

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~am~~ p.m. on January 14, 1986 in room 526-S of the Capitol.

All members were present except:

Representative Patrick (excused)

Committee staff present:

Ramon Powers, Legislative Research Department
Theresa Kiernan, Revisor of Statutes' Office
Betty Ellison, Committee Secretary

Conferees appearing before the committee:

Paul West, Fiscal Division, Legislative Research Department
Bill Hanzlick, Director, Kansas Fish and Game Commission
Mike Thiurer, Kansas Fish and Game Commission

The Chairman opened the meeting with some announcements regarding future meetings, and noted that today's meeting would be an educational forum.

Paul West of the Legislative Research Department gave a brief review of federal Dingell-Johnson funds as related to the Kansas Fish and Game Commission. He explained that these funds are received under the federal Sportfish Restoration Act of 1950 and are derived from excise taxes on fishing gear. When the Tax Reform Act of 1984 was passed, the excise tax was raised and it is estimated that Kansas should be receiving approximately \$1.2 million more than before.

A listing of Dingell-Johnson and Pittman-Robertson apportionments was provided to committee members. (Attachment 1.) The Pittman-Robertson apportionments shown relate to the Federal Aid to Wildlife Restoration Act of 1947. Committee discussion and staff explanation of intent and derivation of funding followed.

Bill Hanzlick, Director of the Kansas Fish and Game Commission, introduced Mike Thiurer of that agency. He explained the effect of the D - J expansion. (Attachment 2.) Brief discussion followed.

The meeting was adjourned at 4:10 p.m.

The next meeting of the House Energy and Natural Resources Committee will be held on January 15, 1986 at 3:30 p.m. in Room 526-S.

NARRATIVE INFORMATION—DA 400R
DIVISION OF THE BUDGET
DEPARTMENT OF ADMINISTRATION, STATE OF KANSAS

AGENCY NAME Kansas Fish & Game Commission
 AGENCY—SUBAGENCY CODES 240-00 FUNCTION NO. VII
 PROGRAM TITLE AND CODE _____
 SUBPROGRAM TITLE AND CODE _____

FEDERAL AID APPORTIONMENTS TO KANSAS

PITTMAN-ROBERTSON

DINGELL-JOHNSON

→1939	16,909	1964	330,860	1952	49,714	1971	225,141
1940	26,599	1965	335,286	1953	46,786	1972	228,751
1941	42,744	1966	375,405	1954	80,948	1973	300,196
1942	48,668	1967	454,157	1955	83,060	1974	248,640
1943	21,426	1968	510,126	1956	84,681	1975	280,247
1944	17,909	1969	599,507	1957	79,415	1976	329,459
1945	15,851	1970	635,425	1958	71,576	1977	404,725
1946	16,904	1971	610,389	1959	74,208	1978	382,882
1947	44,755	1972	674,316	1960	83,751	1979	426,079
1948	169,584	1973	799,340	1961	89,534	1980	442,560
1949	224,470	1974	936,469	1962	92,965	1981	482,290
1950	214,438	1975	1,050,074	1963	98,910	1982	469,932
1951	183,772	1976	1,129,318	1964	104,961	1983	501,658
1952	363,687	1977	1,612,967	1965	119,532	1984	478,943
1953	216,371	1978	1,187,070	1966	115,289	1985	534,014
1954	254,160	1979	1,553,900	1967	128,646		
1955	212,104	1980	1,693,296	1968	156,847	(1) TOTAL	<u>\$7,638,297</u>
1956	283,923	1981	1,585,206	1969	148,553		
1957	326,022	1982	2,261,879	1970	193,392		
1958	340,231	1983	2,016,800			(1) GRAND TOTAL	35,702,869
1959	314,369	1984	1,671,686				
1960	300,296	1985	<u>1,520,598</u>				
1961	298,320	TOTAL	<u>28,064,572</u>				
1962	285,640						
1963	281,324						

(1) These amounts do not include the new D-J expansion program which should provide in excess of \$1,000,000 per year beginning in FY-1986.

DOB USE ONLY

Attachment 1

House Energy and Natural Resources 1/14/86

Kansas Fish & Game

BOX 54A, RURAL ROUTE 2, PRATT, KANSAS 67124
(316) 672-5911

REGIONAL OFFICES:

Northwest Regional Office
Rt. 2, 183 Bypass
Hays, Kansas 67601

Northcentral Regional Office
Box 489, 511 Cedar
Concordia, Kansas 66901

Northeast Regional Office
3300 S.W. 29th St.
Topeka, Kansas 66614

Southwest Regional Office
808 Highway 56
Dodge City, Kansas 67801

Southcentral Regional Office
Box 424, 8420 Broadway
Valley Center, Kansas 67147

Southeast Regional Office
222 West Main Building
Suite C & D
Chanute, Kansas 66720

D - J EXPANSION

Prepared by: Kansas Fish and Game Commission

D-J is an abbreviation for Dingell-Johnson, more properly known at the national level as the "Sportfish Restoration Act of 1951." This legislation provided cost share dollars to the states by way of federal excise taxes on select items of sport fishing tackle. The user-pay system has netted Kansas approximately 450 to 500 thousand dollars annually in recent years and has been used for fisheries management and fishing-related developments.

In July of 1984, the intent of the original legislation was expanded by national law, and a new Sport Fishing and Boating Enhancement Fund was created, popularly termed the Wallop/Breaux fund. The new revenues associated with this fund are derived directly from the nation's anglers and boaters through federal excise taxes on fishing equipment, federal motorboat fuels and custom duties on imported watercraft and fishing tackle. In the strictest sense, this represents truly a user-pay system.

The "expanded" dollars are obtained from 1) extending the existing excise tax to other fishing equipment to include tackle boxes, trolling motors and some fish finders; 2) import duties on yachts/pleasure craft and imported fishing equipment; 3) motor boat fuels tax; and 4) increased collections from select importers.

In December, 1985, Kansas was granted a preliminary apportionment of D-J Expansion dollars of \$958,374 and an additional apportionment will occur in January, 1986, to complete the federal year apportionment. It is anticipated that yearly apportionments of new D-J dollars will total \$1.2 million.

There are certain requirements and allowances associated with this funding. Overall, these funds are to be used to:

Restore, conserve, manage and enhance sport fish resources; and to provide for public use and benefits of these resources.

Adding emphasis to these requirements, the congressional conferees stated, "In establishing this expanded funding source, intend that the new revenues be added to existing state fishery program funds available from traditional sources and not as a substitute therefor."

Regarding the funds more specifically: Each state must allocate no less than 10 percent of its D-J apportionment for boat facilities; and may allocate up to 10% of the yearly allocation towards an aquatic resources education program.

Attachment 2

These new funds will require no new, matching state monies. We have two years to allocate the funding--in other words, use it or lose it. The money comes to us in the form of reimbursement.

Attached you will find two project lists. The first list, entitled "FY86 Recommended D-J Expansion Projects," is now functional in our current budget year. The second list, entitled "FY87 D-J Expansion Projects," has been approved by our Commission and forwarded through the budget process, and, consequently, you, the legislature, will be asked to act on it this session.

We currently understand that the Division of Budget has substituted projects and manipulated the total funds of the D-J Expansion budget. Our Commission has reacted accordingly as evidenced by the attached letter to Governor Carlin. We forward our appeal to the legislature for the approval of the budgetary authority to expend D-J Expansion funds in the form as approved by our Commission.

FY86
Recommended D-J Expansion Projects

Prior. No.	Proj. No.	TITLE	FY86				FY87	FY88	FY89	FY90
			Operat.	Equip.	New Salaries	Total				
1	8302	State Fishing Lake Facility Development	214,715	-0-	-0-	214,715	131,226	91,250	91,250	91,250
2	8308	Fish Hatchery Staff Expansions	2,400	-0-	59,075	61,475	60,853	60,853	60,853	60,853
3	8310	Statewide Stream Access Development	8,710	72,750	-0-	81,460	57,000	56,200	56,200	56,200
4	8309	Form/Function of W. Crappie Pops. in KS. Res.	17,652	-0-	12,562	30,214	39,956	58,620	34,820	12,015
5	8306	Pratt Hatchery Renovation	40,360	-0-	-0-	40,360	-0-	210,226	210,226	-0-
6	8307	Farlington Hatchery Renovation	40,760	-0-	-0-	40,760	201,560	201,560	-0-	-0-
7	8303	Fisheries Habitat Enhancement	13,761	38,750	-0-	52,511	13,725	13,725	13,725	13,725
8	1060	Develop Site 50-Upper Bl. Vermillion Watershed	94,639	-0-	-0-	94,639	11,110	36,110	11,110	11,110
9	1301	Rocky Ford Repair-Engineering	40,000	-0-	-0-	40,000	433,641	-0-	-0-	-0-
10	3010	Repair Ottawa SFL	9,509	121,000	-0-	130,509	-0-	-0-	-0-	-0-
11	8312	Seasonal Stream Water Quality Inventory	18,000	-0-	-0-	18,000	12,800	-0-	-0-	-0-
12	8304	Aquatic Resources Education	28,474	-0-	-0-	28,474	7,246	7,246	7,246	7,246
13	2301	Miami SFL Spillway Enhancement	7,096	-0-	-0-	7,096	-0-	-0-	-0-	-0-
14	8336	Broodfish & Egg Collection (Enhancement)	3,475	-0-	-0-	3,475	3,475	3,475	3,475	3,475
15	3301	Saline SFL Drainage Diversion	292	-0-	-0-	292	-0-	-0-	-0-	-0-
16	8305	University Contract. Walleye & Hybrid Studies	11,084	-0-	-0-	11,084	11,084	6,562	6,562	-0-
17	8311	Standard Weight (WS) Formulae Development	12,030	-0-	-0-	12,030	8,325	-0-	-0-	-0-
18	6021	Clark SFL Road & Crossing Repairs	30,274	-0-	-0-	30,274	-0-	-0-	-0-	-0-
19	8301	Community Lake Development	26,480	-0-	-0-	26,480	24,180	24,180	24,180	24,180
	2302	Neosho WA Refuge Pool Renovation	-0-	-0-	-0-	-0-	-0-	80,216	-0-	-0-
	8313	Reservoir Facility Development	-0-	-0-	-0-	-0-	78,111	51,461	68,641	59,841
	8314	Construct New Ponds-Farh	-0-	-0-	-0-	-0-	-0-	15,500	240,500	-0-
	8347	Construct Milford Conservation/Education Facility	-0-	-0-	-0-	-0-	200,000	-0-	-0-	-0-
	5318	Develop Access & Habitat-Scott State Lake	-0-	-0-	-0-	-0-	26,600	-0-	-0-	-0-
	1304	Urban Fishing Clinic Program	-0-	-0-	-0-	-0-	7,690	7,258	7,258	7,258
	5316	Rooks SFL Rehabilitation Engineering Study	-0-	-0-	-0-	-0-	4,881	-0-	-0-	-0-
	TOTALS		619,711	232,500	71,637	923,848	1,329,988	920,967	811,600	329,953

FY87 - D.-J. EXPANSION PROJECTS

	FY 87				FY 88	FY 89	FY 90	FY 91	
	Current Salaries	New Salaries	Operat.	Capital Outlay					Total
1301 REPAIR ROCKY FORD F.A. CONCRETE RETAINING WALL	15,400	-0-	3,101	430,540	449,041	-0-	-0-	-0-	-0-
1304 URBAN FISHING CLINIC PROGRAM	3,023	800	6,890	-0-	10,713	10,281	10,281	10,281	10,281
1360 SITE 50 - UPPER BLACK VERMILLION WATERSHED	713	-0-	11,110	-0-	11,823	11,823	11,823	11,823	11,823
5316 ROOKS SFL REHABILITATION-ENGINEERING STUDY	3,295	-0-	4,881	-0-	8,176	-0-	-0-	-0-	-0-
5318 DEVELOP ACCESS & HABITAT AT SCOTT SL	-0-	-0-	26,600	-0-	26,600	-0-	-0-	-0-	-0-
8301 COMMUNITY LAKE DEVELOPMENT	3,239	-0-	24,180	-0-	27,419	27,420	27,420	27,420	27,420
8302 STATE FISHING LAKE FACILITY DEVELOPMENT	12,529	-0-	95,226	36,000	143,755	103,779	103,779	103,779	103,779
8303 FISHERIES HABITAT ENHANCEMENT	30,705	-0-	13,725	-0-	44,430	44,430	44,430	44,430	44,430
8304 AQUATIC RESOURCES EDUCATION	6,721	-0-	7,246	-0-	13,967	13,966	13,966	13,966	13,966
8305 UNIVERSITY CONTRACTUAL WALLEYE & HYBRID STUDY	2,066	-0-	11,084	-0-	13,150	8,628	8,628	-0-	-0-
8307 FARLINGTON FISH HATCHERY RENOVATION	8,666	-0-	1,560	200,000	210,226	210,226	-0-	-0-	-0-
8308 FISH HATCHERY STAFF EXPANSIONS	-0-	58,453	2,400	-0-	60,853	60,853	60,853	60,853	60,853
8309 FORM & FUNCTION OF WHITE CRAPPIE POPULATIONS	31,466	13,304	26,652	-0-	71,422	90,086	66,286	43,481	24,999
8310 STATEWIDE STREAM ACCESS DEVELOPMENT	-0-	-0-	6,000	51,000	57,000	56,200	56,200	56,200	56,200
8311 STANDARD WEIGHT (WS) FORMULAE DEVELOPMENT	-0-	-0-	8,325	-0-	8,325	-0-	-0-	-0-	-0-
8312 SEASONAL STREAM WATER QUALITY INVENTORY	-0-	-0-	12,800	-0-	12,800	-0-	-0-	-0-	-0-
8313 RESERVOIR FACILITY DEVELOPMENT	1,088	-0-	1,661	76,450	79,199	52,549	69,729	60,929	42,004
8347 CONSTRUCT MILFORD CONSERVATION/EDUCATION FACILITY	-0-	-0-	-0-	200,000	200,000	-0-	-0-	-0-	-0-
8306 PRATT FISH HATCHERY RENOVATION	-0-	-0-	-0-	-0-	-0-	210,226	210,226	-0-	-0-
TOTAL	118,911	72,557	263,441	993,990	1,448,899	900,467	683,621	433,162	395,755

Kansas FISH & GAME

BOX 54A, RURAL ROUTE 2, PRATT, KANSAS 67124

(316) 672-5911

November 25, 1985

The Honorable John Carlin
Governor of Kansas
2nd Floor, Capitol Building
Topeka, KS 66612

Dear Governor Carlin:

We, the Kansas Fish and Game Commissioners, met at Colby, Kansas on Wednesday, November 20, for a scheduled meeting of the Commission. The agency FY 1987 budget, as proposed by the Division of the Budget, was discussed, and it is apparent we have a major disagreement with this proposal.

The major issue is the proposed utilization of the new Dingell-Johnson Federal Aid expansion monies to fund two Park Authority projects. The Commission opposes any change in the D-J expansion budget as submitted at this time. We are still unsure of all the ramifications involved when using these new funds to replace General Revenue funds. This could be considered a diversion of funds and create difficulty with all of our federal funding.

We have discussed this with Park Authority and have agreed to begin developing FY 1988 budgets that will include projects that would qualify for this funding. Additionally, if both agencies are given time to re-design and incorporate their collective expertise into future projects, we should be able to construct boat docks, fishing piers, walkways, safety railings for both the recreationist and the fishermen, and for the elderly and the disabled.

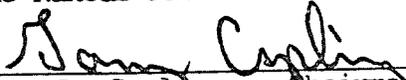
We are aware of state revenue problems--our agency is also experiencing serious funding problems--but to look to the expenditure of D-J expansion funds as a means of saving state general revenues not only circumvents our normal budget process, but may be contrary to expenditure guidelines placed on these funds by Congress. If this is true, not only would the D-J expansion funds be in jeopardy, but all our federal aid funds (\$2.9 million) could be considered a diversion of funds. Such federal dollars constitute 25% of our agency budget, and loss of this income would cripple the Kansas Fish and Game Commission.

We are not opposed to planning and developing cooperative projects with Park Authority utilizing the new D-J expansion funds. We only request the cooperative effort begin in FY 1988, after definite expenditure guidelines and criteria have been established.

Your serious consideration of our request will be appreciated.

Sincerely,

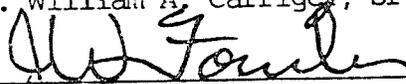
The Kansas Fish and Game Commission



Gary L. Caplinger, Chairman



Dr. William A. Carriger, Sr.



J. W. Fowler



Ronald Hopkins



John H. Ostmeier