

Approved: 3-22-94
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:00 a.m. on March 16, 1994 in Room 423-S of the Capitol.

All members were present :

Committee staff present: Raney Gilliland, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Don Hayward, Revisor of Statutes
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Cynthia Abbott, Legislative Chair, Kansas Audubon Council
Brent Doane, Cheney Lake Association
Ralph Snyder, Assistant Adjutant, Kansas American Legion
Tom Young, President, South Shore Homes Association
Capital City Task Force, AARP
Charles H. Freeman, City Councilman, City of Osawatomie
Written testimony only, James Holderman, Chairman, Commissioner, Department of Wildlife and Parks

HB-2797 - wildlife and parks; relating to certain licenses and permits

Senator Sallee, Chairperson, called the meeting to order at 8:07 a.m. and continued the hearings on HB-2797.

Cynthia Abbott, Legislative Chair, Kansas Audubon Council, appeared and presented testimony in support of HB-2797 stating that her organization has supported the idea of a public land use fee for a number of years. Attachment 1 Ms. Abbott stated that increasing percentages of users come from non-paying groups such as hikers, canoers, birders and those over 65, with decreasing numbers of hunting and fishing licenses being sold. Kansas citizens do not want higher taxes, therefore it appears HB-2797 would help provide funding for the Kansas Department of Wildlife and Parks and its programs.

A member asked Ms. Abbott whether a survey of the Audubon membership had been taken. Ms. Abbott stated the position was determined by discussion of the Council members.

Senator Vancrum, Vice-chairperson, assumed the chair and called Brent Doane, a conferee who appeared in support of HB-2797 representing the Cheney Lake Association. Attachment 2 Mr. Doane told the committee that when Cheney Lake was deteriorating the Cheney Lake Association was formed to focus efforts on making Cheney Lake one of Kansas' most outstanding recreational attractions. Mr. Doane stated his organization recognized that HB-2797 was a major step in the direction of user based funding.

Mr. Doane stated their membership comprised all age groups. At a recent association meeting discussion was held with some individuals objecting but when they understood the fees were going to be used to help maintain and improve the parks the attitude prevailed that people did not mind paying some fees.

Ralph Snyder, Assistant Adjutant, Kansas American Legion, appeared in opposition to HB-2797 stating the American Legion understands and concurs with the need for additional funding for wildlife and parks but believed the proposed fees are too high and would be detrimental to too many Kansas citizens, both young and old. Mr. Snyder suggested the State Park and Public Land fees be combined into one fee of \$20.00 per person (except those under age 16) per year and perhaps a \$5 or \$10 additional fee over and above the cost of a hunting, fishing or combination license which would include access to State Parks and Public Lands as an option available to hunting and fishing enthusiasts. Attachment 3

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, Room 423-S Statehouse, at 8:00 a.m. on March 16, 1994.

Tom Young, President of South Shore Homes Association and a member of the Capital City Task Force for AARP appeared in opposition to HB-2797 stating the bill passed the house as a user fee bill and if the trend continued to other areas everyone would be paying to contract with police and fire departments, etc. Mr. Young stated he was opposed to the bill as written because he believed it would cost a great deal to monitor such a bill. Concern was expressed that the state parks would still receive the general fund budget of \$3.9 million. He commented that if the bill was considered, residents over 65 should be allowed the use of State Parks free. Attachment 4

Mr. Young further suggested cutting the fee in half for those over 65 years of age or raising the entry fee one year at a time and make the age 68 a free entry. Another suggestion was to raise the sticker price to \$25 and charge the senior citizens \$5. A further suggestion was to allow entry for those going to the boat slips without having to pay an extra fee.

Mr. Young presented an AARP chart showing retirement purchasing power of fixed annual pensions after prescribed numbers of years. Attachment 5

Charles H. Freeman, City Councilman, City of Osawatomie, appeared and presented testimony in opposition to HB-2797. Mr. Freeman further requested the committee to look for other ways to fund the state parks. Attachment 6

A member questioned Mr. Freeman as to how he proposed that we pay for the damage and up-keep to the parks noting that one alternative to changing the fee structure would be the closing of parks. Mr. Freeman questioned how much the state would lose if people did not go to State Parks and suggested 1/10 of one percent sales tax or a half fee.

A member stated that they also had problems with the bill, however with 5 parks in their district, they were aware that keeping the parks open was vital to the local economy. It was further stated that sales tax or income tax would not go to wildlife and parks but to medical services along with nursing home services. Concern was expressed not only about senior citizens, but families with young children as well.

Another member pointed out that this is a difficult decision and could mean closing parks or instituting some type of user fees on those who use the facilities.

A committee member said other states appeared to have a more stable type of funding such as a small percentage of sales tax and would like to see consideration of a sales tax.

Jim Holderman, Chairman, Commissioner, Department of Wildlife and Parks, presented written testimony only to the committee stating the support of the Commission for HB-2797 noting the number of exemptions and nonpaying users is an unfair burden on other users. Attachment 7

A possible time for an extra committee meeting was discussed with no positive time emerging.

The meeting adjourned at 8:50 a.m.

The next meeting is scheduled for March 17, 1994.

SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

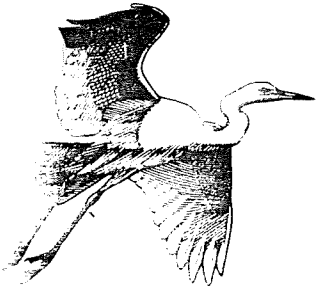
DATE March 15, 1994

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

Lester E. Martin		Camper
Dolly Martin		Camper
John Bennett	Osawatomie Ks	- Kansas Camper
Theo Bennett	" "	" "
Ralph Snyder	Topeka	American Legion
Charles H. Fenna	OSAWATOMIE KS	AAAP - MYSELF
Ferry Hover	PRATT	KDWP
Doug Sonntag	PRATT	KDWP
Brent Dault	WICHITA	CHENEY LAKE ASSN
Tricia Soard	Topeka	Ks. Audubon Council
Cynthia Abbott	Mayetta	Ks. Audubon Council
Harold Pitts	TOPEKA	AAAP-CCTF
Russ Frey	Topeka	KVMA



Kansas Audubon Council

March 15, 1994

Senate Energy and Natural Resources Committee

Testimony on HB 2797

Thank you, Chairman Sallee and members of the committee, for giving me the opportunity to appear before you today on behalf of the Kansas Audubon Council. My name is Cynthia Abbott; I am Legislative Chair for the Council and a member of Topeka Audubon Society.

For many years now, the Kansas Audubon Council has supported the idea of a public land use fee. Hunters and fishermen have been bearing a large portion of the costs of public acquisition and maintenance of wildlife areas for many years, yet increasingly others, nonconsumptive users like hikers and birders, have been utilizing these lands. It seems right and proper to the Council that all those who utilize state owned property should directly bear at least some of the costs involved in acquiring and maintaining that property. For this basic reason, Kansas Audubon Council supports HB 2797.

There is a continuing trend in Kansas, as in other parts of the country, for people to move from rural areas to urban centers. This puts many of Kansas' citizens out of touch with the soothing daily contact with the natural world that rural inhabitants have as a matter of course. On weekends, vacations, or even simply long summer evenings, these urban Kansans often like to head to state parks and wildlife areas to relax and unwind. Even rural Kansans are likely to head to these same state parks and wildlife areas to experience opportunities that they can't duplicate at home. However, with increasing percentages of these users coming from non-paying groups like hikers, canoers, birders and those over 65, and with decreasing numbers of hunting and fishing licenses being sold, Wildlife and Parks' budgets have been stretched tighter and tighter. Repairing the damage from the 1993 floods has also recently placed a major stress on the Department's budget. At the same time, Kansas citizens don't want higher taxes. HB 2797 offers a way to increase funding to the Kansas Department of Wildlife and Parks and its important programs, helping to increase the quality of life for all Kansans, without raising taxes for the general population.

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March 16, 1994
Attachment 1

There has been some concern about requiring individuals over age 65 to purchase state park use and public land use licenses. With the increasing percentage of the population that fits into this age category, and specifically the large percentage of the Department of Wildlife and Park's land users who fit this category, Kansas Audubon Council feels that asking those over 65 years of age to pay their fair share is necessary to maintain and perhaps even increase the services that KDWP can offer to the citizens of Kansas as a whole. The services that KDWP offers cost the same whether being used by someone 25 or 75. All users should be required to help offset those costs in this day of budget shortages and tight fiscal policies. Kansas Audubon Council members recognize this fact and are willing to do their part.

In conclusion, I want to thank you for this opportunity to present Kansas Audubon Council's views on this issue. The Council urges you to vote favorably on HB 2797.

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Testimony before the Senate Committee on Energy and Natural Resources
Tuesday, March 15, 1994

Chairman Sallee, members of the Senate Committee on Energy and Natural Resources, I am Brent Doane and appear today on behalf of the Cheney Lake Association to offer our support of HB 2797.

In the Summer of 1990, a group of concerned Cheney Lake patrons organized the Cheney Lake Association (CLA). The CLA was formed to address the deteriorating conditions at Cheney Lake. Today, the CLA continues to flourish. While boasting a diversified membership of over 300 individuals, families, and corporations; the CLA has continued to focus its efforts on making Cheney Lake one of Kansas' most outstanding recreational attractions.

The Cheney Lake Association is here today in support of the new user fee schedule proposed in HB 2797. The fee schedule proposed in HB 2797 will help to allocate more equitably the costs of providing park services to the user of the park services. While the funding initiatives contained in HB 2797 may seem like a substantial departure from the present fee system, it is imperative for one to realize that HB 2797 is a major step in the direction of user based funding. The fee provisions in HB 2797 will help to more equally assign the cost of providing park and public lands services to the users and beneficiaries of those services.

The state parks and wildlife areas located throughout Kansas serve not only as sources of recreation, but they also serve a valuable economic function. These areas provide jobs, revenue, and help attract travel and tourism to the State of Kansas. It is the intent of the Cheney Lake Association to do whatever is possible to make sure that Cheney Lake, State Park, and Wildlife Area maintain not only their recreation value, but also their economic value.

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March 16, 1994
Attachment 2

SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
TESTIMONY BY RALPH SNYDER, ASSISTANT ADJUTANT
KANSAS AMERICAN LEGION
ON HOUSE BILL 2797

The American Legion was established 75 years ago as a veterans organization concerned with issues effecting the care and treatment of veterans injured during military service, as well as their widows and orphan children. However the Legion quickly evolved into an organization that in addition to veterans care, expanded into the fields of education and Americanism to include all families, children and youth, disaster aid and so forth.

While The American Legion understands and concurs with the need for additional funding for wildlife and parks; we believe the proposed fees contained in House Bill 2797 as they pertain to State Parks and Public Land use are too high and will be detrimental to too many Kansas citizens both young and old.

If enacted in its present form HB 2797 would require a Senior Citizen on limited income and in some cases, with limited mobility, up to \$40.00 per person per year to visit a state park and a public land area. Or, up to \$80.00 per year per couple for a man and wife to spend even one or two days at a nearby lake and perhaps to stroll through an area with wild flowers or interesting birds to view. The same can be said for a young couple who wish to show their children the beauty of our state parks, flowers, etc.

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Attachment 3

It is our opinion HB 2797 will reduce the number of people who visit Kansas' State Parks and Public Lands simply because they can not afford what will amount to a luxury for far too many citizens. Again we realize fees must be raised to offset recent flood damage and increased maintenance expenses. However we suggest that State Park and Public Land fees be combined into one fee of \$20.00 per person (except those under age 16) per year and perhaps a five or ten dollar additional fee over and above the cost of a hunting, fishing or combination hunting and fishing license which would include access to State Parks and Public Lands as an option available to hunting and fishing enthusiasts.

We also encourage the addition of weekend or two day permits at a reduced charge to encourage out of state visitors and our own citizens to utilize the facilities offered by Kansas.

MARCH 15, 1994

HB 2797

MY NAME IS TOM YOUNG . I AM PRESIDENT OF SOUTH SHORE HOMES ASSOCIATION AND I AM A MEMBER OF THE CAPITAL CITY TASK FORCE FOR AARP.

HB 2797 PASSED THE HOUSE ON THE THESIS THAT THOSE WHO USE THE PARKS SHOULD PAY FOR THE PARKS. THIS WAS A RINGING CRY FROM THOSE WHO SUPPORTED PASSAGE OF THIS BILL. IF THIS THESIS WERE CARRIED TO ITS CONCLUSION IN OTHER AREAS EACH OF US WOULD HAVE TO CONTRACT WITH THE POLICE AND FIRE DEPARTMENTS. WE WOULD ALSO BE PAYING FOR OUR OWN CHILDRENS EDUCATION AND THOSE WHO COULD NOT PAY WOULD NOT HAVE THAT COVERAGE. AND CHILDREN WOULD BE UNEDUCATED. LETS NOT FALL FOR THAT LINE OF REASONING WITH PARKS.

I AM OPPOSED TO THIS BILL AS IT IS WRITTEN BECAUSE I BELIEVE IT WILL COST A GREAT DEAL JUST TO MONITOR WHEATHER EACH INDIVIDUAL HAS A LICENSE OR NOT. AT THE PRESENT TIME A RANGER CAN RIDE THROUGH THE PARK AND CHECK WINDSHIELDS AND KNOW IF THE FEE HAS BEEN PAID.

HOWEVER, IF THIS IS THE METHOD THE LEGISLATURE CHOOSES I STILL FEEL THAT RESIDENTS OVER 65 SHOULD BE ALLOWED THE USE OF STATE PARKS FREE.

THE BILL AS PRESENTED WOULD BRING IN I UNDERSTAND 4 MILLION DOLLARS. I REALIZE THIS INCLUDES USE FEES FOR STATE FISHING LAKES RAIL TO TRAILS AND OTHER STATE OWNED PUBLIC LANDS SUCH AS CHEYENNE BOTTOMS. I BELIEVE CITIZENS SHOULD BE REQUIRED TO PAY AN ENTRY FEE TO USE THOSE LAKES AND LANDS JUST AS THOSE WHO USE THE PARKS SHOULD PAY AN ENTRY FEE, BUT WE ARE TALKING ABOUT FREE PARK ENTRY FOR THOSE OVER AGE 65. FOR THOSE OVER 65 FREE PARK , LAKE AND PUBLIC LAND ENTRY WOULD ONLY REDUCE THE PARK INCOME BY 260 THOUSAND. WE ARE TALKING ABOUT PEOPLE WHO HAVE BEEN SUPORTIVE OF THE PARK SYSTEM FOR SEVERAL YEARS. YOU DON'T JUST BEGIN TO USE THE PARKS BECAUSE YOU GET FREE ENTRY AT AGE 65.

THESE ARE PEOPLE WHO HAVE SUPPORTED THE PARKS MOST OF THEIR LIFE. WHEN THEY RETIRE THEIR INCOME IS USUALLY BETWEEN 35% AND 50% OF THE INCOME WHICH THEY RECEIVED WHEN THEY WERE WORKING. WE ARE ,AFTER ALL, TALKING ABOUT USE OF THE PARK FOR A PERIOD OF ON AVERAGE FIVE TO SEVEN YEARS. AFTER 72 MANY OLDER CITIZENS ONLY

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Attachment 4

USE THE PARKS WHEN A SON OR DAUGHTER (OR CARE GIVER) CAN TAKE THEM.

ALTERNATIVES

1. OFFER SENIORS 65 AND OVER 1/2 PRICE ENTRY FEE THIS WOULD ONLY COST THE STATE 130 THOUSAND.
2. OVER A PERIOD OF THREE YEARS RAISE THE AGE AT WHICH YOU RECEIVE A FREE ENTRY PERMIT TO AGE 68.
3. KEEP THE ENTRY METHOD AS IT IS RAISE THE ENTRY FEE \$5 MAKING ENTRY TO STATE PARKS \$25 AND CHARGE THOSE OVER 65 \$5 ENTRY FEE (THIS INCLUDES THE USE OF STATE LAKES AND PUBLIC LAND.)

SENATOR LEE ABOUT BIG RIGS. BIG RIGGS FALL INTO THREE CATAGORIES

1. THOSE WHO HAVE TAKEN EARLY RETIREMENT THEY HAVE SOLD THEIR HOME AND PURCHASED A BIG RIG TO LIVE IN FULL TIME.
2. THOSE WHO PURCHASED BIG RIGS BEFORE RETIRING AND ARE STILL ABLE PHYSICALLY TO MANAGE THE PHYSICAL STRAIN OF OPERATING THE EQUIPMENT.
3. THOSE WHO ARE 65 TO 68 YEARS WHO HAVE BEGUN TO ADD EXTRAS ON SUCH AS HYDROLIC LEVELING JACKS AND OTHER POWER EQUIPMENT TO REDUCE THE PHYSICAL STRESS NEEDED TO OPERATE THE BIG RIG.

WITH A FEW EXCEPTIONS VERY FEW RETIRES HANDLE BIG RIGS AFTER AGE SEVENTY AND ALMOST NONE HAVE BIG RIGS AFTER AGE 75.

For Any Pension

Inflation Rate	Remaining Purchasing Power of Fixed Annual Pension After					
	5 Years	10 Years	15 Years	20 Years	25 Years	30 Years
3.00%	86%	74%	64%	55%	48%	41%
4.00%	82%	68%	56%	46%	38%	31%
5.00%	78%	61%	48%	38%	30%	23%
6.00%	75%	56%	42%	31%	23%	17%

Prepared by the Public Policy Institute of AARP

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March 16, 1994
Attachment 5

Senator Sallee Chairman, and all other Senators of this Committee,

My name is Charles H. Freeman, I'm a City Councilman from the City of Osawatomie, and have been elected three times to this office, I'm a member of the A.A.R.P. Capitol City Task Force, I'm also a volunteer and appointed member of the Marais des Cygnes River Basin advisory committee, Secretary of the Marais des Cygnes River Water Assurance District #2, and a volunteer in many other organization and things too numerous to mention.

But most important I am a Kansan. Born in Bethany Hospital in Kansas City, Ks. on November 16, 1928 just before the Big Depression. I worked for the Missouri Pacific Union Pacific R.R. for 42 years and retired in 1986. I was an official of that Company for 32 years living in Nebraska, Missouri and Arkansas, but in 1976 ask for reassignment from St. Louis Mo to Osawatomie, This was granted and I retired in Osawatomie in August 1986. I mention all these places because I liked all of them, but I still wanted to make the last years of my life in Kansas.

When you retire your income drops dramatically, in fact to about 35% of what

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you were earning.

It seems like everyone knows this because you suddenly are eligible for senior discounts on menus, shows, insurance, park fee, and so on.

I'm here to day to tell you that of all the various clubs and organizations I belong to, the topic of raising the fees as outlined in #B2797 is a "Hot Subject" and I ask on behalf of myself and the hundreds of other people I've talked with for you to look for other ways to fund the "State Parks".

We are all willing to pay our share as we have in the past, But it is my opinion that this bill is unfair to the "Senior Citizens" and the "Lower Income" people of Kansas.

Thank you very much.

Charles H. Freeman

PERSONAL PROPERTY TAX BORT

PERSONAL PROPERTY TAX TRAILER

RAISE SALES TAX 1/10%.

STATE OF KANSAS



Joan Finney
Governor

DEPARTMENT OF WILDLIFE & PARKS

James Holderman, Chairman
Commissioner
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Wichita, KS 67216-1202
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Theodore D. Ensley
Secretary

March 15, 1994

Senator Don Sallee, Chairman
Senate Energy and Natural Resources Committee
Room 128-S
State Capitol Building
Topeka, Kansas 66612

Dear Senator Sallee:

This letter is to convey my support and the support of the Commission for H.B. 2797 and the funding initiatives contained in the bill. We must identify and implement methods whereby all users of our state parks and wildlife areas assume a financial support role. The number of exemptions and nonpaying users is an unfair burden on other users. The Commission urges the passage of H.B. 2797.

Thank you,

Jim Holderman,
Chairman

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Attachment 7