

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:30 a.m. on February 13, 2003 in Room 423-S of the Capitol.

Members present: All members present

Committee staff present: Raney Gilliland, Legislative Research  
Lisa Montgomery, Revisor of Statutes  
Shannon Stone, Secretary

Conferees appearing before the committee:

J. Michael Hayden, Secretary of Wildlife and Parks, KS Department of Wildlife and Parks  
Dr. Tom Warner, Chairman of Kansas Commission Wildlife and Parks  
Dan Rudman, Conservationist, Baldwin City, KS  
Shawn Harding, Legislative Chairman, Kansas Association of Bowhunters  
Rob Manes, Pratt, Kansas  
Laura Kelly, Executive Director, Kansas Recreation and Parks Association  
Rick Dykstra, President, Kansas Fishing and Hunting Alliance  
Terry Bertels, Superintendent of Parks, Topeka Parks and Recreation

Others attending: See attached list

The meeting was opened by Chairman Tyson with a welcome to all guests and those visiting the capitol for Farm Bureau Day activities.

For the first order of business, the Committee voted to approve to send conferee J. Michael Hayden, to the floor for a full Senate vote for confirmation as Secretary of Wildlife and Parks.

### Senate Bill 81

An overview of **SB 81** was given by staff, Raney Gilliland. He updated the Committee on changes and new language in the bill.

Proponents of **SB 81** gave testimony following the overview. Opponents of the bill will give testimony Friday, February 14, 2002.

The first proponent to appear before the Committee was Secretary Hayden of the Kansas Department Wildlife and Parks. He gave the Department's purpose for drafting the bill. He stated that Kansas is approximately 97% private owned and as Kansas becomes increasingly urbanized, fewer Kansans have access to land used for recreational/sporting purposes. Additionally, Secretary Hayden sees **SB 81** as a long-term solution for preserving habitat for declining species. (Attachment 1) Secretary Hayden then introduced Dr. Tom Warner, Commissioner of Wildlife and Parks.

Dr. Warner distributed a report, *Kansas Wildlife and Parks Commission's Working Group on Land Acquisition* to Committee members. He summarized the report and reviewed their recommendations. (Attachments 2, 3) The recommendations included:

- An additional 400,000 acres of lands for hunting, fishing, and wildlife watching and 15,000 acres for state parks.
- Funding for additional wildlife areas from the sale of conservation stamps
- Increased efforts to solicit land donations
- Park funding from the state's portion of the federal Land and Water Conservation Fund

## CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:30 a.m. on February 13, 2003 in Room 423-S of the Capitol.

The next conferee to appear before the Committee was Daniel Rudman of Baldwin County. In his testimony, Mr. Rudman said that Kansas land was being marketed and sold at an alarming rate and much of the land sold was being used for residential purposes. He would like to see **SB 81** enacted to give Kansas the opportunity to participate in the free market of available land. ([Attachment 4](#))

Shawn Harding of the Kansas State Bowhunter's Association appeared next stating that his membership, supports **SB 81** because of the loss of hundreds of thousands of acres of private hunting ground to private leasing. ([Attachment 5](#))

Rob Manes of Pratt County voiced his support for the bill. According to his research, Kansas rank fourth of the five surrounding states in economic activity from wildlife associated recreation. He believes **SB 81** is necessary to ensure quality of life and economic benefits for Kansans. ([Attachment 6](#))

The next conferee was Laura Kelly, Executive Director of Kansas Recreation and Parks Association (KRPA). KRPA supports the passage of **SB 81** and encouraged its use as a vehicle to address the broader outdoor recreation needs of Kansans at both the state and local level. From their findings, KRPA believes that Kansans want and need more places to play outdoors. They believe that many communities lack the resources to provide recreational outdoor activities that would make their communities attractive places to live or visit. ([Attachment 7](#))

Rick Dykstra, President of the Kansas Fishing and Hunting Alliance believes the Walk-In-Hunting-Area (WIHA) program is only a temporary fix to what he believes to be a long term problem of lack of quality hunting locations for residents and non-residents. He sees **SB 81** as enabling the state to raise funds to start a long-term plan of public land acquisition. ([Attachment 8](#))

The last conferee, Terry Bertels, Superintendent of Parks, appeared on behalf of the City of Topeka to encourage the passage of the **SB 81**. In written testimony, Mr. Bertels acknowledged that the thrust of the bill is not directly parallel with the mission of the city's Department of Parks and Recreation, however, he believes that the bill serves the larger need of the city through the acquisition land for public recreational use. ([Attachment 9](#))

During the question and answer session that followed testimony, Chairman Tyson pointed out that the language of the bill did not imply that acquired lands would be accessible to the public. Dr. Warner of KDWP responded that the bill could be reworded to ensure public access. Senator Lee expressed concern that the state would not even be able to purchase enough land to support the number of hunters we have currently. Another concern shared by members of the Committee was that KDWP would not have funds available to maintain lands purchased. Senator Huelskamp recognized a need to address private property rights of landowners.

### Adjournment

Senator Tyson closed the meeting by thanking the Kansas Department of Wildlife and Parks for bringing the bill to the Committee. The meeting was adjourned at 9:30 a.m.

SENATE NATURAL RESOURCES COMMITTEE

GUEST LIST

DATE: February 13

NAME	REPRESENTING
Tom Bruno	Tri-County Drainage District
Carol Smith	Elk Co. Farm Bureau
Connie Burton	Morris Co. Farm Bu
Gary H. Burton	Morris Co. F.B.
Lewis L. W. Miles	Osage Co. F.B.
Laura Miles	Osage Co. F.B.
Samuel Bryant	Pratt Co. F.B.
Ward Pauls	Sumner Co. F.B.
Chuck Leininger	Steven Co. Ks (F.B.)
Steve Swatter	Ks Farm Bureau
Howard Huck	Ks Farm Bureau Jeff Co.
Donna Bates	1st Dist. Farm Bureau Women's Com.
Leis Markley	4th Dist. - Elk Co. Farm Bureau
John R. Markley	Elk Co. F.B.
Kathy Cummings	Elk Co. F.B.
Allen Cummings	Elk Co. F.B.
Dale Lambly	KDA
Arrairie Wingfield	Dy. Co. Farm Bureau
Mary Wakeman	Dy. Co. Farm Bureau
Yvonne Rogers	Dy. Co. Farm Bureau
Lois Moss	Dy. Co. Farm Bureau
Dennis Boller	So. Co. Farm Bureau

SENATE NATURAL RESOURCES COMMITTEE

GUEST LIST

DATE: February 13

NAME	REPRESENTING
Hilary Rosson	KS Farm Bureau
Christa Frazier	" "
Jill Banzet	" "
Almeda Edwards	Ks Farm Bureau - FR Co, Ottawa
Luelle Eisele	Ks Farm Bureau - FR Co, Ottawa
Rug Dykstra	KS FISH - HUNT ALLIANCE
Don Parisi	Farm Bureau Seary Co
Phyllis Kotayant	Farm Bureau Seary Co
Mary Jane Stettel	KGFA / KARA
Greg Wingfield	The Nature Conservancy





STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

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SENATE BILL NO. 81  
Testimony provided to  
Senate Committee on Natural Resources  
13 February 2003

Senate Bill 81 would authorize the Department to implement the sale of conservation stamps in conjunction with hunting and fishing licenses. Funding generated from those sales would be restricted for use in protection of terrestrial and aquatic wildlife, including by purchase or lease, of terrestrial or aquatic wildlife habitat in Kansas and for the purpose of development, restoration, maintenance or preservation of said habitat.

The State of Kansas is approximately ninety-seven percent privately owned. The demographics of this State continue to become increasingly urbanized. In that demographic shift, persons moving from rural environments to an urban setting lose touch with their heritage, including hunting and fishing. No longer does a landowner recognize the son or daughter of a neighbor. The connection is gone from hunter or angler to the land their parents once hunted. In addition, urban sprawl is consuming at an alarming rate what was once prime hunting ground and fishing areas. Ten and twenty acre ranches are filling up the countryside. In order to preserve the heritage of hunting and angling, we must look to the future and act with certainty to preserve the quality of life for Kansans as well as the preserve locations within that environment.

SB 81 is just such a vehicle to ensure land will always be available for the public to hunt or fish as well as preserve a vital piece of our heritage. The provisions of the bill would allow for acquisition, by purchase or lease, and maintenance of lands and waters for hunting and angling. The Department currently has Walk-in-Hunting-Access and Walk-in-Fishing-Access properties. WIHA and WIFA are exceptional programs and the department has leased nearly one million acres for hunting alone by paying private landowners for public access. But those programs have limitations, foremost the ability to retain these accessible properties over the long term and inability to make habitat management changes beneficial to wildlife. We need to seek long-term solutions to this long-term problem.

In addition, we need to look at long-term solutions for preserving habitat for declining species. For example, the prairie chicken uses leks, commonly known as booming grounds, during the breeding season. For ranchers and landowners who want to preserve those areas in perpetuity, the funds generated by sale of conservation stamps could be used for purchasing conservation easements, thus providing a win-win situation for landowners who preserve habitat and gain financially from the purchase of those easements as well as for the declining species.

Finally, there is one additional note regarding a requested amendment to the bill. The Department would recommend an exemption from the conservation stamp requirement for controlled shooting area hunting licenses issued pursuant to K.S.A. 32-946.

*Senate Natural Resources Committee  
Date: February 13, 2003  
Attachment 1*

Attachment

Dr. Tom Warner  
Wildlife and Parks Commissioner

**SENATE BILL 81**  
**Testimony provided to the**  
**Senate Natural Resources Committee**  
**Thursday, February 13**

As a member of the Wildlife and Parks Commission, I recently chaired a subcommittee that examined the status of public land availability in Kansas. Our final report, entitled the Kansas Wildlife and Parks Commission's Working Group on Land Acquisition, has been distributed to the committee. I will summarize the Working Group's report and recommendations as briefly as possible.

Acquiring public land has not been a high priority in Kansas; but that landscape is changing. We continue to become a more urbanized society, with the demand for additional public recreation areas continuing to increase.

The days of hunters and anglers gaining access to property by simply asking permission are fading away. As a long time Professor and Department Head at Kansas State University (College of Agriculture), I am keenly aware of the impacts of our struggling agricultural economy. In fact, I support the right of the farmers and ranchers in our state to increase their bottom line through hunting and fishing leases. However, a question persists; how does the Department of Wildlife and Parks provide outdoor opportunities to all Kansas citizens (as mandated in their mission), regardless of their income and ability to pay.

The Working Group's report provides statistics on where Kansas ranks relative to other states regarding public hunting land availability. Those figures reflect various inadequacies in available public lands. I invite every member of this Committee to visit our existing wildlife areas and parks to witness firsthand the overcrowding that is taking place. Many hunters and state park visitors are discouraged over this serious overcrowding.

While some of overcrowding issue is addressed through the state's Walk-In Hunting Area program (in the last eight years, this program has nearly tripled the amount of land open to public hunting in the state), this program also has its shortcomings. WIHA areas are leased short-term, offering no guarantee of future availability. The majority of WIHA tracts are in the western half of the state, away from the urban areas where we desperately need more public acres. Finally, WIHA tracts do not allow the department to manage the habitat on the property for long-term wildlife benefits.

While anglers certainly enjoy better access opportunities than hunters, of a total of 445,000 acres of impounded and flowing water in Kansas, less than half is open to public fishing access. Kansas has a great need for more waters, with less than 0.8 acres of public water per

Senate Natural Resources Committee  
Date: February 13, 2003  
Attachment 2-1



licensed angler. Specifically, the department needs to provide more access to the navigable streams of Kansas (Kansas, Missouri, and Arkansas Rivers) to allow Kansans to utilize these public waters.

While Senate Bill 81 does not currently contain a vehicle for increased state park lands, this issue was also studied by the Working Group. While the state does maintain long-term leases with two federal agencies for the majority of our state park properties, the state actually owns only a few small areas. Our state parks host 250 visits per acre, while the national average is 60 visits per acre. With visitation increasing at 12-percent annually, the need is certainly present.

In summary, the Working Group's recommendations are that the department should develop a long-term land acquisition strategy for wildlife areas and state parks as follows:

- Initial estimates call for an additional 400,000 acres of lands for hunting, fishing, and wildlife watching, and 15,000 acres for state parks.
- Funding for additional wildlife areas would come from the sale of conservation stamps, as is the case in many other states
- The department should increase efforts to solicit land donations
- Parks funding would come from the state's portion of the federal Land and Water Conservation Fund.

While Senate Bill 81 provides the conservation stamp component of the Working Group's recommendations, the real value of this legislation is the open forum we are participating in today. The state needs to examine this issue of public land availability for the long-term benefit of future generations of Kansans. Our working group's report was unanimously approved by the Wildlife and Parks Commission, and it was the Commission that directed the department to pursue this "opportunity fee" source of funding. We stand in support of Senate Bill 81.

**Kansas Wildlife and Parks  
Commission's Working Group  
On  
Land Acquisition**

Report Submitted to  
Kansas Wildlife and Parks Commission  
and  
Kansas Department of Wildlife and Parks

12 December 2002

**Working Group Members**

**Thomas D. Warner, Ph.D.** - Chair (Manhattan)

**John Mickey** (Atwood)

**Will Carpenter** (El Dorado)

**James Harrington, D.O.** (Liberal)

**Robert Barbee "Ex Officio"**

Kansas Wildlife & Parks

Public Lands Specialist

**Sheila Kemmis - Recording Secretary**

Secretary to the Commission

Special Thanks for providing information vital to the completion of this report:

Wildlife and Parks Secretary  
Acting Assistant Secretary for Operations  
State Parks Director  
Fisheries and Wildlife Division Director  
Fisheries Section Chief  
Administrative Services  
License and Revenue Section

J. Mike Hayden  
Keith Sexson  
Jerold Hover  
Joe Kramer  
Doug Nygren  
Mike Theurer, Director  
Karen Beard - Chief

And all departmental employees who provided e-mail messages with suggestions on how the Department could acquire new Wildlife and Park lands.

Special thanks for report preparation

Cyreathia (SAM) Reyer  
Administrative Assistant  
to Thomas D. Warner



Kansas Wildlife and Parks  
Commission's Working Group  
On Land Acquisition

Preliminary Report  
24 October 2002

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## I. **Kansas Department of Wildlife and Parks Mission Statement**

Fish, wildlife and outdoor recreation are important to the quality of life for all Kansans and to the Kansas economy. As a public steward of the Kansas natural resources, the mission of the Department of Wildlife and Parks is to:

**Conserve and enhance** Kansas natural heritage, its wildlife and its **habitats—to ensure future generations the benefits of the state’s diverse, living resources;**

**Provide** the public with opportunities for the use and appreciation of the natural resources of Kansas, consistent with the conservation of those resources.

**Inform** the public of the status of the natural resources of Kansas to promote understanding and gain assistance in achieving this mission.

## II. **Forward - “Setting the Stage:” Does the Kansas Department of Wildlife and Parks need increased public lands to provide appropriate outdoor recreation opportunities for Kansas residents and out-of-state visitors?**

On the 22<sup>nd</sup> of August 2002, at the end of the Kansas Wildlife and Parks Commission Meeting (Ellsworth, Kansas), the Commission members unanimously approved the establishment of a **Commission Working Group** to look at the acquisition of land for use as wildlife and fishing areas and state parks. The Working Group charge was to determine the needs for additional land; to conduct a comparative investigation on public lands committed for outdoor recreation in the surrounding states as part of that review process and to look at potential ways of obtaining resources to acquire additional property.

The first question to be answered is **“Do we need additional land within the Kansas Department of Wildlife and Parks?”**

### **For State Parks:**

Kansas is on the bottom of the list for number of parks managed. Kansas has 24 operating parks, the national average is 92 operating parks.

Kansas is 5<sup>th</sup> from the bottom in number of acres managed as state parks. Kansas manages approximately 32,000 acres vs. the national average of 210,000 acres (not including California, New York and Alaska, as they are well above the average).

Kansas hosts 250 visits per acre; the national average is 60 visits per acre. Kansas needs an additional 13,500 acres to meet the national average of 60 visits per acre (assuming no increase in the number of visits).

Kansas is 25<sup>th</sup> in total number of visits annually.

Kansas is 5<sup>th</sup> in number of overnight campers.

The current outdoor recreation demand is not currently being met even though the combined efforts of federal, state, county and private entrepreneurs. Several parks are already above capacity and the demand has been growing at a rate of 12 percent annually. In the next 5 years, the demand will be more than double its current capacity. A detailed analysis of acquisition needs will be provided in the State Comprehensive Outdoor Recreation Plan (SCORP) which is scheduled for completion in early 2003. Initial surveys indicate there is a vast shortage in available land for off highway vehicles, river access, canoeing, and equestrian areas.

Table 1  
Multi-State Comparison  
State Parks Land per Capita

Rank	State	Land
1	Nebraska	.08 acres per capita
2/3	Missouri	.02 acres per capita
2/3	Oklahoma	.02 acres per capita
4	Kansas	.01 acres per capita

The Working Group feels there is an absolute need for additional land for State Parks (see section IV for totals).

**For Wildlife Management Areas:**

The Natural Resources Leadership Council of the States recently completed a survey of the states to determine the quantity, quality and availability of state-owned or leased hunting lands in the United States. The survey does not include federal lands available in the state. While the data analysis is in progress by Responsive Management, preliminary results place Kansas at 30<sup>th</sup> position among 47 states that have thus far responded to the survey.

The average acreage of hunting lands owned or leased by a state was 2.3 million. Kansas currently reports 1.24 million acres of hunting lands owned or leased by Kansas Department of Wildlife and Parks (Table 5). This figure includes 908,000 acres of land leased from private landowners for public access under the Walk In Hunting Area program, leaving 331,805 acres under Department control for management purposes. The 1.2 million acres represents approximately 2 percent of the Kansas land area. There are an additional 330,000 acres open to Kansas hunting, under management by federal agencies (National Wildlife Refuges, Corp of Engineers, Forest Service and military). In total there are approximately 1.57 million areas of publicly owned or leased lands in Kansas open for public hunting.

The *U.S. Fish and Wildlife Service 2001 National Survey of Hunting, Fishing and Wildlife-Associated Recreation* reported an estimated 291,000 individuals hunted in Kansas, approximately 189,000 Kansas residents and 103,000 non-residents. Of the 291,000 who hunted in Kansas; 55% hunted big game, 72% hunted small game, and 27% hunted migratory birds. An estimated total of 3.6 million days were spent hunting in Kansas with 43% of that for big game, 44% for small game and 16% for migratory birds.

Hunter participation surveys have indicated that access to land for hunting and overcrowding on existing lands is an increasing concern among hunters as it relates to continued participation.

Table 2  
Multi-State Comparison  
Wildlife Areas/State Fishing Lakes

Rank	State	Land Owned	Land Leased	Total
1	Oklahoma	290,088	1,353,254	1,643,342
2	Missouri	773,575	199,085	972,658
3	*Kansas	124,734	207,071	331,805
4	*Nebraska	91,039	43,066	134,105

\*Does not include "walk in" hunting or fishing leases.

Table 3  
Multi-State Comparison  
Wildlife Areas/State Fishing Lakes  
Land per Capita

Rank	State	Land
1	Oklahoma	.48 acres per capita
2	Missouri	.17 acres per capita
3	Kansas	.12 acres per capita
4	Nebraska	.08 acres per capita

The Working Group feels there is an absolute need for additional land for wildlife areas (see section IV for totals).

**For Fisheries Management:**

Permanent standing waters in Kansas include reservoirs covering about 180,000 acres, 9,806 miles of streams amounting to about 65,000 acres, 100,000 private impoundments contributing approximately 150,000 acres, 8,000 lakes contributing another 50,000 acres. Of this resource, public access is allowed on all reservoirs, less than 1,000 miles of streams, community lakes totaling 14,755 acres and state fishing lakes of 4,702 acres.

Water Type	Total Acres/Miles	% Open to Public
Reservoirs	180,000	100%
Lakes	50,000*	67%
Streams	9,806 miles	10%*
<b>Total</b>	<b>445,000 acres</b>	<b>46%</b>

\*estimate

The U.S. Fish and Wildlife Service 2001 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation estimated that 404,000 anglers fished in Kansas and they fish 5,662,000 days. Kansas has a great need for more water with less than 0.8 acres of public water per licensed angler. This shortage of public water requires the Department to utilize every available fisheries management tool to optimize fishing opportunity for Kansas anglers.



If one wonders why we have difficulties attracting and keeping **new** businesses and industries and why the tourism industry in Kansas is so anemic, just look at investments we place in our state's natural resources. Individuals want some degree of quality in their lives. In our increasingly urbanized state, people want to experience the **natural** beauty that is Kansas and to pursue their outdoor recreation pastimes at a **reasonable** cost. Unless we take some action now, our natural resource base will very likely be available only to our wealthiest citizens.

### **III. The Need for a Kansas Department of Wildlife and Parks Policy Statement on Future Land Acquisitions.**

It is the consensus of the Working Group members that the Kansas Department of Wildlife and Parks needs to officially establish a "**long-term**" land acquisition policy to support the department's public service mission. While Kansas Department of Wildlife and Parks has acquired acreage in the state over the years, it has not **actively** pursued adding lands across programmatic areas. Some of the latent demand for public lands is being resolved through the annual walk-in hunting and fishing access programs. This approach, however, does not allow the agency to carry out **long-range land management needed to provide stable fish and wildlife populations**. In addition, the designated annual walk-in hunting and fishing areas are prime targets for private individuals and firms to offer higher lease payments to take the best property out of the state's walk-in access programs.

The Kansas Department of Wildlife and Parks has not had an active land acquisition program in the past for a variety of reasons. First, Kansas residents have, until recently, had ready access to privately owned land throughout the state. Secondly, the sentiment of the state legislature has not promoted state agencies owning land, even under willing seller conditions and with local taxes being paid when the land title has gone to a state agency.

Kansas demographics have shifted dramatically, limiting the access of state residents to private lands. Low prices for farm products are causing private land owners to look more and more at private leasing which allows the outdoor recreation activities to be provided to those who can pay the highest price to gain access to those lands. The Working Group members believe that it is the responsibility of the state to provide outdoor recreation opportunities **to all citizens of the state** regardless of income (see the mission statement).

### **IV. Identified Departmental Needs for Land/Wildlife & Parks**

The Working Group asked both the Acting Assistant for Operations, Keith Sexson and State Parks Director, Jerold Hover to provide agency projections on land needs for the next 10 years (for the intent of this report 2003-2013). The wildlife area/state fishing lake land requirements are broken out in Table 5 which summarizes current acres owned by region as well as acres leased, walk-in hunting acres, and public land hunting pressures and priority land needs acreage by region.

**State Park Land Needs:** *the following information has been provided by Jerold Hover, State Park Director.*

1. Up to 3,000 acres in the NE corner of Kansas along the Missouri River Bluffs
  2. Up to 3,000 acres in the Central to Western KS for Off-Road Vehicle use
  3. Up to 3,000 acres in Western Kansas
  4. Up to 3,000 acres in the Central Flint Hills
  5. Up to 3,000 acres in South Central Kansas
- Total: 15,000 Acres

**Wildlife Resources Needs:** *the following information has been provided by Robert Barbee (from 2001/2002 Public Land Section Hunter Survey) and Keith Sexson, Acting Assistant Director for Operations.*

Table 5  
Kansas Wildlife Lands Summary

	Region 1	Region 2	Region 3	Region 4	Region 5	Totals
Acres Owned	14,165	6,447	40,132	12,884	37,862	111,490
Acres Leased	74,960	64,643	1,444	25,521	44,147	210,715
WIHA Acres	352,347	92,516	389,150	25,848	48,177	908,038
TOTAL	441,472	163,606	430,726	64,253	130,186	1,230,243
% of State Total	35.9	13.3	35	5.2	10.6	100
estimated mandays hunting	73,655	82,190	46,469	55,636	57,217	316,116
% mandays (no WIHA)	23.3	26	14.7	17.6	18.1	100
Add'l land acres needed	56,000	120,000	28,000	100,000	96,000	<u>400,000</u>

**Fisheries Resources Needs:**

1. Acquisition of impoundments, 4,000 acres
2. Long-term/perpetual easements for streams and impounded waters, 1,000 miles and 10,000 acres
3. Purchase of water rights in federal irrigation reservoirs from willing sellers, Sebelius Reservoir and possibly others.
4. Renovation and habitat improvements on existing impoundments, all public

waters

5. Acquisition of stream and rivers reaches, 1,000 miles
6. Hatchery improvements/expansions to meet the increasing demand for stocking

## V. What Are Our Options to Acquire Land in Kansas.

The Working Group discussed a number of approaches that the Department could take to help them acquire the needed land resources to serve the Kansas public.

### 1. DONATIONS - THROUGH WILD TRUST

It is the feeling of the Working Group membership that as the Department develops its "**long term**" policy statement on land acquisition that it also develop an educational program on options for Kansas residents to **donate land** "out right" to the Department. We feel that there are landowners across the state who would be willing and interested in donating property to the Department with the benefit of a tax write-off incentive to help the Department meet its long-term land acquisition goals. It is recommended by this Working Group that the Kansas Wildtrust Program within the Kansas Department Wildlife and Parks be geared up to help in this prescribed action to acquire lands. It is also noted that the donors of land should do so with a clear and complete understanding that some of the land that will be donated could be used directly by the Department and set up as management units, because of that particular land's location, size, characteristics and access. **Other parcels of land that might be donated but would not meet the above criteria, could be sold, with the proceeds going into the on-going land acquisition/development program.** We feel strongly that this approach to land acquisition makes it clear to the tax payers of the state that the department is taking positive steps to increase available property to serve the people of the state, but through the private sector approach. Beyond either donations of land to be held and managed or sold, **we also support the clear forthright message that donations of direct funds to support the land acquisition development program also be brought to the attention of the public.** There are many individuals, firms and organizations in the state that are interested in our Kansas outdoor environment and they once informed of our situation, could and very likely would come forward with outright cash funds to support this undertaking.

The Department should also investigate foundations (such as The Richard King Mellon Foundation) and trusts that have a rich tradition of acquiring land for public use as well as our sport groups such as Ducks Unlimited, Quail Unlimited, Pheasants Forever, National Wild Turkey Federation, etc...

### 2. CONSERVATION STAMPS - FISH AND WILDLIFE/Furharvesters

The Working Group recommends that we proceed with the development of **conservation stamps** to be sold in the state of Kansas in support of the land acquisition/development program. It is our recommendation that the state develop a program that would require hunters, trappers, anglers, and non-consumptive users<sup>†</sup> of our wildlife areas to purchase a conservation stamp. Hunters and furharvesters would purchase a **conservation stamp** and individuals participating in fishing would purchase an **aquatic conservation stamp**. The

other components of this habitat stamp program would include:

- specific state legislation be created to allow the conservation stamp program to come into existence and to provide clear demarcation as to how the funds are to be used.
- A recommended cost of \$10 per year per participant for both resident and non-resident hunters, trappers, and fishing men and women and non-consumptive users and that the conservation stamps would also have to be purchased by life-time license holders as well.
- That at least 90% of the money brought in by the conservation stamps go into land acquisition and that 10% be set aside for development operations and maintenance...until land acquisitions targets are met and the revenue can shift to on-going site development, maintenance and operations.
- The funds can be used for willing seller "fee simple" purchase, perpetual easements for hunting and long-term leases (10+ years) for hunting to allow for site habitat/population management.
- The conservation stamp should be good for the calendar year so that if someone bought a "less than" annual hunting or fishing license, they could continue to pursue their activities by multiple short-term licenses and still help us by contributing to the conservation stamp program.
- The conservation stamp program should **not** be sunseted. This program should be an on going fund-raising effort supported by the participants in these outdoor recreation activities.
- Once the "conservation" stamp program is implemented. The state waterfowl stamp should be eliminated to avoid double payments by waterfowl hunters.

The Working Group still has to resolve: whether or not we should have a **lifetime "conservation" stamp**. We request that this part of the conservation stamp program be discussed more thoroughly with the remaining commission members.

It is the belief of this Working Group that it is imperative that our number one priority is acquiring land. The cost of land will continue to increase in price and by moving toward our goal set for land acquisition and doing it as quickly as possible, we feel it can be done in the most economic way. We also believe that the development, operations and maintenance of these properties can be assisted through public use groups and individuals in the proximity of these new properties. Projected incomes from the habitat stamp (based on 2001 license sales) is listed in Table 6.

<sup>†</sup> "Non-consumptive" users of state wildlife and fisheries areas are non-hunting/fishing visitors to the properties (e.g. hikers, bird watchers, etc...) Numbers-estimate not available at time of report printing.



Table 6  
 Projected Revenue From  
 Kansas Habitat Stamp Program

<b>*Hunting License Holders (Habitat Stamp)</b>		
Residential/Annual	86,604 x \$10 per stamp	\$866,840
Lifetime	17,621 x \$10 per stamp	\$176,210
Non-Resident/Annual	47,376 x \$10 per stamp	\$473,760
“Junior” Non-Resident/Annual	1,590 x \$10 per stamp	\$15,900
	Subtotal	\$1,532,710
<b>*Fur Harvester License Holders (Habitat Stamp)</b>		
Residential/Annual	3,875 x \$10 per stamp	\$38,750
Lifetime	150 x \$10 per stamp	\$1,500
Non-Resident/Annual	11 x \$10 per stamp	\$110
	Subtotal	\$40,360
<b>*Fishing License Holders (Aquatic Habitat Stamp)</b>		
Residential/Annual	182,000 x \$10 per stamp	\$1,820,000
Lifetime	3,586 x \$10 per stamp	\$35,860
Non-Resident/Annual	44,000x \$10 per stamp	\$440,000
	Subtotal	\$2,295,860
<b>*Annual Combination Hunting &amp; Fishing</b>		
	44,308 x \$20 (2 stamps @ \$10 each)	\$886,160
<b>**“Combination” Lifetime License Holders</b>		
	14,601 x \$20 (2 stamps @ \$10 each)	\$292,020
<b>*“Other” Short-Term Licenses</b>		
24 Hour Fishing	20,000 x \$10 per stamp (estimated individuals out of 87,439 licensed)	\$200,000
48 Hour Water Fowl	734 x \$10 per stamp	\$7,340
	Total	\$5,254,450

3. **STATE PARKS**

After gathering information from Jerry Hover, State Park Director, the Working Group member's feel that to place additional land acquisition charges on our state park visitors at this time would be inappropriate. We have had to continually ratchet up charges that we place on our state park visitors because of declining state general revenue dollars. What options do we then have to acquire additional state park land again to meet our agency missions needs? The Kansas Department of Wildlife and Parks, specifically the State Parks Division, receives \$1.2 million in land and water conservation funds that are the state's portion of those allocated funds. It is the consensus of the Working Group that up to half of the \$1.2 million land and water conservation funds should be used as properties are identified on an annual basis to acquire the targeted 15,000 acres of land as noted earlier in this report. The other half of those funds are to be used for development needs within the state park system. It is hoped that combining the **land and water conservation funds** with **donations** of land and donations of cash gifts will help us move towards our **15,000 acre goals**.

4. **USE OF FUNDS THROUGH THE U.S. DEPARTMENT OF INTERIOR (NON-LAWCON FUNDS)**

The state of Kansas receives through the Federal program of Sport Fish and Wildlife Restoration Funds (Pitman, Robertson/Dingle-Johnson) \$8 million annually combined from those two funds. It is estimated by the Department Wildlife and Parks that somewhere around \$1 million of that \$8 million pool could be available for land acquisition and development. In addition, the Department of Interior also has a "state wildlife grant" program in which in 2002, the Kansas Department of Wildlife and Parks received an additional \$1.4 million. It is the consensus of this Working Group that the department actively use some of these allocations for acquiring and developing additional land. This would be only wildlife areas/state fishing lakes and could not be used for state park land acquisition/development.

5. **THE "TIMELINESS" ISSUE FOR LAND ACQUISITION**

It has been brought to the attention of the Working Group membership that when lands have become available for sale from a willing seller that often times the state process currently in place for acquiring the property by the Department is so cumbersome that the property is sold before the agency can react in an appropriate manner. It is recommended by the Working Group that the agency look at its land acquisition procedures and attempt to streamline these efforts to allow more rapid movement to acquire any land as said lands are identified.

VI. **The Cost of the Land Development Plus Operations and Maintenance Costs -**  
another part of the land acquisition equation....what are our options?

As stated earlier in this report, it is important that the Wildlife and Park Commissioners, the Department of Wildlife and Parks, Kansas Citizens, the Governor and the state legislative members recognize that land acquisition really has **three costs** associated with it. The **acquisition cost** is the first cost incurred. Following that, monies have to be identified and resources put into place to **develop the sites and parks** to whatever extent they need to be developed so they can be used by citizens of our state and visitors to our state. Beyond those development costs, it also must be recognized that there are **operation and maintenance costs** for each of our sites as well. The per-acre cost per year, for our public hunting and fishing properties (as estimated for the next 10 years) could run as high as \$24 an acre. In addition, it has been the policy of the Kansas Wildlife and Parks that for every acre purchased or donated to the department, that taxes would be paid to the county equivalent to fair market value taxation rates. As Working Group members, we believe that the priority now is to acquire the targeted land as a number one priority and to then develop those properties and maintain those properties as resources are identified and come on line. The key is acquiring the property that would be best used for our hunting and fishing opportunities and state parks before it is sold out and priced beyond our reach.

We have a tremendous body of individuals and organizations in the state, region and nation that support development of outdoor recreation sites including hunting and fishing and state parks. It might not be beyond reality that at some point in time that Kansas citizens vote to approve a small percentage of the state's sales tax provide outdoor recreation resources to the people of the state and visiting public just as it is being done for years in Missouri, and Arkansas. This is a recommendation of the **Commission's Task Force on Outdoor Kansas** and that goal remains.

Attach 3

To: The Senate Committee on Natural Resources

From: Daniel F. Rudman  
1116 N. 400 Rd.  
Baldwin City, KS 66006

This is public testimony submitted to the Committee as a proponent of Senate Bill No. 81.

- A) My family has a tradition and heritage spanning five generations of those who have taken a deep interest in the preservation and management of natural resources. I grew up being trained and educated both in private and public institutions to be a *conservationist*. I now have five children who I hope will have the same opportunities here in Kansas.
- B) My childhood, early adult life, and training came as a resident of the State of Michigan. Natural resources were a way of life. Public land, both state and federally owned, was readily accessible. This accessibility offered a rich opportunity for the propagation of family values and young people to learn to appreciate the land and its natural resources.
- C) Kansas land is being marketed and sold at an alarming rate. Much of this land is being sold for residential use. While personal ownership and the rights of citizens is vital to the Republic, this residential privatization results in some concerns for the State of Kansas:
- 1) There is no future guarantee of land accessibility for the public.
  - 2) Professional wildlife managers are removed from the management of valuable natural resources.
  - 3) There will be increasing problems with the management of wildlife populations.
  - 4) Kansas will lose an opportunity to develop itself as a sought after education and recreation site due to its quality and emphasis on highly managed natural resources.
- D) Senate Bill No. 81 simply gives the State of Kansas the opportunity to participate in the free market of available land.

Senate Natural Resource Comm.  
Date: February 13, 2003  
Attachment 3



Attach 4

**To: Kansas State Senate Committee on Energy and Natural Resources  
Robert Tyson, 12 District, Chairman**

**From: Kansas State Bowhunters Association  
Shawn W. Harding, Legislative Chairman**

Dear Chairman and Committee members,

The resident hunters of Kansas over the last several years have lost hundreds of thousands of acres of private hunting ground to leasing. The promotion of leasing was due in part to past legislation (SB 568, 2000) that promoted the sale of landowner/tenant transferable tags to non-resident hunters. These tags were not tied to the properties that they were applied for or even the unit that the property was located in. This "statewide - transferable tag", which is available to anyone possessing 80 acres or more, has allowed large outfitting groups the ability to lease large tracts of land and bring the hunters to their operation. The KBA fought this bill "tooth and nail" (to no avail) and now SB 81 is required to bring some parity to this growing problem.

We support the KDWP proposal to increase the amounts of public land available to our resident hunters and the non-resident hunters who hunt without the services of an outfitter or guide. The taxes and tag purchases of resident hunters in this State have helped put the Kansas deer on the map and the focus of other hunters across our country. The resident hunters have also answered legislation, stepped up to the plate and reduced numbers of deer when needed. Now it's an issue of ACCESS. Many of the past legislative actions have promoted the mind set that increasing the non-resident numbers will help reduce the doe populations when in fact it has limited the resident hunters ability to access prime lands and tied up large areas for only a few paying hunters. The current laws thwart KDWP's ability to manage the herd we are famous for. KDWP have listened to their User Groups (that loyally purchase tags and permits year in and year out) and proposed giving back something to us for our efforts. The State of Kansas ranks 49<sup>th</sup> in available public lands for outdoor sports enthusiasts. Most of Kansas' public areas in the State Parks share activities that the KBA finds to be unsafe/unproductive practices when combined - such as biking trails in archery only State park hunting areas.

In closing the Kansas Bowhunters Association realizes that the State has a fiscal challenge to face at this time and purchases of State land is probably not a high priority. However, the passage of this bill, and the groundwork it will lay, allows for these purchases in better economic times. To alleviate the problem furthermore, a review of the transferable tag situation is in order. To tie the transferable tag to the landowner's property, in the unit it was applied in, will relinquish some of the lands tied up in leases and allow KDWP the ability to manage the deer herd in a unit to unit fashion. This would allow increases or decreases in tag numbers as populations of the herd changes in specific areas.

Please move Kansas up from the embarrassing **Next to Last** position in public lands and show the resident hunters of this State that the resource is also for the taxpayers and not just a commodity to be sold to the rich.

Senate Natural Resource Committee  
Date: February 13, 2003  
Attachment 4-1





Date: 3/7/00

To: House Committee on Environment

RE: Senate Bill Number 568

The Kansas Bowhunters Association adamantly opposes this bill as it is currently written. The language amended to the bill on the Senate floor does meet the States interests in reducing the deer problem. Populations of deer that anger certain regions of our State are not going to be reduced if this ongoing battle over selling deer continues. Selling a product that has "demand" requires a "supply".

The total disregard for the species as well as the lack of specifying the sex on the proposed HOYOL tags should throw up red flags. That alone should stop the passage of this bill. Our State is a Mecca for trophy hunters and both gun and archery hunters have benefited from the work KDWP has accomplished. The record books show this fact and it cannot be disputed. This bill is about hunting and how to monopolize it for profit.

The bill would allow someone to purchase two tags per 80 acres and kill four deer with those tags. The sex is not specified, nor is the species. We do not feel this was an oversight on the author's part. This is designed to allow multiple bucks to be shot by paying clients even in areas that cannot afford the loss of deer especially mule deer of either sex. We would call this mismanagement. This is certainly not management for the reduction of our States deer herd. This is a bill designed to profit from a State resource.

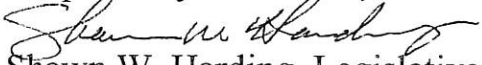
This is a blatant attempt to guarantee a supply of tags for resale to improve leases or obtain more acreage for lease hunting. There is money available and those tags will resale for large amounts of it. Does that money always go to the landowner? We don't think so. We believe only a small percentage will actually go to the landowner/steward for these tags unless he is the guide and outfitter as well. Even if this was true in every case, what does that do to reduce deer/auto collisions. Nothing. Paying clients won't tolerate competition especially those that don't pay the same price they did.

The KBA does not understand how certain lobbyists can endorse a bill that has no merits in solving their largest problem, the problem that the state wants resolved. Let alone being passed by our States Senators.

KDWP is working hard to eliminate the problem areas and does it under constant criticism. We feel it is undeserved and nonproductive considering the complexity of the problem concerning deer population control in an agricultural environment. The problem is private land access and reduction of doe deer. Let the biologists and resident hunters continue to pressure the herd back to controllable levels.

In closing, the **KBA** asks that the House Committee on Environment read between the lines and remove the language of SB-518 from Senate Bill 568. The bill that passed the Senate Committee on Natural Resources is acceptable to our organization. If that is not possible, kill this bill and lets work HB2977. This is nonproductive self- serving legislation that eliminates biology from the management equation.

Respectfully Submitted,



Shawn W. Harding, Legislative Committee Chair

Attach 5

**TESTIMONY BEFORE THE KANSAS SENATE ENVIRONMENT COMMITTEE  
SENATE BILL 81**

Rob Manes, Pratt County Kansas, February 13, 2003

Mr. Chairman and members of the Committee, my name is Rob Manes. I live in rural Pratt County, where my wife and I own land, and my children enjoy the nurturing of a small town and four generations of family. The bulk of my extended family resides in Ellsworth County, where most of them are teachers, farmers, and cattlemen. I appreciate the opportunity to address issues related to Senate Bill 81, the conservation stamp proposal by the Department of Wildlife and Parks. This issues entails, as great as any, the *quality of life* for Kansans.

Certainly, my 23-year career in wildlife management colors my view of the issues at hand; but I have come to the conviction that the most important product of my vocation or avocations is *quality of life for people*. Regardless of what resources or assets we steward, this vision should guide us, especially in the arena of public policy and government.

The State of Kansas is blessed with natural resources that contribute to its citizens' *quality of life*. Abundant water, rich soils, minerals, wildlife, open spaces, and largely undiscovered vistas are blessings we sometimes take for granted, frequently despoil, and even more often overlook. An increasing portion of your constituents is unable to access these resources and opportunities; many, in fact, have nearly lost touch with the natural richness that is Kansas. Because most of the state's residents live in urban areas and are more than a generation removed from their agrarian roots, they have few opportunities to enjoy the open spaces, vistas and wildlife that characterize this great state. The results include diminished *quality of life* for Kansans and lost economic opportunities.

Other states, including most of those bordering Kansas, afford their citizens and visitors abundant opportunities to experience their outdoor assets. The economies of these states reap major benefits from hunters, anglers, hikers, bird watchers, and park visitors. Most importantly, people's *quality of life* is enhanced. Kansas ranks fourth of these five states in economic activity from wildlife-associated recreation, lagging nearly \$300 million annually behind third-ranked Oklahoma.

Kansans are being denied a greater *quality of life*, as well as economic benefits, because we are not following a vision that will enhance our opportunities to benefit from the state's abundant natural resources. I challenge you, therefore, to work with Secretary Hayden and the Department of Wildlife and Parks to develop and implement a planned approach to expanding outdoor opportunities for the state's citizens. Such an approach must include strategies for funding, acquiring, and managing lands where people can experience and benefit from the state's abundant resources.

Mr. Chairman and members of the Committee, I know that you all have a vision that includes *quality of life* for your constituents, and that economic health is critical to that *quality of life*. So I ask you today to support Secretary Hayden's initiative as outlined in Senate Bill 81 and expand Kansan's opportunities for improved *quality of life* and economic benefits.

I thank you for the opportunity to submit these comments.

Senate Natural Resource Comm.  
Date: February 13, 2003  
Attachment 5



# KRPA

KANSAS RECREATION AND PARK ASSOCIATION

## Senate Committee on Natural Resources

February 13, 2003  
State Capitol, Room 423S

### Testimony on SB 81

Laura Kelly  
Executive Director

### Kansas Recreation and Park Association

Chairman Tyson and members of the committee:

I am Laura Kelly, Executive Director of the Kansas Recreation and Park Association.

The Kansas Recreation and Park Association (KRPA), established in 1948, is a private, non-profit membership organization representing public park and recreation agencies, professionals, citizen advocates and commercial vendors. Current membership stands at over 900 with services provided to approximately 240 agencies.

KRPA stands in support of the intent of SB 81: to identify an on-going, dedicated funding source that would allow the State of Kansas to acquire more land for conservation and recreation purposes. While we would support passage of the bill as it is written, KRPA would encourage this committee use the bill as a vehicle to address the broader outdoor recreation needs of Kansans at both the state and local level.

We know from the Kansas Department of Wildlife and Parks Commission's Task Force on Outdoor Kansas report in 1997, from the testimony presented at the Kansas Natural Resource Legacy Alliance (KNRLA) public hearings held across the state in 2002, and from the findings of the soon to be published State Comprehensive Outdoor Recreation Plan (SCORP) that Kansans want and need more places to play outdoors. We know that the state and the counties and the cities are scrambling to find the dollars to buy the land and build the facilities that the public is demanding.

During the 3 years the Local Government Outdoor Recreation Grant Program (a 50/50 matching grant program established by the Legislature in 1998) was funded, 265 project applications from over 100 different communities requesting \$7.37 million were submitted. That amount was tempered by the knowledge that in any given year, only \$500,000 was available through the grant program.

In 1998, for a report prepared for the Kansas Congressional delegation, KRPA asked its member agencies to submit outdoor recreation project proposals that had been identified as needed in their communities and that would be eligible for 50/50 matching grant funding through the federal Land and Water Conservation Fund. 52 local projects were submitted for a total of \$82,124,300.

While there are similar needs for outdoor recreation opportunities among all communities in Kansas, there are also very apparent differences. In our growing urban and suburban areas, the need to purchase and set aside large parcels of land for future recreation use before the land is developed for commercial or residential purposes is clear. There is also tremendous demand for connecting walking and biking corridors for fitness, fun and commuter use.

700 SW JACKSON ST . STE 805  
785.235.6533 PH



TOPEKA . KANSAS . 66603-3737  
785.235.6655 FX

*Senate Natural Resources Committee  
Date: February 13, 2003  
Attachment 6-1*

In our rural areas, land acquisition is less of an issue than is the repair, renovation or construction of public recreation facilities like swimming pools and playing fields. Many small communities lack the resources to provide the kinds of recreation opportunities that would make their communities attractive places to live, to visit, to do business.

Senate Bill 81 addresses one of the many outdoor recreation needs in Kansas. KRPA would support passage of the bill, but, again, would encourage this committee to use it to open the door to discussion of the much greater need for access to quality public outdoor recreation opportunities at both the state and local level and the role the State should play in the provision of such opportunities.

# Kansas Fishing and Hunting Alliance

Speaking with one voice for the Kansas Fishing and Hunting tourism industry

My name is Rick Dykstra, President of the Kansas Fishing and Hunting Alliance and the Marketing Director for the Geary County Convention and Visitors Bureau.

Ask any hunter in the United States what Kansas means to them, and you'll get a big smile and a wide-range of responses. Trophy White Tail and Mule Deer, Quail, Pheasant, Prairie Chicken, Ducks and Geese. In addition, you'll hear about access to public hunting lands that offers quality hunting opportunities. Kansas is known as one of the United States premiere hunting destinations. Just how popular is hunting, look at the recent published results of the U.S. Fish and Wildlife Service Hunting Survey.

Six percent of the U.S. population 16 years old and older, over 13 million people, hunted in 2001. They spent an average of 18 days pursuing their sport. Hunting expenditures increased 29% from 1991 to 2001, primarily due to equipment expenditures. What has not increased is the amount of publicly owned lands available for hunting in Kansas.

Though Kansas has made an effort to offer more lands for hunting activities, through the Walk-In Hunting Area (WIHA) program, this is only a temporary fix to a long term problem.

Senate Natural Resources Comm.  
Date: February 13, 2003  
Attachment 7-1

Unless Kansas provides a long-term solution to its public lands problem, we'll find Kansas unable to provide quality-hunting locations to those residents and non-residents that want to hunt in our great state. Many Kansas communities have discovered hunting and fishing to be a positive economic resource. Through active advertising campaigns and word of mouth, more and more hunters are coming to Kansas. Each year the Geary County CVB, along with many other Kansas communities, get hunting information requests from hunters across America.

Though some hunters want a private hunting experience, others want to experience the freedom to hunt the wide open plains and hills known as Kansas. Recently, Guns and Gear Magazine named the Milford and Tuttle Creek Public Hunting Lands areas as one of the Top 5 public places to hunt Whitetail Deer in the United States. We'd like for that to read, Kansas – One of the Top 5 States in the Amount of Public Lands Available.

We need to provide places to hunt for the next generation of hunters. It's important not only for the hunt, but to preserve our heritage. We can provide those places by providing our support for Senate Bill 81. This bill will raise the needed funds to allow us to start a long-term plan of public land acquisition. We urge you to give favorable consideration to this bill and let Kansas continue its tradition as being known as a "Hunter's Paradise."





# CITY OF TOPEKA

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Park Management  
201 NW Topeka, Suite B  
Topeka, Kansas 66603  
Phone 785-368-3700

SB 81

Testimony presented to the  
Senate Committee on Ways and Means

February 13, 2003

Terry L. Bertels  
Superintendent of Parks  
City of Topeka

Chairman and members of the committee,

I am Terry Bertels, Superintendent of Parks for the City of Topeka. I appear before you today on behalf of the City of Topeka, Department of Parks and Recreation, and as a member of the Kansas Recreation and Park Association, an organization which represents professionals and citizen advocates from communities, large and small, urban and rural, all across the State.

I am here to testify in support of SB 81. I recognize that the thrust of the bill is not directly parallel with the mission of the City of Topeka Department of Parks and Recreation. However, the essence of the bill can be paralleled with the need of local units of government to acquire land for public use ahead of urban growth. Just as there is a statewide need to acquire public lands for use by the citizens of the State of Kansas, there is a need on the local level to acquire public lands for the benefit, enjoyment and use of citizens on the local level.

I hear on a regular basis from citizens of the City of Topeka of the need for park space in growth areas of the city, specifically the south and west portions. To that end the City of Topeka is now in the development phase of an open space ordinance that would require the dedication of a portion of newly platted areas as open space. This would create within that development an area in which a park can be established and utilized by all for leisure and recreational pursuits.

Also, the City of Topeka recognizes the booming popularity of hiking/biking trails and is very active in developing trails through the purchase of private lands that interconnect the city and provide urban byways. It is the intent of the City to extend these trails outside the boundaries of the City of Topeka through partnerships with other units of government and private groups.

All of this is done with the intent of providing the citizens of the City of Topeka with public land that affords them the chance to enjoy a sense of openness. To create an opportunity to provide an enhanced quality of life through public parks, trails and open space.

In Topeka we are fortunate that our forefathers saw the need to set aside areas as parks for leisure and recreational pursuits. We as current stewards of the city recognize the need to plan for future generations. I support Senate Bill 81 as an effort on a statewide basis to plan, as we are in Topeka, for our future generations. I thank you for your time and stand for questions.

*Senate Natural Resources Committee  
Date: February 13, 2003  
Attachment 8*

**Senate Confirmation Information Summary**  
*Prepared and Submitted by the Office of Governor Kathleen Sebelius*

**Appointee:** J. Michael Hayden

**Position:** Secretary of Wildlife and Parks

**Appointment Date:** January 13, 2003

**Expiration Date:** N/A

**Term Length:** Pleasure of the Governor

---

**Statutory Authority:** K.S.A. 32-801

**Party Affiliation:** Republican

⇒ Statutory geographic representation  
Requirements (*insert any that apply*)

Congressional District:

County:

Size requirement (*if any*):

Other, specify:

⇒ Statutory party affiliation requirement: No more than \_\_\_ members from the same political party

⇒ Statutory industry or occupation requirements: see attached

**Salary:** \$92,917

**Predecessor:** himself; reappointment

---

**Board Composition Prior to Confirmation of New Appointee:**

*(SEE ATTACHED LIST)*

N/A

*Senate Natural Resources Committee  
Date: February 13, 2003  
Attachment 9-1*

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## 32-801

### Chapter 32.--WILDLIFE, PARKS AND RECREATION Article 8.--DEPARTMENT OF WILDLIFE AND PARKS

**32-801. Establishment of department; secretary; application of K-GOAL.** (a) In order to reorganize the administration, planning and regulation of the state's parks, wildlife and other natural resources, there is hereby established within the executive branch of government the Kansas department of wildlife and parks, which shall be administered under the direction and supervision of a secretary of wildlife and parks who shall be appointed by the governor, with the consent of the senate as provided in K.S.A. 75-4315b and amendments thereto.

(b) The secretary shall be fully qualified by education, training and experience in wildlife, parks or natural resources, or a related field, and shall have a demonstrated executive and administrative ability to discharge the duties of the office of secretary. The secretary shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the governor.

(c) The provisions of the Kansas governmental operations accountability law apply to the Kansas department of wildlife and parks, and the department is subject to audit, review and evaluation under such law.

**History:** L. 1987, ch. 417, § 1; L. 1989, ch. 118, § 4; L. 1992, ch. 116, § 26; L. 2001, ch. 86, § 4; April 12.

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## Mike Hayden

*Secretary, Kansas Department of Wildlife and Parks*

Former Kansas Governor Mike Hayden was officially appointed Secretary of the Kansas Department of Wildlife and Parks on January 2, 2002. As a cabinet-level agency, the Department of Wildlife and Parks is administered by a Secretary of Wildlife and Parks and is advised by a seven member Wildlife and Parks Commission.

Raised in the rural town of Atwood, Kansas, Secretary Hayden developed a passion for the out-of-doors. He graduated from Kansas State University with a Bachelor's degree in Wildlife Conservation and received a Master's degree in Biology from Fort Hays State University.

Secretary Hayden served as Speaker of Kansas' House of Representatives from 1983 until 1987, and as the 41st Governor of Kansas from 1987 until 1991. Soon thereafter, President Bush appointed him Assistant Secretary of Interior for Fish, Wildlife and Parks. In 1993, Secretary Hayden became the President of the American Sportfishing Association, a non-profit trade association working to benefit America's fishing resources and the sportfishing industry.

He currently serves as a Commissioner on the Pew Oceans Commission, an independent group of American leaders conducting a national dialogue on the policies needed to restore and protect living marine resources in U.S. waters.

Secretary Hayden has also served as Chair of the League of Conservation Voters and as Vice Chair for the Congressional Sportsmen's Foundation. While in Washington, he served as Acting Chairman of the Migratory Bird Commission from 1991 until 1993 and as Board Member of the North American Wetlands Conservation Council from 1993 until 1996.

In 1995, he was awarded the prestigious Chevron-Times Mirror Conservation Award, becoming the fourth Kansan to receive the award in its 25-year history. In March of 1996, he was awarded the very first Hunting Heritage Award by the National Wild Turkey Federation. In 1997, he also received "A Special One-Time Conservation Award" from the Kansas Natural Resource Council.

During his military service in Vietnam he was awarded the Bronze Star for Valor, the Soldier's Medal for Heroism and the Vietnamese Gallantry Cross.

Secretary Hayden is an ardent conservationist and outdoorsman with a lifelong interest in fishing, hunting, canoeing and whitewater rafting. He enjoys fly tying, mushroom hunting, bird watching and collecting antique fishing lures.

Mike and Patti Hayden reside in Lawrence, KS, and are the proud parents of two daughters. Their eldest daughter, Chelsi, is a recent graduate of the University of Kansas Law School. Annie attends Kansas State University.



# KANSAS GOVERNOR-ELECT SEBELIUS APPOINTMENT QUESTIONNAIRE

Position for which you are applying: Secretary of Wildlife & Parks

Full Name (please include middle name): John Michael Hayden

Home Address: 5809 Sagamore Ct., Lawrence, Kansas 66047 Douglas  
(City, State, Zip) (County)

Business Address: 900 SW Jackson Street, Topeka, Kansas 66612 Shawnee  
(City, State, Zip) (County)

Business Name: Kansas Department of Wildlife & Parks

Position Title: Secretary

Home Telephone: (785) 865-1698 Business Telephone: (785) 296-2281

Facsimile No: (785) 296-6375 E-Mail Address: mike.hayden@wp.state.ks.us

Driver's License No: 512-44-6332 Social Security No: 512-44-6332

Kansas resident? Yes Registered Voter? Yes

Do you have the legal right to live and work in the United States? Yes

Education: B.S. Kansas State University, 1966, M.S. Ft. Hays State University 1974

Employment Experience: 20 years in State Government, 2 years Federal Government, 8 years private sector.

Do you hold any professional licenses? If so, please provide numbers: No

What special skills could you bring to this position? Former Governor and former Speaker of the House.

Previous government appointments: Assistant Secretary of Interior for Fish Wildlife and Parks, 1991-1993; State of Kansas, Current Secretary of Wildlife and Parks  
(Please provide dates)

**Note: All yes answers require a detailed response. Attach a separate sheet if necessary:**

- Military Service:** List rank, date, and type of discharge from active service: 1st Lt., Honorable discharge, 1970.
- Government Experience:** List on a separate sheet any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, or other part-time service or positions), with dates of service:

appointed. If none, please so state. ( I am a minority owner in West Creek Outfitters L.L.C., Greenwood County, Kansas. I have relused myself from any management decisions and board meetings while serving as Secretary and have fully disclosed this ownership on my statement of financial interest.)

15. **Transactions with officials.** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If, yes, please explain on a separate sheet. No  Yes \_\_\_\_\_
16. **Spouse or other family members.** If the nature of employment for your spouse or other close family member is related in any way to the position to which you want to be appointed, please indicate the employer, the position, and the length of time it has been held. If it is not, please so state. My brother in law, John Mickey of Atwood, Kansas is currently a member of the Wildlife and Parks Commission. His term expires June 2003.
17. **Lobbying activities.** Describe briefly on a separate sheet any lobbying activity during the past ten years in which you have engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action. Describe briefly any lobbying activity during the last ten years in which your spouse has engaged for the purpose of influencing the passage, defeat, or modification or any legislative or administrative action that is related in any way to the position to which you are seeking appointment. (Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government, or any official of the legislative branch.) If none, please so state. ( I have represented the Department of Wildlife and Park before the Kansas State Legislature.)
18. **Regulated activities.** Describe on a separate sheet any interest that you, your spouse, or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership, or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state. West Creek Outfitters L.L.C. as stated above.
19. **Other.** Please describe on a separate sheet any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state. none

**ETHICAL MATTERS: (Yes answers require a detailed response. Use a separate sheet.)**

20. **Citations.** Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If yes, please provide details.  
No  Yes \_\_\_\_\_
21. **Convictions.** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Kansas offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If yes, please explain.  
No  Yes \_\_\_\_\_

35. **Other.** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment.

**FINANCIAL MATTERS: (Yes answers require a detailed response. Use a separate sheet.)**

36. **Delinquencies.** Are you delinquent on any federal, state, or local debt? (Include delinquencies for income, property, or other taxes; governmental loans; overpayment of benefits; required payments into or under governmental programs; and other debts or required payments to the government; plus any defaults on or under loans which are or were guaranteed, insured, or subsidized by any unit of government.) If yes, please provide details on a separate sheet of paper. No X Yes \_\_\_\_\_

**REFERENCES/SIGNIFICANT SUPPORTERS (elected officials, community leaders, friends, etc.)**

Name: Governor Bill Graves Relationship to you: \_\_\_\_\_

Telephone: (785) 296-3232

Name: Dr. Gerald Tomanek Relationship to you: Former Professor

Telephone: (913) 829-9410

Name: F. Robert Henderson Relationship to you: Business Associate

Telephone: (620) 645-2261

**AUTHORIZATION AND CERTIFICATION:**

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation





## KANSAS GOVERNMENTAL ETHICS COMMISSION

## STATEMENT OF SUBSTANTIAL INTERESTS FORM

FILED *JK*APR 30 2002 *JK*RON THORNBURGH  
SECRETARY OF STATE

**INSTRUCTIONS.** This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

**A. IDENTIFICATION:**

PLEASE TYPE OR PRINT

Hayden	John	M.
Last Name	First Name	MI
Patrica Ann Hayden		
Spouse's Name		
5809 Sagamore Court,		
Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number		
Lawrence, Kansas 66047		
City, State, Zip Code		
785/365-1698	785/296-2281	
Home Phone Number (include area code)	Business Phone Number (include area code)	

**B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:***(check one or more of the following)*

1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for a State Agency;
6. Candidate for State Office.

Kansas Department of Wildlife and Parks

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Secretary

Division if applicable (May use acronyms)

Position

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

\*

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**C. OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

	BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Greenwood County Ranch Hamilton, Kansas 66853	Ranching	Ownership	100	Jointly with Spouse
2.	Rawlins County Farm Atwood, Kansas 67730	Farming	Ownership		Jointly
3.	West Creek Outfitters L.L.C. Hamilton, Kansas-HC 1, Box 80	Hunting & Fishing Outfitters	Ownership	10 10	Self Spouse
4.	Oppenheimer Global Fund	Mutual Funds			Spouse
5.	Oppenheimer Enterprise Fund	Mutual Funds			Spouse
6.	Oppenheimer Mid-Cap Fund	Mutual Funds			Spouse
7.					
8.					
9.					
10.					

**D. GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here \_\_\_\_.

	NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.	PEW Oceans Commission		Mike Hayden
2.			
3.			

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

	BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Dreyfus Disciplined Stock Fund	Mutual Fund			Self
2.	Janus Twenty Fund	Mutual Fund			Self
3.	Legg Mason Value Trust Institutional Fund	Mutual Fund			Self
4.	Value Line U.S. Government Security Fund	Mutual Fund			Self
5.	Vanguard Index Trust/500 Index Fund	Mutual Fund			Self
6.	Citizens Core Growth Fund	Mutual Fund			Self
7.	Main Street Fund Growth & Income	Mutual Fund			Self
8.	Aim Aggressive Growth Fund	Mutual Fund			Self
9.					
10.					

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here \_\_\_\_.

	NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.			
2.			
3.			

**E. RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_\_

If you have nothing to report in Section "E"1, check here \_\_\_\_\_

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	KS Dept. of Wildlife and Parks	900 SW Jackson, Topeka, KS	State Agency
2.			

3. Greenwood County Ranch Hamilton, Kansas 66853 Ranch

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here \_\_\_\_\_

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Kansas Children's Cabinet	Topeka, Kansas	State Agency
2.	Lawrence Public Schools	Lawrence, KS	Counselor

**F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "F", check here \_\_\_\_\_

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Wildscape Foundation PO Box 4029, Lawrence, KS 66046	Board Member	
2.			
3.			
4.			
5.			
6.			
7.			
8.			

**G. RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here \_\_\_\_\_.


	NAME OF CLIENT OR CUSTOMER	ADDRESS	RECEIVED BY
1.	None		
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

**H. DECLARATION:**

I, John Michael Hayden, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

April 30, 2002

Date

  
 \_\_\_\_\_  
 Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 1

Return your completed statement to the Secretary of State, Memorial Hall, First Floor, 120 SW 10th Ave., Topeka, Kansas 66612-1594.