

Approved _____ Date 4-11-86

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Don Montgomery at _____
Chairperson

9:00 a.m./~~p.m.~~ on April 7, 1986 in room 531-N of the Capitol.

All members were present except: Senators: Bogina, Mulich, Salisbury, and Winter who were excused.

Committee staff present: Mike Heim, Emalene Correll, Theresea Kiernan, Lila McClaflin

Conferees appearing before the committee:

Beverly Bradley, Kansas Association of Counties
Mary Bolton, Chairman of the Legislative Committee for County Clerks
and Rice County Clerk
Shirley Mackender, Clay County Clerk
Charlene Mischke, Representing Shawnee County Clerk's Office
Donna Kaiser, Dickinson County Clerk
Gayle Landoll, Marshall County Clerk

H.B. 3099 - relating to fish and game; concerning fees charged by county clerks for sale or issuance of licenses and permits.

Beverly Bradley was present and supported H.B. 3099. She stated they had six county clerks present and five wished to testify.

Mary Bolton presented written testimony in support of H.B. 3099. She stated they would like to continue to offer the services of fishing and hunting licenses to the citizens of our counties but without the \$.50 charge counties could charge and retain, it could become a simple matter of economics to discontinue this service. (Attachment I)

Shirley Mackender presented written testimony in support of H.B. 3099. She stated the cost of this service should be borne by the sportsmen and not the taxpayers of the county. (Attachment II)

Charlene Mischke, representing Shawnee County Clerk, Patsy S. McDonald, presented written testimony. Ms. McDonald's testimony listed nine items that they physically do in Shawnee County to sell hunting or fishing licenses. (Attachment III)

Donna Kaiser presented written testimony in favor of H.B. 3099. She stated a firm in her county has had trouble with the Fish and Game Commissions handling of vendors and the county would like to continue to service the vendors, but feel the \$.50 charge is necessary. (Attachment IV)

Gayle Landoll stated as we see our county valuation decrease each year we must take an even closer look at how we spend the limited amount of tax dollars we receive. (Attachment V)

Jean Barber was not present but submitted written testimony in support of H.B. 3099. Her written testimony stated the County Clerks have long felt a responsibility to the residents of the county and most have continued to bond vendors in order that licenses will be more accessible to the public, but without the \$.50 charge to be retained by the county to cover expenses, it could become a simple matter of economics to discontinue this service. (Attachment IV) **VI**

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Local Government,
room 531-N, Statehouse, at 9:00 a.m./~~p.m.~~ on April 7, 1986.

Senator Ehrlich moved to pass the bill. Senator Allen seconded the motion. The motion carried.

Senator Langworthy moved to adopt the minutes of April 1, 2 and 3. Senator Allen seconded the motion. The minutes were adopted.

The meeting adjourned at 9:40 a.m.



Senator Don Montgomery

MARY BOLTON
RICE COUNTY CLERK
LYONS, KS 67554

TO: Chairman Don Montgomery
Members of Senate Local Government Committee

We appreciate the opportunity to appear before you today to request your favorable consideration of HB 3099.

As County Clerks, we are more than willing to serve the needs of the citizens of our counties. However, as prudent managers of our taxpayers funds, we must study carefully the cost of each service we provide and the relative value to the citizens. Our county may face a 10% decrease in valuation this year which will certainly emphasize the need for efficient use of our budget dollars. If there is no compensation for serving the vendors with license books and sending the reports to Fish and Game as we have always done, it could become a simple matter of economics to discontinue this service.

We do not want to see this happen, as we do want to be a truly "service" office. When the hatchery fee was added to the licenses, we were required to account for those fees separately, and remit by the 5th of each month to the bank who is handling the bond payments. Most County Clerks took this in stride and did the additional work cheerfully. This same accounting work will need to be done, no matter who handles the books, so surely Fish and Game Commission would add office staff to do it if we don;t. We know the work load has increased for them, as evidenced by the length of time it now takes to receive confirmation of our reports, since it is considerably longer than previously.

As first line liasion to the vendors and sportsmen, we would ask for your support of HB 3099. Let's keep our services available locally.

Thank you for your consideration and attention.

Sincerely yours,

Mary Bolton
Mary Bolton
Rice County Clerk

(Attachment I)
4/7/86 S.L.G

A II

CLAY COUNTY CLERK

Box 98

Clay Center, Kansas 67432

Phone 632-2552

April 7, 1986

Honorable members of the Local Government Committee

RE: HB #3099

Chairman Montgomery & Members

I am Shirley Mackender, County Clerk of Clay County, and I thank you for the opportunity to testify in favor of HB 3099.

I feel that the most efficient & fastest method that the vendors can be provided with fish and game books is through the County Clerks of their respective counties.

I also feel the cost of this service should be borne by the Sportsmen and not the taxpayers of the county. The sportsmen from out of state should be able to receive this service and since they are not taxpayers they should be required to pay a minimal fee. The taxpayers of Kansas should not have to bear the burden of the cost.

Availability of the books to the vendors at a local level, without having to wait for this service from Pratt is most important. In our economically stressed agricultural community this is the most efficient method to provide these licenses to our vendors at a minimal cost.

It is not unusual on a very busy weekend for the vendors to call and get books from my office other than our usual office hours. This quick service could not be available from Pratt.

I ask you to please vote in favor of HB 3099. Thank you for your time.

Shirley Mackender
Clay County Clerk

(Attachment II)
4/7/86 S. AG

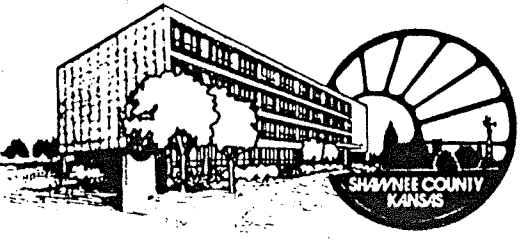
A III

Shawnee County
Office of County Clerk

PATSY A. "PAT" McDONALD

295-4155 Main
295-4159 Accounting

Courthouse - Room 107
Topeka, Kansas 66603



March 18, 1986

Senator Don Montgomery, Chairman
Local Government; and the
Local Government Committee

I support HB #3099, which allows that County Clerks who wish to service vendors will receive fifty cents (50¢) for each license sold or issued.

At the present time I am a County Clerk who has kept my vendors this year, even though our county is receiving no money for the licenses issued by us to vendors. In Shawnee County, I have thirty eight (38) vendors. I would like to point out what we physically do in our county to a hunting or fishing license.

- (1) Sort and file and prepunch books for distribution;
- (2) Check the books out to vendors either on a cash basis or to bonded customers - never allowing a vendor to go over his/her bond;
- (3) When books are returned to us, we audit them, check the cash and make sure the books are in order. Many times this results in calling the vendor to locate a person if a resident license has been sold for a non-resident price, or vice-versa;
- (4) Sort and keep track of the added Three Dollar (\$3.00) hatchery fee and send this money to the bank at Junction City to pay off bonds on the Hatchery at Milford. In addition we make a monthly Hatchery report to Fish & Game;
- (5) We file the licenses alphabetically, thereby making it easy for citizens who have lost their license to get a

(Attachment III)

4/7/86 S.L.G

duplicate. It also makes it easy for a game warden to locate licenses if there is a court case;

- (6) If vendors need books they are always readily available at our office;
- (7) We balance the licenses sold, voids and all the cash each quarter and submit a report to Fish & Game, then send the money to the State Treasurer;
- (8) At year end we account for all books sold or void -- prepare yearly report and ship the unused books back to Fish & Game; and,
- (9) When Fish & Game receives these books they are in good order and already audited.

In 1985, we sold or issued 25,740 licenses and we handled \$317,913.00.

I consider this a service to the vendors, the hunters and the fishermen, also the sportsmens clubs, and especially to State Fish & Game, because on the local level books can be obtained easily with checks and balancing done in a professional manner.

My vendors do not want me to stop servicing them and I am reluctant to stop. However, for the past nine (9) months we have received no remuneration for licenses issued due to legislation passed the final day of the 1985 session. This money received by the clerk was deposited in the county general fund.

Now, I am concerned with cost savings in my county. In seventeen (17) counties, clerks have stopped servicing vendors. This figure may become much higher in the future.


I believe if all 105 County Clerks stopped serving vendors for Fish & Game licenses, the State Fish & Game department would have to increase their staff, and their budget by several persons to constantly be mailing books back and forth to all vendors, plus I feel service could decline.

Perhaps it is time for the taxpayers of Shawnee County to stop paying for part of a salary for State Fish & Game licenses? Perhaps State Fish & Game wants to become a larger entity of its own and perhaps they want County Clerks to get away from selling or issuing licenses at the local level?

Representative Ivan Sand
March 18, 1986
Page Three

If the County Clerks can be paid fifty cents (50¢) for all licenses issued by them, this fee would be paid by the user and not the general taxpayer! The present law allows for a vendor to contract directly with Fish & Game and this is fine. However, for those vendors who wish to deal with County Clerks for easier access to books and who want to omit the hassle by constantly mailing books, we would appreciate a small handling fee. We have a good workable system now -- on the local level -- lets leave it this way! We just want a small fee, to justify our work, for the general fund of the county. Until July 1, 1985, we received a quarter for each license.

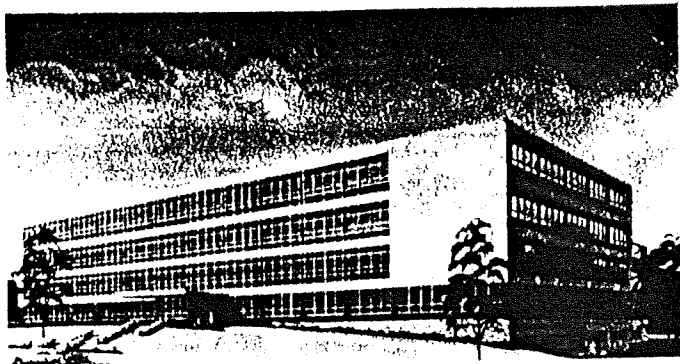
Thanks to each of you for your consideration of this matter.


Patsy A. McDonald
Shawnee County Clerk

PAM/ddm

Attachments: No. 1 Shawnee County Clerk's 1985 Vendors
No. 2 Copy of a Fish & Game License

cc: Senator Jeanne Hoferer
Senator Nancy E. Parrish
Senator Alicia L. Salisbury
Representative Clint Acheson
Representative Ginger Barr
Representative Charles F. Laird
Representative Bill Roy, Jr.
Representative Judith C. Runnels
Representative Marvin E. Smith
Representative Bill Bunten
Representative Anthony Hensley
Representative Donald Mainey
Representative Joan Wagnon



SHAWNEE COUNTY
OFFICE OF COUNTY CLERK
Patsy A. "Pat" McDonald

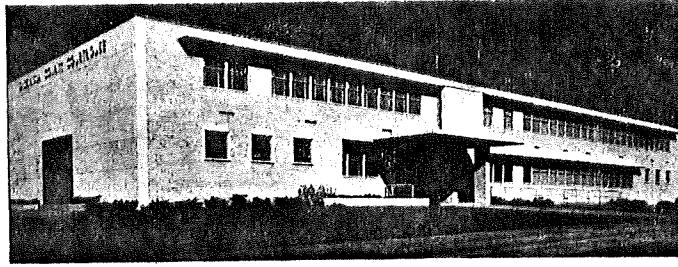
COUNTY CLERK

(913) 295-4155 CLERK
(913) 295-4159 ACCOUNTING

COURTHOUSE - ROOM 107
TOPEKA, KANSAS 66603

1986 FISH & GAME VENDORS

Advance Cleaners	Pauline Hardware
Alco East	J.M. Bauersfelds
Alco North	Steve's Fishing Center
Asays Sports Store	The Dock
Bass Pro Shop	Scrinopskies
C & W Market	Osco
Capitol City Pawn	Stratton Hardware
Dover Mercantile	Suttons North
Eastboro Hardware	Super Chief Cr Un.
Falleys Burlingame	Tate's Bait
Falley's Gage	Tiltonts Oakland
Falleys North	Topeka Loan & Shooter
Federal Credit Union	Venture
High Plains Gun Shop	Walgreens
K-Mart East	Wehners Silver Lake
K-Mart North	Wehners Rossville
K-Mart West	Ace Pawn & Gun
Credit Union #1	
Lake Shawnee	
Westside Bait	
Montgomery Wards	



DICKINSON COUNTY COURT HOUSE

ABILENE, KANSAS 67410

April 7, 1986

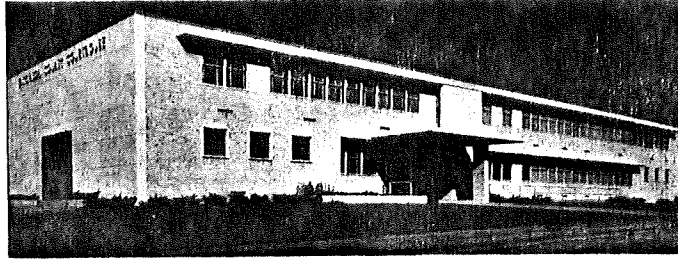
I am Donna Kaiser, Dickinson County Clerk speaking in favor of House Bill 3099. I am one of the 88 county clerk that acts as an agent for vendors of the county, I do so as a service to the sportsman of the county as well as the ones who come in from out of state, specially at pheasant seasons time, however I think the counties should be compensated for the work they do for the state.

My office personell screens all the books for errors, double punches, wrong codes, etc. before we take the books from the vendors. Any license that has something wrong with it the buyer is contacted by the vendor or my office and corrected before they are sent to Pratt. We have very few licenses returned by Pratt. I have 12 vendors, we sell about 4000 licenses for about \$60,000 a year. I ^{have} never kept tract of the amount of time spent on fish and game books, but it is considerable, specially at pheasant season and the end of the year. I can't imagine the personell and time it would take if Pratt had all the vendors in the state. What is Pratt going to do with Joe Blow who discovers at 10 minutes till 5 on Friday afternoon that his wife has washed his hunting license along with his shirt and he has a big day planned to go hunting with his office buddies at 7 AM on Saturday morning. There is no way Pratt can issue him a copy of his license. The county clerk can make him an application for a duplicate license and give him a copy to use until Pratt sends him a new license.

I have vendors whoes bond only covers 1 or 2 books. The turn around time of having to mail the books to Pratt could mean the vendor would be without a book for almost a week.

The Alco/Duckwall general offices is located in Abilene. David Mills the corporate aduitor told me ^{it} was much easier to deal with the local county clerk. Gailen McCoy manager of the local Alco store has a bond to cover 10 books. If he had to deal with Pratt for his books

(Attachment IV) 4/7/86 S.LG



DICKINSON COUNTY COURT HOUSE

ABILENE, KANSAS 67410

on pheasant opening weekend he would be out of licenses by closing time on Friday night. I go down at least once and sometimes twice on Saturday to issue him new books. Also the last several years he has brought me a check for \$5000 to cover additional books. I keep the check until he returns the books and money sometime the following week. I am sure he couldn't do this if he was dealing with Pratt.

We pay a fee to the county treasurer for buying a title or tag for our vehicles and the county treasurer keeps \$3600 a year for their services. It is only fair that the county receive some compensation for doing the paper work for fish and game. Incidentally the county clerks do not keep any of the fees for their services.

In testimony before the house committee George Axline stated that when the price of licenses or fees was increased, usually the sales were down the next year. I would like to ask Mr. Axline why they are proposing to increase the cost of licenses January, 1987 if this affects the overall sales.

Thank you for favorable consideration of House Bill 3099.

Donna Kaiser, County Clerk

1

AV

MARSHALL COUNTY, KANSAS

GAYLE LANDOLL

COUNTY CLERK

MARYSVILLE, KANSAS 66508

PHONE 913-562-5361

April 7, 1986

Senator Don Montgomery
Chairman
Senate Local Government Committee

Re: H.B. 3099 (Fish and Game)

Senator Montgomery and members of the Committee:

My purpose in being here today is to ask your support of House Bill 3099 which would partially compensate the county for the book-keeping we do for the Fish and Game Department and our vendors.

We provide license books to our vendors as they are needed, with little or no delay, even delivering them on holidays, nights and week-ends, when the need arises. This is a service the Fish and Game Department cannot provide.

During the year 1985 \$42,713.00 was collected by my office and my vendors, and Marshall County is a relatively small county. The only effort put forth by the Fish and Game Department to receive this money was to send all the license books to one location---namely, my office.

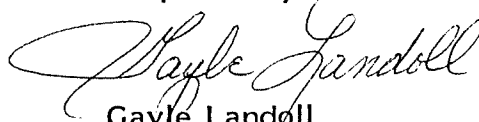
George Axline, representing the Fish and Game Department, in his testimony before the House Local Government Committee admitted that the County Clerk's do a fantastic job of handling the vendors and all the related paperwork.

The Clerks feel we do a real service to the public by providing vendors outside our offices. The Fish and Game Department cannot provide this same service without incurring increased costs to their department and/or the vendors.

As we see our county valuation decrease each year we must take an even closer look at how we spend the limited amount of tax dollars we receive. If the counties are asked to continue handling vendors with no reimbursement we will all need to reconsider whether free bookkeeping for the Fish and Game Department is a justified way to spend the taxpayer's money.

Thank-you for the opportunity to speak to you on this bill. I ask that you please support House Bill 3099.

Respectfully submitted,



Gayle Landoll
Marshall County Clerk

(Attachment V)

4/7/86 S.L.G

AVI

COUNTY OF ALLEN

Courthouse

IOLA, KANSAS 66749

Office of:

ALLEN COUNTY CLERK

(316) 365-7491

April 7, 1986

Senator Don Montgomery
Chairman, Committee on Local Government
State Capitol,
Topeka, KS 66612

Re: HOUSE BILL No. 3099

Dear Senator Montgomery

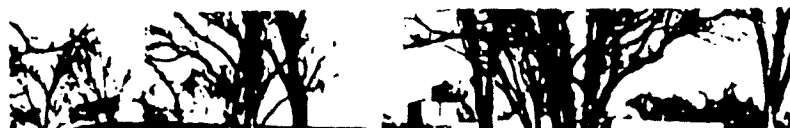
When K.S.A. 32-104(a) was under consideration in the 1985 Session, the Kansas County Clerks' Association appeared to testify against the provisions of House Bill No. 2307 that took from the county the 50¢ fee for each license sold by the county's vendor. When the bill was passed and became effective July 1, 1985, approximately four of the County Clerks relinquished control of the vendors in their county who had been bonded to sell game licenses. The vendors in those counties are now supervised by the Kansas Fish & Game Commission through its game protectors. In January, 1986, approximately ten additional County Clerks relinquished the vendors in their county.

We have been informed that the vendors in the counties that are served by the Kansas Fish & Game Commission and its game protectors are not receiving the licenses and other information timely. It is understandable that if the vendor must reply on the game protector to bring licenses as the vendor's licenses are sold, there will undoubtedly be times when the vendor is without any licenses to issue. The public is thus inconvenienced.

The County Clerks have long felt a responsibility to the residents of the county and most have continued to bond vendors in order that licenses will be more accessible to the public.

(Attachment VI)

4/7/86 S.L.G



Representative Ivan Sand
Chairman, Local Government
State Capitol, 183W
Topeka, KS 66612
Page 2.

There is considerable time and effort spent by the County Clerks in being responsible for all game licenses that are issued in the county.

- Licenses must first be issued to the vendor
- When license books are returned by the vendor to the office, they must be checked for discrepancies. If a license is found to be invalid, efforts must be made to contact the license purchaser in order that a valid license may be issued. This preliminary audit can be very time consuming.
- Monthly remittances are made to the Cental National Bank in Junction City for hatchery fees collected.
- Quarterly reports are made to Pratt headquarters, including the return of all licenses sold, as well as the license money collected for the three months
- A yearly recapitulation is made to Kansas Fish & Game

There have been several instances where vendors have taken bankruptcy. This involved going through the bonding company for a return to the county, and the state, of game license money in the possession of the bankrupt vendor.

A review was made of receipts for game license fees collected by Allen County and credited to the county general fund. In 1984, the total fees collected were \$1,001.75. In 1985, a total of \$664.50 was received. You will recall that the loss of fees occurred the 1st of July, 1985. In the first two months of 1986, the fees collected total \$64.00. You can see that the loss of revenue is rather severe. This office is still responsible to the Fish & Game for all licenses sold in Allen County, both in the County Clerk's office and by the ten vendors under the county's control.

The County Clerks' Association urges your favorable consideration of HB-3099 and requests that it be passed out of committee.

Respectfully submitted,



Jean M. Barber
ALLEN COUNTY CLERK