

MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on March 8, 2011, in Room 783 in the Docking State Office Building.

All members were present except:

Representative Rocky Fund - Excused
Representative Michael Peterson - Excused

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Kay Scarlett, Committee Assistant

Conferees appearing before the Committee:

Robin Jennison, Secretary, Kansas Department of Wildlife and Parks
Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks

Others attending:

See attached list.

Hearing on SB 123 – Establishing fees for wildlife and parks cabins.

Chairman Powell opened the hearing on **SB 123**. Sean Ostrow, Office of the Revisor of Statutes, explained that this bill would change existing law to allow the Secretary of Wildlife and Parks, with the approval of the Kansas Wildlife and Parks Commission, to directly set fees for the use of cabins owned or operated by the Kansas Department of Wildlife and Parks. Current law requires the Secretary of Wildlife and Parks to set cabin fees through the administrative rules and regulations process. The bill also sets maximum fees for use of the cabins.

Robin Jennison, Secretary, Kansas Department of Wildlife and Parks, addressed the committee stating that the Department would appreciate the increased flexibility **SB 123** would allow them to market the use of public cabins with the intent of increasing the revenue generated by such use as well as encourage people to get outdoors and enjoy all that Kansas has to offer. He introduced Mark Stock, Cabin Coordinator, and Linda Craghead, Special Assistant for Parks and Tourism.

Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks, testified in support of **SB 123** that would remove cabin fees from the rules and regulation process and provide the Secretary of the Department of Wildlife and Parks additional flexibility in adjusting the fees charged for Department cabins at various state parks and public lands. The current administrative rules and regulations process does not allow KDWP to adjust a fee for market conditions such as decreased demand of certain cabins or to provide market incentives such as allowing “package” promotion fees for underutilized cabins. The Department of Wildlife and Parks currently has 94 cabins with an additional 20 planned for 2011. (Attachment 1)

The Chairman asked for a list of cabins and their locations owned or operated by the Kansas Department of Wildlife and Parks.

There being no other conferees, Chairman Powell closed the hearing on **SB 123**.

The meeting adjourned at 9:30 a.m. The next meeting of the House Agriculture & Natural Resources Committee is scheduled for March 9, 2011.

DATE: MARCH 8, 2011

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**Testimony on SB 123 relating to KDWP Cabins
To
The House Committee on Agriculture & Natural Resources**

**By Christopher J. Tymeson
Chief Legal Counsel
Kansas Department of Wildlife and Parks**

March 8, 2011

SB 123 seeks to remove cabin fees from the regulatory process and implement a process that provides additional flexibility in adjusting, in a timely manner, the fees charged for Department cabins for public use at various state parks and public lands. The Department currently has 94 cabins with an additional 20 planned for 2011. **The Department supports the provisions contained in the bill.**

Currently the fees for the use of the public cabins are established through the Administrative Rules and Regulations process. The current listing of cabin camping permit fees is established within K.A.R. 115-2-3a. Each cabin has its own established fee and the fees vary by location and by time of year, but to change any fee requires utilization of the cumbersome rules and regulations process. This is a time consuming process and does not allow KDWP to adjust a fee for market conditions such as decreased demand of certain cabins or to provide market incentives such as allowing "package" promotion fees for underutilized cabins.

The provisions of Senate Bill No. 123 allow KDWP to obtain approval from the Kansas Wildlife and Parks Commission for fee changes after a public meeting to discuss any changes being considered by the Department. In addition, the fees to be approved could not exceed the maximums established within the Bill. The KDWP Commission meets a minimum of six times per year which increases the ability of KDWP to provide appropriate fees in a timely manner without the delay of obtaining approval through the administrative rules and regulations process.

In addition, it should be noted that as an on-going process, the KDWP is still adding cabins for state parks and public land and the regulatory process can delay the opening of new cabins until the permit fees can be established.

In summary, the Department would appreciate having increased flexibility to market the use of public cabins with the intent of increasing the revenue generated by such use as well as encouraging people to get outdoors and enjoy all that Kansas has to offer. **The Department appreciates the support of the Committee in passage of the bill.**