

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:30 a.m. on March 13, 2003 in Room 423-S of the Capitol.

Members present: Senator Downey, Senator Lee, Senator Tyson, Senator Taddiken, Senator Huelskamp, Senator Corbin, Senator Umbarger

Committee staff present: Raney Gilliland, Legislative Research
Lisa Montgomery, Revisor of Statutes
Shannon Stone, Secretary

Conferees appearing before the committee:

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| Mike Beam, Kansas Livestock Association | Todd Lewis, Farmer/Rancher |
| Roger Giles, Farmer | Steve Riegel, Farmer/Rancher |
| David Clawson, Farmer | Lee Robbins, Farmer |
| Steve Swaffer, Kansas Farm Bureau | Secretary Mike Hayden, KDHE |
| Steve Sorensen, KS Wildlife Federation | Ron Klataske, Conservationist/Sportsman |
| Stacy Hoeme, Farmer/Rancher | Leland Queal, KS Chapt. Wildlife Society |
| Keaton Kelso, Outfitters' Association | Will Carpenter, Wildlife and Parks Comm. |
| Spencer Tomb, National Wild Turkey Federation | |

Others attending: See attached guest list

Hearing on House Bill 2078

Legislative Researcher, Raney Gilliland presented a brief overview of **HB 2078** to the Committee.

Mike Beam of the Kansas Livestock Association yielded time to members of his Association who traveled to Topeka to give testimony on this bill.

Todd Lewis, Farmer/Rancher from Fowler, Kansas testified in support of the bill because it helped to address the need for more transferable tags. He also shared a few suggestions on how to simplify the tag system to make it more user-friendly for the landowner-tenant. ([Attachment 1](#))

Roger Giles, owner and operator of Giles Ranch Company said the ranch recently added recreational hunting to their business activities. He explained that they usually lose the last cutting of alfalfa each year to the deer. He said the distribution of permits should be tied to the acres operated and the deer populations on those acres. He encouraged the Committee to pass the bill favorably without amendment. ([Attachment 2](#))

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Steve Riegel, of Riegel Ranch leases land to Outfitters in order to recover some of the economic losses caused by deer. He expressed the frustration he and other landowners feel with the way the deer permit pool is currently run. He also shared ideas that would build a cooperative relationship between Wildlife and Parks and landowners. (Attachment 3)

David Clawson, a landowner from Englewood, Kansas felt that further restriction of transferable tags would make it harder for landowners to get tags need to sell hunts on the owners property. In Mr. Clawson's area, the pool is flooded with 80% of applicants from out of state licensing service clients. However, only 46 gun tags are available. He questioned why, in a time when the whitetail deer herd is flourishing, is it so difficult for local landowners and outfitters to get the transferable non-resident deer tags that are needed in order to reap economic benefits desperately needed in rural communities. (Attachment 4)

Cattle rancher, Lee Robbins of Woodson County praised the increase in the number of firearms and archery permits that are provided for in the proposed legislation. In instances where a landowner "overdraws" from the pool of permits, Mr. Robbins suggested that the "overdrawn" permits be made available again through Wildlife and Parks to a landowner that underdrew, to be used on that landowner's property. (Attachment 5)

Kansas Farm Bureau (KFB) representative, Steve Swaffer said that his organization had been a part of the Deer Management Working Group, the group whose recommendations influenced the drafting of the bill. KFB supported the bill as amended, recognizing a need for members to be able to recover damages and also benefit economically from deer hunting. The Bureau supported tying non-resident transferable permits to a smaller land mass than the entire deer management unit, but had reservations regarding the restriction of the use of the permit only for land controlled by the applicant. Mr. Swaffer also acknowledged a need for a control mechanism on the total number of tags issued per year. (Attachment 6)

Mike Beam of the Kansas Livestock Association (KLA) spoke on behalf of his organization as a proponent of the bill. KLA asked the Committee to consider putting into practice a program currently offered in Oklahoma by that state's Department of Wildlife Conservation. They provided a brochure which summarized the program. (Attachment 7)

Whitney Damron submitted written testimony on behalf of the Kansas Sport Hunting Association (KSHA). KSHA urged the Committee to amend K.S.A. 32-964 to "exclude the requirement for a commercial guide license for those who do not provide guide services for deer hunting." (Attachment 8)

Secretary Mike Hayden of Wildlife and Parks appeared before the Committee to give testimony in opposition to the floor amendment to **HB 2078**. They requested the following amendments:

- 1) Removal of the provision that allows unlimited transferable archery permits
- 2) Tying the transferable permit to a county in which the applicant qualifies
- 3) A revision to set the sunset provision of the transferrable permit to June 30, 2008
- 4) A change in the effective date to January 1, 2004

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(Attachment 9)

Wildlife and Parks also requested that Section 1, page 3, lines 4-15 of **HB 2078** be stricken, as well as Section 1, page %, lines 5-6 be amended, lines 11-14, striking the whole sentence, line 16 be amended. (Attachment 10)

Steve Sorensen of the Kansas Wildlife Federation (KWF) voiced the Federation's reservations with **HB 2078**. He cited public opinion statistics regarding deer management in Kansas. The Federation's concerns centered around possible long-term negative impacts they see for resident hunters of deer and upland game. Additionally, they were concerned with how the bill might impact new recruits and young hunters in the years to come. In his written testimony, Mr. Sorensen provided a copy of the Final Report by the Kansas Deer Management Work Group to Committee members. (Attachment 11)

On behalf of the leadership of Audubon of Kansas, Ron Klataske gave testimony recommending two changes to **HB 2078**. He requested that the Committee 1) Increase the value of wildlife in the bill in order to project support for law enforcement officials, and 2) Change language in the bill from "*for big game hunting purposes*" to "for agricultural purposes". Audobon felt this language change would reward landowners and tenants who maintain or improve good habitat for deer and other wildlife. (Attachment 12)

Stacy Hoeme, a landowner in Western Kansas opposed the amendment on **HB 2078** because of possible deer management problems. He was concerned that the bill did not distinguish between mule deer and whitetail deer; doe or buck. Mr. Hoeme argued that if the "hunt-on-your-own-land" (HOYOL) deer permit is made transferable, the population of mule deer will decrease and trespassing and poaching will increase. He also shared concerns regarding bowhunting in Kansas. (Attachment 13)

Dan Haines of the Kansas Chapter of the Wildlife Society supported the language proposal recommended by Audobon of Kansas. Additionally, they recommended the elimination of the Section (i) amendment which authorized an unlimited number of special HOYOL transferable archery permits. In conclusion, they suggested that **HB 2078** be referred to an interim study committee to determine the impact of the bill in its present form. (Attachment 14)

Kansas Outfitters Association (KOA) representative, Keaton Kelso, reported that KOA favored the original bill proposed by the House, but could not support it as amended. The organization stated that the amendment "open(ed) the doors for an unmanageable deer harvest." (Attachment 15)

Spencer Tomb, board member of the Kansas Chapter of the National Wild Turkey Federation testified in opposition to **HB 2078**. The Federation felt the bill was not restrictive enough and did not reflect the wishes of the public. Additionally, the Federation stated that the bill "did not address the serious problems of permit brokering and scalping...a problem which gives the landowner peanuts while the big bucks go to the broker." In the event that the bill is worked, Mr. Tomb requested that the permits be tied to specific land. (Attachment 16)

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Will Carpenter, Wildlife and Parks Commissioner asked the Committee to consider what it might take to sustain the viability of the state's deer herd. He urged members to remove the amendment added to the bill. ([Attachment 17](#))

Written Testimony

Leland Queal, a wildlife biologist discouraged the Committee from passing the bill. He felt that the bill would drive up the cost of deer hunting in Kansas and that an increase in leasing would not be used for hunting purposes, but that land would be leased for the purpose of gaining access to transferable permits. ([Attachment 18](#))

Edward Koger, a rancher and farmer provided Committee members with his perspective on hunting in Kansas. He encouraged the Committee to increase the penalties for poaching trophy bucks. ([Attachment 19](#))

Roy and Dorie Tucker of Tucker Ranch on Rock Creek wrote in full support of **HB 2078**. They felt the amendment helped to provide some "leverage to landowners to plan for economic income through deer hunting." ([Attachment 20](#))

Shawn Harding of the Kansas State Bowhunters Association asserted that the bill was "not an effort to manage deer numbers". He stated that the proposed modifications were unacceptable because of wording applied to the restriction of transferable tags. ([Attachment 21](#))

The meeting was adjourned at 9:35 a.m.