

M I N U T E S

SPECIAL COMMITTEE ON WAYS AND MEANS - HOUSE

August 22, 1975

Members Present

Representative Wendell Lady, Chairman
Representative R. E. Arbuthnot
Representative Albert D. Campbell
Representative John Carlin
Representative James Cubit
Representative Keith Farrar
Representative Ben Foster
Representative Richard L. Harper
Representative Mike Hayden
Representative David J. Heinemann
Representative James Holderman
Representative Rex Hoy
Representative Irving R. Niles
Representative Herbert A. Rogg
Representative Fred L. Weaver
Representative George Wingert
Representative R. C. Zajic

Staff Present

Mr. Robert Haley, Legislative Research Department
Mr. Alden Shields, Legislative Research Department
Mr. Jim Wilson, Revisor of Statutes Office

The Special Committee on Ways and Means - House was called to order August 22, 1975 at 9:00 a.m. by Chairman Wendell Lady. The minutes of the July 17, 1975 meeting were approved with the addition of Vice Chairman Bill Bunten's name to the list of members present. Mr. Richard D. Wettersten, Director of the Forestry, Fish and Game Commission, expressed appreciation to the Committee for coming to Pratt in order to review the operation of the agency and introduced the other members of the agency present. (See Attachment No. 1.)

Kansas Fish and Game Magazine

Chairman Wendell Lady introduced the discussion of this topic by noting that publications were items which continue to generate interest when they appear as budget items. The Chairman then requested that Mr. Wettersten present his comments on the subject.

Mr. Wettersten indicated that the purpose of the KANSAS! magazine was apparently related to promoting tourism while the purpose of the Kansas Fish and Game magazine was to acquaint the people of Kansas with state resources, including wildlife and fish. The circulation of the Fish and Game magazine has increased dramatically to 80,000 per issue with a readership of 400,000. Circulation has increased about 2,000 copies per issue. The Kansas Wildlife Federation conducted a survey of its members and found a great deal of interest in paying \$2.00 for the magazine. Mr. Wettersten noted that the survey was of sportsmen and might not hold for other readers.

The director presented seven alternatives for consideration. The first would be to stop publication. This was not recommended by the agency because the magazine is believed to serve a useful purpose. It was also noted that it is a very popular magazine.

The second alternative was to combine the KANSAS! and Kansas Fish and Game magazines into one publication; the agency also opposed this for two reasons. The first reason is the different purposes of the magazines and the second is the difference in the public served. The third option is to continue with the same policies. This is being reviewed in the present budget cycle. The fourth option would be to reduce the number of issues from six to four -- this would result in a printing saving of about \$30,000 per year.

The fifth alternative would be to charge for the magazine. Many states charge between \$2.00 and \$3.00 per year. Mr. Wettersten noted that states had found an approximate 80 percent decrease in circulation with any rate change. This alternative would also have additional costs related to maintaining subscription lists, additional staff, and promotional efforts.

The sixth alternative is to sell advertising. The agency said that it would oppose advertising that was not consistent with its editorial policy. In addition, the agency did not believe it was desirable to compete with national publications.

The last alternative was to explore other means of economy. This might include in-house maintenance of the mailing list on computer, reduction in the quality of paper used, and discontinuation of color on the cover.

Chairman Lady asked for information on the cost of the magazine. Mr. Wettersten presented the following data for FY 1976:

	<u>Percent of Total Cost</u>	<u>Amount</u>
Preparation costs	14%	\$ 16,600
Printing costs	72	85,000
Postage costs	9	10,400
Other distribution costs	5	5,800
Total Expenditures	<u>100%</u>	<u>\$117,800</u>

Representative Farrar asked for an explanation of what cost items were included in the projected \$30,000 saving from a reduction of two issues per year. Mr. Wettersten replied that the estimate only included printing costs.

Representative Heinemann asked how the mailing lists were established. The director stated that any Kansas resident can be placed on the list by request, but a non-resident must give his non-resident hunting and/or fishing license number. Representative Heinemann suggested that an effort be made to determine who would like to continue receiving the magazine.

Representative Heinemann then inquired why 6,000 to 7,000 copies were returned. Mr. Lyon, information and education division director, replied that when the agency changed contractors, names were dropped from the computer tape.

Representatives Foster and Heinemann suggested that the agency could use a tabloid for the free circulation and charge for the magazine. Mr. Lyon noted that Nebraska used this system.

Representative Zajic expressed interest in giving a subscription to everyone with a hunting or fishing license. The director noted this would mandate a circulation of about 500,000 per issue. The present circulation is less than 100,000.

Representative Hayden asked about the impact of advertising space on the cost of the magazine. Mr. Lyon explained that the magazine could lose its special second class postage rate.

Representative Holderman wanted to know what would be the reaction of sportsmen to four issues instead of six and what criteria were used in the national magazine competition in which Kansas took third place. Mr. Wettersten felt there would be some concern if the annual number of issues were reduced. Mr. Lyon supplied the Committee with the judging sheet which is included as Attachment No. 2.

Chairman Lady stated that consideration of the funding of the magazine must be done in the context of the total funding of the agency. He also suggested that efforts should be made to determine if people receiving copies were reading them. Chairman Lady noted that if people were not willing to pay for the magazine they may not be interested in it.

Representative Holderman informed the Committee that the Forestry, Fish, and Game has a newsletter that could serve as the proposed tabloid. Mr. Wettersten explained that the newsletter had a limited circulation and was used to inform the public of season rates and regulations and certain other limited types of information.

Representative Weaver asked if all of the projected increase in circulation of the magazine resulted from additional requests. Mr. Lyon noted that Forestry, Fish, and Game was receiving about 1,500 additional requests per issue, but the budget request was based on 2,000 per issue.

Attorney Services

Chairman Lady introduced the topic by explaining that the Committee was interested in the need and use of attorneys in the state agencies. Mr. Wettersten was invited to discuss the Forestry, Fish, and Game Commission's position.

Mr. Wettersten stated that the agency needed legal services and that the need would continue. The director indicated that the items listed in the staff report were typical for Commission meetings. Other items listed by the director which required an attorney included title searches, litigation, and day-to-day requests by the agency staff. The agency has had access to attorney services for 45 years.

Forestry, Fish, and Game has identified three options that it believes would provide the needed service. The first alternative would be to have the attorney service provided by the Attorney General's Office. Mr. Wettersten indicated that this might be advantageous in formulating opinions and in processing regulations. The second option would be to have the attorney

budgeted by the Commission as is presently the case; this would provide the advantage of access to the attorney by the staff and consistency over a period of time. The third option is to retain an attorney on a consultant basis with payment on an hourly rate. The director noted the attorney should live in Pratt and not Wichita. It was also noted that a requirement that the attorney give up private practice could result in either a lawyer looking for a place to retire or one just out of law school. Minnesota has had success with the Attorney General option.

Chairman Lady asked what the rate of pay was for the attorney and if an increase in legal services was anticipated. The director indicated the salary for half-time work is \$11,000. It was noted that the demand for legal services was increasing.

Representative Heinemann questioned what adjustments had been made in the work requirements with the change from full-time to half-time. Mr. Wettersten noted that the attorney was continuing to do the same amount of work as when he was full-time.

Chairman Lady asked if the law firm with which the present attorney is associated ever filled in for the attorney. The director noted that once when the regular attorney could not be present, his partner attended the Commission meeting.

Representative Carlin and Chairman Lady inquired about other payments besides salary. Mr. Wettersten stated that he received subsistence and travel when applicable. The attorney does not receive the clerical services listed in the position description.

Representative Weaver asked why the Forestry, Fish, and Game Commission was involved in the Marais des Cygnes river pollution problem at Ottawa instead of the Environmental Protection Agency. Mr. Wettersten drew a parallel to the Cow Creek fish kill and restocking. The agency hopes to be able to do the same at Ottawa. Representative Weaver noted that this type of litigation was less expensive with the attorney on a fixed salary than on an hourly rate.

Representative Arbuthnot and others inquired whether the agency would be better served in court by the Attorney General's staff. Mr. Wilson explained that an attorney representing a state agency in court must be commissioned by the Attorney General.

Aircraft

Chairman Lady noted that the aircraft topic was similar to the attorney question as the Committee was interested in determining the demand for and use of aircraft by all state agencies.

Mr. Wettersten indicated that the table in the staff report was prepared in 1974 and that the present use might be slightly different. The agency is counting on about 500 hours per year but could use 1,000 to 1,500 if it had three aircraft. The specific aircraft requested is a Cessna 185, a popular aircraft with conservation agencies because it can fly at low levels and at low speeds but can also be used for travel. The presentation also included a review of the agency's need for a full-time pilot with knowledge of the Commission's operation. Much of the work would be either at night or at low level which would require an experienced pilot.

It was noted that staff time is very important and might be a major item in the flight time allocation. Law enforcement officials have successfully used rented aircraft in the past in identifying and investigating flight violations. It was stated that one aircraft was the equivalent of three game protectors.

There was general discussion concerning use in fish distribution, surveys, and reconnaissance of land use habitat patterns.

Representative Carlin asked what was the cost of renting an aircraft in Pratt. The director responded that it cost \$120 to fly to Topeka and \$20 for the pilot to wait. Representative Farrar noted that 300 hours of travel in an aircraft with a cruising speed of 150 m.p.h. would be \$45,000. He also asked if another plane might be more efficient. The response was that the Commission was familiar with the operation and cost of the 185.

Representative Zajic asked for a description of a Cessna 185. Mr. Wettersten explained that it is a six place aircraft which is high winged, has tail wheel landing, and is relatively high powered. Representative Farrar noted that a Cessna 180 had seating for four.

Representative Hayden asked what type of modification would be necessary for fish transportation. The response was the greatest change would be to remove the seats but this was not expected.

Representative Holderman asked for a breakdown of cost savings that would result from the aircraft. Representative Carlin noted the information should take into account the savings from less ground time. Chairman Lady asked that the information be prepared.

Representative Weaver asked how the aircraft would relate to boat safety. Mr. Wettersten indicated that it was not planned to use the aircraft in this area.

Representative Farrar asked what the total cost would be, including the pilot, hanger, maintenance, and gasoline. The agency provided the following budget items from the FY 1976 budget request:

Aircraft	\$37,000
Pilot	11,500
Hanger rental	500
Maintenance	1,600
Gasoline and parts	5,000
Total	<u>\$55,600</u>

Representative Cubit asked if there were an advantage of owning over leasing. The director indicated that it was less expensive.

Land Holdings

Mr. Wettersten explained that the Commission has land in fee title and on lease from the federal government. Land that was purchased before 1967 is taxed by the county if it produces any income. All land purchased after 1966 is taxed even if it does not produce any income. No taxes are paid on the land leased from the federal government. The legislative commitment to the water plan resulted in a large amount of land being removed from the tax rolls. When the federal government leased the land to the Forestry, Fish, and Game Commission, there was no change in the tax status.

Representative Rogg asked if the federal government had paid rent to the counties when it had control of the land. The director noted that the federal government had paid rent, but the state cannot.

Representative Hayden wanted to know if any other agencies were paying taxes on land. Mr. Wettersten replied that he was not sure about other agencies in Kansas but that other states were. He also noted taxes were paid in Labette County even though in the staff report it is listed as tax exempt. (The staff report data came from the Legislative Division of Post Audit's Special Report: State Controlled Real Property; January 29, 1974, Schedule 3, page 27.)

Representative Rogg asked if the inventory value of the land was adjusted for increase in value. The director indicated that the value listed was the amount paid and was not adjusted upward.

Representative Zajic asked for an explanation of the listing of "share" in the Income Received column on page two of the staff report. Mr. Wettersten stated that the state's share of a crop may be left standing to provide habitat and feed for wildlife.

Representative Wingert asked if this policy was also used with bean crops. Mr. Wettersten indicated that the farmer could harvest all of the crops that did not produce good habitat but he would have to leave more than the standard one-third of other crops.

SASNAK

Mr. Wettersten explained that the idea for the program began after a flight to Kansas City shortly after he became director. He noted that the groundwork on Melvern Reservoir had been done but did not include any provision for fish habitat. This led to a request for the field personnel to develop statements of needs in their areas. These needs were then translated into the five goals of SASNAK. The budget to meet these goals was developed with inputs from the field. The agency hired 100 new employees and gave them an intensive six week training course. The SASNAK program is two years old, and Mr. Wettersten indicated that it has exceeded his expectations.

The first goal is to double the take of upland game on public hunting lands. The Kingman Game Management Area was used as an example of habitat development that was being done. It was noted that it is not practical to measure the actual take of game but standard measures of the potential take can be used. It may be that the take per hunter may not increase because of the increase in the number of hunters.

The second goal is to increase by 50 percent the take of gamefish from Kansas waters. Mr. Wettersten indicated that this goal will be exceeded. A water management plan has been developed for each of the state lakes and reservoirs. The agency has also been active in habitat management and in surveys of fish population.

The third goal is to establish a close working relationship with Kansas landowners to save and develop wildlife habitat on private lands. The agency has 150,475 acres covered under agreements with landowners. Efforts are made to work with the farm plan. The WHIP program (Wildlife Habitat Improvement Program) has had two major problems. The first is that the price of grain has increased with a resulting decrease in unplanted land. Secondly, the game protectors have only been able to spend 20 percent of their time on it instead of the 40 percent that was planned.

The fourth goal is to develop a statewide firearms safety training program for Kansas youth. This program is one of the best in the nation according to a recent competition. A total of 54,879 students have completed the mandatory eight-hour course. The program has only two full-time positions but has over 3,733 volunteer instructors who have been certified. The accident rate for the two years of the program has been 30 per year compared to the previous average of 47. The training course stresses safety, conservation, and ethics.

The fifth goal was to create a modern courtesy boat patrol to teach, enforce the regulations, and help boaters in Kansas. In the past the policy was to have the game protectors on the water every weekend. This resulted in complaints of harassment when they stopped the same boat two or three times in the same weekend. The policy also took the game protectors away from their normal work. The new program has three full-time enforcement people and three summer aids. These people conduct safety examinations of the boat and present a sticker so that the boat does not have to be stopped for a routine check again that summer. They also engage in water patrol and public information.

Representative Hayden asked for an explanation of cost sharing in the WHIP program. The director explained that the state would pay 75 percent of the cost of permanent improvements. It was expected that a reduction to 50 percent matching would result in a reduction of interest in the program.

Representative Arbuthnot requested an explanation of what would be covered under the WHIP cost sharing program. Mr. Wettersten indicated it included any permanent improvement in nesting and winter cover.

Representative Heinemann asked when the agency expected to have reserves equal to expenses. The director said that the Commission was investigating additional revenue sources and methods of reducing expenses.

Representative Hayden asked what should be done in regard to environmental impact statements. Mr. Wettersten noted that he supported Representative Hayden's proposal to have the Advisory Committee on Ecology review the situation. Chairman Lady asked why this was needed since the statements are mandatory. The director noted that the need was for coordination. Representative Carlin asked if the agency was being reimbursed for the environmental impact work done by the agency. Mr. Wettersten explained that an agreement had been developed with the Department of Transportation in which the Commission would be reimbursed for six new positions. Three positions were approved by the Finance Council.

Representative Wingert asked if the Pittman-Robertson and Dingell-Johnson funds would drop in FY 1976. Mr. Wettersten explained that the FY 1976 figure was the preliminary apportionment which would be about half of the total. The funds are increasing because they are an excise tax on firearms and fishing equipment. More of these sporting goods are being sold and the price is increasing with inflation.

Chairman Lady asked what the agency did when the federal funds exceeded what was in the budget. The director noted that this was an apportionment and the state did not get the funds except as reimbursement for state expenditures.

Representative Hayden asked if the state had matched all federal funds made available to the state. Mr. Wettersten indicated that so far the state had been able to obligate all of the funds. He also explained that many expenditures were not reimbursable and the state could lose part of the apportionment if it is greatly increased.

Representative Cubit asked for an explanation of the apportionment process. The director explained that it was based on the area of the state and the number of license holders. Acceptable expenditures can then be reimbursed up to 75 percent.

General Overview and Tour

The director presented a discussion of the St. Jacob's Well property. The land was being overgrazed and the Commission had encountered difficulty getting the cattle off the land.

Representative Holderman asked for an explanation of the federal role in the land. Mr. Wettersten then explained that the federal government was reimbursing the state for 50 percent of the cost. It was not considered a diversion of fishing and hunting license money because the land is under control of the Forestry, Fish, and Game Commission. If the land is transferred to the Park Authority without reimbursement, this could result in Kansas losing its right to participate in the federal Pittman-Robertson and Dingell-Johnson grants.

Representative Arbuthnot asked if the land could be sold. The director indicated that it could be, but that the federal government would have to be reimbursed for any federal funds used in acquiring the property (\$125,000). In addition, certain provisions of the deed would have to be met by the purchaser.

Representative Hayden asked if the land could be declared a scenic and natural area. The director said the land contained half of the big basin, one small basin, the well, and the old wagon trail.

Mr. Wettersten explained that the Commission does a very good job without a great deal of publicity. He also explained that there was interest in getting General Fund money for projects that have general impact in the state.

After lunch the Committee toured the older section of the building which was completed in 1965 and the new section which was just completed this summer. The Committee talked to different employees about the operation of their departments. After a tour of the main building, the Committee toured the new warehouse and the fish hatchery which was completed in the early 1900's. The Committee then toured the natural history museum.

Prepared by Robert Haley

Approved by the Committee on:

Sept. 18, 1975
(Date)

Walter K. Koby
(Chairman)

OTHERS APPEARING AT MEETING

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Representative Lee Hamm	Pratt	District 102
Mr. Leroy E. Lyon	Pratt	Forestry, Fish, and Game Commission
Mr. John Moir	Topeka	Division of the Budget
Mr. Fred Warders	Pratt	Forestry, Fish, and Game Commission
Mr. Robert Ward	Pratt	Forestry, Fish, and Game Commission
Mr. Richard D. Wettersten	Pratt	Forestry, Fish, and Game Commission

Category 1 -- Magazines

The two main questions judges must answer are (1) does the entry seem to fulfill the stated purpose, and (2) is it presented so as to reach the intended audience in an effective manner?

The following aspects are to be evaluated numerically. If you feel one deserves more weight than we have given it, borrow the required points from one you feel deserves less weight so the total possible will remain the same for the entire sheet. Your comments at the end will be helpful to the entrant in the future.

A. OVERALL APPEARANCE

1. Is the overall appearance inviting and likely to compete favorably for the reader's attention?
0 1 2 3 4 5 6 7 8 9 10 5
2. Does the cover illustration relate well to the magazine's functions, the content, or the state represented?
0 1 2 3 4 5 6 7 8 9 10 6
3. Is there a harmonious balance between copy, illustration and white space to give pages a clean, inviting look?
0 1 2 3 4 5 6 7 8 9 10 6
4. Is it effective in design, placing clarity above "arty" gimmicks?
0 1 2 3 4 5 6 7 8 9 10 7
5. Are facing pages planned as a unit?
0 1 2 3 4 5 6 7 8 9 10 7
6. Is there good choice of body type for clarity and reading ease?
0 1 2 3 4 5 6 7 8 9 10 9
7. Is the table of contents placed in the same position each month, on a lead page where it can be found easily?
0 1 2 3 4 5 6 7 8 9 10 8
8. Are titles on the table of contents presented so readers can find a desired article easily?
0 1 2 3 4 5 6 7 8 9 10 7

9. Whether or not color is used, does use of graphic technique (screens, inks, layout, type faces, etc.) facilitate reading and attract and hold reader interest?

0 1 2 3 4 5 6 7 8 9 10 7

10. Are artwork and photography well used to enhance the text and not thrown in to fill space?

0 1 2 3 4 5 6 7 8 9 10 8

B. EDITORIAL CONTENT

11. Are articles written for the intended audience and not to impress other professionals? Are they exploiting humor?

0 1 2 3 4 5 6 7 8 9 10 10

12. Do titles arouse interest, use active words, give a reader a lively clue to the subject of the article?

0 1 2 3 4 5 6 7 8 9 10 8

13. Do lead paragraphs of articles catch and hold interest?

0 1 2 3 4 5 6 7 8 9 10 10

14. Are articles edited well for grammar, errors, and accepted usage?

0 1 2 3 4 5 6 7 8 9 10 8

15. Is the writing easy to read, clear, concise, and free from technical jargon and cliches?

0 1 2 3 4 5 6 7 8 9 10 10

16. Are articles credited properly and plainly as to author and/or source?

0 1 2 3 4 5 6 7 8 9 10 10

17. Does the majority of content appear to be original material? (If any reprints are used, they should be minimal in number and of a significant nature.)

0 1 2 3 4 5 6 7 8 9 10 10

18. Does writing hold interest, "move" along actively, incite the reader to form opinion, or take action, or at least provide him worthwhile information?

0 1 2 3 4 5 6 7 8 9 10 10

9. Is there evidence of a consistent editorial policy line?

0 1 2 3 4 5 6 7 8 9 10

10

20. How well does magazine fulfill its stated purpose?

156

0 to 190 points

180

TOTAL SCORE 336

TOTAL POSSIBLE 380

Judge's Comments: (Please use reverse side if necessary.)

Opening spreads on articles need more emphasis

Lively writing, fast-moving, concrete and colorful. Considerable personalization. Openings consistently engage a general reader, whether or not he has a strong interest in wildlife or conservation. The news release inserts are a good device for keeping readers up to date with Commission activities

Fiscal/Budget Analysts
Tramel/Moir

Budget
Page 422

Message
Page --

SUMMARY OF REQUEST/GOVERNOR'S RECOMMENDATION:

Expenditures by Fund	Agency Request	Governor's Recommend.	Difference
Operating Expenditures			
FF&G Commission Fee Fund	\$5,880,676	\$5,338,056	(\$542,620)
Upland Game Bird Fund	.200,000	292,217	92,217
Subtotal	\$6,080,676	\$5,630,273	(\$450,403)
Capital Improvements			
FF&G Commission Fee Fund	\$ 313,000	\$ 328,000	\$ 15,200
Total Expenditure	\$6,393,676	\$5,958,473	(\$435,203)
Positions	320.1	306.1	(14.0)

COMMENTS/RECOMMENDATIONS:

The FY 1976 budget request proposed the expansion of staff to improve administrative services and to increase the activities of both the game and law enforcement divisions; continuation of the five year SASNAK program; expansion of efforts in wildlife habitat development; updating of a number of major pieces of equipment; purchase of a single engine aircraft for administrative travel and law enforcement purposes and the undertaking of a microfilming program.

The agency indicates that projected expenditures would reflect expenditure demands exceeding available revenues in FY 1978. It further states that a large amount of time is devoted to protection of non-game birds which does not generate a revenue.

While the position equivalency for FY 1976 over FY 1975 indicates an increase in positions recommended by the Governor, the actual number of positions has been reduced by .8 of a position. The reduction is the net of deleting the attorney position and increasing the part-time librarian from .4 to .6 time. The disparity in the two years' position equivalencies result because three positions are reflected in FY 1975 as 1.5 position equivalent because they were not created during the first six-months. Those positions were added by action of the State Finance Council to provide for implementation of the Highway Action plan.

With the exceptions noted, the Governor's recommendation for operating purposes would essentially continue the established programs and staffing patterns and a minimum amount of equipment purchases. The Governor has recommended a \$75,000 expansion of the wildlife habitat improvement program. The program provides 75 percent of the cost of grass seeds and shrubs for planting on private lands.

The Governor has recommended \$328,000 for capital improvements, which is \$15,200 more than requested by the agency. The increase reflects the Governor's recommendation that needed repairs at Lake Meade be financed from the Forestry, Fish, and Game Commission Fee Fund.

The Governor recommends that the Commission use the legal services of the Attorney General's Office. Your subcommittee recommends the addition of moneys to continue the attorney position as half-time during 1976.

Further, while your subcommittee has not recommended additional moneys for the purchase and operation of an airplane as has been requested, we believe the concept has merit. The subcommittee recommends that a study be conducted as to the feasibility of establishing an "airplane pool" for use by all state agencies.

Your subcommittee recommends a budget of \$5,997,598 for FY 1976, an increase of \$39,125 above the amount recommended by the Governor. The increase recommended would finance two additional Game Protector I positions (\$17,245 for salaries, \$1,500 for travel and vehicle operating cost, and \$9,260 for equipment) to improve law enforcement efforts and the half-time attorney position.

Your subcommittee points out that the limitation established by Section 5(a) on the amount which may be expended for operating purposes is \$185,198 less than the recommended expenditures shown in the Governor's Budget Report for that purpose.

Adoption of the following amendment would correct the bill drafting error and carry out the subcommittee's recommendation:

On page 4, Section 5(a) by striking in the proviso "5,147,558" and inserting in lieu thereof "5,371,881"; and on page 7, by striking "306.1" opposite "Forestry, Fish and Game Commission" and inserting in lieu thereof "308.6".



David Heinemann, Chairman

August 15, 1975

TO: Special Committee on Ways and Means - House
FROM: Legislative Research Department
RE: Employment of Attorney by Kansas Forestry, Fish
and Game Commission

Background

In his 1976 Governor's Budget Report, the governor recommended abolishment of the full-time attorney position. In addition, he recommended that the Attorney General's Office assume responsibility for legal services of the Commission. A subcommittee of the House Ways and Means Committee recommended that the position be retained but that compensation be established at one-half time. That recommendation was adopted with a further recommendation that a study be made to determine the best method for providing legal services to state agencies.

The incumbent in the position has been serving the Commission since 1971. There does not appear to be an established work schedule for the position. Indications were given by the director that services are sometimes provided by a law partner rather than the incumbent himself. Services are rendered on an "as needed basis" according to the director. No evidence has been given that the amount of services will be reduced because of the compensation. Likewise, no records appear to be available for evaluating the relationship of a half-time salary to services rendered.

Legal Services

The attorney or his representative attends all of the Commission meetings and prepares the official minutes. The agenda for the August 13, 1975, meeting included the following six reports by the attorney:

1. Marais des Cygnes River pollution at Ottawa;
2. Acquisition of 40 acres in Labette County;
3. Acquisition at Rockey Ford;
4. Acquisition of 100 acre parcel offered by Lawrence police officer;
5. Status of Cow Creek litigation; and
6. Lake McKinney.

The attorney also provided information on other legal questions in the meeting. Whether the August 13, 1975 meeting can be considered typical is not known.

The land acquisitions by the Commission are handled by the attorney. This involves the standard legal actions, such as title searches and the special requirements imposed by federal grants. The attorney represents the Commission at any land auction. The attorney is also active in inspections of lands that are being considered for acquisition.

Litigation involving the Commission is referred to the attorney. The policy of the attorney representing employees in job-related litigation has evolved. The problem of a conflict of interest has not developed.

The staff of the agency prepared all regulations and the attorney reviews them. He is also responsible for presenting the regulations to the Revisor of Statutes and the Attorney General.

The attorney is also asked to conduct legal research and work on other problems (river pollution of Ottawa) as the need develops. Presentations to the Claims Committee are also done by the attorney.

July 31, 1975

MEMORANDUM

TO: Special Committee on Ways and Means
FROM: Legislative Research Department
RE: Proposal No. 56 - Employment of Attorneys by
State Agencies

Background

During the 1975 legislative session there was discussion in the House Ways and Means Committee meetings as to the best method for providing legal services to state agencies. Some discussion was given to the idea that all legal services should be provided by the Office of the Attorney General. Some members believed that the specialization of some agencies' laws and regulations would prohibit the use of an attorney "pool".

Following the discussions, the House Ways and Means Committee adopted a motion recommending an interim study into the question.

Discussion

This memorandum outlines the executive branch agencies which employ attorneys or have contracts for legal services with a law firm or individual practicing attorney.

Executive branch agencies are provided legal services by the Attorney General's staff, by agency employed attorneys, by contract with a law firm or an individual practicing attorney or by a combination of the three methods. Attachment No. 1 indicates the number of persons employed by executive branch agencies other than in the Attorney General's Office as of May 17, 1975, and the expenditures for "outside" attorney services for 11 months of FY 1975. With respect to the Employment Security Division and the Office of the Workmen's Compensation Director, there are employee classes utilized which are not distinguished as an attorney by title but which require a law degree and admission to the bar for appointment. Those classes have been considered as an "attorney" in this survey.

With respect to agency employed attorneys, the positions are within the classified service in some agencies and within the unclassified service in other agencies, depending upon the statutory language creating the agency. For example, 1975 Senate Bill No. 39, creating the Department of Transportation, will

shift all of the Department employed attorneys from the unclassified to the classified service, except for the chief attorney. The bill will further shift the authority to appoint the chief attorney from the Attorney General to the Secretary of Transportation.

The distinction between the two types of appointments is concluded to be that unclassified attorneys serve at the pleasure of the appointing authority without right to appeal for dismissal while classified attorneys are subject to the civil service rules and regulations.

With adoption of a new pay schedule for unclassified attorneys by the State Finance Council on July 10, 1975, two separate and distinct compensation systems exist for the two types of attorney appointments.

In addition to the positions reflected in Attachment No. 1, there are 15 assistant attorneys general who provide legal services to state agencies. No attempt has been made to determine an allocation of their time to specific state agencies.

LEGAL SERVICES FOR STATE AGENCIES
POSITIONS/CONTRACTUAL COST

Agency	Positions		Contract
	Unclassified	Classified	
Board of Agriculture	1	--	--
Commission on Civil Rights	2		\$ 2,226
Bank Commissioner	1 part time	--	--
Registration and Examination of Architects	--	--	1,400
Board of Healing Arts	1 part time	--	--
Corporation Commission	7	--	59,966
Department of Administration	2	--	--
Employment Security Division	--	9*	--
Forestry, Fish and Game Commission	1	--	--
Governmental Ethics Commission	1	--	--
Health and Environment	1	--	41,430
Highway Commission	14	1	117,725
Department of Economic Development	1	--	--
Insurance Department	2	--	15,176
Industrial Reformatory	1	--	--
State Penitentiary	1	--	--
Department of Corrections	1	--	--
Kansas Public Employees Retirement System	--	1	--
Board of Nursing	--	--	6,335
Board of Optometry	--	--	9,674
Board of Pharmacy	--	--	10,571
Public Employees Relations Board	--	--	3,780
Real Estate Commission	1 part time	--	--
Department of Revenue	12	--	--
Secretary of State	2	--	--

<u>Agency</u>	<u>Positions</u>		<u>Contract</u>
	<u>Unclassified</u>	<u>Classified</u>	
Department of Social and Rehabilitation Services	--	17	--
Department of Education	1	--	6,459
Kansas State University	.5	--	--
University of Kansas	.5	--	--
University of Kansas Medical Center	--	--	93,252
Emporia Kansas State College	--	--	2,215
Kansas State College of Pittsburg	--	--	6,868
Wichita State University	--	--	3,643
Board of Regents	--	--	8,069
Workmen's Compensation	7**	--	--
Total	<u>58</u>	<u>28</u>	<u>\$388,789</u>

plus 3 part time

* Two appeal referee positions and seven attorneys

** One assistant director and six examiners - all required to be attorneys

POSITION DESCRIPTION

Do not write in this space

FOR NEW POSITION

State of Kansas - Department of Administration
Division of Personnel - Classification Section

To be completed by appointing authority or immediate supervisor (See Instructions)

1. Employee's name (Last, First, Middle) Vacant		2. Proposed class title Attorney III (unclassified)		3. Position No. U-	
4. Agency Kansas Forestry, Fish & Game Comm.		5. Department or Division Administration - Legal Section			
6. Section or Unit		7. Address of place of work Pratt, Kansas			
8. This position will be: (check proper boxes) Full time Part time Perm. Seasonal Intern. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>		9. Regular work hours: From		To Hrs. per wk.	
		8:00 a.m.		5:00 p.m. 40	
10. Immediate supervisor (person directly in charge of work) Name Richard D. Wettersten		Class Title Director		Position No. U-06	
11. List employees who will be supervised by the appointee. (Include vacant positions.) Use additional pages if needed. Name Clerk Stenographer II		Class Title		Position No.	

12. What instructions, methods and guide lines will be provided the appointee to help him do his work?
Statement of facts as developed - end result desired.

13. How will the work of this new position be reviewed?
Administrative Review by the Director and the Commission - through work load and accomplishments.

14. What decisions will be made by appointee?
Handling legal matters for the agency.

15. Describe nature of contacts the appointee will make. If none, so indicate.
Direct contact with Attorney General's Office (interpretations and opinions, regulations, Title Certifications and court proceedings); Revisor of Statutes; State Finance Council; Legal Division Dept. of Adm.; also filing deeds and abstracts with Secretary of State.

16. List machines or equipment to be USED REGULARLY by the appointee. Show percent of time spent in operation of each.

Automobile	%		%	
	%		%	
	%		%	
	%		%	

17. List qualifications necessary to perform satisfactorily the work described for this position.

Education - General	Graduation from an accredited school of law.
Education - Special or professional	
Experience - Length of in years and kind	Thorough experience in professional legal work, with some experience in state government desirable.
Licenses, certificates and registrations	Certificate of admission to the Bar of the Supreme Court of Kansas.
Special knowledges, skills and abilities	Extensive knowledge of the common law, and of the state and federal laws.

Percent
time

50%

General legal counsel and advisor to the Commission, the Director, Assistant Director and Agency Law Enforcement Chief. Attend all Commission meetings and keep and write minutes. Interpret laws relative to activities of the Commission and the department. Advise and prepare various contracts, easements, and other matters to be considered by the Commission. Act as Counsel and advisor to the Assistant Director and law enforcement chief in all matters pertaining to the law enforcement program.

25%

Handle all land acquisition for the Commission, in name of State of Kansas, whether by purchase or condemnation proceedings. This includes all negotiations, contracts, escrows, abstract examinations, title requirements and approval, close of purchase and recording of deeds. Acquisition by eminent domain, preparation of all instruments and pleadings and represent State and Commission in all court trials and hearings.

5%

Responsible for regulations adopted by the Commission, having the full force of law preliminary study and advice, preparation, approval by Attorney General, adoption, publication and filing after acceptance by State Board of Rules and Regulations.

5%

Assist in preparation and drafting of all new legislation desired by Commission; advise with Director, Assistant Director and Commission regarding all pertinent bills introduced in legislature.

5%

Handle all matters pertaining to leasing of state lands under jurisdiction of Commission for oil and gas development. This necessitates preparation of notices and leases and advising with Commission.

10%

Act as special assistant attorney general representing the Commission in all legal matters. Maintain liaison with Attorney General's Office and other state departments. Perform related work as required.

(If more space is needed, attach additional page.)

Date

Signature of immediate supervisor or person completing this form

19. Date

CERTIFICATION: I certify that the information given is a complete and accurate description of the duties and responsibilities of this position.

Signature of Appointing Authority or designee

August 14, 1975

TO: Special Committee on Ways and Means - House
FROM: Legislative Research Department
RE: Request of Forestry, Fish, and Game Commission
for an Aircraft

Background

The Commission requested \$36,720 for a Cessna 185 airplane in the FY 1976 budget; however, the Governor did not recommend this expenditure. In 1974 the agency identified the number of hours needed as follows:

<u>Activity:</u>	<u>Hours</u>
Transportation of administrative personnel (meetings, field management review, etc.)	300
Law enforcement surveillance and patrol (day and night activities)	300
Statewide fish distribution	40
Aerial surveys - pollution and fish kills	10
Photography (overview photos of public hunting areas, new construction, habitat and impoundment studies, miscellaneous photography)	30
Reconnaissance of land use manipulation (channelization, navigation projects, crop surveillance, etc.)	30
Agency construction surveillance (hydrological surveys, new construction and maintenance)	50
Survey of the distribution and density of waterfowl	10
Antelope counts	20
Turkey surveys	10
Winter deer counts	10
Total aircraft hours	<u>810</u>

The agency indicated that the use of the Cessna 185 will greatly improve the effectiveness of the agency. The aircraft would be very helpful in enforcement of deer poaching, coyote hunting, and netting of fish. The recent change in overtime requirement increases the cost saving of aircraft to ground travel, according to the agency.

There are three main reasons why the Commission believes it should have its own aircraft. The pilot must have knowledge of the needs of the agency. The pilot and aircraft must be able to

fly at a low altitude and speed as well as the normal cross-country flights. The agency also believes that it must have final authority as to the schedule of the aircraft. The Forestry, Fish, and Game Commission believes that its experience with the state aircraft and local chartered planes indicates that a non-agency plane and pilot are not satisfactory.

The attached table showing aircraft use in other states was conducted in 1974 by the Council of State Governments. The survey does not include aircraft use by fish and game agencies if it was not the principle use of the aircraft.

USAGE OF AIRCRAFT BY
FORESTRY, FISH, AND GAME AGENCIES
(AS OF 1974)

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
<u>ALASKA</u>					
(2) Grumman Goose G21A, prop	Owned	Dept. Public Safety	Fish & Game, Investi- gations and Enforcement	787	787
(1) Cessna 180 prop	Owned	Dept. Public Safety	Fish & Game, Investi- gations and Enforcement	421	421
(9) Piper PA18 Super Cubs, prop	Owned	Dept. Public Safety	Fish & Game, Investi- gations and Enforcement	3,382	3,382
<u>ARIZONA</u>					
(1) Piper Super Cub PA-18A150, prop	Owned	Game & Fish	Game survey, law enforcement obser- vation patrol	474.5	616.3
(1) Cessna U 206E prop, P	Owned	Game & Fish	Game survey, law enforcement obser- vation patrol	136.8	141.8
<u>ARKANSAS</u>					
(1) Piper Navajo "B", prop	Owned	Game & Fish Commission	Game & Fish surveys	398	400
(3) Cessna 150, prop	Owned	Forestry Commission	Insect investigation, disease detection, fire control & observation, fire suppression	(see below)	

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
(2) Piper PA-28-140, prop	Owned	Forestry Commission	Insect investigation, disease detection, fire control & obser- vation, fire suppression		

Cumulative total hours
for all five planes:
1,716 1,716

CALIFORNIA

(1) Beechcraft E-18 modified to Westwind I with turboprops (1971)	Owned	Dept. Fish & Game	Fish planting	Approx. 80	400.5
(1) Cessna 337, prop	Owned	Dept. Fish & Game	Law enforcement (over water)	Approx. 25	483.2
(1) Cessna 185, prop (North area)	Owned	Dept. Fish & Game	Law enforcement Wildlife Management	Approx. 52	1,045.8
(1) Cessna 185, prop (South area)	Owned	Dept. Fish & Game	Law enforcement Wildlife Management	Approx. 53	527.4
(1) Cessna 337, prop	Owned	Dept. Conser- vation, Div. Forestry	Fire suppression, communications & control	63.7	251

COLORADO

(4) Cessna 185, prop	Owned	Div. Wildlife	Fish planting & game counting	184.3	1,878
----------------------	-------	---------------	----------------------------------	-------	-------

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	Owned or leased from other owners	Agency by which owned and operated	Principle uses other than travel of personnel	Number of hours flown in 1972	
				For travel of State Personnel	Total for all uses
<u>IOWA</u>					
(1) Piper Aztec, prop	Owned	Conservation Commission	Enforcement & Commission business	887.2	887.2
<u>LOUISIANA</u>					
(3) Piper PA-18, prop	Owned	Wildlife & Fisheries Commission	Agency aircraft are assigned to subagencies such as "Oyster & Waterbottoms Inspection", "Game Enforcement", etc.	161.58	161.58
(1) Cessna 150, prop	Owned	Wildlife & Fisheries Commission		12.06	12.06
(2) Cessna 185, prop	Owned	Wildlife & Fisheries Commission	Aircraft are used for aerial patrol of the coastal areas in search of shrimping violations, used inland for pollution inspection & control & for aerial surveillance of game poaching & game inspections	86.37	86.37
(3) Cessna 210	Owned	Wildlife & Fisheries Commission	" "	537.2	537.2
(1) Grumman Widgeon, prop	Owned	Wildlife & Fisheries Commission	" "	91.22	91.22

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
(2) Lockheed YO3A, prop	Owned	Wildlife & Fisheries Commission	Equipment is heavily used in all phases of activity by this agency	12.23	12.23
(1) Piper PA-30, prop	Owned	Forestry Commission	Agency aircraft are used for forest fire control & insect detection	202.2	202.2
(1) Cessna 180, prop	Owned	Forestry Commission	" "	189.9	189.9
(3) Cessna 182	Owned	Forestry Commission	" "	516.2	516.2
(1) Cessna 172	Owned	Forestry Commission	" "	204.5	204.5
<u>MAINE</u>					
(2) Cessna 180 on floats, prop	Owned	Forestry	Forest fire patrol	55.4	380.9
(1) Piper Super Cub Sea 1964, prop	Owned	Forestry	Forest fire patrol	0	234.6
(6) DeHaviland Beaver (1952), 5 on floats, 1 amphibious, prop	Owned	Forestry	Forest fire patrol	30.3	429.2
(5) Bell Helicopters, 1-1956, 4-1958, prop	Owned	Forestry	Forest fire patrol	8	554.3
(1) Cessna 180, prop	Owned	Sea & Shore Fisheries	Enforcement & research	0	200

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	Owned or leased from other owners	Agency by which owned and operated	Principle uses other than <u>travel of personnel</u>	Number of hours flown in 1972	
				For travel of State Personnel	Total for all uses
(1) Cessna 180 N3459V, prop	Owned	Fish & Game	Fish stocking in remote areas, patrol with wardens looking for Fish & Game violations, searching for lost persons, rescue of injured hunters, fishermen & hikers.	(see below)	
(3) Cessna 185, prop	Owned	Fish & Game	" "	(see below)	
(2) DeHaviland Beaver N70122, 7121N, prop	Owned and Leased	Fish & Game	" "	(see below)	
(2) Bell Helicopters N64816, N64817, prop	Leased	Fish & Game	" "	(Total flying time for 8 planes - 2,549 Standby - 249)	
<u>MARYLAND</u>					
(1) Stol-UCI piston, prop	Owned	Natural resources, Police	Law enforcement	27.9	338
(1) Piper PA18 piston, prop	Leased (Permanent loan from U.S. Forest Service)	Forest Fire Control; Natural Resources; Police	Enforcement	0	410
<u>MICHIGAN</u>					
(2) DeHaviland Beamer JGA, prop	Owned	Dept. Natural Resources	Detection & suppression	1.5	155.4

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
(2) Beechcraft T34-D-45, prop	Owned	Dept. Natural Resources	Detection & suppression	0	299.5
(4) Piper Pawnee PA25, prop	Owned	Dept. Natural Resources	Detection & suppression	.0	534.3
(2) Cessna 180, prop	Owned	Dept. Natural Resources	Detection & suppression	288.4	822.1
(2) Piper Super Cub PA18-150, prop	Owned	Dept. Natural Resources	Detection	13.8	331.3
(1) Beechcraft D95A Travelaire, prop	Owned	Dept. Natural Resources	Detection	268.3	312.7
(1) Enstrom F-28A Helicopter, prop	Owned	Dept. Natural Resources	Detection	0	270.2
(1) Beechcraft Baron D-55, prop	Owned	Dept. Natural Resources	Detection	371.7	377.8
(2) Maule Rocket M4-210C, prop	Owned	Dept. Natural Resources	Detection	59.7	498.2
(1) Cessna Skymaster 337, prop	Owned	Dept. Natural Resources	Detection	305.9	503.6
(2) Bell 476-2, prop	Owned	Dept. Natural Resources	Detection	0	171.8
<u>MINNESOTA</u>					
(2) Cessna 172, prop	Owned	Natural Resources	Enforcement, fire patrol	247	825

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
(1) Cessna 185, prop	Owned	Natural Resources	Enforcement, fire patrol	282.4	522.7
(1) Cessna 180, prop	Owned	Natural Resources	Enforcement, fire patrol	255.2	876.6
<u>MISSOURI</u>					
(1) N. Am. Rockwell Aero Commander 500B, prop	Owned	Conservation Commission	----	384	384
(1) Cessna 180, prop	Owned	Conservation Commission	Law enforcement	270	270
(1) Cessna P206, prop	Owned	Conservation Commission	Law enforcement	270	270
(1) Cessna 150, prop	Owned	Conservation Commission	Law enforcement	270	270
<u>MONTANA</u>					
(1) Bell 47G-3B Helicopter	Owned	Fish & Game	Survey, fish planting & law enforcement	--	180.8
(1) Cessna 180, prop	Owned	Fish & Game	Survey, fish planting & law enforcement	162.3	216.4
(3) Piper PA-18, prop	Owned	Fish & Game	Survey, fish planting & law enforcement	93.7	622.9

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> leased from other owners	<u>Agency by</u> which owned and operated	<u>Principle uses</u> other than travel of personnel	<u>Number of hours</u> flown in 1972	
				<u>For</u> travel of State Personnel	<u>Total</u> for all uses
<u>NEBRASKA</u>					
(1) Aero Commander, prop, P	Owned	Game Commission	Wildlife surveys, poacher control	127.3	429.8
(1) Champion 7GCB, prop, P	Owned	Game Commission	Transportation of young game, birds & fish	--	--
<u>NEVADA</u>					
(1) Beech B55, prop	Owned	Forestry	Fire suppression	--	--
(1) Cessna Super Skywagon, prop	Owned	Fish & Game	Game surveys	--	--
<u>NEW JERSEY</u>					
(1) Bell G-2 Piston powered Helicopter	Leased	Environmental Protection	Surveillance, forest fires, air pollution, water pollution, flood, Marine Police, investigations of wetlands, floodplains & tidal waters, emer- gencies, land acquisition, outdoor recreation activities	0	185.6
(1) Bell J-2 Piston powered Helicopter	Leased				
(1) Bell Jet Ranger	Leased				
(1) Hughes 500 Jet	Leased				
				(Total for all 4 helicopters)	

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
<u>NEW MEXICO</u>					
(1) Skymaster 337, prop	Owned	Game & Fish	Enforcement	361.7	361.7
(1) Cessna prop	Owned	Forestry Dept.	Fire spotting	125.3	125.3
<u>NEW YORK</u>					
(1) N-600 Bell 204B, turbine	Owned	Environmental Conservation	Search & rescue, fire suppression, pest control, surveys, photo	51	191.4
(1) N-601 Cessna 185 reciprocal gasoline	Owned	Environmental Conservation	Fire & wildlife survey	0	665.7
(1) N-602 A-90 Beech King Air, turboprop	Owned	Environmental Conservation	Surveys-search, personnel transport	765.7	765.7
(1) N-604 B-90 Beech King Air, turboprop	Owned	Environmental Conservation	Surveys-search, personnel transport	804.3	804.3
(1) N-603 Grumman TBM reciprocal gasoline	Owned	Environmental Conservation	Fire suppression, pest control, Infra red mapping	0	30.1
(1) N-605 Bell 47G4A reciprocal gasoline	Owned	Environmental Conservation	Surveys, pest control, fish & wildlife, photography	0	249.8
(1) N-606 Bell 212, twin turbine	Owned	Environmental Conservation	Search & rescue, surveys, photography	100	275.6

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	Owned or leased from other owners	Agency by which owned and operated	Principle uses other than <u>travel of personnel</u>	Number of hours flown in 1972	
				For travel of State Personnel	Total for all uses
<u>NORTH CAROLINA</u>					
(1) Aero Commander, prop	Owned	Wildlife Resources Com.	Law enforcement	--	--
<u>NORTH DAKOTA</u>					
(1) Cessna 182, prop, P, 1963	Owned	Game & Fish	Game & Fish law enforce- ment, aerial census	42	414
(1) Cessna P172D, prop, P, 1963	Owned	Game & Fish	Game & Fish law enforcement, aerial census	16	181
<u>OREGON</u>					
(1) Cessna 206, prop	Owned	Forestry	Search and rescue	--	420
(1) Beech E18, prop	Owned	Forestry	Aerial photo, fire patrol, aerial survey	--	94.5
(1) Bell Helicopter	Owned	Forestry	Cargo transport	--	168.3
<u>SOUTH CAROLINA</u>					
(1) Cessna Skyway, prop	Owned	Wildlife Commission	Wildlife management	--	--
(1) Cessna 337, prop	Owned	Wildlife Commission	Wildlife management	--	--

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	<u>Owned or</u> <u>leased</u> <u>from other</u> <u>owners</u>	<u>Agency by</u> <u>which owned</u> <u>and operated</u>	<u>Principle uses</u> <u>other than</u> <u>travel of personnel</u>	<u>Number of hours</u> <u>flown in 1972</u>	
				<u>For</u> <u>travel</u> <u>of State</u> <u>Personnel</u>	<u>Total</u> <u>for all</u> <u>uses</u>
<u>TEXAS</u>					
(1) Cessna 310J, prop	Owned	Parks and Wildlife	Law enforcement and game census	543.3	543.3
(1) Cessna Wren 460, prop	Owned	Parks and Wildlife	Law enforcement and game census	492.4	492.4
(1) Cessna Skylane 182, prop	Owned	Parks and Wildlife	Law enforcement and game census	586.6	586.6
(1) Cessna Skylane (STOL)	Owned	Parks and Wildlife	Law enforcement and game census	515.0	515.0
(1) Aero Commander pro	Owned	Forest Service	Fire & insect control, visit experimental stations	336.0	336.0
<u>WASHINGTON</u>					
(1) 1957 Piper PA-18, prop	Owned	Game Dept.	Fish planting, law enforcement	0	550
(1) 1967 Piper PA-23, prop	Owned	Game Dept.	Fish planting, spawning survey, game census, land acquisition, game feeding	50	500
(2) Twin Beech, prop C45H	Owned	Natural Resources	Fire control	--	328
(2) Bell Helicopters 47G2	Owned	Natural Resources	Fire control	--	957

<u>Aircraft</u> No.; Make; Model; Prop or Jet; P-pool	Owned or leased from other owners	Agency by which owned and operated	Principle uses other than <u>travel of personnel</u>	Number of hours flown in 1972	
				For travel of State Personnel	Total for all uses
(1) Piaggio, prop 58	Owned	Fisheries	Fish patrol	5	490
<u>WISCONSIN</u>					
(1) Beechcraft C45H (5180V), prop	Owned	Natural Resources	Fire detection and transportation	75	144
(1) Douglas DC-3 (510NR), prop	Owned	Natural Resources	Photography and infrared sensing	90	226
(1) Cessna 401 (8411F), prop	Owned	Natural Resources	Fire detection and transportation	175	219

August 15, 1975

TO: Special Committee on Ways and Means - House
FROM: Legislative Research Department
RE: Forestry, Fish, and Game Commission Land Holdings
and Policy With Regard to Payment in Lieu of Taxes

Background

The Forestry, Fish, and Game Commission had as of January 15, 1975, 82,730 acres in fee title and 147,497 acres leased. On the same date the Commission indicated that it paid \$27,701.31 in taxes on 20,380 acres and earned income of \$72,753.23 on the land in calendar year 1974. Almost all of the land leased is from the federal government and has no rent cost; however, the Commission paid a total of \$310 for rent on 52 acres in Ford County and 3,147 acres in Kearny County.

Noel Mullendore, former attorney for the Commission, stated in an October 19, 1972 letter to the agency that he did not believe that the Commission took any action directing the payment of taxes on all land purchased after 1967.

Richard D. Wettersten, Director of the Forestry, Fish, and Game Commission, in an October 26, 1972 memo to the Commission members stated:

"... the Commission pays taxes on all lands acquired since about 1969."

The following table shows the level of payments since 1966.

Taxes Paid
by Calendar Year

<u>Year</u>	<u>Amount</u>
1966	\$ 317.51
1967	1,521.91
1968	2,773.05
1969	4,355.56
1970	17,883.40
1971	18,906.82
1972	22,996.73
1973	24,415.41
1974	27,701.31

Some of the land purchased prior to the informal decision of the Commission is also on the tax rolls in accordance with K.S.A. 1974 Supp. 79-201. The agency believes this law to require payment of taxes on all land that produces either a cash income or a share of the crop. The following table shows the land leased and the type and amount of income received. The land in Crawford, Labette, Meade, and Scott counties are not taxed.

STATE OWNED LAND LEASED TO OTHERS

December 1, 1973

(All amounts are rounded to nearest dollar and one-tenth acre)

<u>Location by County</u>	<u>No. of Acres</u>	<u>Inventory Value</u>	<u>Income Received</u>
Barton	2,701.4	\$ 414,503	\$ Share
Butler	85.0	39,885	455
Chase	61.0	10,026	275
Cherokee	176.5	2,981	Share
Clark	74.6	30,184	100
Cloud	321.4	38,176	Share
Crawford	449.0	150,000	0
Finney	105.9	21,477	Share
Kingman	472.6	42,024	Share
Labette	1,200.0	211,212	2,927
Leavenworth	20.0	5,750	200
Linn	1,569.0	202,401	Share
Lyon	190.0	75,386	850
Meade	444.0	91,393	0
Montgomery	30.0	12,043	Share
Neosho	572.0	177,886	Share
Osage	140.0	37,570	601
Ottawa	65.0	7,803	Share
Pratt	4,757.0	400,000	2,524
Rooks	1,323.1	91,431	Share
Russell	172.5	17,247	Share
Scott	1,119.3	74,366	0
Shawnee	340.0	119,425	554
Sheridan	106.4	48,797	Share
Sherman	166.3	35,869	Share
Washington	183.0	62,204	50
Totals	<u>16,845.0</u>	<u>\$2,420,039</u>	<u>\$8,536 + Shares</u>

Kansas Forestry, Fish and Game policy 1.105-2 states that:

"It shall be the policy of the Forestry, Fish and Game Commission to lease or share-crop state-managed lands to private operators ... provided such out-leasing will be the most effective and efficient method of developing wildlife benefits."

The major part of the income listed as "share" is one-third of the crop that is left in the field for cover and food for the wildlife. The agency determines what crops can be planted and the methods that the farmer can use.

The Forestry, Fish, and Game Commission has paid no tax or payments-in-lieu-of-taxes on the 147,497 acres that are leased. The agency contends that such payments would endanger the apportionments of Pittman-Robertson and Dingell-Johnson federal funds which totaled \$1,330.321 in FY 1975. If the Commission was required to make such payments from the hunting and/or fishing license fees, Kansas would lose the right to participate in the Pittman-Robertson and Dingell-Johnson programs. The acting regional director of the United States Department of the Interior, Fish and Wildlife Service stated in an August 2, 1972 letter to Mr. Wettersten:

"No projects, involving land under lease or administered by agreements would receive departmental approval if such projects involve the making of payments-in-lieu-of-taxes under our legislative authorization as it now stands."

The agency has noted that it is very near the minimum level of acceptable expenditures under federal guidelines and a disallowment of a major program would result in a sharp decrease in federal funds.

TAXES PAID BY CALENDAR YEAR

County	1966	1967	1968	1969	1970	1971	1972	1973	1974
Barton	--	--	--	--	\$ 3,204.93	\$ 3,439.31	\$ 3,589.88	\$ 3,095.17	\$ 3,023.38
Butler	--	--	--	--	70.73	73.97	173.84	156.62	175.12
Chase	--	--	--	--	258.09	263.89	255.04	174.06	182.46
Cherokee	--	--	--	--	370.90	445.38	693.60	641.50	689.34
Cheyenne	--	--	--	--	--	--	168.08	155.25	176.16
Clark	--	--	--	--	36.21	31.97	29.50	36.07	42.08
Cloud	--	165.48	366.60	293.76	894.93	1,022.62	968.41	886.14	962.82
Finney	--	--	--	--	167.35	170.30	240.67	238.86	267.51
Kingman	--	--	--	--	1,285.50	1,353.42	1,392.48	1,459.24	1,645.22
Jewell	--	--	--	--	--	--	271.57	255.79	295.58
Labette	--	901.74	1,887.68	2,079.87	2,181.68	2,212.24	2,185.39	1,802.98	2,114.83
Leavenworth	--	--	--	--	97.01	107.76	114.60	79.72	92.76
Linn	--	--	--	--	1,913.61	1,804.27	3,366.47	2,787.54	3,105.02
Lyon	--	--	--	--	--	--	522.37	472.84	581.18
McPherson	317.51	251.93	175.85	131.09	243.23	228.73	105.92	129.95	394.29
Montgomery	--	--	--	--	39.51	41.74	41.09	33.32	37.22
Neosho	--	--	--	--	2,060.51	2,529.12	2,601.68	2,453.25	2,984.02
Osage	--	--	--	--	162.94	181.30	186.68	143.48	194.21
Ottawa	--	--	--	--	144.72	156.42	152.85	576.78	622.71
Pratt	--	--	--	1,583.85	2,818.80	2,795.82	2,932.66	3,198.08	3,503.92
Riley	--	--	87.77	--	--	--	--	--	--
Rooks	--	--	--	--	1,678.46	1,721.55	1,655.08	1,602.17	1,490.12
Russell	--	--	--	--	--	--	503.44	476.24	492.66
Shawnee	--	--	--	--	--	72.72	39.32	253.95	297.81
Sheridan	--	202.76	255.15	266.99	254.29	254.29	329.51	256.52	317.27
Sherman	--	--	--	--	--	--	193.87	170.49	183.60
Washington	--	--	--	--	--	--	282.73	234.42	287.54
Woodson	--	--	--	--	--	--	--	2,644.98	3,542.48
Total	<u>\$317.51</u>	<u>\$1,521.91</u>	<u>\$2,773.05</u>	<u>\$4,355.56</u>	<u>\$17,883.40</u>	<u>\$18,906.82</u>	<u>\$22,996.73</u>	<u>\$24,415.41</u>	<u>\$27,701.31</u>

January 15, 1975

County	Project	Acres In Fee Title	Acres Leased	Income*	Tax Paid	Acres Taxed	Ac Water
Atchinson	State Fish Lake	248					69
Barber	State Fish Lake	190					77
Barber	Public Domains	40					
Barton	Cheyenne Bottoms WMA	19,840		6,060.13	3,023.38	2,640	12,290
Bourbon	State Fish Lake	380					103
Brown	State Fish Lake	189					62
Butler	State Fish Lake	351		625.00	175.12	110	124
Chase	State Fish Lake	492			182.46	119	109
Cherokee	Strip Pits	4,564		200.00	689.34	206	704
Cheyenne	St. Francis GMA	480			176.16	480	
Clark	State Fish Lake	1,240		100.00	42.08	75	337
Clark	St. Jacobs Well Big Basin	1,818					
Clay	Milford Reservoir		12,206				
Cloud	Jamestown WMA	1,388			962.82	350	380
Coffey	John Redmond Reservoir		1,472				
Cowley	State Fish Lake	197		128.55			84
Crawford	State Fish Lake #1	418		225.00			60
Crawford	State Fish Lake #2	449					150
Crawford	Farlington Fish Hatchery	149					16
Crawford	Strip Pits	1,243					

*Income validated during 1974 calendar year

County	Project	Acres In Fee Title	Acres Leased	Income	Tax Paid	Acres Taxed	Acres
Douglas	State Fish Lake	718		179.38			180
Douglas	Game Management Area	20					
Dickinson	Milford Reservoir		1,452				
Edwards	Public Domains	40					
Finney	State Fish Lake	863			258.49	533	324
Finney	Game Refuge	3,710		9,887.14	9.02	21	
Ford	Hain Lake		53				53
Geary	State Fish Lake	451					96
Geary	Milford Reservoir		3,105				
Gove	Sheridan GMA	20					
Gove	Public Domains	160					
Greenwood	Fall River Reservoir		10,892	1,488.89			
Greenwood	Toronto Reservoir		3,768				
Hamilton	State Fish Lake	432					94
Hodgeman	State Fish Lake	254					87
Jackson	Nebo Lake		38				38
Jefferson	Perry Reservoir		10,984				
Jewell	State Fish Lake	165					57
Jewell	Lovewell Reservoir	200	5,015		295.58	200	2,986
Kearny	State Fish Lake		3,147				3

County	Project	Acres in Fee Title	Acres Leased	Income	Tax Paid	Acres Taxed	Acres Total
Kingman	State Fish Lake, GMA and Refuge	4,529		4,175.68	1,645.22	929	185
Kiowa	State Fish Lake	43					21
Labette	Big Hill GMA	1,280			2,114.83	1,280	14
Lane	State Fish Lake	42					31
Leavenworth	State Fish Lake	507		483.46	92.76	40	175
Lincoln	Wilson Reservoir		232				
Linn	Marais des Cygnes	7,146		850.39	3,105.02	1,584	1,635
Logan	State Fish Lake	271					75
Lyon	State Fish Lake	582		300.00	581.18	310	135
Marion	Marion Reservoir		3,522				
Marshall	Tuttle Creek Reservoir	1					
Marshall	Tuttle Creek Reservoir		5,865				
McPherson	State Lake & Game Refuge	2,560		20,217.71	394.29		46
Meade	State Fish Lake	1,244 (440 acres in State Park)					128
Miami	State Fish Lake	267					104
Mitchell	Glen Elder Reservoir		22,122				12,263
Montgomery	State Fish Lake	408		288.01	37.22	30	105
Montgomery	Elk City Reservoir		12,240				300
Morris	Council Grove Reservoir		2,638				

County	Project	Acres In Fee Title	Acres Leased	Income	Tax Paid	Acres Taxed	Acres Water
Norton	Cimarron GMA		550				5
Nemaha	State Fish Lake	710					248
Necoho	State Fish Lake	216		105.00	35.09	20	92
Necoho	Wildlife Management Area	2,976			2,948.93	770	1,390
Norton	Norton Reservoir		5,656	55.00			2,181
Norton	Almena Diver.		111				12
Osage	State Fish Lake	506		1,581.00	194.21	140	140
Osborne	Glen Elder Reservoir		2,978				323
Ottawa	State Fish Lake	711		845.00	622.71	355	138
Pottawatomie	State Fish Lake #1	190					24
Pottawatomie	State Fish Lake #2	248		79.80			75
Pottawatomie	Tuttle Creek Reservoir		2,976				
Pottawatomie	Rocky Ford	3					
Pratt	Headquarters	178					80
Pratt	Pratt Sandhills GMA	4,757		8,901.69	3,503.92	4,758	
Reno	Cheney Reservoir		9,238				4,109
Republic	Jamestown WMA	1,340		300.00			885
Riley	Tuttle Creek Reservoir		3,189				
Riley	Deep Creek Fish Area	59					7
Rooks	State Fish Lake	313		328.50	20.19	30	67

County	Project	Acres In Fee Title	Acres Leased	Income	Tax Paid	Acres Taxed	Acres Water
Books	Woodston Diver.		210				10
Books	Webster Reservoir	1,960	5,579	8,801.10	1,469.93	1,960	3,445
Russell	Wilson Reservoir	1,049	5,827		492.66	440	
Saline	State Fish Lake	78					39
Scott	State Fish Lake	1,279 (1119 acres in State Park)					115
Shawnee	State Fish Lake	608		2,505.00	297.81	340	135
Sheridan	State Fish Lake	335					87
Sheridan	GMA	438			317.27	170	
Sherman	State Fish Lake	1,547			183.60	160	225
Stevens	Public Domains	321					
Trego	Cedar Bluff Reservoir		11,834	1,236.45			6,869
Washington	State Fish Lake	463			287.54	183	111
Wilson	State Fish Lake	291					119
Woodson	State Lake & GMA	2,565		2,805.35	3,542.48	2,147	179
Woodson	Toronto Reservoir		598				
TOTALS		82,730	147,497	72,753.23	27,701.31	20,380	57,879

August 15, 1975

TO: Special Committee on Ways and Means - House
FROM: Legislative Research Department
RE: History of SASNAK and Implementation to Date

Background

The SASNAK (Surging Ahead for Skippers, Nimrods, and Anglers of Kansas) project was started on July 1, 1973, the beginning of FY 1974. The program goals were stated as follows:

1. Double the take of upland game on public hunting lands;
2. Increase by 50 percent the take of gamefish from Kansas waters;
3. Establish a close working relationship with Kansas landowners to save and develop wildlife habitat on private lands;
4. Develop a statewide firearms safety training program for Kansas youth; and
5. Create a modern courtesy boat patrol to teach, enforce and help boaters in Kansas.

The goals of the SASNAK program are to a large degree extensions of the activities of the Forestry, Fish, and Game Commission and are thus not completely separated in the budget or in program evaluation.

Financing of SASNAK

In FY 1973, the year prior to SASNAK, the ending balance in the General Fee Fund was \$6,933,189, but the estimated ending balance in FY 1976 is expected to be only \$2,129,773. This is a decrease in the commonly called "surplus" of 69.28 percent in the three years. The sharp decrease in the ending balance was expected by the agency. The large ending balance was viewed by the agency as creating a bad public image because of the needs of the state wildlife activities.

	<u>Actual 1973</u>	<u>Actual 1974</u>	<u>Estimated 1975</u>
Resident Hunting	\$471,924	\$463,572	\$813,000
Nonresident Hunting	426,735	534,975	632,500
Resident Fishing	805,938	826,986	1,415,650
Nonresident Fishing	115,085	140,690	200,000
Nonresident Trip Fishing	28,965	59,425	47,000
Trapping	6,948	9,540	9,000
Combination	290,160	345,264	436,000
CSA	903	909	900
Boat Permits	74,300	101,337	75,000
Antelope Permits	--	800	1,200
Deer Permits	130,830	171,600	255,000
Upland Game Bird Stamps	203,744	--	--
24-Hour Fish	5,886	--	--
Turkey Permits	--	3,980	6,000
Total	<u>\$2,561,418</u>	<u>\$2,659,078</u>	<u>\$3,891,250</u>

The second largest source of receipts to the General Fee Fund is the Pittman-Robertson and Dingell-Johnson Federal Grants which are from an excise tax on firearms and fishing equipment. The apportionment to the state is based on the number of licenses and the area of the state. The state is then reimbursed for expenditures that meet federal requirements. The following table shows the apportionments to Kansas.

<u>Year</u>	<u>Pittman-Robertson</u>	<u>Dingell-Robertson</u>
1973	799,347	300,197
1974	936,469	248,640
1975	1,050,074	280,247
Preliminary 1976	632,267	176,146

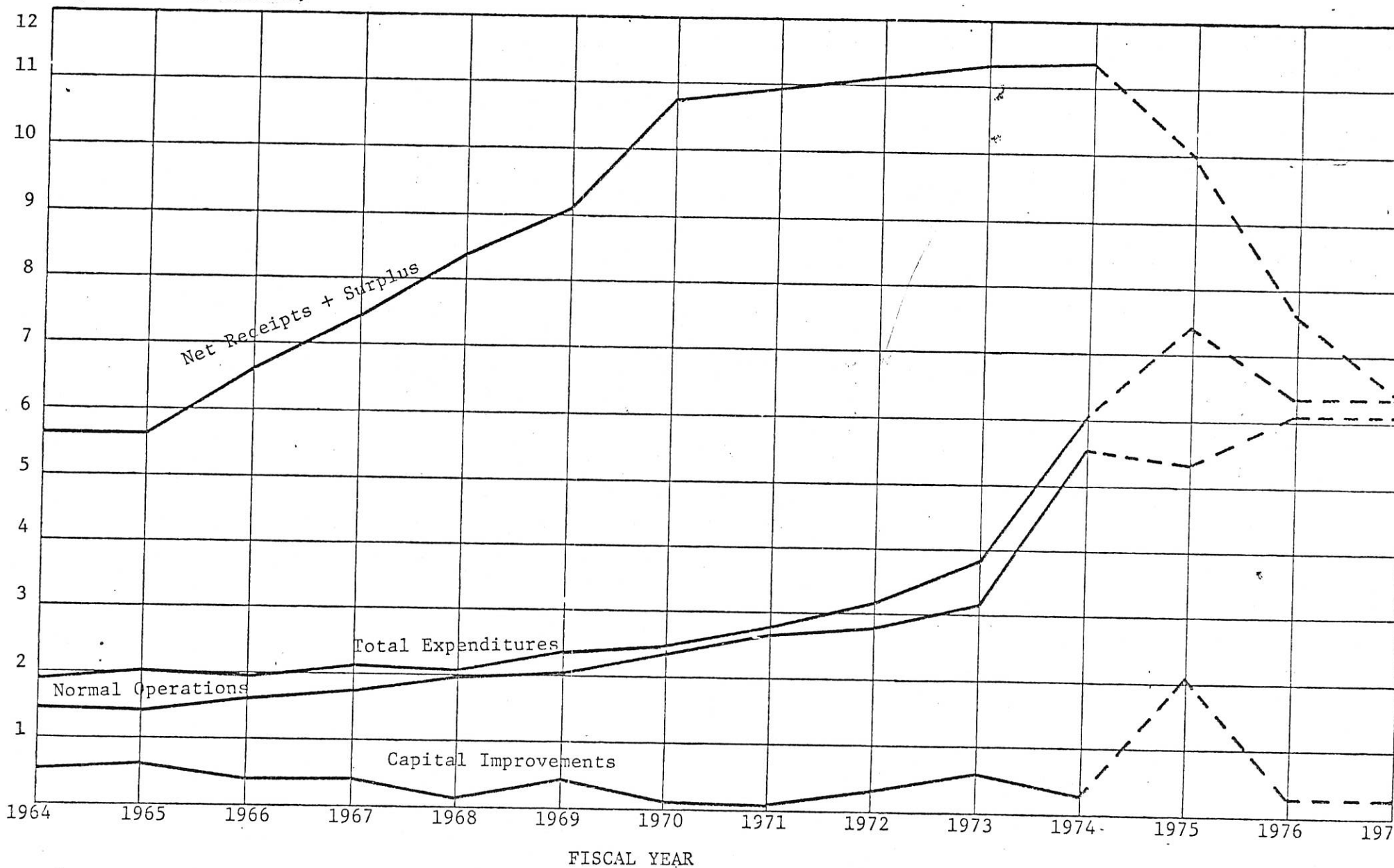
The table and chart on the following pages show relationship between expenditures and funding for the commission.

FORESTRY, FISH AND GAME COMMISSION
(SASNAK PROGRAM BEGAN WITH FY 1974)

<u>Expenditure</u>	<u>FY 73</u>	<u>FY 74</u>	<u>FY 75</u>	<u>FY 76</u>
State Operations	\$3,132,836	\$5,620,555	\$5,313,700	\$6,007,725
Federal and State Aid to Local Units of Government	--	--	--	10,000
Capital Improvements	617,252	340,941	1,402,179	328,200
Total	<u>\$3,750,088</u>	<u>\$5,961,496</u>	<u>\$6,715,879</u>	<u>\$6,345,925</u>
Amount Increase		\$2,211,373	\$ 754,418	(\$369,954)
Percent Increase		58.97%	12.65%	(5.51)%
No. of Full-time Positions	203.4	297.4	306.4	307.6
 <u>Funding</u>				
General Fee Fund:				
Hunting, Fishing and Trapping	\$2,059,501	\$2,255,906	\$3,187,100	\$3,554,050
Special Deer Permits	170,115	229,450	170,000	255,000
Crop and Dairy Products	82,637	72,807	70,000	70,000
Livestock and Poultry	13,985	22,070	16,000	20,000
Rent Unimproved Land	876	11,948	12,000	12,000
Oil, Gas, Minerals	5,788	9,603	6,000	10,000
Other Federal Grants	560,041	784,340	1,000,000	1,000,000
Other	50,718	61,961	49,500	56,300
Net Receipts	\$2,943,661	\$3,448,085	\$4,510,600	\$4,977,350
Reappropriated Balance	7,440,692	6,933,189	4,776,615	3,020,933
Total Available Resources	<u>\$10,384,353</u>	<u>\$10,381,274</u>	<u>\$9,287,215</u>	<u>\$7,998,283</u>
Less: Balance Forward	6,933,189	4,776,615	3,020,933	2,129,773
Expenditures	<u>\$3,451,164</u>	<u>\$5,604,659</u>	<u>\$6,266,282</u>	<u>\$5,868,510</u>
Upland Game Bird Fund:				
Upland Game Bird Stamp Sales	\$ 198,626	\$ 203,231	--	--
Reappropriated Balance	514,870	528,297	542,217	292,217
Total Available Resources	<u>\$ 713,496</u>	<u>\$ 731,528</u>	<u>\$ 542,217</u>	<u>\$ 292,217</u>
Less: Balance Forward	528,297	542,217	292,217	--
Expenditures	<u>\$ 185,199</u>	<u>\$ 189,311</u>	<u>\$ 250,000</u>	<u>\$ 292,217</u>
 Boat Fund:				
Boat Certificate Sales	\$ 78,699	\$ 96,782	\$ 75,000	\$ 80,000
Federal Aid Grants	62,502	50,923	50,000	50,000
Recovery of Expenditures	22	19	--	--
Net Receipts	\$ 141,223	\$ 147,724	\$ 125,000	\$ 130,000
Reappropriated Balance	122,099	149,597	129,795	55,198
Total Available Resources	<u>\$ 263,322</u>	<u>\$ 297,321</u>	<u>\$ 254,795</u>	<u>\$ 185,198</u>
Less: Balance Forward	149,597	129,795	55,198	--
Expenditures	<u>\$ 113,725</u>	<u>\$ 167,526</u>	<u>\$ 199,597</u>	<u>\$ 185,198</u>

PROJECTED RECEIPTS, EXPENDITURES, AND SURPLUS

(Millions of Dollars)



Goal I - Double the Take of Upland Game from Public Hunting Lands

The Commission in its pamphlet Project SASNAK: 24 Months of Accomplishments stated that the accomplishments were:

**GOAL 1 —
DOUBLE THE TAKE OF UPLAND GAME
FROM PUBLIC HUNTING LANDS**

Since July 1, 1973, new efforts have been directed towards development of permanent nesting, production and winter cover on Commission public hunting lands. Management plans have been either updated or completed for the first time on 20 game management areas and 4 waterfowl management areas. Results are as Follows:

- 1,427 acres of land formerly included in five refuges have been opened to public hunting and are managed for upland game bird hunting.
- An agreement with the U.S. Fish and Wildlife Service to improve upland game bird habitat on 3,700 acres at Kirwin National Wildlife Refuge was negotiated.
- 9,377 acres was licensed by the Corps of Engineers to the Commission at Melvern Reservoir in 1975. This area will be managed for wildlife and public hunting.
- 5,630 acres were licensed to the Commission by the Corps of Engineers on Milford Reservoir for use in game management. An additional 54 acres at Milford and 206 acres at Elk City has been acquired in fee title.
- 948 acres of additional waterfowl marsh has been constructed on three management areas. Two ponds were constructed at Kingman Game Management Area, one at Lovewell and two at Milford.
- 229 acres of brush were burned or cut for hunter access at Webster, Cedar Bluff and Morton Game Management Areas.
- 200 acres of one-half to three acre wildlife food plots were developed in 1974.
- 215 acres of trees and shrubs were planted utilizing some 140,000 plants. These were planted in small clumps and strips near native grass strips and crop fields.
- 2600 acres were seeded to permanent nesting cover in field border strips and odd areas
- 12 acres of brush and timber was thinned and approximately 600 brush piles were built to improve habitat.
- Controlled burning of 5,300 acres on nine project areas were conducted in 1974 and 1975 to improve game production and hunting in 1975 and subsequent years.
- 300 acres of standing wheat was either disked or burned for dove shooting areas. This was done on ten different areas and provided 25 shooting sites for doves.

Two problems make measurement of the success in meeting this goal difficult. The first problem is that a reliable measure is estimated to have such a high cost that it is not practical. The second problem is that other variables, particularly winter storms, can wipe out any progress made by the agency.

The agency appears to have placed a priority on the development of hunting areas. Since SASNAK has only been in operation two years, the final results are not certain. The increase per hunter may not double do to the increase in hunters.

Goal II - Increase the Take of Game Fish by Fifty Percent

The Project SASNAK pamphlet provided the following information on accomplishments:

GOAL 2 — INCREASE THE TAKE OF GAME FISH BY FIFTY PERCENT

The first complete fish population assessment in every federal reservoir and state fishing lake has been completed. During the 1974 fishing season, 62,776 fishermen were interviewed to determine number of fish caught, size and condition and angler success in Kansas.

- 500 fish attractors have been constructed and placed in reservoirs and state fishing lakes. These are marked for identification by anglers.
- Little used or unrecognized fish resources have been identified for the first time. Large populations of flathead catfish have been located at Webster Reservoir, White Bass in Kanopolis, etc. These large populations have been underfished. This information is being publicized and will result in increased fish harvest.
- Plans for four recreation lakes with a total surface acreage of 185 acres have been formulated in the Wet Walnut Creek Watershed District.
- 1,100 farm ponds were stocked in 1974 from Commission hatchery facilities.
- 7,000,000 game fish were hatched, reared and stocked in public water in 1974. A record 100,000 striped bass fingerlings were stocked in seven reservoirs. An increase in striper production is anticipated in 1975. This is more than any other year since the striper was introduced to Kansas in the mid-sixties.
- Three state fishing lakes that had been rehabilitated were reopened to fishing in 1974. (Rooks, Logan, Nemaha)
- On March 8, 1975 the Saline State Fishing Lake was opened to public fishing. (This is a new lake)
- Lake rehabilitation at Hodgeman, Sherman, Hamilton and Kearny State Fishing Lakes has been started.
- Complete reconstruction of Miami State Fishing Lake will create an additional 118 acres of fishing water. 14 fishing piers have also been constructed on this lake.
- Waterlevel manipulations are underway to improve fishing and to allow placement of fish attractors and fishing piers at five State Fishing Lakes (Maxwell, Bourbon, Neosho, Montgomery and Washington).
- Construction of improved access road, parking area, fishing piers and boat facilities is completed at Cowley State Fishing Lake.
- Six ponds were constructed at Farlington Hatchery to provide more rearing facilities for channel catfish and striped bass.
- New development of large mouth bass production which resulted in a 200 percent increase in production.
- Hot Spot fishing field reports to public greatly increased the take of fish from public water — A joint effort of Fishery and I & E Division.
- A concrete waterway was constructed at the Meade Hatchery to assure a better water supply for better propagation of large mouth bass and blue gill.
- A new boat ramp was constructed at Geary State Fishing Lake to accommodate boat fishermen.
- A floating fishing pier was constructed and placed into operation at Barber State Fishing Lake.
- Eight Strip pits in southeast Kansas were rehabilitated. All have been restocked with bass, channel catfish and bluegill.

The number of biologists in the field increase from eight to 32 with the introduction of SASNAK. One biologist is responsible for the development of plans related to each of the 20 reservoirs. The other 12 biologists are responsible for other lakes including the state fishing lakes. The biologists were needed to determine what type of fish were needed and could do well in the lakes. The agents have also made progress in gathering data on fish populations and takes.

Goal III - Private Land Habitat Improvement

The SASNAK pamphlet provided the following information on accomplishments:

GOAL 3 — PRIVATE LAND HABITAT IMPROVEMENT

The WHIP Program (Wildlife Habitat Improvement Program) providing technical assistance in developing wildlife habitat plans for farms and ranches is underway.

- After 12 months of operation, 296 Kansas landowners, involving 137,661 acres of land, have signed up in the WHIP Program. Acreages vary from five acres to a 14,000 acre ranching operation in the Flint Hills. Besides providing technical assistance, another important objective of WHIP is to develop a greater depth of appreciation and understanding by the public (especially landowners) of the basic habitat requirements and the type of land use practices which are detrimental to wildlife.
- Cost-sharing funds, totaling \$50,000, will be available through the Kansas Fish and Game Commission for WHIP cooperators during fiscal year 1976. Funds will be allocated for planting of native grass and trees and shrubs.
- In addition to working directly with landowners, the Commission is now actively working with the Agriculture Stabilization and Conservation Service (ASCS), Soil Conservation Service (SCS), State Department of Agriculture, and the Extension Service involving land-use management.
- Memoranda of Understanding have been signed in 96 counties with County Conservation Districts. This assures joint cooperation in matters pertaining to wildlife management.

- In cooperation with the Kansas Wildlife Federation, Kansas State University Extension Forestry Service, a "backyard bird bundle" project has been started to make trees and shrubs available for wildlife plantings in either urban or rural settings.
- The Soil Conservation Service and the Kansas Fish and Game Commission have signed a Memorandum of Understanding under which the SCS Plant Materials Center near Manhattan will be the study area for observing utilization of trees and shrubs by non-game wildlife.

The progress in this area has not been what was expected by the agency. Biologists were expected to be able to spend 40 percent of their time on the project, but are now spending about 20 percent. Farmers have had economic problems and have been reluctant to leave lands unplanted for habitat. The 75 - 25 cost sharing may have to be increased to cover ground preparation. There is a conflict in some areas with watershed management. The progress to date is as follows:

<u>Region</u>	<u>No. of Cooperators</u>	<u>Total Acreage</u>
Western	64	47,065
Northcentral	37	14,341
Southcentral	67	44,319
Northeast	93	26,387
Southeast	71	18,363
Total	<u>332</u>	<u>150,475</u>

Goal IV - Kansas Hunter Safety Program

The summary in the SASNAK pamphlet is as follows:

GOAL 4--

KANSAS HUNTER SAFETY PROGRAM

Development of the State's first mandatory firearms training program began shortly before July 1, 1973, when legislation enacted by the 1972 legislature became effective. Accomplishments are as follows:

- For the second year in a row firearm hunting accidents have been reduced to 30 per year. The yearly average before training was initiated was 47.
- In each county, a hunter safety liaison officer (Commission employee) has been selected to work closely with volunteer instructors -- total of 84.
- All counties have Master Instructors totaling 394.
- 3,733 volunteer instructors have been certified and are donating over 25,000 hours of training each year.
- 57,807 Kansas youth have successfully completed the mandatory eight-hour course.
- In the spring of 1974, 15 hunter safety instructors workshops were held at various locations throughout the State to provide additional training and orientation of instructors -- over 1100 attended.
- The first statewide hunter safety seminar was held March 15, 1975, in Salina for the benefit of volunteer instructors -- over 1200 volunteer instructors attended.
- For each year of operation, the Kansas Hunter Safety Program has been rated as one of the top five hunter safety programs being offered in North America.
- The first state known to incorporate "hunter ethics" training into the hunter safety program, many states are now following Kansas' lead and adopting similar training.
- From over 500 nominations submitted by landowners, 57 Hunter Ethic Award certificates have been presented to young hunter safety graduates who have provided a landowner with some service. Hunter ethics training has greatly improved landowner-hunter relations in some communities and offers considerable promise statewide in the near future.
- 100 Kansas schools have added the Kansas Hunter Safety Program to their curriculum, particularly in physical education and lifelong education programs.

HUNTER SAFETY PROGRAM-DECEMBER 31, 1974

Cherokee M-1 I-10 S-91	Rawlins M-2 I-8 S-116	Decatur M-5 I-3 S-186	Horton M-3 I-14 S-293	Phillips M-5 I-25 S-369	Smith M-1 I-7 S-233	Jewell M-0 I-16 S-178	Republic M-3 I-37 S-279	Washington M-1 I-22 S-245	Marshall M-2 I-24 S-426	Wheeler M-2 I-23 S-458	Wagon Wheel M-2 I-21 S-306	Woods M-1 I-21 S-338	Wagon Wheel M-1 I-21 S-338
M-2 I-11 S-216	M-2 I-18 S-286	Shelby M-1 I-6 S-134	Graham M-3 I-6 S-226	Neels M-5 I-32 S-330	Ostrow M-3 I-24 S-144	Mitchell M-5 I-29 S-460	Republic M-1 I-29 S-392	Clay M-2 I-16 S-391	Murray M-4 I-35 S-566	Wagon Wheel M-2 I-21 S-460	Jefferson M-12 I-51 S-642	Wagon Wheel M-5 I-25 S-511	M-1 I-21 S-338
M-1 I-5 S-30	M-2 I-10 S-108	Goebel M-3 I-14 S-272	Wagon Wheel M-1 I-4 S-123	Wagon Wheel M-2 I-27 S-471	Mitchell M-6 I-12 S-376	Mitchell M-1 I-9 S-192	Republic M-3 I-18 S-206	Dickinson M-4 I-39 S-786	Wagon Wheel M-4 I-16 S-247	Wagon Wheel M-9 I-133 S-265	Wagon Wheel M-9 I-133 S-265	Wagon Wheel M-9 I-133 S-265	M-2 I-35 S-796
M-1 I-7 S-137	M-2 I-9 S-179	Scott M-2 I-26 S-267	Lane M-3 I-11 S-120	Wagon Wheel M-0 I-12 S-154	Wagon Wheel M-1 I-12 S-125	Wagon Wheel M-2 I-41 S-1252	Wagon Wheel M-9 I-13 S-566	Wagon Wheel M-5 I-16 S-565	Wagon Wheel M-0 I-12 S-77	Wagon Wheel M-9 I-27 S-636	Wagon Wheel M-0 I-52 S-600	Wagon Wheel M-6 I-38 S-600	M-2 I-91 S-2141
M-1 I-16 S-237	M-2 I-11 S-243	M-2 I-40 S-394	Wagon Wheel M-1 I-7 S-224	Wagon Wheel M-1 I-7 S-224	Wagon Wheel M-3 I-19 S-173	Wagon Wheel M-4 I-16 S-396	Wagon Wheel M-9 I-13 S-566	Wagon Wheel M-5 I-16 S-565	Wagon Wheel M-0 I-12 S-77	Wagon Wheel M-9 I-27 S-636	Wagon Wheel M-0 I-52 S-600	Wagon Wheel M-6 I-38 S-600	M-10 I-149 S-2365
M-2 I-9 S-108	M-1 I-15 S-290	M-4 I-15 S-187	Wagon Wheel M-3 I-4 S-215	Wagon Wheel M-2 I-37 S-942	Wagon Wheel M-3 I-14 S-137	Wagon Wheel M-4 I-14 S-137	Wagon Wheel M-5 I-24 S-327	Wagon Wheel M-24 I-303 S-5882	Wagon Wheel M-0 I-12 S-77	Wagon Wheel M-6 I-26 S-349	Wagon Wheel M-1 I-17 S-149	Wagon Wheel M-4 I-32 S-492	M-3 I-22 S-37
M-1 I-6 S-16	M-1 I-11 S-219	M-1 I-26 S-546	Wagon Wheel M-1 I-14 S-255	Wagon Wheel M-3 I-4 S-102	Wagon Wheel M-4 I-26 S-88	Wagon Wheel M-2 I-19 S-129	Wagon Wheel M-2 I-10 S-207	Wagon Wheel M-8 I-33 S-716	Wagon Wheel M-5 I-30 S-748	Wagon Wheel M-4 I-3 S-234	Wagon Wheel M-1 I-57 S-1123	Wagon Wheel M-5 I-35 S-872	M-3 I-23 S-635

M-MASTER INSTRUCTOR

I-INSTRUCTOR

S-STUDENTS

STATE WIDE TOTALS

INSTRUCTORS-3594

STUDENTS-54,879

INACTIVE INSTRUCTORS CANCELLED-521

Goal V - Courtesy Water Patrol

The SASNAK pamphlet states the accomplishments as follows:

**GOAL 5 —
COURTESY WATER PATROL**

Three Courtesy Water Patrol teams have been established and were active during the 1974 boating season.

- Boating fatalities were reduced to seven in 1974 from the previous annual average of 13.
- Reported boating accidents (33) remained near average (34) despite increased boating activity in 1974. The patrols examined 1,130 boats issuing 795 inspection decals in its vessel safety examination program.
- 59 services were rendered to disabled boats and in assisting with search and rescue operations during 1974.

- Two boating safety slide programs were developed and shown 137 times before schools and civic clubs. These programs provide a broad coverage of boating subjects with special emphasis on safety equipment and operation of watercraft in Kansas.
- Six boating films have been purchased and included in the agency's 16mm movie film library for use upon request by sportsmen organizations, schools, and civic clubs.
- An agreement has been reached with the City of Wichita for the installation of an automated wind warning system on Cheney Reservoir. This system utilizes beacons that flash with the intensity of 1,000,000 candlepower at various wind velocities. If this pilot project works well, similar systems will be installed on other major impoundments in Kansas.

The agency has identified the major causes of accidents as poor judgment and lack of proper equipment. The program is designed to educate the public through slide and film programs in clubs and organizations, radio and television programs, and personal contact with the boaters. The three Kansas water patrol officers assisted by three summer patrolmen made 834 vessel safety examinations during FY 1975 and 1,130 in FY 1974. The water patrol teams and game protectors issued 621 citations during the year. Approximately 90 percent of all citations were for safety related infractions; most of these were for not having enough personal flotation devices. The increase in boat fees will make the program self-supporting.