

SUBJECT: Landowner permit to trap and transport surplus white-tailed deer

COMMITTEE: Culture, Recreation and Tourism — committee substitute recommended

VOTE: 8 ayes — Homer, D. Howard, Dukes, T. King, Kleinschmidt, Kuempel, McCall, Phillips

0 nays

1 absent — Thibaut

WITNESSES: For — (*On committee substitute*) (*Registered, but did not testify*): Karl Kinsel, Texas Deer Association)

Against — None

On — Scott Vaca, Clayton Wolf, Texas Parks and Wildlife Dept.

BACKGROUND: The trap, transport, and process surplus white-tailed deer permit is a mechanism to help reduce deer population in areas where white-tailed deer are overpopulated. Through use of this permit, areas with surplus white-tailed deer can capture the deer, process their carcasses, and donate the venison to penal facilities or charitable organizations.

Under Parks and Wildlife Code, sec. 43.0612, the Texas Parks and Wildlife Department (TPWD) is allowed to issue a permit to a political subdivision or a property owner's association authorizing the trapping and transporting of surplus white-tailed deer found within their boundaries.

A permit holder is required to file an application with TPWD showing an overpopulation of deer within the boundaries no later than 30 days before the planned trapping and transporting of deer. The permit holder is allowed to trap and transport deer between October 1st and March 31st, unless the deer poses a threat to human health or safety.

The TPWD is not allowed to charge a fee for this type of permit.

DIGEST: CSHB 3977 would amend the Parks and Wildlife Code, sec. 43.0612, to add a qualified individual to the list of those that TPWD could issue a permit to trap and transport surplus white-tailed deer. Qualified individuals would be allowed to trap and transport a deer found on their property. A qualified individual would be an individual who has a wildlife management plan approved by TPWD.

The Texas Parks and Wildlife Commission, by rule, would be allowed to set a fee up to \$300 for the permit and to determine the circumstances for obtaining a permit.

The bill would take effect September 1, 2009.

SUPPORTERS SAY: CSHB 3977 would allow the TPWD to issue permits directly to individual landowners for the purpose of trapping, transporting, and processing surplus white-tailed deer. Currently, an individual may use a permit, but only if the political subdivision that encompasses the tract within which the individual's property is located applies on the individual's behalf. For example, a county judge could apply for a permit and then name an individual property owner as a supervisory permittee.

The process of trapping and transporting surplus deer has been beneficial to political subdivisions and homeowners associations. Individual landowners, especially ranchers, would like the same access to the process. It is burdensome and time-consuming to have to secure a permit through an authority other than the TPWD.

OPPONENTS SAY: Current law allows an individual to make use of a trap and transport permit within the controlled planning of a larger community. Allowing individual landowners to have these types of permits could create conflicts between neighbors and would be an unorganized approach to deer management, especially in subdivisions. It eventually become would difficult to coordinate if too many individuals in the same area held permits.

NOTES: The committee substitute differs from the bill as filed by specifying that a qualified individual with a wildlife management plan approved by the TPWD be issued a permit rather than any individual. The substitute also provides a fee for the permit.

TPWD estimates about 50 permits would be issued each fiscal year, resulting in a revenue increase of \$15,000 each fiscal year in the general revenue-dedicated game, fish, and water safety account.

The companion bill, SB 1583 by Harris, passed the Senate by 31-0 on April 30 on the Local and Uncontested Calendar and has been referred to the House Culture, Recreation, and Tourism Committee.