

CHAPTER 133**(HJR 130)**

A JOINT RESOLUTION authorizing and directing a study of the growth of the white-tail deer population in Kentucky and addressing in particular the dangers and problems that deer present for motorists driving on state roadways.

WHEREAS, since the 1940s, Kentucky, through the work of the Department of Fish and Wildlife Resources, has seen great strides made in the re-establishment of the white-tail deer population throughout the state, to the point that statewide herd size stands at one million; and

WHEREAS, the white-tail deer, as the state's most common and recognizable big-game animal, has proven to be a popular quarry for Kentucky's hunters, with over 113,300 of the animals harvested in the 2007 license year; and

WHEREAS, according to the Kentucky State Police's traffic collision report, a total of 2,844 collisions with deer occurred in 2006, resulting in one fatality, 25 incapacitating injuries, 65 non-incapacitating injuries, and in millions of dollars paid out by insurance companies to affected motorists; and

WHEREAS, many more collisions with deer in the state go unreported, based on evidence of dead deer on both rural and urban roadways; and

WHEREAS, many strategies have been used to reduce deer-vehicle collisions, including fencing, wildlife greenways or corridors along highways, temporary signs during deer migration, signs that activate when deer are near highways, deer reflectors, and deer detectors;

NOW, THEREFORE,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. The commissioner of the Kentucky Department of Fish and Wildlife Resources, in cooperation with the secretary of the Transportation Cabinet, shall coordinate the development of a plan to control and manage Kentucky's deer population in the future, with an emphasis on reducing deer roadway hazards. The cooperative effort shall include an examination of how deer-car accidents affect insurance rates and a review of strategies aimed at deer incursions along highways. In conjunction with the study, the Transportation Cabinet shall work with the Department of Fish and Wildlife Resources to establish test areas on sections of Kentucky's highways for deer deterrent systems, habitat reduction, alternative seed mixes, repellents, and highway fencing, and the outcome of these tests shall be included as a part of the full report required under Section 3 of this Resolution. In addition, the Department of Fish and Wildlife Resources shall look at options for increasing deer harvest in highly populated areas and the elimination of existing deer in high traffic areas.

➔Section 2. The commissioner of the Kentucky Department of Fish and Wildlife Resources, in conjunction with the Transportation Cabinet, shall solicit input from: wildlife management and biology experts, both inside and outside the department; law enforcement officials; insurance industry representatives; representatives of a firearms deer hunter association and an archery deer hunter association; wildlife conservation representatives; and others with specific expertise in the field.

➔Section 3. The Department of Fish and Wildlife Resources shall issue a preliminary report on the study to the Interim Joint Committee on Agriculture and Natural Resources by November 30, 2008. The department shall issue a final report on the findings and recommendations of the study to the Senate Standing Committee on Agriculture and Natural Resources and to the House Standing Committee on Agriculture and Small Business by April 30, 2009.

➔Section 4. Provisions of this Resolution to the contrary notwithstanding, the Legislative Research Commission shall have the authority to alternatively assign the issues identified herein to an interim joint committee or subcommittee thereof, and designate a study completion date.

➔Section 5. Unless otherwise provided by law, no person shall administer any drug, including but not limited to drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation, to any noncaptive wildlife except with written authorization from the commissioner of the Department of Fish and Wildlife Resources. "Noncaptive wildlife" shall not include fish or any wildlife held captive by a licensed veterinarian or holder of a wildlife rehabilitation permit, scientific or educational collecting permit, captive wildlife permit, or a captive cervid permit. "Drug" means any chemical substance, other than food or mineral supplements, that affects the structure or biological function of any noncaptive wildlife. Any person violating this section shall be guilty of a Class

B Misdemeanor. The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to assist in the enforcement of this section.

Signed by Governor April 24, 2008.