

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE  
BILL NO. 2295**

As Amended by House Committee of the Whole

**Brief\***

Sub. for HB 2295 would require the Secretary of the Kansas Department of Wildlife, Parks and Tourism to develop and implement a pre-rut antlerless deer rifle season by deer management units. The bill also would require the Secretary to develop and implement a combination antlered and antlerless deer permit prior to April 1, 2013, through the adoption of rules and regulations.

In addition, the bill would require the Secretary to verify proof of ownership or tenancy of not less than 25 percent of all landowner-tenant resident big game or wild turkey hunting permit applicants in each calendar year. Failure of an applicant to provide the proof would be a violation of law.

Further, the bill would allow any person who has been issued a big game permit to use a crossbow during an archery big game season.

The bill would be in effect upon publication in the *Kansas Register*.

**Background**

The original HB 2295 was considered during the 2011 Legislative Session. The House Committee on Agriculture and Natural Resources held hearings on the bill during the 2012 Legislative Session. The first proponent to appear was

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

an individual from Hays who advocated for the portion of the bill allowing cross-bows during archery season. The second proponent was Representative Seiwert who indicated that even though there had been efforts to control the deer population, there needed to be additional efforts including the use of crossbows during archery season, the extension of the antlerless deer season during January, and a mechanism implemented to allow out-of-state permit holders to take a doe as well as a buck. Opponents of the bill included a spokesperson for the Kansas Department of Wildlife, Parks and Tourism and a spokesperson for the Kansas Bowhunter's Association. The Committee received two pieces of testimony in opposition to the proposed provisions relating to allowing the use of cross-bows during the archery season.

The Committee considered the original bill and decided to make two additions to current statute. These additions are reflected in the substitute bill which the Committee adopted.

The House Committee of the Whole amended the bill to require the Secretary of Wildlife, Parks and Tourism to verify proof of ownership or tenancy of not less than 25 percent of all landowner-tenant resident big game or wild turkey hunting permits in each calendar year. In addition, the House Committee of the Whole amended the bill to allow the use of crossbows in any archery big game season when the person has been issued a big game permit.

The fiscal note on the original bill (introduced in the 2011 Session) indicates the Kansas Department of Wildlife and Parks believes that passage of HB 2295 would cause significant reductions to the agency's revenues. Although the agency is unable to estimate the amount of the expected loss in revenue, it was able to provide some examples of how the revenues would be affected. While there would be some increase in revenue from increases in the fees for non-resident big game and mule deer permits and non-resident big game applications, many of the people who would have purchased these permits would be exempt upon passage of the bill because they would also be non-resident relatives of

landowners or tenants. Exemptions in statute for certain constituents would also erode revenues for the Fish and Wildlife program, which is fee funded. These exemptions could initially increase the number of participants. However, because they also reduce revenues, they reduce the agency's ability to provide services to the increased number of participants, including those who are not exempt and continue to pay full price for licenses. Eventually this reduction of services could result in decreasing numbers of participants who pay full price.

Another example of the original bill leading to reduced revenues relates to the requirement that anyone purchasing a deer permit also pay \$2 to the Kansas Hunters Feeding the Hungry (KHFH) program. This requirement would result in a loss of federal funds and possible ineligibility for future federal funds as, under the agreement between the agency and the U.S. Fish and Wildlife Service, collecting this fee and delivering it to the KHFH program would be considered a diversion of funds. Any fiscal effect associated with HB 2295 was not reflected in *The FY 2012 Governor's Budget Report*.

The bill would be in effect upon publication in the *Kansas Register*.