

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~xxx~~ p.m. on February 12, 1985 in room 313-S of the Capitol.

All members were present except:

Representative Ott (excused)
Representative Patrick (excused)

Committee staff present:

Ramon Powers, Legislative Research
Theresa Kiernan, Revisor of Statutes' Office
Betty Ellison, Committee Secretary

Conferees appearing before the committee:

Kenneth F. Kern, Executive Director, State Conservation Commission
Butch Harris, Chairman, Board of Shawnee County Hunter Safety Association
Kent Jackson, Assistant Director, Kansas Fish and Game Commission
Ted Cunningham, Director, Kansas Outdoors Unlimited.

The meeting was called to order by Chairman Ron Fox. In the first order of business, Representative Acheson moved that the draft of a bill establishing minimum desirable streamflows be introduced. Representative Foster seconded the motion. Motion carried.

As he opened the hearing on House Bill 2113, Chairman Fox explained that this bill was part of the implementation of the state water plan and had been introduced by the committee.

Mr. Kenneth Kern, representing the State Conservation Commission, testified in favor of the bill. His written testimony explained the water plan's recommendation regarding conservation district funding. A map of watershed districts and conservation commission areas was included. (Attachment 1)

After discussion of several questions, the hearing on House Bill 2113 was closed.

Turning to the hearing on House Bill 2146, Representative Acheson, one of the sponsors, distributed copies of a balloon showing a correction which should have been in the draft. (Attachment 2) He gave a brief history of the fish and game statute relating to gun safety which the bill would amend.

Mr. Butch Harrison, representing the Shawnee County Hunter Safety Association, testified as a proponent of the bill. He explained that the differences of opinion between his organization and the Kansas Fish and Game Commission had been settled, and that both groups agreed on the provisions of the bill. He noted that the Kansas Wildlife Federation and other Hunter Safety groups also endorsed this bill. Responding to a request of Representative Acheson, Mr. Harrison gave a brief description of what the Hunter Safety Association does.

Mr. Kent Jackson was the conferee representing the Kansas Fish and Game Commission. He made a brief statement explaining why the Commission supported the bill.

Mr. Ted Cunningham represented Kansas Outdoors Unlimited. He testified in favor of the bill, urging the committee to pass it out favorably.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
room 313-S, Statehouse, at 3:30 ~~am~~/p.m. on February 12, 1985

Representative Heinemann moved that the bill be amended as pursuant to the draft. Representative Fry seconded the motion. Motion carried.

Representative Heinemann moved that House Bill 2146 as amended be recommended favorably for passage. The motion was seconded by Representative Sutter. Motion carried. Representative Acheson was appointed to carry the bill.

The meeting was adjourned at 4:00 p.m.

The next meeting of the House Energy and Natural Resources Committee will be held on February 14, 1985 at 3:30 p.m. in Room 519- S.

HOUSE
ENERGY AND NATURAL RESOURCES
COMMITTEE HEARING
PRESENTATION BY
KENNETH F. KERN, EXECUTIVE DIRECTOR
STATE CONSERVATION COMMISSION
February 12, 1985

Attachment 1 -- 2/12/85
Energy and Natural Resources

CONSERVATION DISTRICT FUNDING

"Authorize increased local funding of conservation districts."

"An accelerated land treatment program would require that the conservation districts provide technical assistance to land-owners. Additional funding to the districts would be necessary. Present state law places a \$22,500 annual limit on the amount of funding the conservation districts may receive from the counties. Additional financial aid from local sources could be obtained by raising the limit on funds which the county may provide to conservation districts or by granting direct taxing authority to the conservation district."

The above statements are from the Executive Summary of the revised State Water Plan Working Draft, October 1984, Conservation Section, Sub-Section Agriculture pages 22-23.

As the Commission studied the water plan's recommendation for increased local funding, as well as the overall emphasis on the land treatment, watershed development and the small lakes program, it became apparent that the key governmental sub-division units are the conservation districts.

The conservation districts have a number of valuable assets: (1) The districts cover the entire state. (2) The districts are active governmental sub-divisions with a background in cooperative planning involving local, state and federal governments. (3) The districts have available a tremendous body of technical data relating to conservation, and (4) The districts have been involved in conservation activities for a minimum of thirty years.

As the state and local programs are expanded, however, there will be additional local expenses, challenges and decisions to be made.

The federal government is providing approximately the same funding to the Soil Conservation Service each year and this buys less and less technical assistance. According to the Soil Conservation Service, a \$3 million cost-share program is approximately the maximum size that can be handled with existing Soil Conservation Service staffing. Assuming additional federal funds are not forthcoming, it will become a local responsibility to provide the additional services in order for the conservation programs to move ahead.

As we look further into the future of the districts, the aggressive conservation districts will have additional activities and responsibilities. In addition to technical assistance, other activities and responsibilities may be:

1. Education programs.
2. Consulting and technical advisory agency for all units of government in the county for any action involving use, development and conservation of resources.

3. Sponsor or co-sponsor of special projects or special purpose districts.
4. Administrating agent for a variety of conservation programs encompassing rural and urban areas.
5. Developing a closer relationship with urban areas.
6. Developing increased concern for total conservation.
7. Involvement in basin planning program.
8. Administration of an aggressive district conservation program.
9. Employment of a district manager to develop plans, work with landowners, coordinate activities and responsibilities of the district and to implement the district programs.

The trend for increased district involvement has been evident since the Conservation District Law was passed in 1937. The district law, K.S.A. 2-1901, has been amended a number of times to provide for increased funding or to make other changes necessary for increased district involvement. A short summary of some of these changes are:

CONSERVATION DISTRICT FUNDING

1937 to 1953	- Dependent upon own resources for funding	
1953	- County commissioners provide clerical assistance or hire assistance.....	\$ 1,500
1959	- Increase for clerical to.....	\$ 3,000
1963	- State matching funds up to.....	\$ 3,000
	(Plus use of funds for conservation activities. Districts started to prepare budgets.)	
1969	- County general fund up to.....	\$ 4,000
1972	- State matching funds up to.....	\$ 4,000
	Name changed - dropped "soil"	
1976	- County general fund up to.....	\$ 6,000
	State matching funds up to.....	\$ 6,000
1977	- Election of district supervisors by land occupiers	
1979	- County general fund up to.....	\$ 7,500
	State matching funds up to.....	\$ 7,500
1981	- County commissioners levy .5 mill tax not to exceed.....	\$15,000

The present funding for conservation district operations is:

County General Fund.....	\$ 7,500
.5 mill Levy.....	\$15,000
State Matching Funds.....	\$ 7,500
Maximum.....	\$30,000

Because of the wide range of activities and programs in the districts, budgets range from \$7,700 to \$57,600 for FY86. (The \$57,600 budget included revenue sharing and/or educational funds from the county.)

Some of the options that can be considered for increased local funding include:

1. Increase the \$15,000 limitation of the .5 mill levy.
2. Increase the .5 mill levy and raise the limitation.
3. Combine \$7,500 from the County Commissioners plus direct taxing authority by the district.
4. Direct taxing authority by the district.

The Commission is recommending that K.S.A. 2-1907b be revised to leave the \$7,500 from the county general fund and change the .5 mill levy by County Commissioners to read "conservation district board of supervisors may levy an annual tax not to exceed 2 mills." A limit of \$50,000 to \$60,000 is being considered as part of the recommendation.

The state matching funds of up to \$7,500 provided by K.S.A. 2-1907c are not affected by the recommendation.

Direct taxing authority will provide more flexibility to the conservation district in establishing a budget that will meet the needs of an expanding district program.

How much and how soon the district program will expand is unknown at this time. However, the State Conservation Commission has requested the following budget for FY 1986:

	REQUESTED BUDGET FY1986	COMPARED TO CURRENT BUDGET FY1985
Commission Operation	\$ 330,896	\$ 164,588
Matching Funds	764,005	749,720
Watershed Construction	2,000,000	800,000
Cost-Share Program	3,000,000	1,500,000
Watershed Planning	100,000	---
Special Projects Outside Organized Watersheds	100,000	25,000
	<u>\$6,294,901</u>	<u>\$3,439,308</u>

Enclosed is a district listing of the amount of money raised by a .5 mill levy and a 2 mill levy for tax year 1983. (Includes both urban and rural taxable tangible property.)

HOUSE BILL No. 2113

By Committee on Energy and Natural Resources

1-30

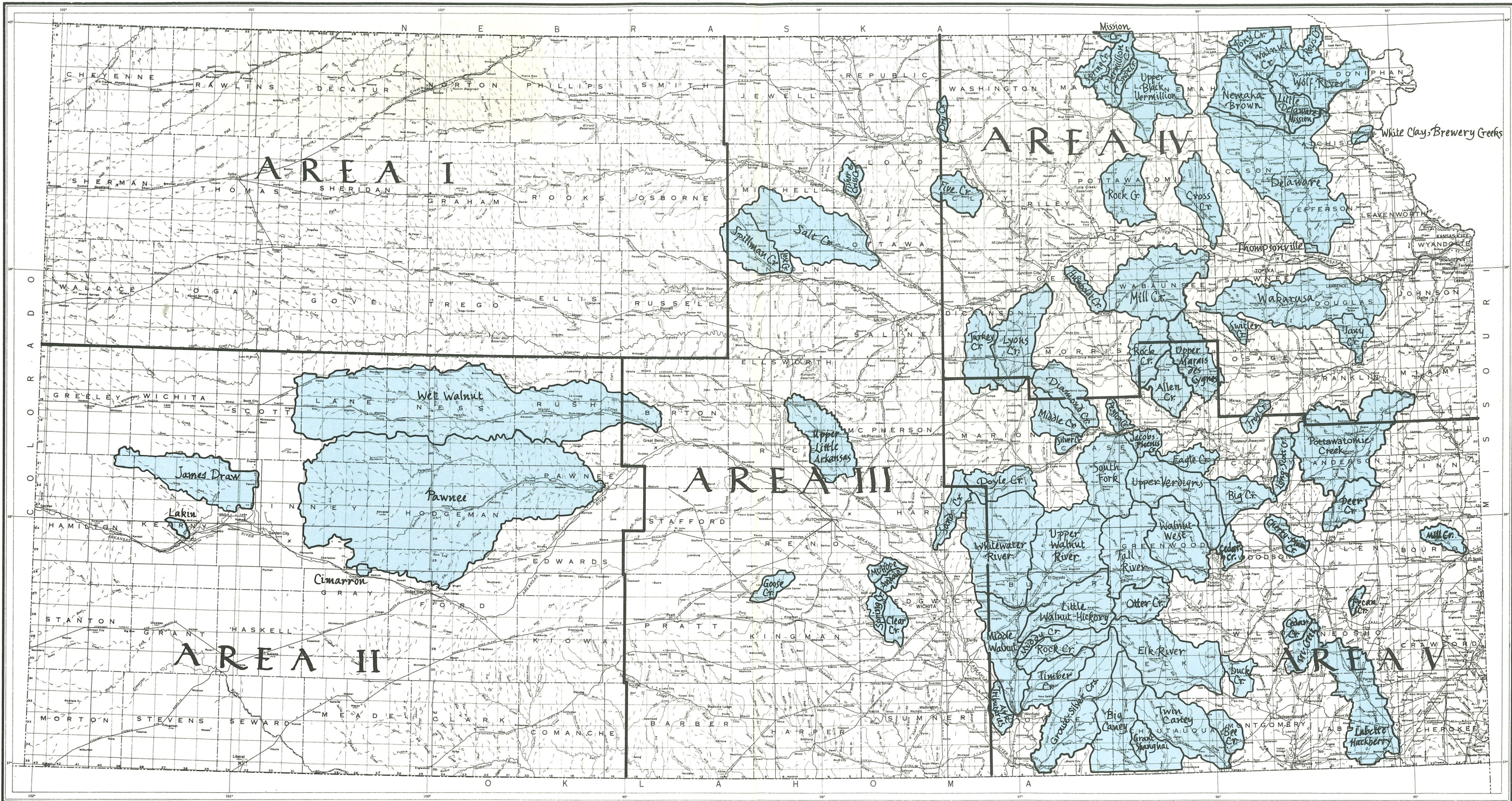
0017 AN ACT concerning conservation districts; relating to the levy of
0018 taxes therefor; amending K.S.A. 2-1907b and repealing the
0019 existing section.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 2-1907b is hereby amended to read as fol-
0022 lows: 2-1907b. ~~In any county in which all or a substantial part of~~
0023 ~~the county is included within the boundaries of a conservation~~
0024 ~~district established under chapter 2, article 19 of the Kansas~~
0025 ~~Statutes Annotated, or any amendments thereto,~~ The board of
0026 county commissioners ~~may~~, upon request of the *board of super-*
0027 *visors of the conservation district, may* pay to the district moneys
0028 from the county general fund for the supervisors to carry out their
0029 duties under this act. The amount authorized shall not exceed
0030 \$7,500 annually. In addition to moneys from the county general
0031 fund, the board of ~~county commissioners~~ *may* levy an annual tax conservation district supervisors
0032 *against the taxable tangible property within the district*, not to
0033 exceed ~~.5 mill or \$15,000~~ *2 mills or \$55,000* whichever is less, to
0034 provide additional moneys for the operation of the conservation
0035 district.

0036 The levy shall be sufficient to pay a portion of the principal
0037 and interest on bonds issued under the authority of K.S.A.
0038 12-1774, and amendments thereto, by cities located in the
0039 county, which levy may be in addition to all other tax levies
0040 authorized by law and not subject to or within any tax levy limit
0041 or aggregate tax levy limit prescribed by law. Funds appro-
0042 priated or allocated under the provisions of this section and
0043 K.S.A. 2-1907c, *and amendments thereto*, shall be used solely to
0044 carry out the activities and functions of the district including cost
0045 of travel and expenses of supervisors *and employees of the*

WATERSHED DISTRICTS AND CONSERVATION COMMISSION AREAS



Conservation districts are organized and operating in each of the 105 counties—boundaries are coterminous.

HOUSE BILL No. 2146

By Representatives Acheson, Barr, DeBaun, Hayden, Mayfield,
R.D. Miller, Mollenkamp, Sand, Shore and Walker

2-1

0018 AN ACT concerning fish and game; relating to hunting licenses;
0019 amending K.S.A. 1984 Supp. 32-401 and 32-405 and repealing
0020 the existing sections.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 1984 Supp. 32-401 is hereby amended to
0023 read as follows: 32-401. It shall be unlawful for any person born
0024 on or after July 1, 1957, to procure a hunting license or to hunt in
0025 this state on land other than such person's own land, unless the
0026 person has been issued ~~and has in possession, while hunting,~~ a
0027 certificate of competency and safety in the handling of firearms.
0028 ~~Persons not required by law to obtain a hunting license shall be~~
0029 ~~in possession of such certificate while hunting unless such~~
0030 ~~person is 18 years of age or older.~~ Any person who violates any
0031 provision of this section shall be punished as provided in K.S.A.
0032 32-136, and amendments thereto.

0033 Sec. 2. K.S.A. 1984 Supp. 32-405 is hereby amended to read
0034 as follows: 32-405. The Kansas fish and game commission shall
0035 issue a certificate of competency and safety in the handling of
0036 firearms to any resident of this state submitting evidence of
0037 successful completion of a course of instruction in safety and
0038 competency in the handling of firearms approved by the Kansas
0039 fish and game commission prior to July 1, 1973, and other
0040 information the commission may request on application forms
0041 approved by the commission. The commission, upon request and
0042 payment of a fee established by rule and regulation, may issue a
0043 laminated duplicate certificate.

0044 Sec. 3. K.S.A. 1984 Supp. 32-401 and 32-405 are hereby
0045 repealed.

Persons not required by law to obtain a hunting license shall be in possession of such certificate while hunting. Persons required by law to obtain a hunting license shall be in possession of such certificate while hunting unless such person is 27 years of age or older.

Attachment 2 -- 2/12/85
Energy and Natural Resources