

Approved: May 10, 2005
Date

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 3:40 P.M. on March 25, 2005 in Room 123-S of the Capitol.

All members were present except:

Senator Steve Morris- excused
Senator David Wysong- excused

Committee staff present:

Norman Furse, Revisor of Statutes
Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Matt Spurgin, Kansas Legislative Research Department
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Others attending:

See attached list.

Bill Introductions

Senator Emler moved, with a second by Senator Taddiken, to introduce a conceptual bill concerning printing or distribution of the governor's budget report. Motion carried on a voice vote.

Chairman Umbarger called the committee's attention to discussion of:

HB 2072--Authorizing tuition and fee waivers for certain military personnel and dependents

The Revisor noted that a balloon amendment was adopted by the committee to strike Section 4. Senator Barone moved, with a second by Senator Schmidt, to report HB 2072 favorably for passage as amended. Motion carried on a roll call vote.

HB 2116--Disposition of certain federal moneys received by Department of Wildlife and Parks

Staff briefed the committee on the bill. J. Michael Hayden, Secretary of Wildlife and Parks, submitted copies of his testimony presented on March 21, 2005. Secretary Hayden emphasized that the Department is opposed to the amendment placed on the bill by the House that would make landowner/tenant antelope permits transferable (Attachment 1). The Department requested that the Committee remove the amendment.

Senator Teichman moved, with a second by Senator Schodorf, to amend HB 2116 to remove the language placed by the House in the bill that would make landowner/tenant antelope permits transferable. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Steineger, to report HB 2116 favorably for passage as amended. Motion carried on a roll call vote.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 3:40 P.M. on March 25, 2005 in Room 123-S of the Capitol.

SB 296--Compensation for certain judicial branch employees

Staff briefed the committee on the bill and provided information regarding Judicial Salaries (Attachment 2). Senator Schmidt moved, with a second by Senator McGinn, to table SB 296 until the 2007 Legislative Session. Motion carried on a voice vote.

The meeting adjourned at 4:10 p.m. The next meeting is scheduled for March 30, 2005.

SENATE WAYS AND MEANS
GUEST LIST

Date March 25, 2005

NAME	REPRESENTING
DICK Kwerth	KDWP
Val deFerra	SQE
Billy Brady	SFFF
Katrina Cook	KFUPE
MARK Desetti	KNEA
Ken Gulekayt	KDOT
Mike Hayden	KDWP
Chris Tymeson	KDWP
Gleam Thompson	Stand Up For U.S.
Robin Jansson	Ks District Judges Assn
Ken Secker	Ken Law Firm
Pat Horley	PAT HORLEY & Co.
Luake Bell	Keamey and Associates
Kathy Ponten	Judicial Branch
Jerry Sloan	Judicial Branch
Kim Fowler	Judicial Branch
DIANE Costello	Olathe Chamber
TERRY FORSYTH	KNEA

KANSAS

DEPARTMENT OF WILDLIFE & PARKS

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on HB 2116 Relating to the Creation of Statutory Protections for Certain
Federal Funds and Antelope Transferable Permits
To
Senate Ways & Means Committee**

**By J. Michael Hayden
Secretary
Kansas Department of Wildlife and Parks**

March 21, 2005

House Bill 2116 was originally introduced by the Kansas Department of Wildlife and Parks (KDWP) to protect certain funds from expenditures other than those authorized by state and federal law. The provisions of this bill would be effective on July 1, 2005.

The Division of the Budget has created several new funds to assist in the tracking of federal aid revenues and expenditures, separate from fees collected by the KDWP. These funds, as described in HB 2116, are the federal aid equivalent to existing funds already protected by state and federal law. In order for KDWP to maintain compliance with state and federal statutes on the uses of boating and wildlife funds, the four federal funds created by the Division of the Budget need to have the same protection as currently exists for the wildlife and boating fee funds. The four funds that HB 2116 would protect are the Boating Fund-Federal, Wildlife Conservation Fund-Federal, Wildlife Fee Fund-Federal, and Non-Game Wildlife Improvement Fund-Federal.

The bill was amended on the House floor to include a provision that would make landowner/tenant antelope permits transferable. **The Department is opposed to this portion of the bill and requests the Committee remove the amendment.**

Pronghorn antelope management in Kansas is very unique. The population of antelope, located primarily along the Colorado-Kansas border, is an estimated 2,000 animals, few of which are trophy quality. That is an exceedingly small number when compared to other states' herds. For example, Wyoming has more than 400,000

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3-25-05
Attachment 1

antelope, many of which are trophy quality. A survey of almost 1,500 Boone and Crockett antelope entries shows only 3 from Kansas, and, as with the deer herd, financial opportunity is relative to the trophy value of the herd.

The fee for nonresident permits in other states, which have large tracts of public land on which to hunt, averages \$150-300 per permit. Presuming that permits could be sold in the neighborhood of \$300, the financial gain after paying for the permit, hunting license, and a transfer fee could be approximately \$150-\$180. Therefore, the net financial gain from firearms permits only, spread out across 14 counties, could be approximately \$5,200, based on half of the landowner permits being transferred.

Kansas has very little public land, particularly in the range of the antelope, and the success of the current system is dependent on access to land. These same landowners could just as easily charge an access fee to obtain the same fiscal net gain, without reducing resident opportunities. More than 1,000 residents apply annually for a firearm antelope permit, and it usually takes 5-6 years for a resident to get drawn for a permit.

Currently the Department is exploring other options for antelope, including reducing some restrictions on permitting. In the current form, the bill would allow the purchase of landowner-tenant permits by landowners and tenants who have no antelope on their properties, but the permit could be used elsewhere in the antelope management unit they live in. Based on the regulatory scheme and direction the Department is proceeding, this would have an unknown, but potentially damaging biological impact should a large number of landowner and tenants purchase the currently unlimited archery antelope permits.

Finally, in a 2000 master's thesis entitled, "Survey of landowner attitudes toward pronghorn in western Kansas, 68% of respondents wanted no antelope on their land and only 11% indicated hunting related income would improve their acceptance of pronghorn. This indicates transferable permits would have minimal impact on attitudes of landowners with regard to pronghorns. **The Department would appreciate the Committee's support in removing this portion of the bill and passing the original bill out favorably.**

Judicial Salaries

	FY 2005	Proposed
Supreme Court		
Chief Justice	\$121,389	\$133,528
Justice	\$118,212	\$130,033
Court of Appeals		
Chief Judge	\$117,134	\$128,847
Judge	\$114,118	\$125,530
District Court		
Chief Judge	\$104,368	\$117,005
District Judge	\$103,232	\$113,555
Dist. Magistrate Judge	\$48,838	\$53,722