Session of 2025

HOUSE BILL No. 2051

By Committee on Federal and State Affairs

Requested by Representative Fairchild

1-22

AN ACT concerning national land designations; requiring legislative approval of any designation of a national heritage area or national historic trail in the state of Kansas or the inclusion of certain property within any such designation; prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas.

WHEREAS, National heritage areas and national historic trails are designated by the United States congress as places where natural, cultural and historic resources form a nationally important landscape; and

WHEREAS, The proposed boundaries for areas and trail designations can include federal, state and private property; and

WHEREAS, The State of Kansas and private property owners have no ability to remove their property from this designation; and

WHEREAS, A national heritage area or national historic trail designation is a federal legislative process with no application or nomination process; and

WHEREAS, National heritage area and national historic trail designations are managed or controlled by a private, unelected, unaccountable entity and interferes with state and private property rights; and

WHEREAS, There is significant opposition to including private property in a national heritage area or national historic trail upon discovery by members of a community; and

WHEREAS, National heritage areas are administered by the national park service, and national historic trails are administered by the national park service, the United States department of agriculture forest service and the bureau of land management, depending on the trail; and

WHEREAS, National designations can accept and administer money paid by the United States secretary of the interior; and

WHEREAS, Financial assistance components, legal agreements, accountability measures and performance requirements for national heritage areas and national historic trails can create undue burdens for state and private property under federal oversight.

Now, therefore:

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Designation by the United States national park service of any national heritage area or national historic trail, pursuant to 54 U.S.C. 300101 et seq., that extends beyond federal land within the state of Kansas shall require the approval of the legislature of the state of Kansas through the adoption of a concurrent resolution.

(b) State funds shall not be expended or transferred from state agencies to match federal moneys for national heritage areas, national historic trails or any similar or successor designated areas without the approval of the legislature of the state of Kansas through the adoption of a concurrent resolution.

(c) State lands, water, property or facilities shall not be included in any designated national heritage area, national historic trail or any similar or successor designated areas without the approval of the legislature of the state of Kansas through the adoption of a concurrent resolution.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.