

Mr. Tomb said the difference here was that in the federal audit, they were looking at restricted funding. Their level of what they call restricted is different from what is in the state statute. When E.R.O. 22 was set up, and the WL&P agency was established by the merger, the language was "boiler-plated in" in that E.R.O and in HB 2205 to insure that there was no diversion. So the standards for what is diverting funds is higher at the state level than it is at the federal level. And the federal level does not see magazine subscriptions or trapping licenses as funds that have to be protected from being diverted to other uses. He said that his organization's position is that since it is essentially supported by the Wildlife side, that there ought to be some standards of protection and go along with what was done when the state laws were established.

No action was taken at this time on **SB 157**.

SB 316

Wildlife and Parks relating to certain permits & licenses

Stuart Little explained **SB 316**. (Attachment 4).

Secretary Steve Williams spoke as a proponent of **SB 316**. (Attachment 5).

The Secretary said that one of the recommendations of his commission, along with the half-price fee, was that the revenue derived from the sales of permits and licenses not be used to offset SGF support. He felt that if they did this, they would no doubt lose some visitation from seniors which is not their goal or intent, and they do recognize the importance of the user pay system. But if they raise \$360 thousand for the park fee fund and yet take a \$360 thousand hit in the SGF they've gone backwards and not forward.

The Chairman said it was worth noting that after one year these moneys will disappear into the overall fee funds and won't be "hanging out there", so the agency's risk during the first year is that someone would notice this and take that step. He wanted to assure the Secretary that if the Committee should pass **SB 316**, they don't intend this year to make any such adjustment.

William C. Long, of the Riley County Fish and Game Association, spoke as a proponent of **SB 316**. (Attachment 6).

Laura Kelly, Executive Director of the Kansas Recreation and Park Association testified as a proponent of **SB 316**. (Attachment 7).

Michael T. McFadden, President of the Kansas Chapter of the Wildlife Society, spoke as a proponent of **SB 316**. (Attachment 8).

Spencer Tomb spoke to the Committee as a proponent of **SB 316**. (Attachment 9).

Chairman Kerr spoke for Representative Jeff Peterson, who, as a proponent of **SB 316**, was unable to appear at the meeting. He said how the Representative, while confined to a wheelchair himself, believed that handicapped people should also pay park fees and purchase hunting and fishing licenses.

Chairman Kerr said that the Budget Committee had asked the Wildlife & Parks Commission to come up with a plan and they gave them five options. This was the option chosen by the Commission who then recommended it.

With the passage of **SB 316**, those who would be exempt from purchasing hunting and fishing licenses would be: those under 16, those hunting on their own land and Native Americans. Members of the military who are from out of state and stationed at Fort Riley, pay the same amount as state residents.

It was moved by Senator Morris and seconded by Senator Salisbury that **SB 316** be recommended favorably for passage. Following a roll-call vote, a show of hands was requested. The motion passed by 6 ayes and 4 nays with one excused absence.

It was moved by Senator Salisbury and seconded by Senator Morris to introduce 9 rs 1129 as requested by the Office of the Attorney General. The motion carried by a voice vote.

It was moved by Senator Salisbury and seconded by Senator Jordan to introduce 9 rs 1137 which is the same as **HB 2508**. The motion carried by a voice vote.

It was moved by Senator Lawrence and seconded by Senator Downey to introduce 9 rs 1138 as requested by the State Board of Regents. The motion carried by a voice vote.

A copy of the Economic Development Initiatives Fund, compiled by the Legislative Research Department, was handed out. (SEE ATTACHMENT 10)

The meeting adjourned at 1 p.m. The next meeting is scheduled for Thursday, February 25.

SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 2/24/99

NAME	REPRESENTING
Mike McFadden	Kansas Chapter The Wildlife Society
Bill Long	Riley County Fish & Game Assn
Ann Long	DOB
Spencer Tomb	KS Wildlife Federation
Ken Bahig	Ks. Environmental Consulting
Laverne Cole	Sen. Tyson - Intern
Dwight L. Cole	Sen. Tyson
Alex Kotyantz	Milford Lake Resort
LAURA KELLY	Esplanade - Ford
Steve Williams	KDWP
Dick Koe-4L	KDWP



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



TO: Senator Dave Kerr, Chairperson, Committee on Ways and Means

FROM: Steven A. Williams, ^{SAW} Secretary of Wildlife and Parks

SUBJECT: Testimony on SB 156

DATE: February 24, 1999

SB 156 is new legislation which would assist the Kansas Department of Wildlife and Parks (KDWP) in maintaining compliance with federal aid requirements established by the U.S. Fish and Wildlife Service (USFWS). The KDWP has cooperated with the USFWS in developing an accounting procedure which allows the Department to maintain integrity of wildlife funds. By state and federal law, funds deposited into the Wildlife Fee fund must be used only for purposes related to wildlife. In addition, this procedure also allows the Department to appropriately maintain expenditures from the Park Fee Fund and the Boating Fee Fund in accordance with state law.

The provisions of SB 156 have been provided for in the annual operations appropriation bill for the KDWP. These provisions allowed the KDWP to correct for diversion of funds in FY 1995, FY 1996, and FY 1997. Attached are copies of letters forwarded to legislative leadership, members of the Senate Ways and Means Committee, and to the Governor explaining how the KDWP corrected for diversion in those fiscal years. The actions taken by KDWP to correct diversion could not have been accomplished without the ability to exceed expenditure limitations as first established by the 1996 Legislature.

The 1999 Legislature has included the requested legislation as provisos in the FY 2000 appropriation bills, as introduced (SB 326). The KDWP is requesting that this language be deleted and that SB 156 be passed. The actions required by KDWP to correct for diversion are not a "one-year" or temporary action. The organization of the KDWP with programs for wildlife, parks, and boating will require that similar action to correct for potential diversion be taken each fiscal year. Currently, the KDWP, as required by the USFWS, is correcting for diversion on a monthly basis. It is possible that the cumulative total of these adjustments will require the KDWP to exceed established expenditure limitations for a given year. Attached to the testimony provided to the Committee is a table which provides an example of the program adjustments required by the USFWS.

If you have any questions, please advise. Thank you for your support.

Senate Ways and Means Committee

Date 2/24/99

Attachment # 1-1

EXAMPLE OF FEDERAL AID PROGRAM ADJUSTMENTS

	BUDGET AMOUNT	ACTUAL EXPENDITURES	DIVERSION AMOUNT	"FIX"	
Direct Program Expenses: (88%)					
Wildlife Program	70	65		65	
Parks Program	20	25		25	
Boating Program	10	10		10	
Total	100	100		100	
Indirect or Overhead Expenses: (12%)					
Wildlife Funding	70	70	5	65	-5
Parks Funding	20	20	-5	25	5
Boating Funding	10	10		10	
Total	100	100		100	

FOOTNOTES:

(1) The diversion of funds occurs in indirect or administrative expenses.

(2) The above numbers are not actual but for example only.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612
913/296-2281 FAX 913/296-6953



August 25, 1997

The Honorable Bill Graves, Governor
State of Kansas
State Capitol Building
Topeka, Kansas 66612

Senator Dick Bond, President of the Senate
Senate Chamber
State Capitol Building
Topeka, Kansas 66612

Representative Tim Shallenburger
Speaker of the House
House of Representatives
State Capitol Building
Topeka, Kansas 66612

Gentlemen:

The 1996 Legislature authorized the Kansas Department of Wildlife and Parks to exceed established limits of appropriations for certain funds for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States Fish and Wildlife Service for the utilization of federal aid funds. This authority is contained in 1996 Session Laws of Kansas, Chapter 191, Section 144(b). In addition, the KDWP is required to report all such expenditures to the Governor and the Legislature as appropriate.

For FY 1997, the KDWP was required to exceed the established expenditure limitation on the Wildlife Fee Fund by \$25,179. This amount will fully compensate FY 1997 federal aid and restricted funds expenditures for any diversion that occurred during the fiscal year. Please accept this notification as compliance with the requirements of Chapter 191, Section 144(b). If you require additional information, please advise.

Sincerely,

Steve Williams, Secretary
Kansas Department of Wildlife and Parks

WP\sec144b

bcc: Dick Koerth
Jerry Hazlett
Mike Theurer
Rob Manes



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612
913/296-2281 FAX 913/296-6953



September 19, 1996

The Honorable Bill Graves, Governor
State of Kansas
State Capitol Building
Topeka, Kansas 66612

Senator Bud Burke, President of the Senate
Senate Chamber
State Capitol Building
Topeka, Kansas 66612

Representative Tim Shallenburger
Speaker of the House
House of Representatives
State Capitol Building
Topeka, Kansas 66612

Gentlemen:

The Kansas Department of Wildlife and Parks (KDWP) has resolved the issues associated with diversion of wildlife funds to inappropriate uses. The U.S. Fish and Wildlife Service (USFWS) has certified the KDWP as capable of utilizing wildlife funds in an appropriate manner without supervision from the Service. The KDWP will utilize its financial management system to monitor for diversion and make the adjustments if necessary.

In correspondence dated August 27, 1996, I notified members of the Legislature that the KDWP had corrected identified diversion for FY 1995 and FY 1996 by using Department special revenue funds. The reason that the KDWP was able to accomplish the necessary corrections was due to the appropriation language approved by the Governor and the Legislature during the 1996 Session. The appropriation language contained in 1996 Session Senate Bill No. 95 (1996 Session Laws, Chapter 191, Section 44(c)) allowed the KDWP to exceed the established FY 1996 expenditure limitation for the Boating Fee Fund to correct for the diversion of wildlife funds in FY 1995 and the diversion of park funds in FY 1996.

The above-referenced legislation requires the KDWP to notify the Governor and the Legislature of expenditures that exceed established expenditure limitations and were made for the purpose of compensating federal aid program expenditures. For FY 1996, the KDWP exceeded the expenditure limitation established by the 1995 Legislature on the Boating Fee Fund. The

amount of increased expenditures were \$276,929 and were made to correct diversion of wildlife funds, \$263,835, and park funds, \$13,094.

Please accept this notification as compliance with the requirements of Chapter 191, Section 44(c), as contained in the 1996 Session Laws of Kansas. If you require additional information, please advise.

Sincerely,



Steve Williams, Secretary
Kansas Department of Wildlife and Parks

WP\sec44c



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



TO: Senator Dave Kerr, Chairperson, Committee on Ways and Means

FROM: Steven A. Williams, Secretary of Wildlife and Parks

SUBJECT: Testimony on SB 157

DATE: February 24, 1999

Senate Bill No. 157 is new legislation which was originally recommended by the Legislative Post Auditor in audit report no. 94-44. That report stated the Kansas Department of Wildlife and Parks (KDWP) should request a fund in the State's central accounting system which would allow the KDWP to separate restricted and non-restricted funds. The report referred to restricted funds as those required by state and federal law to be used only for wildlife purposes. Non-restricted funds were receipts being deposited to the Wildlife Fee Fund which were not restricted to wildlife programs only. The report listed three types of receipts that were non-restricted: magazine sales, trapping licenses, and non-federal grants, gifts, and donations.

Pursuant to the recommendations of the Legislative Post Auditor, the 1995 Legislative Session introduced SB 387 to create the Wildlife and Parks Non-Restricted Fund. The bill was not passed by the 1995 Legislature and the Fund was created through an appropriation act. SB 387 was "carried over" to the 1996 Legislative Session and was passed by the Senate. The actions taken by the House of Representatives regarding SB 387 resulted in the bill being materially changed and the Senate referred the bill to the Committee on Ways and Means where it died at the end of the 1996 Legislative Session. The 1996 Legislative Session did provide for the Wildlife and Parks Non-Restricted Fund in the FY 1997 KDWP operations appropriation bill. This fund has been provided for in the annual operations appropriation bill since the 1996 Legislative Session. (1999 Session SB 326)

The language in SB 157 provides that provides that monies not otherwise designated for deposit to a certain fund by deposited to the Wildlife and Parks Non-Restricted Fund. The KDWP has been depositing receipts from the sale of the Department magazine and other miscellaneous receipts to this fund. For FY 1998, deposits were \$188,442 from publication sales and \$11,598 from other sources. Expenditures from the fund are budgeted in the Executive Services Division of the KDWP to assist in costs associated with publication of the magazine. It should be noted that the Legislative Post Audit report referred to federal guidelines to determine sources of non-restricted income. The KDWP has interpreted the provisions of state law (KSA 32-828) to require that receipts from trapping be deposited to the Wildlife Fee Fund.

If you have any questions, please advise. Thank you for your support.

Senate Ways and Means Committee

Date 2/24/99

Attachment # 2

KANSAS WILDLIFE FEDERATION

The voice of outdoor Kansas



February 24, 1999

Testimony in Opposition to Senate Bill 157

By

Spencer Tomb

Vice President and Chair

KWF Issues and Actions Committee

The Kansas Wildlife Federation is a broad based conservation education organization dedicated to the conservation and sustained use of natural resources. We consist of 11 affiliate clubs and individual members with a total membership of about 2,000. We are the Kansas affiliate of the National Wildlife Federation.

We oppose S.B. 157 because it would codify a mechanism that could be used to divert wildlife funds to the parks. We think this is in conflict with the language of the E.R.O. 22 that established the Kansas Department of Wildlife and Parks that said the Wildlife and Park Fee Funds shall be kept separate. In the eyes of the US Fish and Wildlife Service there may be funds that do not have to be restricted, yet by the state law there are no unrestricted funds. This principle was very important to Kansas hunters and anglers who were skeptical of the merger in the first place.

The funds in question here are the subscriptions to the Wildlife and Parks Magazine. The majority of the costs of production and the writing and photographs are paid by wildlife fee funds. We think that it will be an inappropriate to use and a diversion of funds by state law if these funds are used in a disproportionate way in the parks.

If the Committee is inclined to pass this bill, we urge you to ask the Attorney General's Office for an opinion if this bill would be a diversion of funds and violate state statutes. We urge you to ask the agency what funds are used to support the magazine and if they think that wildlife fee funds are going to be adequately protected by the creation of this unrestricted fund. Furthermore if you are still inclined to pass this bill, we think that an annual report of the expenditures of the fund should be given to the Legislature and to the Wildlife and Parks Commission.

Senate Ways and Means Committee

Date 2/24/99

Attachment # 3

Memorandum

To: SB 316 File
 From: Stuart J. Little, Fiscal Analyst
 Date: February 24, 1999
 Re: Wildlife and Parks Exemptions

Senate Bill 316 changes the current statutory exemptions for park motor vehicle fees and hunting and fishing licences. The House Appropriations Committee in 1998 recommended a review of senior citizen and disabled park motor vehicle fee exemptions and hunting and fishing license exemptions for seniors. The Legislative Budget Committee reviewed the concept during the 1998 interim. In January 1999, the Wildlife and Parks Commission submitted a proposal to address the fees which included the following:

"charging fees for those 65 years of age or older or handicapped at one half the current fee. The fee for an annual state park vehicle permit would become \$14.75, and motor vehicle entrance fee would increase to \$2.50. The fee for an annual hunting and fishing license would become \$7.50.

earmarking revenue generated for those fee increases for increases in operating expenditures for wildlife, fisheries and state parks. This would partially address funding shortfalls identified by the Task Force on Outdoor Kansas regarding state parks and wildlife operations."

S.B. 316 modifies the exemptions based on the commission exemptions. The fiscal impact of the exemptions in SB 316 provides additional parks and hunting and fishing revenues, as well as increased federal revenue. These revenue are reflected in the following table. The table also estimates attrition rates if currently exempt individuals do not buy licenses or permits.

	Value of Current Exemption*	Est. Revenue w/o attrition	Est. Revenue w/ 10% attrition	Est. Revenue w/ 20% attrition
State Revenue				
Annual Park Vehicle (\$14.75 annual; \$2.50 daily)** 24,907 permits	735,510	367,755	330,980	294,204
Fish and Hunting Licenses (\$7.50)** 41,108 licenses	616,635	308,318	277,486	246,654
Federal Funds				
Wildlife Restoration	86,126	86,126	77,513	68,901
Sportfishing Restoration	129,349	129,349	116,414	103,479
Total	1,567,620	891,548	802,393	713,238

* Value of exemption means if exempted groups had to pay full fees.

** Fees are listed at one-half the current agency rates, \$29.50 for annual vehicles, \$5.00 for daily vehicles, and fishing and hunting licences at \$15.00



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



February 24, 1999

The Honorable Dave Kerr, Chairman
Senate Committee on Ways and Means
Room 120 - S, State Capitol Building
Topeka, Kansas 66612

Dear Senator Kerr:

RE: Senate Bill No. 316

Senate Bill No. 316 is the result of a recommendation by the 1998 Legislature to review the issue of age and disability exemptions for park vehicle permits and hunting and fishing licenses. The 1998 Interim Legislative Budget Committee requested the Kansas Commission on Wildlife and Parks to provide a recommendation to the 1999 Legislature regarding exemptions. The Commission adopted, at their January 27, 1999 meeting, a recommendation to provide annual vehicle park permits, hunting licenses, and fishing licenses for persons 65 years of age or older or the disabled at one-half of the regular price.

Senate Bill No. 316 is new legislation which amends existing state law to authorize the Kansas Department of Wildlife and Parks (KDWP) to establish certain fees for persons 65 or more years of age or disabled who acquire an annual or temporary motor vehicle permit for state parks, a hunting license, fishing license, or lifetime hunting or fishing license. The KDWP would establish the fee for such permit or license at $\frac{1}{2}$ the fee for a regular or resident license. The $\frac{1}{2}$ price fee would be effective on January 1, 2000.

The KDWP estimates that a maximum of 24,900 one-half price annual vehicle permits for state parks would be issued in the first full year of the permit. In addition, it is estimated that a maximum of 17,130 hunting and 23,980 fishing licenses would be sold at $\frac{1}{2}$ price. If these numbers of permits and licenses are

Senate Ways and Means Committee

Date 2/24/99

Attachment # 5-1

sold, the maximum revenue to the Park Fee Fund would be \$367,755. The actual revenue received in FY 00 will be less than this amount since the ½ price permit is not available until 1/1/2000. For FY 2001, the first full year fiscal year the ½ price permit is in effect, revenue could be less depending on the user attrition that may occur. The maximum revenue to the Wildlife Fee Fund would be \$308,318. As stated above for the Park Fee Fund, the additional revenue received in FY 2000 will be less due to the 1/1/2000 implementation date for the ½ price license and could be less in future years due to attrition by users.

In addition to license revenue from issuing hunting and fishing licenses at ½ price for persons 65 years of age and older and the disabled, the KDWP will receive additional federal aid. The formula used by the U.S. Fish and Wildlife Service to determine federal aid for hunting and fishing programs does not include exemptions but will include the number of ½ price licenses sold by the KDWP. The KDWP estimates that federal aid for hunting programs could increase by \$86,126 and for fishing programs the federal aid increase could be \$129,348.

The provisions of Senate Bill No. 316 will provide additional revenue for the KDWP to improve operation of the State Parks System and hunting and fishing opportunities for the public. The full amount of additional revenue generated will not be know until after FY 2001, the first full fiscal year the new permit/ license fees will be in effect. Thank you for the opportunity to discuss the provisions of Senate Bill No. 316. If you our members of the Senate Ways and Means Committee have any questions, please advise.

Sincerely,



Steve Williams, Secretary

FEB 24 1999

TO: Senator Dave Kerr, Chair, and the Senate Ways and Means
Committee

FROM: William C. Long, representing the Riley County Fish and
Game Association

SUBJECT: Senior Exemptions from Hunting and Fishing Licenses and
Park Entrance Permits

1. The purpose of this presentation is to state our support for the proposal contained in Senate Bill 316 which would eliminate the exemptions for seniors from hunting and fishing licenses and park entrance permits and replace them with licenses and permits costing one half the regular price. For the information of the members of the committee who were not present when I testified before the Subcommittee on February 8th, I was present at the January 27th Wildlife and Parks Commission meeting when the Commission selected and endorsed this proposal from the options presented. I can assure you that there was strong support from the public attending the meeting as well as from the Commission. At our February 4th general membership meeting, I explained the proposal to the members of the Riley County Fish and Game Association and they voted to endorse the change. Please understand that I am speaking only about the exemptions for seniors and am neutral concerning exemptions for persons with disabilities.

2. While this proposal directly impacts myself and other seniors presently enjoying the exemptions, I believe most of us support the change because we recognize the adverse impact they have on the operations of the Department. Most of us are willing and able to pay these very reasonable

Senate Ways and Means Committee

Date 2/24/99

Attachment # 6-1

"users' fees". As I understand the Department's calculations, each time I buy a combination hunting/fishing license for \$15.50, the Department could be eligible for approximately \$10.42 reimbursement from Federal Wildlife and Sportfish Restoration funds. Since these funds come from the Federal excise taxes that all sportsmen and women pay, we would like to maximize the Department's reimbursement for eligible projects and operations. Most of us feel that this is a worthwhile investment for us and our grandchildren. I, personally have bought Park Entrance Permits from the time Tuttle Creek State Park opened until my exemption kicked in. I remember when we didn't have any such facilities and I appreciate having had them for my family to use. These park facilities are now showing their age and even with the \$10 million approved last year, continuing financial support will be needed to upgrade and maintain them. Please vote to support the changes in senior exemptions contained in SB 316.

Thank you,

William C. Long
824 Church Avenue
Manhattan, Kansas 66502
(785)539-8777

Kansas Recreation and Park Association



700 SW Jackson St Ste 705 • Topeka Kansas 66603-3758 • (785) 235-6533 PH • (785) 235-6655 FX

Testimony Prepared for the
Senate Ways and Means Committee
Wednesday, February 24, 1999

SB 316

Laura Kelly, Executive Director
Kansas Recreation and Park Association

Senator Kerr and Committee Members:

I appreciate the opportunity to appear before this committee today on behalf of the 808 members of the Kansas Recreation and Park Association in support of Senate Bill 316.

Over the fifty two years of organized, tax supported local public recreation services in Kansas, there has been a major shift in the way these programs and facilities are supported. Initially, public recreation programs were funded almost entirely by tax dollars. As the public demand for programs and facilities increased, the need to find other sources of funding also increased. In the 1960's, more and more agencies were supplementing tax support with modest program and facility use fees. In the 1980's, agencies turned to the private sector to underwrite some of the cost of programs and facilities in an effort to meet the demand while relying less on tax dollars and keeping user fees at a reasonable level. Today, local public park and recreation agencies reliance on tax dollars in Kansas has decreased to an average of less than 50%. Many local officials are requiring that some facilities, like golf courses, be totally self-sustaining, or turn a profit. It is predicted by experts in the leisure services field that this trend will accelerate and that public recreation and park services will become even more market-driven, self-funding operations as we go into the new millennium.

Last summer, when the Legislative Budget Committee addressed the issue of senior citizen exemptions for state parks, KRPA was interested in finding out whether local units that are under heavy pressure to rely less on tax dollars provided similar fee exemptions for their programs. From a survey conducted in August, 1998, we found that according to the 37 agencies that responded, none exempted senior citizens from program fees, 84% (31) did not discount program fees while 16% (6) did with the discounts ranging from 10-50%. Of the seven responding agencies that operate golf courses, none exempted seniors, while six provided some fee discount and one, the newest municipal golf course in the state, Eagle Bend in Lawrence has opted not to offer senior discounts.. Three agencies allowed seniors unrestricted free access to the municipal pool, two others restricted free access to the pool, and six more offered fee discounts ranging from 20-83%.

Senate Ways and Means Committee

Date 2/24/99

Attachment # 7-1

Parks and Recreation: The Benefits Are

President
Bill Cobb
Johnson Co

President-elect
Michael Braught CLP
Newton

Past President
Stevens Friend CLP
Burlington

Secretary
Betty Zeka CLP
Hutchinson

Treasurer
Annette Deghand
Lawrence

Member at Large
Stephen Herrig CLP
Leavenworth

Member at Large
Rick Claiborn CLP
Hays

Executive Director
Laura Kelly

An
affiliate
of the
National
Recreation
and Park
Association

To generalize from these results, it is clear that, at least at the local level, senior citizens are expected to pay to play...most often the same as others, sometimes less, but, almost always, something.

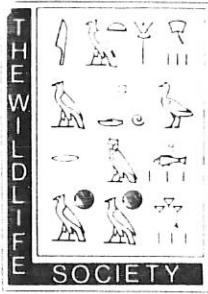
One could expect that as the proportion of senior citizens to the general population continues to increase, as it is predicted to do well into the next century and the expectation that park and recreation agencies fund themselves escalates, the local agencies will need to revisit the notion of any non-need based user fee discounts.

The need to address fee exemptions for the state agency is even more pressing. We know from the findings of the KDWP Commission's Task Force on Outdoor Kansas and the extensive hearings last summer and during the 1998 legislative session, that our state parks are in desperate need of money. The \$10 million appropriated last session is helping with repairs and renovations. Capital investment of this nature is essential. Hopefully, more will be coming in the future to upgrade and enhance state park facilities. On a year to year basis, however, the state agency must be able to generate enough revenue to fund its operations and routine maintenance. That additional money will have to come from one of two places: the state general funds or user fees.

One of the surveys done by the Task Force on Outdoor Kansas suggested that Kansans valued their state parks and thought them well worth tax support. Other surveys have suggested that the public generally supports the user fee concept when applied to park and recreation programs and facilities. If these surveys did not exclude seniors, it might very well be that senior citizens, as a whole, also support the user fee concept..

In our testimony to the Ways and Means Subcommittee on Wildlife and Parks budget, KRPA recommended total elimination of senior exemptions for state park fees and hunting and fishing licenses allowing only exceptions that can be justified by financial need. However, we can and do support the recommendations of the Wildlife and Parks Commission outlined in Senate Bill 316 to charge 50% of the ordinary fee for motor vehicle permits and hunting and fishing licenses and encourage this committee to do the same.

Thank you.



Kansas Chapter

THE WILDLIFE SOCIETY

Summary of Testimony Regarding Senate Bill # 316

Michael T. McFadden, President
Kansas Chapter of The Wildlife Society

February 24, 1999

1. Introduction

The Wildlife Society is a non profit scientific and educational society of nearly 10,000 professionals and students. These professionals are employed in government, academic institutions, and in private industry. Other members not professionally employed are sympathetic to the organizations goals.

One of the organization's goals are pertinent to this hearing (See attachment 1):

Specifically: **3. Advance professional stewardship of wildlife resources and their habitats.**

TWS has developed a policy statement that is pertinent to this hearing (See attachment # 2):

Specifically: **Responsible Human Use of Wildlife** (attachment # 2)

Item 6: Support and promote the position that the future of wildlife and diverse ecosystems is dependent on human stewardship. Such stewardship must take into account the growing human population, decreasing availability of pristine wildlife habitats, and the need to maintain and manage wildlife populations for sustained human use and enjoyment in economically, socially, and environmentally acceptable ways for present and future generations.

2. Position

The Kansas Chapter of The Wildlife Society **SUPPORTS** this bill for the following reasons:

The management of fish & wildlife resources has generally been from fee use support. The hunting license buyer has been responsible for most wildlife conservation funding. Additional funding for state wildlife management programs has come from the Pittman-Robertson federal excise tax on sporting goods. Those moneys are distributed to the various states according to a formula that includes the number of license holders in that particular state.

As our society ages, the burden of funding falls on an increasing minority of the population (similar to the challenges faced by our social security system). As a result, future funding of wildlife conservation programs becomes more difficult to meet the goals of our society.

With increasing numbers of licensed resource users, the state of Kansas wildlife agency may be eligible for increasing amounts of federal aid funding. In the case of federal excise tax funding, each dollar of the state's leverages 3 dollars of federal excise tax. This amount is limited by formula however.

If this bill is passed seniors will continue to have the opportunity to invest in the wise wildlife resource. This bill will impart a greater sense of ownership and pride in our s

Senate Ways and Means Committee

Date 2/24/99

Attachment # 8-1

About the Society

The Wildlife Society, founded in 1937, is the non profit scientific and educational society of nearly 10,000 professionals and students. Society members are dedicated to sustainable management of wildlife resources and their habitats. Ecology is the primary scientific discipline of the wildlife profession. The interests of the Society, therefore, embrace the interactions of all organisms with their natural environments. The Society recognizes that humans, as other organisms, have a total dependency upon the environment. It is the Society's belief also that wildlife, in its myriad forms, is basic to the maintenance of a human culture that provides quality living.

The mission of The Wildlife Society is to enhance the ability of wildlife professionals to conserve diversity, sustain productivity, and ensure responsible use of wildlife resources for the benefit of society.

The Society's Goals

Develop and maintain professional standards for wildlife research and management.

Enhance knowledge and technical capabilities of wildlife managers.

Advance professional stewardship of wildlife resources and their habitats.

Advocate the use of sound biological information for wildlife policy decisions.

Increase public awareness and appreciation of the wildlife profession.

The Wildlife Society's unique emblem features Egyptian hieroglyphics and depict our broad interest. The literal translation of the hieroglyphics, from top to bottom, is: beasts (mammals), birds, fishes, and flowering plants (vegetation).

Responsible Human Use of Wildlife

The continued well-being of humans and wildlife is dependent of a diverse, functioning environment sustained through skilled and responsible management of resources. As human populations increase, the quality and availability of habitats for many wildlife species and populations decreases. Each species, including humans, has evolved its own unique set of behavioral and social patterns for its welfare and survival in the environments it occupies. Human societies have recognized and accepted uses of wildlife for food, clothing, shelter, hunting, fishing, trapping, recreation, and as an indicator of environmental quality. These uses generate tangible goods, income, and contribute to the economic and spiritual well-being of society.

Humans are a part of a functioning environment and, as such, ultimately and legitimately derive their livelihood from the resource base. All humans and human societies use wildlife directly and/or indirectly. However, human uses of natural resources, including wildlife, must be carried out in a responsible manner so that ecological processes can continue to function and sustain a healthy environment.

Worldwide, the major factor in ecosystem disruption is human activity. Growth and development of human civilizations and technology have resulted in dramatic reduction and alteration of pristine habitats, greater dependence of man on domesticated animals, and changes in the functioning of most ecosystems. It has been demonstrated that regulation-minded citizens and resource management professionals, has slowed or reversed declines of many wildlife species. Prudent management practices and regulations, supported by a conservation-minded public have resulted in restoration of wildlife species and populations, and restoration of habitat productivity. This has allowed the continued responsible use--both consumptive and non-consumptive --of most wildlife by humans.

Failure to manage and regulate uses of wildlife and their habitats has resulted in declines in some wildlife populations and deterioration of ecosystem capabilities to support wildlife and human populations. The maintenance, restoration, and enhancement of wildlife populations and suitable habitats through scientific management and regulations are vital to ecological functioning, genetic diversity, and perpetuation of wildlife populations, species, and habitats.

The social acceptance of each use of wildlife reflects the cultural value systems of a particular society, the human benefits derived from the use, and the liabilities associated with using or not using the resource in a particular manner.

Humans are responsible for the stewardship of wildlife. Humans should manage and regulate uses of wildlife and their habitats in an ecological and social context that promotes sustained survival and welfare of wildlife populations in a variety of ecosystems.

Management of wildlife uses generally is achieved by regulating the human activities associated with those uses. The best way to maximize benefits to both wildlife and humans involved in these activities is through scientifically based and implemented management.

Human activities, particularly those altering habitats, have caused many significant environmental changes and corresponding adjustments in wildlife populations. Even inadvertent habitat impacts may have significant influence on wildlife sustainability.

Certain human activities have a minimal impact on the environment or wildlife. However, these activities are sometimes questioned. Responsible hunting, fishing, trapping, wildlife rehabilitation, wildlife feeding, and other appreciative or recreational uses of wildlife are among those activities. The "wise use" doctrine of conservation should place all activities on a sustainable basis.

Social appropriateness of any human activity is determined by members of society. However, the decision of an individual to participate or not in an activity should not prevent others from exercising their own freedom of choice within the realm of constitutional and statutory legality. Participation in or support of wildlife-related activities that do not have long-term detrimental impacts to wildlife populations or their habitats should be a matter of personal choice.

When people choose to be involved directly in responsible wildlife activities, the overall value of wildlife is enhanced. This enhanced resource value includes, but is not limited to, increased:

- economic importance;
 - cultural importance;
 - understanding of roles and needs of the resources;
 - ability in the long-term to support and perpetuate the resources;
 - ability to protect the ecological processes that sustain the resources; and
- ability to control negative aspects of the resource, such as crop depredation or disease implications.

The policy of The Wildlife Society with respect to responsible human use of wildlife is to:

1. Support and promote the philosophy that it is consistent with ecological principles and appropriate for humans to responsibly use wildlife for food, clothing, shelter, hunting, fishing, trapping, recreation, and as an indicator of environmental quality. These uses contribute to the economical and spiritual well-being of society.
2. Support and promote the philosophy that it is equally appropriate for humans to manage wildlife in ways to sustain and enhance wildlife populations, species, and habitats for human benefits, while responsibly protecting property and other resources and preventing health and safety hazards.
3. Support and promote the philosophy that it is consistent with ecological principles and appropriate for each individual to choose whether she or he should be directly involved in any wildlife-related activity.
4. Support and promote the philosophy that management of wildlife-related activities utilizes only those practices that do not threaten the integrity of a population of species for its long-term survival or significantly inhibit the health or integrity of the ecosystem(s) supporting that population or species.
5. Support and promote the philosophy that human wildlife-related activities enhance the overall value of wildlife resources. These enhanced values improve potential opportunities to protect and perpetuate wildlife, understand their habitat needs, and improve their economic, cultural, and social importance.
6. Support and promote the position that the future of wildlife and diverse ecosystems is dependent on human stewardship. Such stewardship must take into account the growing human population, decreasing availability of pristine wildlife habitats, and the need to maintain and manage wildlife populations for sustained human use and enjoyment in economically, socially, and environmentally acceptable ways for present and future generations.
7. Support and promote the position that humans are responsible for promulgating and enforcing laws and developing management programs essential to sustaining the long-term welfare of wildlife.
8. Support and promote the position that wildlife laws, management policies, and programs should enhance the values and benefits of wildlife resources, while minimizing liabilities associated with wildlife populations, species, and habitats.

Attachment # 2: TWS Position Statement, Page 3:

9. **Support and promote the principle that options for wildlife management activities and habitat alterations be developed by trained wildlife professionals, and be implemented and coordinated through resource management agencies that are legislatively mandated and empowered to do so.**
10. **Support and promote positive educational efforts that emphasize:**
 - **the interdependence of humans and wildlife;**
 - **the obligations to manage uses of wildlife and impacts on habitats under the public trust doctrine of law; and**
 - **management programs based on the best available information from science and accumulated experiences.**

KANSAS WILDLIFE FEDERATION

The voice of outdoor Kansas



February 24, 1999

Testimony in Support of Senate Bill 316

By

Spencer Tomb

Vice President and Chair

KWF Issues and Actions Committee

The Kansas Wildlife Federation is a broad based conservation education organization dedicated to the conservation and sustained use of natural resources. We consist of 11 affiliate clubs and individual members with a total membership of about 2,000. We are the Kansas affiliate of the National Wildlife Federation.

We appreciate this opportunity to share our views on Senate Bill 316. We consider this to be one of the most important wildlife issues to come before the Legislature this year. We support this bill because we consider hunting and fishing license fees as user fees and have been on record many times supporting removal of the age exemptions.

We consider the age exemption an artifact of the time when at age 65 people were in a gradual decline and not long for this world. Today that is far from the truth. People are living longer and in a more active life style than ever before and more importantly the numbers of those over 65 in the population is increasing.

Hunters and anglers approaching or over 65 are not interested in a free license. Many in this age group still voluntarily buy a license. When the loss of federal aid caused by this exemption is explained to this mature population they are overwhelmingly in favor paying a license fee. This federal aid (D/J and P/R funds) comes from excise taxes paid by anglers and hunters on tackle, ammunition and firearms. For example, it is 11% on firearms and ammo. In other words, if I buy a box of shotgun shells in Manhattan for \$4.89, about \$.50 of that price is an excise tax that is collected and then given back to the states. This tax is paid by all who buy hunting and fishing gear and supplies regardless of age. It is apportioned back to the states by a formula based on land area and the **number of licensed hunters and anglers.**

The age exemption issue has been discussed many times in Wildlife and Parks Commission meetings, in the Kansas Wildlife Federation's annual meetings and in Sportsmen's clubs over the state and it has strong support in these groups. We urge you to pass it out of the Committee and support it in the Senate.

Senate Ways and Means Committee

Date 2/24/99

Attachment # 9

Economic Development Initiatives Fund

Agency/Program	GOV.REC. FY 2000	SEN. ADJ. FY 2000
Department of Commerce and Housing*		
Agency Operations	\$ 7,048,104	\$
Small Business Development Centers	485,000	
Certified Development Companies	475,000	
Kansas Industrial Training/Retraining	3,600,000	
Trade Show Promotion Grants	150,000	
Community Capacity Building Grants	197,000	
Economic Opportunity Initiative Fund	5,000,000	
Existing Industry Expansion	800,000	
Tourism Promotion Grants	952,100	
Mid-America World Trade Center	0	
Mainstreet Grant and Development Prog.	216,800	
Agriculture Product Development	540,000	
Training Equipment Grants	300,000	
Travel Information Center Repairs	15,000	
Motion Picture and Television Rebate	75,000	
Kansas Sports Hall of Fame	0	
Eisenhower Museum Grant	300,000	(100,000)
Subtotal - KDCH	\$ 20,154,004	\$ (100,000)
Kansas Technology Enterprise Corporation *		
Agency Operations	\$ 1,338,486	\$
Centers of Excellence	3,552,640	
Research Matching Grants	1,260,000	
Business Innovative Research Grants	76,000	
State Small Business Innovation Research	440,000	
Special Projects	79,303	
Commercialization Grants	1,690,000	
Mid-America Manufact. Tech. Center	1,797,338	
EPSCoR	3,200,000	
Subtotal - KTEC	\$ 13,433,767	\$ 0
Kansas, Inc. - Agency Operations		
NATO Conference	\$ 169,563	\$
Analysis of Kansas Laws		10,000
Subtotal - Kansas, Inc.	\$ 169,563	\$ 20,000
Department of Education *		
At-Risk/Innovative Program Assist.	\$ 0	
Matching Grants - AVTS	200,000	50,000
Postsecondary Aid - AVTS	6,707,144	
Capital Outlay Aid - AVTS	2,000,000	
Subtotal - Education	\$ 8,907,144	\$ 50,000
Historical Society	\$ 0	\$
Department of Administration		
Public TV Microwave Connection	\$ 0	\$
State Water Plan Fund	\$ 2,000,000	\$
KSU -- Ag Extension		
Ogalala Aquifer Study	\$ 0	\$
Wildlife and Parks		
Local Government Outdoor Recreation	\$ 0	\$ 500,000
State Fair		
Interstate Promotion	\$ 0	\$ 35,000
TOTAL TRANSFERS AND EXPENDITURES	\$ 44,664,478	\$ 505,000
EDIF Resource Estimate	GOV. REC. FY 2000	SEN. ADJ. FY 2000
Beginning Balance	\$ 1,708,965	\$ **
Gaming Revenues	42,500,000	**
Other Income	500,000	**
Total Available	\$ 44,708,965	\$ 44,708,965
Less: Expenditures and Transfers	44,664,478	45,169,478
ENDING BALANCE	\$ 44,487	\$ (460,513)

* - Does not include expenditures from prior year EDIF allocations.

Senate Ways and Means Committee

Economic Development Initiatives Fund

Agency/Program	GOV.REC. FY 1999	SEN. ADJ. FY 1999
Department of Commerce and Housing*		
Agency Operations	\$ 7,989,452	\$
Small Business Development Centers	525,000	
Certified Development Companies	475,000	
Kansas Industrial Training/Retraining	3,850,000	
Trade Show Promotion Grants	170,000	
Community Capacity Building Grants	250,000	
Economic Opportunity Initiative Fund	4,000,000	
Existing Industry Expansion	800,000	
Tourism Promotion Grants	452,100	
Mid-America World Trade Center	50,000	
Mainstreet Grant and Development Prog.	216,800	
Agriculture Product Development	540,000	
Training Equipment Grants	300,000	
Travel Information Center Repairs	85,000	
Motion Picture and Television Rebate	100,000	
Kansas Sports Hall of Fame	150,000	
Eisenhower Museum Grant	0	
Subtotal - KDCH	\$ 19,953,352	
Kansas Technology Enterprise Corporation *		
Agency Operations	\$ 1,785,760	
Centers of Excellence	3,502,896	
Research Matching Grants	1,260,000	
Business Innovative Research Grants	76,000	
State Small Business Innovation Research	440,000	
Special Projects	79,303	
Commercialization Grants	1,540,000	
Mid-America Manufact. Tech. Center	1,997,104	
EPSCoR	3,200,000	
Subtotal - KTEC	\$ 13,881,063	
Kansas, Inc. - Agency Operations	\$ 234,597	
Department of Education *		
At-Risk/Innovative Program Assist.	\$ 0	
Matching Grants - AVTS	200,000	
Postsecondary Aid - AVTS	6,690,223	
Capital Outlay Aid - AVTS	3,000,000	
Subtotal - Education	\$ 9,890,223	
Historical Society	\$ 200,000	
Department of Administration		
Public TV Microwave Connection	\$ 116,800	
State Water Plan Fund	\$ 2,000,000	
KSU - Ag Extension		
Ogalala Aquifer Study	\$ 90,000	
Wildlife and Parks		
Local Government Outdoor Recreation	\$ 500,000	
State Fair		
Interstate Promotion	\$ 0	
TOTAL TRANSFERS AND EXPENDITURES	\$ 46,866,035	\$ 0
 EDIF Resource Estimate		
	GOV. REC.	SEN. ADJ.
	FY 1999	FY 1999
Beginning Balance	\$ 5,575,000	\$ **
Gaming Revenues	42,500,000	**
Other Income	500,000	**
Total Available	\$ 48,575,000	\$ 48,575,000
Less: Expenditures and Transfers	46,866,035	46,866,035
ENDING BALANCE	\$ 1,708,965	\$ 1,708,965

* - Does not include expenditures from prior year EDIF allocations.