing interests of providing opportunities for Kansas residents, non-residents who wish to hunt here, maintaining a quality resource and the tolerance of society for the size of the herd. Within those competing interests, the preference of one group often conflicts with the wishes of others. Specifically, this bill conflicts with the expressed interests of the great majority of Kansas landowners and also of resident hunters. As happened when transferrable deer permits were allowed in 1999, we believe this initiative will be quickly recognized as unwieldy, unwise and unpopular and will be quickly rescinded.

Kansas does provide an unusually large number of non-resident tags for whitetail deer hunting, comprising over 24% of deer licenses in 2018. Last year, only 867 nonresidents out of 22,436 first choice applicants were unsuccessful in the drawing for 21,816 permits. After applying second choices, there were 247 leftover permits available to fill that gap. Conceivably, nearly 100% of nonresident applicants could have hunted in Kansas if they had desired. As a comparison, most Midwestern states allow 10% or fewer non-resident deer hunters. Iowa, another nearby "trophy deer" state, issued only 6,000 non-resident deer tags for the 20,000 applicants annually.

Also, not all residents want to see unlimited non-resident deer tags in Kansas. Resident deer hunters declined by 11,227 hunters between 2015 and 2018. Based on the complaints we receive from resident hunters, this is in part due to the perception by residents that non-resident hunters are placing too much pressure on the deer herd. And the great majority of landowners do not agree that there should be more non-resident deer hunters. In a 2013 Landowner Deer Survey, less than 24% of landowners who responded wanted to see an increase in the portion of non-resident hunters allowed and in an updated 2017 survey similar numbers listed this as important. In that same 2017 Docking Institute survey two thirds of landowners said more walk-in hunting acres were needed.

House Bill 2167 makes an already complicated permit system more complicated and confusing for hunters, landowners and law enforcement personnel. That 2017 landowner survey showed that 80% responded that it is between important and extremely important to simplify our permit regulations. When this type of

permit was authorized before it led to inappropriate transfers resulting in accidental violations. It also led to unscrupulous activities that increased poaching. Does a landowner invest in an expensive permit then not be able to “market” it because available tags exceed demand (this was a common complaint when transferable permits were last available)? Or a landowner invests in a tag and can’t sell it to a prospective buyer because that person is ineligible to receive a tag for a variety of reasons. Does a non-resident hunter gamble they can find a transferable tag where they want to hunt and miss the opportunity to get a permit in the regular non-resident draw? All of these lead to problems and complaints for the Department and your offices.

An unintended consequence of this bill may also be regulation of the deer herd. One of the points of balance managing the state’s deer herd is control of the number of deer. The size of a deer herd is controlled by the harvest of does. It is not exclusive, but resident deer hunters are much more likely to harvest a doe than a non-resident who pays a significant amount for the opportunity to harvest a “trophy”. Unlimited non-resident permits will over time displace resident hunters as competition for places to hunt increases. This is a phenomenon that has occurred in other states as leasing of hunting rights has increased. And those who pay for hunting leases often insist that no one else be given permission to hunt the same land even if it is for other species. While we support the landowner’s right to allow who they want to hunt and to market access to their land if they want to, the size of the deer herd in the state can only be controlled by doe harvest.

The bill also raises many questions about the process to ensure a valid permit can be issued. Who has primacy, the landowner or tenant of the property? If the landowner or tenant transfers a permit, are they still eligible for an additional permit for themselves (or family members)? How does a law enforcement officer determine who is eligible to transfer or receive a permit?

The Department believes this bill is unnecessary as the overwhelming majority of applicants already receive non-resident permits and landowners already have complete control to charge hunters whatever the market will bear for access to their land. If passed, it will unnecessarily complicate the process of receiving non-resident deer permits and potentially impact our state’s ability to manage the deer population.

The Department appreciates the support of the Committee in opposing HB 2167 and the opportunity to address the Committee.

Q23 Did deer hunters cause problems on your land last deer season?

- Yes.....14.9 (n= 107)
 No (*Please skip to Q26, below*)..... 85.1

Q24 If you answered "Yes" on Q23: What problems did they cause?

	Yes	No
Damaged your crops, livestock, or property.	50.5	49.5
Created inconveniences or disrupted your farm or ranch operation.	55.1	44.9
Took deer that you or your family wished to hunt.	33.6	66.4
Failed to take antlerless deer.	16.8	83.2
Failed to follow instructions.	49.5	50.5
Caused other problems.	57.0	43.0

Q25 If deer hunters caused other problems on your land in 2016, please describe: _____

Q26 How strongly do you agree or disagree with the following statements?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Don't Know
Mule deer populations in Kansas are declining.	12.0	12.8	8.8	5.4	3.1	57.9
Accidental killing of mule deer on a white-tailed deer permit is a common occurrence.	1.4	5.7	11.2	7.3	2.2	72.2
Intentional killing of mule deer without the appropriate permit is a common occurrence.	2.4	6.6	10.2	7.8	2.0	71.1
Fewer permits allowing the take of mule deer should be issued.	7.4	8.1	14.8	5.4	4.6	59.7
If additional protection for mule deer meant less opportunities to hunt white-tailed deer, I would support that additional protection.	5.0	11.0	14.1	12.1	8.9	48.8

Q27 How important is it for KDWP to take the following deer management actions?

	Extremely Important	Very Important	Moderately Important	Slightly Important	Not at all Important
Simplify deer regulations	14.4	20.6	31.1	13.8	20.2
Allow more days of deer hunting	13.3	15.2	22.5	15.8	33.1
Allow more nonresident deer permits	8.7	7.1	16.1	15.5	52.5
Provide more law enforcement	11.8	14.3	26.2	22.2	25.5
Lease more Walk-In Hunting Areas	5.7	11.1	25.7	22.0	35.4
Provide more information to landowners on deer management	9.5	17.5	29.6	21.2	22.2

