

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.

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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](#)).

Karen DeGraaf presented testimony on behalf of John Walker of Texas, ([Attachment 11](#)) as a proponent of

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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.