

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./p.m. on February 18, 1988 in room 123-S of the Capitol.

All members were present except:
Senator Yost - Absent

Committee staff present:

Don Hayward - Revisor	Laura Howard - Research
Nancy Jones - Secretary	Raney Gilliland - Research
	Paul West - Research

Conferees appearing before the committee:

Robert Meinen, Secretary, Department of Wildlife & Parks
Alan Wentz, Assistant Secretary Operations, Wildlife & Parks
Dr. Jerry Tomanek, Chairman, Commissioners
Keith Sexson, Deer Project Leader, Wildlife & Parks

A motion was made by Senator Langworthy to approve minutes of the February 16, 1988 meeting, seconded by Senator Kerr. Motion carried.

Secretary Meinen stated that creation of the Department of Wildlife & Parks is requiring careful thought and analysis for a successful merging of the Park Resources Authority and Fish & Game Commission under 1987 ERO 22. Limitations that will impact reorganization are: Limited financial resources, attitudes toward change, locations at both Pratt and Topeka for administration, maintaining integrity of federal funds, communication within statewide organizations and the past histories of the agencies involved in the reorganization.

Secretary Meinen discussed the objectives to be accomplished with reorganization which include putting programs into action to accomplish the task, establishing effective management at all levels, developing adequate funding, maximizing tourism and economic development opportunities, improve relationship of landowners/recreationists and promote an aggressive program for good management of natural resources. A time table for the next 18 months has been established for completion of projects and addressing major issues such as recodification of statutes and budgeting. (Attachment I)

Mr. Meinen stated the Conservation Reserve Program (CRP) will create new opportunities for wildlife and additional habitat area. Revenues have remained static and new areas are being considered. The sale of the Migratory Wildlife stamp has proven to be a valuable asset. There has been a decline in violations with utilization of enforcement officers of both agencies working together and this practice will continue through the summer months.

Keith Sexson testified there has been a steady increase in the deer population since 1965 according to surveys of vehicle accident reports and landowner/hunter information. Measures have been taken to stabilize the mule deer and white tail deer herds in Western Kansas through permits. As more vigorous control is a recognized need, permit quotas have increased 20%/year the last three years. The Department provided "hunt your own land" permits to landowners as a measure of control, when a permit was not available through the regular process. There has also been the addition of "antlers only" permits issued as a control measure of the population. The issuance of all available permits is desired by the Department and consideration should be given to allowing unused permits to be available to regular season permit holders for a later season and allowance of more than one permit per regular season. Objectives for deer management include stabilization of herds with

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES,
room 123-S, Statehouse, at 8:00 a.m./p.m. on February 18, 1988

with acceptable limits set by landowners, maintain a high quality deer herd and remove regulatory barriers which prevent flexibility in population control.
(Attachment II)

Jerry Tomanek stated five hearings on the deer situation were held throughout the state with 2,000 attending. Those attending voiced opposition or approval to six options suggested as possible solutions to over population of deer: special deer season-2/3 favored two permits; midweek opener - 85% favored; special season for muzzle loaders - 86% favored; non-resident deer permits - 91% opposed; free landowner permits - 64% opposed.

The Department feels new regulations are needed for management of the herds and to aid landowners whose crops are being destroyed by giving them more control. Mr. Meinen further stated that adequate regulations are in place giving the Department the authority to limit or expand granting of permits.

Ron Vine stated it is important to pursue new avenues of revenue to retain ongoing funded programs and develop further the reorganized agency.

Senator Thiessen expressed the concern that problems facing tenants and landowners with regard to crops being destroyed are not receiving sufficient priority.

Meeting adjourned. The next meeting will be February 23, 1988.

2-18-88

Quest List

John Blythe	KFB	Manhattan
Wilbur Leonard	Comm Ks Farm Org	Topeka
Alice Devine	Ks State Bd. of Ag	Topeka
MIKE BEAM	Ks. LUSTK. Assn.	TOPEKA
LISPETH Byer	KNRC	TOPEKA
George Stanley	Eagle-Beacon	Wichita.
Alan Wentz	Wildlife & Parks	Pratt
Jerry Wright	" "	Topeka
John Strickler	Governors Office	Topeka
Raymond Montei	KDWP	Pratt
Dreg Lee	" "	Topeka
Bill Hulver	Kansas Farm Bureau	Manhattan
Paul E. Fleener	" " "	"
Ron Vane	KDWP	Topeka
Bill Anderson	Wildlife Parks	Fairway
W.R. Knowling, MD	"	Madison
W. J. March	Wildlife & Parks	Hays
Kathy Brown Legezel	Ko. Dept. Wildlife & Parks	Junction City
Edward B. Anderson	Ko Dept Wildlife & Parks	Elkhart
Keith Saxson	Ks Dept Wildlife & Parks	Emporia
LEONARD Eisele	FARM SERVICE CORP. INC.	Valley Falls
Roy Dix	Farmer	Derison, Ka 66419

UPDATE ON REORGANIZATION
Department of Wildlife and Parks

EXECUTIVE SUMMARY¹

Governor Mike Hayden's Executive Reorganization Order (E.R.O.) No. 22 created the Kansas Department of Wildlife and Parks on July 1, 1987. The merger of the Fish and Game Commission and Park and Resources Authority requires a plan to fully combine the many diverse functions of the former agencies. This is the first of several reports over the next few months that will outline the organizational plan and provide guidelines for implementation. The formulation of a successful plan for an organization as complex as the Department of Wildlife and Parks requires careful, rational thought and analysis.

In initiating this first phase of reorganization we are attempting to keep several rules in mind. Reorganization is an opportunity for improving service to the citizens of Kansas. By improving the efficiency, economy, and coordination of operations we can enhance our capabilities to protect and develop resources. In order to minimize the disruption of services and allow a smooth and orderly transition, changes will be implemented over a considerable period of time.

BACKGROUND ON REORGANIZATION

E.R.O. 22 established a Cabinet level position in Topeka with an Assistant Secretary for operations in Pratt. In addition, the order established a new seven member Commission with responsibility for regulations of the agency. The Commission also is advisory to the Governor and the Secretary in matters concerning budget and personnel. The order gives the Secretary broad powers and discretion in creating and modifying existing structures and positions.

The reorganization and integration of programs will require a cooperative effort among the Governor, Secretary, Commission, staff, the Legislature, and the Department's constituents. A variety of limitations and assumptions that will impact the organization of the new agency are outlined below:

1. There are limited financial resources to move, add, or restructure services, facilities, or personnel.
2. The different locations of the main administrative office complex in Pratt and the office of the Secretary in Topeka adds to the complexity of support, communication and coordination problems.
3. Attitudes toward change, both internal and external, can impact the outcome tremendously.
4. All necessary steps will be taken to maintain the integrity of federal funds associated with our agency and to keep these dollars flowing to Kansas.

¹The complete reorganization update may be obtained by contacting the Office of the Secretary, Department of Wildlife and Parks, Fifth Floor, Landon State Office Building, 900 Jackson Street, Topeka, KS 66612-1220.

5. Ongoing communication within the statewide organization must be improved.
6. The past histories of the two previous agencies must be considered.

This is not an exhaustive list of all the limitations that face the new Department of Wildlife and Parks. There are probably many more, but these are some that should be considered as plans are made and implemented on the structure of the Department.

GENERAL OBJECTIVES TO BE ACCOMPLISHED AS A RESULT OF REORGANIZATION

The following is a listing of some of the goals and objectives that reorganization efforts should strive for. The list is flexible and subject to change as things are added or completed.

1. To establish a new mission statement for the agency and put programs into action to accomplish the mission within the legislatively directed guidelines.
2. To have effective and efficient management of the agency at all levels.
3. Promote public awareness of departmental programs and sound natural resource management.
4. Develop unified direction and mission in providing services.
5. Utilize and support comprehensive planning to help direct implementation.
6. Develop adequate funding and cost control measures to carry out the mission of the agency.
7. Maximize tourism and economic development potential of the system within sound natural resource management.
8. Promote an aggressive program of good long-term management of Kansas' natural resources with all aspects of the environment and users being considered.
9. Improve landowner/recreationist relationships by enhanced programs to benefit landowners and education of users to reduce impact on private

TIMELINES

The following information will outline the timeline the agency will follow over the next 18 months in order to implement reorganization. The major objective is to be prepared to present the necessary budget and legislative changes for the 1989 legislative session. The immediate changes that can be made within the authorized legislative and executive office guidelines will be made as soon as feasible. The following timeframes are in terms of months from this report date.

IMMEDIATE FUNCTIONAL AND PERSONNEL CHANGES

Key Functional Changes

A wide variety of functions within the Department will be changed as a result of reorganization. Because of the complexity of current Department functions, certain changes are crucial to future efforts. The majority of these changes are designed to bring all employees onto equal footing in business processes and other cross-cutting functions.

A key step will be the consolidation of all business management functions into the current Administrative Services Division. The consolidation of business functions will result in unified budgeting, accounting, and purchasing methods. Design and engineering staff from the former agencies will be consolidated into one unit.

At the present time, individuals with law enforcement responsibilities are supervised in both the Law Enforcement and Parks Divisions. Each of these employees must annually complete various training programs to retain enforcement authority. In order to standardize the requirements and maintain orderly training schedules, records, etc., we are designating a single Training Officer for all Law Enforcement personnel.

One of the most important functional relationships in the Department is the chain of command and the various levels of supervision. Because of this we are actively evaluating the role and location of regional offices. This evaluation will clearly define how the chain of command will function and the responsibilities of supervisors at all levels.

Throughout the agency we must develop the attitude expressed by one of our commenters that the employees in the central offices only exist to provide leadership and support for the field offices and functions, and the field employees function to serve our constituents.

Key Personnel Changes

A few key personnel changes will take place over the next few weeks. These changes are crucial to combining the two former agencies into a single unit. These changes are at the upper levels of the agency and involve changes in the Secretary's office staff and consolidation of the primary operations administrators. Because the reorganization process is still underway and all decisions have not been finalized yet, the freeze on hiring will continue.

THREE MONTHS

During the next three months there are a variety of things that must be completed. In abbreviated outline form, the following are tasks to be started:

1. Begin review of all resource management areas and develop plan for integration of management.

2. Review the regional and district office structure, number and role in the agency. Develop a plan that has a uniform number of regional areas with all functions supervised from the same regional offices. Review the location, facility, personnel, and equipment needs of the regional offices.
3. Develop a process to implement recodification of all laws relative to the agency.
4. Pursue legislative direction for the 1988 session.
5. Involve key personnel in the development of budget and organizational models of the reorganized agency to be reviewed by the Commission.
6. Conduct further analysis of the employee survey and the many ideas and suggestions received to help in formulation of the final organization plan.
7. Develop a new mission statement with the assistance of the Commission, to be reviewed and accepted during the budget review process.
8. Begin intensive review of the functional relations of Divisions. For instance, we must evaluate the continuation of law enforcement functions in more than one Division.
9. Initiate preparation of the Department Strategic Planning effort.
10. Commence the regulatory preparation process with a single individual in charge.

SIX MONTHS

During the next six months the following are some of the issues that will be addressed:

1. Develop and present to the Commission a 1990 fiscal year budget that includes the new organizational chart and the necessary budget changes in the new organization.
2. Continue the process for the recodification of the laws affecting the agency.
3. Review existing policies and procedures to consolidate into one operational manual.
4. Complete the review of the regional areas and recommend final number, structure and locations.
5. Complete a review of the district offices and implement a final plan for the role, number and location of the district areas.

6. Review the personnel classification process and determine what job classes are likely to have significant changes requiring action by the Division of Personnel Services.
7. Develop a new logo for the agency and complete a variety of tasks related to standardization of uniforms.
8. Initiate organizational changes that are within the budgetary limits

TWELVE MONTHS

During the next twelve months the following actions would be accomplished.

1. Finalize all moves and structural changes that can be made within the legislative and budget guidelines that have been established.
2. Start the development of the 1991 fiscal year budget that reflects the final organizational chart for the agency.
3. Begin the recodification process in the Legislature.

EIGHTEEN MONTHS

During the next eighteen months the finalization of the reorganization efforts should be started. Within the fiscal year that follows, the final relocations and changes should be completed.

1. The regional structure should be in place and the district offices will be completed and functional.
2. The new budget that reflects the final reorganization should be in place and operational.

ACTIVITIES ALREADY BEGUN

In addition to the things described above, we have taken a number of other steps. We have attempted to improve communication to employees by regular mailings of Commission minutes, important issue papers, and regular updates on Department events. During the fall hunting seasons Park Rangers assisted Wildlife Conservation Officers in enforcement of hunting laws. In the months ahead the reverse will be true. Better coordination of construction projects and Environmental Service efforts has begun through better communication among our engineers and others and a clearer understanding of individual duties.

Reorganization will progress in an orderly fashion with each step or action carefully considered. We will continue to provide all necessary services of this Department while developing an organization that will best serve the needs of our natural resources and the public for the future.

Presentation to
Senate Committee on Energy and Natural Resources.
Keith Sexson, Deer Project Leader
Kansas Department of Wildlife and Parks
February 18, 1988

The status of the Kansas deer population can be characterized as doing well. All indicators point toward a steady increase in the population since 1965, when surveys were initiated. Presently, the Kansas deer resource is providing 400,000 mandays of hunting recreation and an unknown yet undoubtedly large number of non-hunting days of enjoyment.

Measures of change in the population are accomplished using surveys that measure trend of change.

These include: Deer-vehicle accident reports
 Landowner Deer Survey and Hunter
 performance information.

We have no surveys that provide an actual count or census of deer nor is an actual count necessary for monitoring population changes.

Increasing populations of deer are common to the midwest agricultural states. These increases are primarily due to the tremendous productivity and survivability of white-tailed deer in the midwest.

Mule deer in Kansas were showing a decline in numbers through the 1970's. However, presently there are indications that the mule deer is on the increase in western Kansas.

^{mule deer} I would attribute this mule deer increase to an elimination of doe harvest starting in 1979. With an increasing white-tail population in the west and a decreasing mule deer population, it was necessary to differentiate the harvest of mule deer and white-tails. So, "white-tail only" hunting permits were used to increase white-tail harvests and decrease the harvest pressure being placed on mule deer. This system has worked very well in that the mule deer are increasing and the white-tail numbers ~~seem to be~~ ^{are} stabilizing in the western units.

We have always recognized that the greatest limiting factor on deer population numbers in Kansas would be landowner tolerance for deer. Therefore, our harvest strategies have been directed at controlling the deer population within those tolerance limits set by the majority of landowners.

We use the Landowner Deer Survey to obtain some measure ^{of} ~~to~~ those limits. The survey is accomplished at 5-year intervals and started in 1964. A random sample of 3,500 landowners are contacted.

We are confident that by using this random survey, we are obtaining a cross section of what landowners are thinking relative to deer.

Hunter harvest is the most effective and feasible method for population control.

Permit quotas during the 1970's were held on the conservative side as some population increase was still desirable. Permit quotas during this period were increasing at a rate of 10-12% per year.

As the result of a recognized need for more vigorous control measures, permit quotas have been increasing by some 20% per year over the last 3 years.

Over 50,000 firearms permits were available for the 1987 regular season and 4,700 "antlerless only" permits were available for a special herd reduction season held in two localized areas in the state.

The Department, by regulation, provided for a hunt-on-your-own-land permit. This system assures the landowner a deer permit for hunting on his property. The landowner was eligible for one of these permits if he was unsuccessful in obtaining a permit through the regular drawing process. There were ~~1,040~~ of these permits issued. 1,132

Permit quotas are set to achieve a desired deer harvest. In the last 2 years, the number of permits available have exceeded the number of applications. Resulting in unused permits and the failure to achieve our desired harvest.

In order to control a deer population, female deer must make up a large proportion of the harvest. In order to get the female harvest necessary, we have been issuing "antlerless only" permits. These permits restrict the hunter to harvesting only does and fawns.

In 1977, 6% of the white-tail harvest were females, but in 1986, females comprised 42% of the white-tail harvest.

In the eyes of hunters, "antlerless only" permits are less desirable when compared to those permits that allow him to harvest a buck. As a result, the unused permits are primarily "antlerless only".

In order to control deer population numbers, we are increasing the total number of permits and increasing the proportion of those permits that allow the harvesting of female deer. However, because application numbers are not keeping pace with permit numbers we are ending up with unused permits and a

lower harvest of female deer than we desire.

Part of the solution to achieving a desired harvest is to ~~attempt to~~ issue all available permits. Regulations that have served the deer management program well over the last 20 years are now hindering the flexibility necessary to manage the deer harvest today.

Presently, the Department limits the hunter to only one permit, either archery or firearm, during the regular season. Thus prohibiting the issuance of unused permits to individuals who have already obtained a deer hunting permit.

Legislature did provide a statute in 1987 that allowed the Department the authority to set a Special Season. This season is set separate from the regular season and allows the issuance of permits to individuals who may have had a permit during the regular season. The special season is primarily used for herd control in localized situations where additional deer harvest is needed above that obtained during the regular season.

Two options are possible for the issuance of unused regular season permits.

1. Unused permits could be made available for a later special season thus allowing regular season permit holders the opportunity to apply for them.
2. Obtain a temporary regulation allowing individuals to apply for more than one permit for the regular season.

Hunter numbers on the opening weekend of deer season has also been a concern amongst landowners. To address this concern, the Department is considering a mid-week opener. This allows the landowner to hunt his area before opening weekend pressures. This may encourage landowners to open their property for hunting knowing they have 3 days to hunt before the weekend activity.

Other action being considered include:

1. A season for muzzleloading rifles separate from the regular firearms season.
2. Review of big game statutes in 1988 as part of a recodification effort.
3. Increasing our efforts to inform landowners of benefits available to them during the deer season.

Our present deer management objectives include:

1. Stabilizing the deer population at levels that will be

within acceptable tolerance limits set by a majority of Kansas landowners.

2. Continue to provide recreational use, both consumptive and non-consumptive.
3. Maintain a high quality deer herd, which means healthy and productive deer. Included in this quality is the desire for trophy sized bucks.
4. Remove regulatory barriers that prevent the flexibility necessary for managing a adequate harvest for population control and maximum use of the deer resource.

In many areas of the state preliminary indications are that the deer population growth is stabilizing and even decreasing as a result of past harvest strategies. At the present time, a stabilized and even decreasing population trend along with increased recreational opportunity are positive signs that our deer management program has been working.

At the same time we recognize that there are areas within the state that are in need of further deer population control. It is in these areas where concentrated efforts will be made to control deer numbers. With the aid of regulatory changes, and the cooperation of landowners and hunters, a suitable balance between landowner tolerance and recreational use will be achieved.