

Approved _____

Date

3/3/87

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

The meeting was called to order by Senator Merrill Werts at
Chairperson

8:00 a.m. ~~XXX~~ on February 25, 1987 in room 123-S of the Capitol.

All members were present except:
Senator Eric Yost

Committee staff present:
Ramon Powers - Research
Don Hayward - Revisor
Nancy Jones - Secretary

Conferees appearing before the committee:
Representative Dennis Spaniol
Leland Queal, Ducks Unlimited
Stephen Schuetz, Chairman, Waterfowl Habitat Stamp Committee
Shaun McGrath, Sierra Club
Mona Willis, Artist, Wichita, Kansas
Spencer Tomb, Vice President, Kansas Wildlife Federation
Jerry Thomas, Artist, Manhattan, Ks.

HB 2058 - Concerning migratory waterfowl habitat stamps

Representative Spaniol, principal sponsor of HB 2058, stated the sole purpose of this legislation is to raise an estimated \$100,000 per year to make Kansas eligible for matching funds from Ducks Unlimited. This revenue would be earmarked for improving waterfowl habitats in Kansas. Representative Spaniol opposes limiting selection of an artist for the stamps to those from Kansas. Maximum revenues can be realized by selecting a nationally recognized artist for particularly the first issues as this will be sought by collectors. Revenue from prints is a prime consideration for realizing income to be used by Ducks Unlimited in Kansas. An amendment supported by Representative Spaniol states competition will be limited to a Kansas artist during the second year and every third cycle thereafter. It was emphasized that revenue generated by the sale of the stamp will remain in the state and be matched by funds from Ducks Unlimited. Revenue realized from print sales will remain with the wildlife organization with which KF&G contracts. (Attachment A).

Leland Queal gave an overview of the historical perspective of Ducks Unlimited. Matching funds provided by Ducks Unlimited in the state must be used for waterfowl habitat areas which are controlled by a state agency, which, for this program, will be the Fish & Game Commission. A commitment has been made by Ducks Unlimited to provide engineering expertise to specified areas of Kansas if Kansas becomes a match-funding state. A concern expressed by Mr. Queal was loss of print sales revenue if a Kansas artist was selected every year. Emphasis was given to the high value of first edition stamps executed by a nationally acclaimed artist. (Attachment B).

Mona Willis, representing Kansas artists, strongly favors the first stamp be designed by a Kansas artist to overcome the reputation of Kansas being a cultural desert. Mrs. Willis requested consideration by the committee of three points: Kansas should get a fair share of the revenue, control of revenue from the prints by the state rather than by the contracting wildlife organization, and artists should be native sons. Many projects could be funded for KF&G if revenue from the prints remained in Kansas. (Attachment C)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES,
room 123-S, Statehouse, at 8:00 a.m./~~P.M.~~^{XX} on February 25, 1987

Jerry Thomas appeared as a sportsman, conservationist, illustrator of wild-life and artist in support of the concept of HB 2058. Mr. Thomas expressed support for selection of a Kansas artist each year in an open competition for the duration of the program. Kansas artists have already generated thousands of dollars by donating originals and prints to various conservation groups. A further concern is that the proceeds derived from print sales will remain with a designated non profit organization, which could use the funds in areas other than Kansas. Mr. Thomas asked consideration be given to retaining stamp print proceeds which could be matched 3 to 1 by the federal government for additional revenue. Mr. Thomas concluded with a summary of his credits as an artist and feels this should be a closed competition for the artist as done in other states. (Attachment D).

Shaun McGrath stated the Dierra Club wholeheartedly supports HB 2058 and stressed the intent of the bill is to raise funds for preserving and protecting wildlife habitats. Mr. McGrath supports selection of a Kansas artist if that would be the best means to increase revenues. (Attachment E)

Stephen Schuetz stated he met with personnel of the Fish & Game Commission last summer regarding a waterfowl habitat stamp program. At that time the Commission determined it could not fund such a program and Ducks Unlimited assumed the leadership role, seeking legislation to benefit everybody. Involvement of Ducks Unlimited in the art program will return revenue generated in Kansas through adjunct programs, such as engineer expertise given at no cost for habitat development. (Attachment F).

Spencer Tomb testified in support of the legislation and urged committee members to compromise and take action on HB 2058 as the duck stamp is needed for revenue to aid in protecting and saving wetland areas. (Attachment G)

Written testimony from the Fish & Game Commission supporting HB 2058 was given to committee members. (Attachment H)

Meeting adjourned. The next meeting will be February 26, 1987.

Senate Energy - Guest List
2/25/87

GARY HAWK	Topeka, KS
Orel L. Wilson	Gas, KS.
Mona Willis	Wichita KS
Judy Thomas	Manhattan, KS.
Bill Hanzpich	Pratt
Steve Schuetz	Wichita KS
Rev. R. Hai	KC, KS
Jany Kramer	PAOLA, KS
LELAND QUEAL	PRATT KS
Tom Brooks	Eagle Nest NM

STATE OF KANSAS

DENNIS SPANIOL
REPRESENTATIVE NINETY FOURTH DISTRICT
SEDGWICK COUNTY
438 S SOCORA
WICHITA, KANSAS 67209



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN ENERGY AND NATURAL RESOURCES
MEMBER TAXATION
TRANSPORTATION

Testimony on HB 2058
Senate Energy and Natural Resources
February 25, 1987

Thank you, Mr. Chairman and members of the committee. The passage of HB 2058 would make Kansas the 37th state to implement a duck stamp.

The sole purpose of this legislation is to raise an estimated \$100,000 in new state revenue to make Kansas eligible for matching funds from Ducks Unlimited. The combined state and private funding would then be earmarked for improving waterfowl habitat within the state.

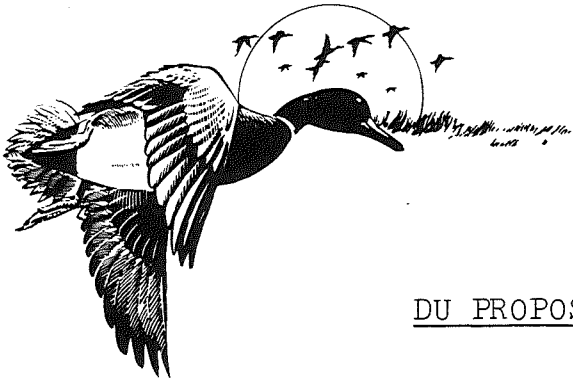
The Legislature has struggled in the past few years to stabilize and improve the situation at Cheyenne Bottoms and other locales within the state. HB 2058 would provide some such needed long term revenue to gradually up-grade our wetlands.

I ask for your favorable support on this legislation. I would try to answer any questions that you might have.

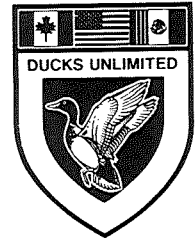
Dennis Spaniol
Representative 94 th District

(A)
2-25-87
Sue 2/24

KANSAS DUCKS UNLIMITED COUNCIL



DECEMBER 1986



DU PROPOSES WATERFOWL HABITAT STAMP

The Kansas Ducks Unlimited Council has proposed to the Kansas Fish and Game Commission that a \$3.00 Kansas Waterfowl Habitat Stamp be established by statute to provide the Commission with additional revenues necessary to match funds already made available from Ducks Unlimited. The Commission formally endorsed the concept at their August 27th meeting in Emporia.

The \$124,431* currently available was allocated to the Commission from Ducks Unlimited through the MARSH (Matching Aid to Restore States Habitat) program which was initiated in 1985. This ongoing program which utilizes 7.5 percent of the DU contributions raised in Kansas is outlined in detail in the attached material.

We believe the proposed Kansas Waterfowl Habitat Stamp is a responsible approach to improved wetland resource management in the state. Increased cooperation and coordination between public agencies and private organizations is one way to achieve mutual goals. We respectfully seek your endorsement of the concept.

* \$209,804 as of 2/24/87

Gaylord I. Maples
Council Chairman
215 N. Walnut
Peabody, KS 66866

Stephen L. Schuetz
Chairman, Habitat Stamp Committee
155 N. Market, #800
Wichita, KS 67202

Kenneth T. Moody
State DU Chairman, 1985-86
9602 W. 93rd Street
Shawnee Mission, KS 66212

Dennis L. Harris
State Chairman, 1987-88
8833 State
Kansas City, KS 66112

B
Euzegy
2-25-87



WHAT IS M·A·R·S·H?

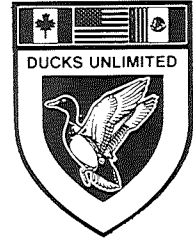
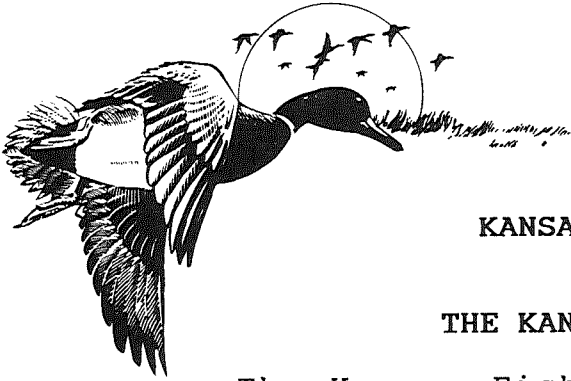
It is an acronym for Matching Aid to Restore States Habitat. This new program provides money to state wildlife agencies based on DU's income. More than 3 million dollars has been made available nationwide in both 1985 and 1986 based on each state being eligible for 7.5 percent of Ducks Unlimited income raised by volunteers. Therefore, the more money raised by DU volunteers in a state, the more money the state's conservation department can apply for.

For example, a state whose DU fund-raising campaigns netted \$500,000 for Ducks Unlimited is eligible for \$37,500, either as an outright grant or as matching money for acquisition, development and enhancement of waterfowl habitat. Project proposals must be submitted to DU's MARSH flyway coordinators for initial consideration. After consideration by a biologist familiar with the area, proposals will be reviewed by DU's North American Habitat Committee before final approval.

"We'll use criteria similar to those used by the U.S. Fish and Wildlife Service," says Peter Coors, Chairman of the Board of Ducks Unlimited. "That way we not only assure conservationists that their money is properly spent, but we make it easier for states to add our money into that available for federal matching funds from the Fish and Wildlife Service."

States can receive either grants or matching funds, based on their governmental contribution to DU's efforts throughout the continent. State governments contributing \$1 or more to DU per federal duck stamp sold in their states would get an outright grant. Those contributing more than .50 but less than \$1 per duck stamp would be required to match each of our \$3 with \$1. Those contributing less than .50 would have to match our \$2 with \$1, and states not contributing to DU would be required to match Duck's Unlimited's money dollar-for-dollar. The \$124,431 made available to the Kansas Fish and Game Commission during the past two years must be matched dollar for dollar in developing waterfowl habitat in the state.

KANSAS DUCKS UNLIMITED COUNCIL



PROPOSAL FOR A
KANSAS WATERFOWL HABITAT STAMP
BY

THE KANSAS DUCKS UNLIMITED COUNCIL

The Kansas Fish and Game Commission (KFGC) and Ducks Unlimited, Inc. (DU) are active partners in waterfowl habitat development and restoration. A Memorandum of Understanding was signed by KFGC and DU in 1985 to provide the guidelines and procedures for future joint wetland development projects under a new program called MARSH (Matching Aid to Restore States Habitat). Through 1986, DU has provided \$124,431 to KFGC through MARSH. Another \$65,000 to \$70,000 will be made available to KFGC early in 1987. KFGC has been unable to take advantage of these MARSH contributions due to limited availability of matching funds. The Kansas Ducks Unlimited Council (KDUC) proposes to strengthen this conservation alliance through a new program that will provide additional benefits to waterfowl, other wildlife species associated with wetland areas, all users of these areas, KFGC and DU.

OBJECTIVE

To provide KFGC with a source of "user" generated revenue necessary to match DU's MARSH grant to improve wetland habitats in the state.

PROCEDURE

The Kansas Ducks Unlimited Council proposes that:

- 1) The Kansas Legislature consider and pass in 1987, sportsman initiated and KFGC supported, legislation that would establish a Kansas Waterfowl Habitat Stamp which would be required by all resident waterfowl hunters between the ages of 16 and 65 who are currently required to purchase a hunting license and by all non-residents who hunt waterfowl regardless of age.

- 2) If this proposed legislation is enacted, the stamp would be effective for the 1987 waterfowl season.
- 3) If this proposed legislation is enacted, all monies from the proposed stamp fee of \$3.00 would go to KFGC for use in developing waterfowl habitat primarily by providing matching funds for the MARSH program.
- 4) If this proposed legislation is enacted, KFGC would enter into a contract with KDUC which in turn would contract with an experienced private art publisher to; a) select the artist, b) print the stamps, c) print matching art prints, and d) advertise the availability of the stamps and prints to collectors across the nation.

Stamps would be provided at no cost to KFGC. It would be a "turn key" operation for KFGC except for their responsibility to arrange for distribution of the stamps to the various county clerks and other license vendors across the state.

The secondary contract between KDUC and the publisher would be for three to five years. (A single year contract would let a publisher benefit from the more active "first of state" stamp sales and then leave KFGC without a long term stamp supplier.) KDUC would retain publishing rights to the waterfowl habitat stamp art work and would share in the proceeds from the sale of prints or other facsimiles of the stamp.

BENEFITS

- 1) The need for and importance of waterfowl habitat development and restoration would be recognized by the action of the Kansas Legislature.
- 2) Waterfowl hunters would participate with KFGC and DU in this important conservation effort through their legislative support of this waterfowl habitat stamp bill and through their financial support when they purchase the habitat stamp.
- 3) The waterfowl habitat stamp would serve to highlight the important waterfowl conservation alliance of KFGC and DU.
- 4) KFGC would receive an estimated \$90,000 to \$100,000 in direct revenue from the 30-33,000 waterfowl hunters in the state when they purchased the waterfowl habitat stamp.

5) KFGC would receive an additional \$30,000 or more from an anticipated sale of "first of state" waterfowl stamps to collectors across the nation.

6) The revenue from the stamp would not compete with nor divert other funds from KFGC which are necessary to manage Kansas wildlife resources. The revenue would provide the matching funds necessary to utilize DU's MARSH grant which is derived from DU fund raising efforts in Kansas. The funds could be used in developing wetlands to provide improved waterfowl habitat, enhancement of existing waterfowl habitat, or acquisition of inholdings or other key parcels of land adjacent to waterfowl management areas controlled by KFGC.

7) KDUC would market limited edition prints of the waterfowl habitat stamp art through its chapters in Kansas. Seven and one-half percent of the additional revenues raised from these prints would become a part of, and increase the amount of the MARSH grant to KFGC.

8) KDUC would receive between \$25 and \$35 for each waterfowl habitat stamp print sold through the publisher. These funds would be used to further waterfowl habitat development in the principal production areas of the Central Flyway which will enhance the waterfowl resource migrating through Kansas.

SUPPORTIVE ENDORSEMENT

This proposal for a Kansas waterfowl habitat stamp was presented before KFGC on August 27 at their meeting in Emporia which was called primarily for the setting of the 1986 waterfowl hunting seasons. Four members of the five-man Commission were present. Following the presentation, discussion among the Commissioners, and favorable response from the audience of sportsmen attending the waterfowl meeting, the following action was taken:

Commissioner Hopkins moved that the Commission support Ducks Unlimited in its efforts to obtain passage of legislation creating a Waterfowl Habitat Stamp for Kansas. Commissioner Carriger seconded the motion and it passed unanimously.

The same proposal was presented before the Executive Committee of the Kansas Wildlife Federation (KWF) at their annual

meeting in Topeka. KWF is the largest, broad-based private conservation group in Kansas, and is generally viewed as the "voice" of the Kansas sportsman. KWF passed Resolution 1986-09 which reads in part as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Kansas Wildlife Federation in annual meeting held in Topeka, Kansas, on 11-12 October 1986, support a state waterfowl habitat stamp program as proposed by the Kansas Ducks Unlimited Council to provide the necessary matching revenues for waterfowl habitat restoration.

SUMMARY

This proposal a) recognizes the need for waterfowl habitat development and restoration in Kansas, b) provides a mechanism for waterfowl hunters to cooperate with KFGC and DU, c) provides KFGC with a new source of funds to match DU's MARSH grant, and d) provides KDUC with reproduction rights to the selected art which will be used to raise additional funds for waterfowl and wetland habitats across the state.

This potential habitat development will help not only waterfowl, but also the various species of shorebirds, songbirds, raptors, furbearers, upland game and other non-game wildlife which utilize the various KFGC management areas in the state.

If this proposed legislation is passed, Kansas would join 36 other states that have used the "duck stamp" or waterfowl habitat stamp approach to provide needed funding for the management of migratory waterfowl resources.

The Kansas Ducks Unlimited Council believes it is particularly significant that this proposal has the endorsement of the Kansas Fish and Game Commission and the Kansas Wildlife Federation, and the KDUC encourages your support for passage of the needed legislation.

DRAFT
LEGISLATION

HOUSE BILL NO. _____

7 RS 0121

By Representatives Fox and Spaniol

AN ACT relating to fish and game; providing for the issuance of migratory waterfowl habitat stamps; providing for unlawful acts and prescribing penalties therefor.

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

Section 1. (a) As used in this act, "migratory waterfowl" shall mean any wild goose or duck. No person required to purchase a hunting license shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl habitat stamp and having such stamp in possession while hunting or taking any migratory waterfowl. Each such stamp shall be validated by the signature of the licensee written across the face of such stamp and such stamp shall be affixed to such hunting license.

(b) Any violation of the provisions of this section by any person is a class C misdemeanor.

Sec. 2. All migratory waterfowl habitat stamps shall be issued in accordance with rules and regulations adopted by the Kansas fish and game commission. The fee for each stamp issued shall be \$3. The validity of each such stamp shall expire after the last day of June following its issuance. All such stamps shall be sold and purchased in the same manner as prescribed by K.S.A. 32-104a, and amendments thereto, for the sale and purchase of a hunting license.

DRAFT
LEGISLATION

DRAFT

- 2 -

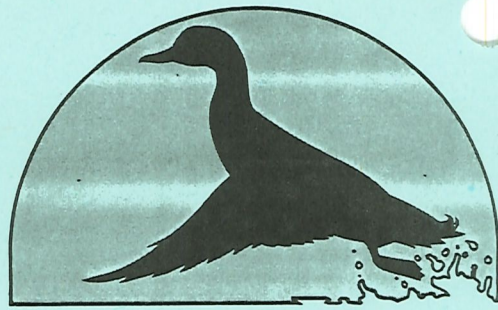
Sec. 3. The Kansas fish and game commission shall enter into a contract with a nonprofit waterfowl organization for the purpose of providing the form and design of the migratory waterfowl habitat stamp. The publication rights for any art prints or other facsimiles of the migratory waterfowl habitat stamp and any proceeds derived from the sale thereof shall remain with the designated nonprofit waterfowl organization.

Sec. 4. (a) All moneys received pursuant to the issuance of the migratory waterfowl habitat stamp shall be remitted to the state treasurer. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and shall credit the same to the migratory waterfowl propagation and protection fund which is hereby created. All expenditures from such fund shall be in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the director of the Kansas fish and game commission.

(b) No expenditure shall be made by the Kansas fish and game commission from the migratory waterfowl propagation and protection fund except for projects approved by the commission for the purpose of protecting and propagating migratory waterfowl, including the acquisition, by purchase or lease, of migratory waterfowl habitats in this state, and for the purpose of development, restoration, maintenance or preservation of waterfowl habitats.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

DRAFT
LEGISLATION



DUCKS UNLIMITED
M.A.R.S.H

DU answers questions about the new program that will conserve wetlands in all 50 states.

MARSH. It stands for Matching Aid to Restore States Habitat. If the number of questions asked about this new program are any indication, DU members are excited about MARSH in a big way. Here are answers to some of the most commonly asked questions.

Q. Is MARSH simply an extension of the U.S. habitat program that DU started last year in Montana, Minnesota, the Dakotas and Alaska?

A. No. The U.S. habitat program that began in 1984 is an extension of DU's longstanding efforts to conserve and enhance the most important waterfowl nesting wetlands in North America. It features conservation projects designed and developed by DU staff engineers and biologists. At this point, such projects will be built only in those five states that account for more than 90 percent of the waterfowl hatched in the United States. MARSH, on the other hand, will make approximately 7.5 percent of the net income from DU fund-raising activities available to the wildlife agencies of all 50 states. The state agencies can then use these funds to acquire, develop and manage wetland habitat for breeding, migrating or wintering waterfowl.

Q. How will DU decide to divvy up the MARSH money among the states?

A. Each state will be eligible to receive 7.5 percent of the net income raised by DU within its borders (not counting government grants and large special gifts). To receive MARSH money, the state wildlife agency will submit potential conservation projects and management plans to DU's professional staff. Final approval of MARSH projects will be made by the president of Ducks Unlimited after considering recommendations from DU's North American Habitat Committee. State agencies can receive either outright grants or matching funds for projects, depending on how much money the state government contributes to Ducks Unlimited. Outright grants will be given to governments that contribute \$1 or more to DU per federal duck stamp sold in the state. Governments contributing more than 50 cents but less than \$1 per duck stamp will be required to match each \$3 provided by DU with \$1 of their own. Those contributing less than 50 cents will have to match each \$2 provided by DU with \$1 of their own. And state governments which don't contribute to Ducks Unlimited will have to match DU dollar for dollar on each MARSH conservation project.

Q. How can I recommend a wetland in my state for the MARSH program?

A. You can make recommendations to your state fish and game department. To ensure the viability of the program, DU will only consider MARSH projects proposed by state wildlife agencies. In addition, the state must either own the wetlands or control them under long-term lease agreements.

Q. Can I donate a wetland to DU for development into a MARSH project?

A. If you have a wetland that your state thinks would make a good MARSH project, then it could be donated to Ducks Unlimited. Once the project was completed, DU would transfer control of the wetland to the state. Land can also be donated or bequeathed to DU for income-producing purposes. For more information about this latter type of land donation, contact Director of Development, DU National Headquarters, One Waterfowl Way, Long Grove, Illinois 60047.

Q. Will hunting be allowed on MARSH wetlands?

A. That will be up to the state wildlife departments, as they will own, control and manage the projects.

Q. Can MARSH money be used by the state to purchase land?

A. Yes, if the purchase will benefit waterfowl.

Q. Will the state have to spend the MARSH money in the same year that it is provided by DU?

A. No. State wildlife agencies can let the funds accumulate over a three-year period. After that, any unspent MARSH monies will revert to DU's general fund for habitat development in Canada, Mexico and the high-production U.S. states.

Q. Can MARSH funds be used for feasibility studies that examine potential state projects that could benefit waterfowl?

A. No. The states will be responsible for conducting their own studies. MARSH grants will be available only for the actual conservation and enhancement of waterfowl habitat.

Q. Why is DU moving its habitat operation into all 50 states when so much work remains on the northern prairie breeding grounds most vital to the continent's wild ducks?

A. DU will continue to expand its habitat operations in Canada and the high-production states. But the organization has recognized for some time that it would be able to spread its wetland conservation work throughout the United States once it reached a certain size. This year Ducks Unlimited aims to raise over \$53 million, which averages out to more than \$1 million per week. DU has finally become large enough to enact the MARSH program, which has been in the planning stages for some 10 years. ■



Ladd S. Gordon

M.A.R.S.H Coordinator
Central Flyway

DUCKS UNLIMITED, Inc.

3708 Big Sky Drive NE • Albuquerque, New Mexico 87111 • Telephone (505) 298-3825



March 18, 1986

Bill Hanzlick, Director
Kansas Fish and Game Commission
Box 54 A, RR 2
Pratt, Kansas 67124

Dear Bill:

I am pleased to advise you that your department is now eligible to receive additional MARSH funds from Ducks Unlimited as reimbursement on a matching basis for waterfowl habitat costs on approved projects developed or acquired under the DU MARSH program. This 1986 apportionment represents 7 1/2 percent of total contributions to DU from the State of Kansas during 1985.

MARSH funds currently available to the Kansas Fish and Game Commission are itemized below:

1985 MARSH Apportionment:	\$ 57,178
1985 Reimbursement to State	0
Balance in 1985 Fund:	57,178
Growth of 1985 Fund:	8,356
1986 MARSH Apportionment:	58,897
Total MARSH Funds Available:	<u>\$124,431</u>

I hope that your agency will soon be in a position to participate in this cooperative State-DU program and utilize the MARSH money available to you in waterfowl habitat improvement work in the State of Kansas. I am anxious to work with you and your staff in implementing this new conservation program. Please call on me if you have any questions regarding the MARSH program.

Best regards to you and your staff.

Sincerely,

Ladd S. Gordon
MARSH Coordinator
Central Flyway

LSG/wjg

1986 Resolution

Kansas Wildlife Federation

RESOLUTION 1986-09

MATCHING FUNDS FOR WATERFOWL HABITAT

WHEREAS, wetland habitat in the United States and in Kansas continues to decline in acreage as a result of escalating land use demands, and

WHEREAS, wetland habitat offers diversity to various native and agriculturally modified upland sites, and

WHEREAS, wetland habitat is essential to the life cycle of numerous wildlife species, both resident and migrant, and

WHEREAS, the Kansas Fish & Game Commission is responsible for the management of the wildlife species dependent upon wetland habitats, and

WHEREAS, the Kansas Fish & Game Commission has at its disposal certain privately contributed funds for acquisitions, development, and enhancement of wetland habitat, and

WHEREAS, the Kansas Fish & Game Commission has insufficient funding to match the contributed funds as necessitated by the memorandum of understanding between the Commission and the contributor, and

WHEREAS, if matching monies are not available in a timely manner, the Kansas Fish & Game Commission will ultimately lose these particular funds.

NOW, THEREFORE, BE IT RESOLVED, that the Kansas Wildlife Federation in annual meeting held in Topeka, Kansas, on 11-12 October 1986, support a state waterfowl habitat stamp program as proposed by the Kansas Ducks Unlimited Council to provide the necessary matching revenues for waterfowl habitat restoration.

The Kansas Sportsman
NOVEMBER 1986



Fish and Game Commission Approves State Duck Stamp

By George Stanley
Staff Writer

A proposed state duck stamp that could raise hundreds of thousands of dollars for wetland conservation programs within Kansas has cleared its first hurdle, gaining unanimous approval from the five members of the Fish and Game Commission.

Next, stamp supporters will try to get legislation passed early next year that will make it mandatory for Kansas waterfowl hunters to purchase a state stamp as well as the Federal Migratory Bird Hunting and Conservation Stamp.

As now proposed, the state duck stamp would cost \$3.25, with \$3 from each stamp going to the Kansas Fish and Game Commission for waterfowl conservation programs within the state. Vendors would receive 25 cents for each stamp sold.

The federal duck stamp costs \$7.50. Congress is considering legislation that might raise its price next year.

In 1985, 33,243 Kansans purchased federal duck stamps. If the same number bought the new state stamps in future years, nearly \$100,000 per year would be added annually to the Fish and Game Commission's conservation budget.

The stamp would cost the Fish and Game Commission nothing, according to supporter **Steve Schuetz**. Kansas Ducks Unlimited would commission the stamp art and finance the production of the stamps, Schuetz says. In return, the private conservation organization would receive roughly 30 percent of all revenues earned from selling art prints of the stamp design.

Because duck stamp art is produced in a continuing series, it is popular with collectors. Schuetz says that Kansas DU would commission wildlife artists "of national stature" to design the state stamps.

"We can't predict exactly how much the art prints would raise for DU," said Schuetz, who chairs the duck stamp committee of the Kansas Ducks Unlimited council. "But enough income would be generated to put Kansas in a no-match situation with DU's MARSH program. That would triple the amount of money available to the Fish and Game Commission for wetland conservation."

DU's MARSH program — for Matching Aid To Restore States' Habitat — began two years ago. In the program, 7.5 percent of the money raised by DU supporters in Kansas is made available to the Fish and Game Commission for wetland conservation programs

Outdoor Notes

within the state.

Adding up two years of Kansas MARSH monies, Ducks Unlimited is willing to provide Fish and Game with \$124,000 on a matching dollar-for-dollar basis. But the Fish and Game Commission doesn't have \$124,000 to match the DU grant, according to director **William P. Hanzlick**. If the state doesn't match the money, it doesn't get it.

However, state agencies can receive MARSH money without matching it if they donate a specific amount of funds to DU's continental program. This program focuses primarily on conserving and restoring waterfowl breeding wetlands in Canada, Alaska and the northern prairie states.

For Kansas to qualify for outright MARSH grants, it would have to donate to DU the equivalent of \$1 for every federal duck stamp sold in the state. That would be roughly \$33,000 per year, given stamp sales at 1985 levels.

Because the Kansas duck stamp would be a Fish and Game Commission program, any DU revenues generated by the sale of related art prints would qualify as a state donation to DU, according to the non-profit organization's complicated rules.

Schuetz is certain that his organization will raise more than \$33,000 from the art prints. In fact, he says, it could raise many times that amount. If so, the \$124,000 in MARSH money now available to Fish and Game on a matching basis would become available as an outright grant.

Furthermore, 7.5 percent of any future income raised by DU in Kansas would be available without monetary strings attached for wetland conservation projects within the state. This is all in addition to the revenues that the Fish and Game Commission would collect from state duck stamp sales.

"We think the state duck stamp proposal is fine," said Hanzlick. "Our agency is in dire financial straits. This won't remedy our tight fiscal situation, but it's one way of raising more money for a specific purpose — waterfowl management."

"We're hopeful," Schuetz said, "that we can use monies generated by the state stamp and the DU MARSH program to improve the Cheyenne Bottoms situation."

Poor water conditions over the past decade at the state-operated Cheyenne Bottoms Wildlife Area

have dramatically decreased its value to many migratory bird species.

To date, 36 of the 49 states which have waterfowl seasons require duck hunters to purchase a state duck stamp. Hawaii has no waterfowl season.

The Kansas duck stamp legislation is being patterned after Kentucky's "very successful" stamp program, Schuetz says. "The beauty of this is that all the stamp money will stay in Kansas."

If Kansas doesn't use its available MARSH money within three years, the funds revert back to Ducks Unlimited's general conservation account and are no longer available for state programs. Two years have elapsed since the first MARSH funds were offered to the state.

"We're going to lose some of these funds if we don't get something done in the next year," Schuetz said.

Kansas' five Fish and Game commissioners gave the stamp proposal their approval at an August 27 meeting in Emporia.

Mr. Chairman Senator Werts, and members of your committee:

I am here to represent Kansas artists, concerned citizens and also quite a few Ducks Unlimited members to protest very strongly the passing of Bill HB2058 with the amendment as it now reads.

As you know, Kansas has the reputation of being a cultural desert. Artists, musicians and writers of Kansas have been fighting this image for over 40 years or more while trying to stay in Kansas and make a living. Our state is presently in the middle of a strong program of promoting Economic Development and Tourism taking pride in our natural resources with which we are trying to lure more business' to Kansas. Our artists are very much a part of our natural resources. We want the world to know that we do not have to go outside our state for an artist to do our first Kansas duck stamp and print.

Every year when D.U. asks for art work from our artists to use in their auctions, the artists give willing to help the cause for more ducks. D.U. knows we have good artists in Kansas. It would be a real slap in the face and an insult to tell the artist that they are good enough to have their art work in auctions, but sorry they aren't good enough to do the first Kansas duck stamp and print.

We are here mainly to ask that you consider three points. One, that Kansas gets their fair share of the monies from this program. Two, that Kansas keep some or all control over how this money is to be used. Third that a Kansas artist be given the honor and privilege of doing the first duck stamp and print.

If D.U. is willing to take on this project and the above mentioned points are followed, we are behind them 100%.

We ask that you please consider what this means to Kansas and Kansas artists and are trusting you to do the right thing for the betterment and pride of our state, the artists and concerned citizens.

Thank you,

MONA WILLIS for Kansas artists
3731 E. Kellogg
Wichita, Kansas 67218

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2-25-87

Senate Energy and Natural Resources Committee
Kansas State Senate
Capitol Building
Topeka, Kansas 66612

February 25, 1987

Mr. Chairman and members of the committee,

I would like to thank you for the opportunity to speak before you this morning. My name is Jerry Thomas. I am originally from Scott City where I have been employed as a real estate developer and Chamber of Commerce manager since graduation from Southwestern College in Winfield in 1981. I have recently moved to Manhattan where I am a graduate assistant at Kansas State seeking a masters degree in Regional and Community Planning and Landscape Architecture.

I am appearing before you this morning as a sportsman, conservationist, and wildlife/waterfowl illustrator and artist. As a sportsman and conservationist, I would like to voice my whole-hearted support for the general purpose and intent of House Bill No. 2058. There is no more precious resource in this state than our wildlife, and in this regard, our migratory waterfowl, ducks and geese. In many areas of the state we are seeing diminishing water and habitat reserves that support the annual flights of our migratory waterfowl. The funds raised by such a waterfowl stamp program can only enhance and support the conservation efforts in this state and will insure that the waterfowl enjoyed by each of us will be enjoyed for generations to come.

As a Kansas wildlife/waterfowl illustrator and artist, however, I do have some concerns with this bill. Currently, the bill proposes that a Kansas artist will be chosen through a contest in 1988 and every third year thereafter. I strongly support an amendment in which Kansas artists would be chosen each and every year in an open competition for the duration of the stamp program.

This state proudly supports a number of nationally recognized artists.


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Among these artists include a federal duck stamp finalist, state duck and conservation stamp finalists, and designers of various wildlife conservation print series. These artists have generated thousands of dollars by donating and contributing their originals and prints to such organizations as Ducks Unlimited, Quail Unlimited and various other conservation groups. These organizations generally approve donations only from the finest artists available. Therefore, it is an undeniable fact that this state holds some of the finest wildlife/waterfowl artists in the nation.

Another area of concern is that the proceeds derived from the sale of stamp prints and other facsimiles will remain with a designated nonprofit organization. This proposal would transfer funds created in this state to a nonprofit organization which could use these funds in areas other than Kansas. Approximately $7\frac{1}{2}\%$ of the total funds raised by Ducks Unlimited in a state are used in that state. Dean Graham, the Oklahoma Waterfowl Stamp Coordinator, recently stated to me that Oklahoma, in 1980, decided to retain all stamp print proceeds. The reason being that the stamp print proceeds would be matched 3 to 1 by the Federal Government. In effect, these matching funds have raised an additional \$250,000.00 for waterfowl in the state of Oklahoma. If a nonprofit organization were to retain these print proceeds, additional funds would be lost. Therefore, consideration must be given to this important aspect in this bill.

In conclusion, the wildlife/waterfowl artists of Kansas should be challenged to create a showcase stamp and print for Kansas each and every year through an open competition. The Kansas Waterfowl Stamp should be a resident program, designed by resident artists for Kansas waterfowl.

Thank You,


Jerry P. Thomas
3605 Shady Valley
Manhattan, Kansas 66502



SIERRA CLUB

Kansas Chapter

January 26, 1987

To: House Energy and Natural Resources Sub-Committee
From: Shaun McGrath

Re: Support for HB2058 creating the Migratory Waterfowl
Habitat Stamp

The Sierra Club is non-profit organization concerned with the preservation and protection of the environment. Our Kansas Chapter membership is over 1500. I stand today in support of HB2058.

The Revenue generated through the creation of a migratory waterfowl habitat stamp will aid the state in maintaining and preserving important wetland areas. Because of our fundamental interest to protect wildlife and the environment, The Sierra Club encourages you to pass HB2058.

I would like to express two concerns created by the bill.

First, whereas waterfowl hunters indeed benefit from the preservation of wetland areas, they are not the only group, and therefore should not be exclusively responsible for funding such preservation.

Secondly, although Cheyenne Bottoms will benefit directly from the stamp, the problems threatening the Bottoms will not be solved through this stamp.

The Sierra Club urges you to pass this bill, and also pursue additional means of funding wetland preservation, and specifically for Cheyenne Bottoms.

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February 25, 1987

The Honorable Merrill Werts
Chairman, Senate Energy
Natural Resource Committee
Kansas State Senate
State Capitol, Third Floor
Topeka, Kansas 66612

Dear Mr. Werts:

Pleased to submit an overview of the testimony I am giving this morning before your Subcommittee. The following outlines the proposal specifically involving House Bill 2058, a Kansas Waterfowl Habitat Stamp.

1. Our proposal requests that a \$3.00 Kansas Waterfowl Habitat Stamp be approved by the Legislature. In addition, the Legislature would allow a 25¢ charge to accommodate the vendors handling the stamp for the Agency.
2. All monies generated by the Kansas Fish & Game Commission Agency from proceeds of this stamp would be used and ear-marked specifically for improvement of waterfowl habitat as designated by the Agency. This money could then be used in association with monies allocated by Ducks Unlimited to Kansas under the M.A.R.S.H. Program. M.A.R.S.H. is an acronym for Matching Aid to Restore State Habitat supported by Ducks Unlimited. Approximately 7.5% of all net grassroots income earned from Ducks Unlimited functions across the state of Kansas are returned to each state in M.A.R.S.H. funds. Currently, M.A.R.S.H. funds total \$209,804 available to the state of Kansas.
3. Ducks Unlimited would be in charge of the associated art program with the state waterfowl stamp. Ducks Unlimited would provide the following:
 - A. All stamps including any or all associated costs of printing, engraving, etc., would be provided to the Fish & Game Agency at no charge.
 - B. Ducks Unlimited would enter into an agreement with a publisher to handle all printing and marketing requirements associated with both stamp and art prints, provide for the artist in each particular year and promote advertising on a national basis for purchase of the stamps and art prints by collectors.
 - C. There would be no charge and/or liability on the part of the State of Kansas and/or the Kansas Fish & Game Agency for any of the above costs which would be associated with a successful program.

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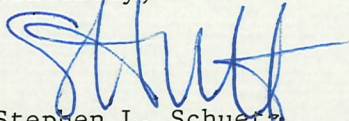
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4. Based on 1985 and 1986 hunting data furnished by the Kansas Fish & Game Commission, the Agency could expect to sell at least 30,000 state duck stamps to hunters registered in Kansas. All hunters who would be required to purchase a Federal Migratory Waterfowl Habitat Stamp would also be required to purchase the Kansas Waterfowl Habitat Stamp. This alone would generate approximately \$90,000 in year one.
5. Although it is hard to gauge, we feel confident that Kansas would sell at least an additional 10,000 stamps to collectors, however, because of the first of state issue, this number could increase to an additional 20,000 to 30,000 stamps depending on the economy and conditions of the art market at that particular time of issue. In any event, we feel it is safe to estimate that the collectors will be in the market because of the first of state issuance.
6. It is important to note that historically, stamps outsell prints on a long term basis. Stamp collectors continually add to their collections, however, to do so with state waterfowl stamps it requires an expenditure of \$8,000 per year to maintain a valued collection.
7. Ducks Unlimited will receive \$25 to \$35 and perhaps as high as \$40 (to be negotiated with a publisher) for each art print of the state duck stamp sold. If print revenues equal the value of \$1.00 for each Federal duck stamp sold in the state of Kansas, Kansas will then be considered a No-Match State which will make it easier for Kansas Fish & Game to utilize M.A.R.S.H. monies available. In other words, Ducks Unlimited would have to raise at least \$30,000 from the sale of art to accomplish the No-Match situation. We feel this is more than easily obtainable.
8. A combination of the monies generated by the Fish & Game Agency as a result of the stamp sales, along with the No-Match contribution from Ducks Unlimited, we could estimate that at least \$150,000 per year could be spent on wetland restoration in the state of Kansas.
9. Although this was done on an informal basis, a polling of waterfowlers indicated a broad base support for a legislated state waterfowl habitat stamp. The hunter, as usual, is more than willing to pay their way, particularly when it goes to the betterment of our environment and wildlife resource.

February 25, 1987
Senator Merrill Werts
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On behalf of all waterfowlers in the State of Kansas, we would like to thank you for the opportunity to present this important legislation to this Committee. We are hopeful that this legislation will be approved for the benefit of all Kansans and its wetlands and wildlife resources.

Sincerely,



Stephen L. Schuetz
Chairman-Ducks Unlimited
Waterfowl Habitat Stamp Committee

SLS:cm

Testimony in favor of the waterfowl stamp bill

by Dr. Spencer Tomb

24 Feb 1987

I am Dr. Spencer Tomb from Manhattan. I am a botanist and an avid waterfowl hunter. I presently serve as a vice president of the Kansas Wildlife Federation. I am here to speak in favor of the waterfowl stamp bill.

In October 1987, the Kansas Wildlife Federation passed a resolution supporting the introduction of this legislation. The KWF is the largest broadly based conservation organization in Kansas with 7,000 members and 26 affiliated clubs across the state.

As a professional botanist I am compelled to tell you that Wetland habitat is being lost in North America at an alarming rate. (400,000 acres a year is the current estimate.) Kansas at one time had twelve large and important wetlands that were used by migratory birds as they traveled to and from their wintering grounds. Only three of these wetlands remain reasonably intact, Quivera salt Marsh, Cheyenne Bottoms and Maris de Cygne. Kansas ranks last in the number of acres of wetland habitat among the states. Even Puerto Rico has more acres of wetlands than Kansas. The wetlands adjacent to our

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flood control reservoirs are mediocre substitutes for the ones that have been lost.

My sons and I hunt ducks almost every weekend of the season and much of the Christmas vacation. 90% of our hunting is on Public land where the duck stamp funds would be used. Waterfowl hunting is costly and time consuming, nevertheless the \$3.00 state stamp will not dampen our enthusiasm for the sport. We want to pay so we can improve and increase wetland habitat so future Kansans can have the same chance to enjoy waterfowl.

Waterfowl hunters have a long history of paying for wetland habitat conservation. The federal waterfowl stamp program was proposed by duck and goose hunters and Ducks Unlimited's work first in Canada and now in Mexico and the United States are sterling examples.

I recognize that it will not be possible to restore all of the marshes we have lost, but with the duck stamp funds the Kansas Fish and Game will be able match the DU MARSH funds and then they will be able to improve management on existing wetlands and work on increasing wetland habitats.

Please find an acceptable compromise on the selection of the artist and keep the selection of the art work in the hands of

professionals. As vice president of the Kansas Wildlife Federation, as a botanist concerned about conservation of a dwindling habitat, and most importantly as a father who has taken every chance to instill my love of the pursuit of waterfowl in my sons, I urge you pass this bill on to the full Senate with a strong positive vote.

HOUSE BILL 2058

TESTIMONY PROVIDED TO SENATE E&NR COMMITTEE ON FEBRUARY ?, 1987

By Kansas Fish and Game Commission

It is a well established fact that many acres of critical waterfowl habitat has disappeared or been degraded throughout North America and in Kansas. Sportsmen have supported habitat programs, both public and private, through their purchases of licenses, stamps, equipment, donations, etc. Ducks Unlimited, Inc. (DU) continues as a conservation organization leader in private fund raising efforts for waterfowl habitat programs.

Initially, their efforts were directed primarily towards habitat programs in Canada and later expanded to include work in the prairie pothole county within the U.S. More recently, DU initiated a program called MARSH whereby 7.5% of their funds generated from a state, remain within that state for cooperative waterfowl habitat efforts with the state conservation agency.

This agency signed a Memorandum of Understanding with DU in 1985 making the MARSH program effective in Kansas. It is a matching aid program authorizing use of DU money and matched at various levels by Kansas Fish and Game Commission funds for approved waterfowl habitat projects. Sportsmen of Kansas, through their financial support of DU have made available to this agency, approximately \$184,000 ('84, '85 and '86 estimate). The Kansas Fish and Game Commission has been unable to utilize these available funds due to limited financial resources.

The concept of a Kansas Waterfowl Habitat Stamp is proposed as a logical mechanism to provide the needed funding for agency participation in the MARSH program. There are an estimated 33,000 Kansas waterfowl hunters and at the recommended fee of \$3.00, would generate \$99,000 for use in conjunction with MARSH. There may also be some additional first year stamp sales which would provide additional first year income to this agency.

The Kansas Fish and Game Commission supports this legislation establishing a state waterfowl habitat stamp. It will provide much needed funding for waterfowl habitat work and further establishes the concept of jointly funded private and public resource management efforts in Kansas.

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