

**Testimony on HB 2208 regarding Transferable Deer Permits
To
The House Committee on Agriculture**

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HB 2208 would create a transferable deer permit system. **The Department opposes HB 2208.** The act would be effective upon publication in the statute book.

Deer hunting is a popular sport in Kansas to both residents and non-residents. Kansas is popular with hunters because of the quality of the deer herd. But 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 another interest.

However, Kansas does provide a large number of non-resident tags for whitetail deer hunting. In 2016 almost 95% of non-resident applicants received a tag (21,816 of 23,092 applicants). As a comparison, most Midwestern states allow 10% or fewer non-resident deer hunters. And compared to Iowa, another nearby “trophy deer” state that issued only 6,000 non-resident deer tags and have 20,000 applicants annually.

Also, not all residents want to see unlimited non-resident deer tags in Kansas. Resident deer hunters declined by 3,500 hunters between 2015 and 2016. 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 landowners do not universally agree 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.

House Bill 2208 also makes an already complicated permit system more complicated and confusing for hunters, landowners and law enforcement personnel. 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 available 10 years ago)? 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 (95%). And if passed it will unnecessarily complicate the process of receiving non-resident deer permits.

The Department appreciates the support of the Committee in opposing HB 2208 and the opportunity to address the Committee.