

M I N U T E S

SPECIAL COMMITTEE ON FORESTRY, FISH AND GAME COMMISSION

September 1 and 2, 1976

Pratt, Kansas

September 1, 1976

Members Present

Representative R. E. Arbuthnot, Chairman
Representative James Cubit
Representative James Holderman
Representative Herbert Rogg

Staff Present

Robert Haley, Kansas Legislative Research Department
Donald L. Jacka, Jr., Kansas Legislative Research Department
John Rowe, Kansas Legislative Research Department
Don Hayward, Revisor of Statutes Office

Conferees and Guests Present

See Attachment I.

Chairman Arbuthnot convened the Committee meeting at 8:30 a.m. at the Forestry, Fish and Game Commission headquarters in Pratt. He welcomed the attendance of the members of the Forestry, Fish and Game Commission. He announced that this joint meeting was being held to review and discuss issues and questions concerning the programs, budget requirements, and fee receipts to the agency.

Commissioner Moon, Chairman of the Forestry, Fish and Game Commission noted the Commission's concern that because the agency is fully supported by sportmen's fees, it should be fully responsive to their needs and be independent of excessive political influence. The Commission desires to have an efficient and effective operation, cooperating with landowners and benefiting sportsmen. In discussion it was noted that as long as the Commission remains a state agency, legislative and executive review is necessary.

General discussion then centered around agency land acquisition policy. Concerns were for dissatisfied leaseholders, the possible over-extension of agency resources, loss of tax revenues to local governments, actual land needs, and the location of future land acquisitions.

It was stated that most problems with leasees originated when the Commission received reservoir lands from the U.S. Corps of Engineers and changed the management program. Under federal management, leasees made cash lease payments and were under minimal restrictions, Commission management required sharecropping leases and active enhancement of wildlife habitat. Commissioner Moon summarized the problem as a conflict of interest. The farmer is seeking income while the Commission is seeking improved hunting. Efforts to more equitable in-kind lease payments are being reviewed by the Commission. It was noted that while problems do exist, a number of farmers are waiting in line to lease Commission land.

Tax payments on Commission lands are no longer being made as a result of a Department of Administration ruling. Previously, land purchased by the Commission often remained on tax rolls. No in-lieu of tax payments are made.

According to the Commission, land acquisition has slowed during the last three years due to increasingly difficult purchasing procedures outlined by state and federal jurisdictions. For 1978, \$500,000 was approved by the Commission to be requested for land acquisition. It was noted that there is no accurate way to know how much land should be under Commission control or how much money is necessary for land purchasing. The question of whether or not new reservoir land should be accepted from the Corps of Engineers was included in this discussion. Comprehensive planning was suggested as a solution. Such a planning effort would relate land acquisition to hunting needs.

Commissioner Saylor suggested the following for increasing agency land acquisition funds: (1) Provide for a voluntary contribution of a suggested amount for land acquisition to be paid along with regular license fees; (2) establish a special fund into which sportsmen may contribute for land acquisition; (3) use only interest earned from such contributions and matching state funds for land acquisition; and (4) develop programs that encourage habitat development by private landowners and sportsmen.

Discussion turned next to a comprehensive planning program. It was stated that there were several things that the Commission is unsure of, such as the amount of land and the number of biologists needed, etc. The Governor's program of zero base budgeting requires the determination of goals and priorities. In order to accomplish this the Commission feels a more comprehensive approach to planning is needed. The Commission recognizes that such planning requires a year or more to set up and it is concerned that results will be expected too soon. It was expressed that all sporting groups support a fee increase, but that they expect an improved program as well. Planning would be required to clearly define future goals and objectives and to relate programs to available revenues.

The Commission was asked if additional resources would be required for FY 1978. It was explained that the budget being considered by the Commission could be financed by current revenues plus the available balance in the agency's fee funds. Staff noted that such an alternative could severely reduce the fee fund balance.

Various fee proposals were discussed including a non-consumptive use fee and the elimination of exemptions. It was noted that a non-consumptive fee could be difficult to administer.

Commissioner Hawes presented a fee schedule which, in part, included:

	<u>Current</u>	<u>Proposed</u>
Resident Fishing	\$ 5.00	\$ 8.00
Resident Hunting	5.00	10.00
Sportsmen Combination	10.00	15.00
Senior Sportsmen (65 plus)	-	10.00 Annually
Combination		30.00 Lifetime
Junior Sportsmen (12-16)	-	3.00 Annually
Combination		10.00 Four-Year

A \$5.00 trip license for resident fishing and hunting to allow limited days of activity without buying an annual license was also mentioned. It was also noted that federal reimbursement funds amounting to about \$1.25 per hunting license and 40¢ per fishing license were lost because of the current exemption policy.

Discussion next determined that the Commission believes the agency's operation has not been seriously set back by the number of biologists cut during the last legislative session. This raised the question as to the number of biologists actually needed.

It was felt that a comprehensive plan would also determine how programs such as WHIP should be developed or expanded. The Committee noted the continuing need for fiscal control and effective business management as well as biological emphasis. Comprehensive planning was presented as a means of establishing accountability and responsibility for the Commission.

Mr. John Moir, Department of Administration, Budget Division, reviewed the comprehensive planning program for the Commission and suggested an implementing procedure. He noted the need for commitment and a time schedule. He also explained how with a federally-approved plan, a letter of credit against federal reimbursement funds might be available. Such credit would allow the Commission to create a more responsive cash flow.

The Commission stated its determination and commitment to develop a comprehensive plan.

Discussion next centered on various agency programs. In consideration of the quail farm, the Commission restated its desire to continue quail propagation and to lower per bird costs by increasing production. Opinions from Commissioners supported the public relations benefit derived from the distribution of propagated quail.

Commissioners expressed their desire to have the management of coyotes and rabbits under their direction rather than being controlled by statute. This, they felt, would provide a more responsive and effective program.

In answer to questions concerning the acquisition of land, Mr. Dick Wettersten, agency director, explained that no specific units of land are included in the annual appropriation for land purchases. Rather, the Commission requests a maximum amount to be spent should appropriate land become available. Any unspent balance would then remain in the general fee fund.

The Committee reviewed problems associated with grazing and lease restrictions on land licensed to the Commission by the U.S. Corps of Engineers. Staff was directed to arrange for the attendance of the Corps of Engineers Regional Administrators at the Committee's October meeting.

Mr. Wettersten presented an overview of the Division of Administration. He explained, in response to questions, that about six positions were added to the Division following implementation of SASNAK and that there had been no difficulty in filling the positions. Also, that the current use of legal services from the Attorney General's Office is working satisfactorily. He mentioned that the agency had even greater need than before for its own aircraft, but under current fiscal concerns such a capital purchase would not be requested by staff. Mr. Wettersten estimated current magazine subscriptions to be 21,000 at the end of FY 1976. His concern was that as in other areas, good staff has been lost. Two writers have left as a result of concern for stability within the agency; now some writing must be done by field biologists.

The Committee reconvened with the Commission and discussed the Commission's position on Saint Jacob's Well. It was determined that although deed restrictions to the land were prohibitive, beneficial uses were being considered for eventual implementation. Commissioner Saylor noted that the development of land for sportsmen's use in western Kansas was a continuing need and whatever land is available to the Commission should be developed for use.

The Committee questioned the Commission as to its ability to maintain the land it has. In response, it was noted that the Commission now controls some 250,000 acres. (50,000 acres in fee title) and that, as population increases and extensive agriculture practices spread, habitat suitable for hunting continually diminishes. In order to safeguard habitat, the Commission must acquire land as it is available throughout the state. Lower intensity management and custom farming are two methods now being considered to reduce need for agency personnel.

Revenue producing proposals were discussed next. It was suggested that all non-resident fees should be reciprocal with the sportsman's home state non-resident fees. Such a fee would cause additional clerical problems for county clerks, according to Mr. Wettersten.

Possibilities of advertising early spring fishing in northern states and advertising prairie chicken hunting throughout the mid-west were considered, the issue being the development of non-resident fishing and hunting programs to market Kansas resources. Fees for duck blind use, trip licenses, upland game stamps, and exemption elimination were also discussed.

The Commission voiced the opinion that a sliding fee automatically adjusting for inflation would be appropriate. It was suggested that such a fee would encourage personnel stability and confidence in the agency's financial condition as well as making revenue more responsive.

Mr. Moir was asked to further explain comprehensive planning. In response, Mr. Moir stressed the need for an indepth appraisal of comprehensive planning prior to the commitment of resources. He mentioned the availability of experienced counsel from the Federal Wildlife program, the State Planning and Research office, and other state agencies. He stressed that coordinated goals, objectives, programs and revenues, along with the possible letter of credit would all benefit the agency.

The meeting was concluded with a presentation by the Pratt Chamber of Commerce and Pratt City Corporation. The contribution of the Commission to the local community was explained. Both Chamber and city representatives expressed the desire for the agency to continue in Pratt. The meeting was adjourned until 8:30 a.m., September 2, 1976.

September 2, 1976

The Committee toured the Sand Hills Game Management Area with Mr. Larry Teiman and Mr. Donald Dick from the Game Division. It was noted that the area provides popular hunting with low intensity management. The area leasee provides maintenance material and labor as well as forage crops for wildlife under the conditions of his contract. This practice eliminates nearly all agency cost associated with the area's operation.

Following the tour, the Committee continued its business at the agency headquarters. The next meeting was scheduled for October 4 and 5 at the State House. No evening sessions were set.

Staff reviewed the highlights of the previous days discussion of comprehensive planning. Chairman Arbuthnot reminded the Committee of the need to begin considering recommendations for fee adjustments as fees represent the only significant revenue sources for the agency. Adequate measures must be taken to insure a continuing level of revenue sufficient to meet program needs and to provide a sufficient fund balance. It was suggested that the Committee and staff be present at budget hearings as well as being apprised of management developments for planning. It was stressed that appropriate accountability be established for program operations and funding.

It was also suggested that the Committee recommend that the Forestry, Fish and Game Commission be removed from the Energy and Natural Resources subcommittee of the Ways and Means Committee in order that sufficient time be available for review of the agency.

The meeting was adjourned by Chairman Arbuthnot.

Prepared by John Rowe

10-5-76
Approved by Committee on:


(Date)

ATTACHMENT I

Conferees and Guests Present

Forestry, Fish and Game Commission Members

Lewis B. Moon, Chairman
Arthur Hansen
Dick Langenwalter
William "Bill" Hawes
Jerome Sayler

Pratt Chamber of Commerce Members

Howard Loomis
Allan Hansen
Fred Kerr
Warren Taylor
Georgia Ptacek, Manager

Pratt City Commission Members

Conrad Gilham, Mayor
Leon Mahoney
Jim Pearson, City Manager

Others

Paul Bocquin, Pratt
Lee Hamm, Pratt
Waltham B. Hayes, Mullensville
Fred A. Kerr, Coats