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Approved: March 30, 1999
Date:

MINUTES OF THE HOUSE TOURISM COMMITTEE.

The meeting was called to order by Chairperson Barbara P. Allen at 3:30 p.m. on March 22, 1999 in Room 522-S of the Capitol.

All members were present except: Rep. Dean- excused
Rep. Meyers- excused

Committee staff present: Renae Jefferies, Revisor of Statutes
Russell Mills, Legislative Research
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Senator Kerr
Representative Jeff Peterson
Dick Carter, Travel Industry Association of Kansas
Laura Kelly, Executive Director, Kansas Recreation and Park Association
Bill Long, Riley County Fish and Game Association, Manhattan
Steve Williams, Secretary, Kansas Department Wildlife and Parks
Doris Kehler, Kansas Camping Association; Family Campers and RV-ERS
Marvin Stous, Fishers and Hunters of Kansas
Linda Smith, Kansas Campers and RV-ERS
Garold Smith, Clinton Lake Ministries

Others attending: See attached List

Chairperson Allen opened the hearing in **SB 316 - Wildlife and park fees for persons over 65 years and person with disabilities.** Renae Jefferies, revisor, gave a brief overview of **SB 316.**

Senator Kerr, proponent, recognized by Chairperson Allen, spoke to the committee in support of **SB 316 (Attachment 1).**

Chairperson Allen recognized Representative Jeff Peterson, who supports **SB 316.** Being disabled himself, he believes he should pay to use the park system the same as others. The amount of revenue to the state and the money that would go to help the parks would be of benefit to everyone. Rep. Peterson presented no written testimony.

Testimony in support of **SB 316** was presented by Dick Carter, TIAK (**Attachment 2.**)

Laura Kelly, Executive Director, Kansas Recreation and Park Association, speaking on behalf of the 800 members of the Kansas Recreation and Park Association, was recognized by Chairperson Allen (**Attachment 3.**)

Chairperson Allen recognized William Long, who spoke to the committee in support of **SB 316 (Attachment 4).**

Steve Williams, Secretary, KDWP, recognized by Chairperson Allen, spoke in support of and discussed the provisions of **SB 316 (Attachment 5).**

Doris Kehler, speaking in opposition of **SB316,** was recognized by Chairperson Allen (**Attachment 6.**)

CONTINUATION SHEET

MINUTES OF THE HOUSE TOURISM COMMITTEE, Room 522-s Statehouse, at 3:30 p.m. on March 22, 1999.

Chairperson Allen recognized opponent, Marvin Stous, representing Fishers and Hunters of Kansas **(Attachment 7)**.

Linda Smith, Director, Family Campers and RV'ERS, speaking in opposition was recognized by Chairperson Allen **(Attachment 8)**.

Garold Smith, Clinton Lake Ministries, who was recognized by Chairperson Allen, opposed **SB 316 (Attachment 9)**.

Written testimony in opposition of **SB 316**, from Brenda Eldridge, L.B.S.W.; Topeka Independent Living Resource Center was presented to the committee **(Attachment 10)**.

Bob Winkler, representing the Cheney Lake Association and the Ninnescah Sailing Association, sent written testimony supporting **SB 316 (Attachment 11)**.

Chairperson Allen closed the hearing on **SB 316 - Wildlife and park fees for persons over 65 years and persons with disabilities.**

Representative Geringer moved and Representative Mason seconded the motion to move SB 316 out of committee favorably. The motion carried. Representatives Hutchins and Osborne asked that their NO vote be recorded.

The meeting adjourned at 5:50 p.m.

TESTIMONY FOR SB 316
HOUSE COMMITTEE ON TOURISM

By
Senator Dave Kerr

Madame Chairperson, SB 316 which would require persons over 65 years of age and disabled persons to pay ½ the normal amount for fishing and hunting licenses and for state park entrance fees, has a history of which I want to make your committee aware.

Requested by Legislative Committees

- 1998 House Appropriations Committee recommended the review of the current exemptions for those 65 and older and for the disabled.
- 1998 interim Joint Budget Committee reviewed the concept and formally asked the Wildlife and Parks Commission to develop a recommendation.

Senate Ways and Means Action

- Passed the recommendation for ½ price fees without amendment.
- Put language in the subcommittee report that we do not intend to offset present SGF expenditures with revenues raised by the new fees.

Federal Funds Being Lost to Other States

- \$215,475 in federal funds are being disbursed to other states because of the current exemptions.

Conclusion

It is good policy to have all users make some contribution toward the maintenance of wildlife and park opportunities. Our parks especially need additional resources. This is an appropriate solution.

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Attachment 1*

SB 316

**Testimony Provided to
House Committee on Tourism
March 22, 1999**

Good afternoon Chairman Allen and members of the House Committee on Tourism. My name is Dick Carter and I am the Executive Director of the Travel Industry Association of Kansas, better known as TIAK. TIAK was formed in 1982 as the professional association for tourism promoters and marketers in Kansas. Our organization was structured on a model of the Travel Industry Association of America, and our membership includes convention and visitors bureaus, chambers of commerce, hotels and motels, attractions, regional promotional organizations, and businesses who service tourists and tourism promotion. Our ranks also include a variety of representatives from state agencies who are involved in the tourism industry in one way or another. Our mission was, and is, to speak with one voice for the tourism industry.

TIAK supports the concept of SB 316 and would like to commend the Kansas Department of Wildlife & Parks for their forward thinking as it relates to the future of our natural resources. Hunting and fishing and access to our state parks have always been levied on a user pays system. We agree that the people who take advantage of the bountiful resources that our state has to offer should pay for that privilege. While changes to the current system may meet resistance from some groups, the viability of our state park system lies in the hands of, not only future generations, but our aging population.

This ever-growing segment of our population expects today's standards in tomorrow's world. With increased pressure and requests for improvements, it makes good business sense to

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fund these activities by the people who use them the most. In fact, new businesses within the travel industry are gearing up for the “boomer” population. This group represents the largest number of people to ever enter into the *Golden Years* category at one time. This group also represents the wealthiest population to enter that same category.

As our adult population matures and the demands on our state’s natural resources increases, a steady and determinable level of income will be necessary to maintain the quality of life standards set by our hunting, fishing and camping patrons.

The results of the Young Nichols Gilstrap Strategic Study that were reported to the 1998 Kansas Legislature indicated that there were six niche markets that Kansas tourism promoters and marketers should focus on. We are talking about two of them today – hunting and fishing and Eco-tourism. The Division of Travel & Tourism, along with the members that make up TIAK are preparing to enter a new method of marketing and promoting Kansas – to Kansas residents and non-residents alike. SB 316 will help maintain and improve a natural resources system that is marketable to the visitors that we would like to attract and keep in our state.

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Attachment

Kansas Recreation and Park Association



700 SW Jackson St Ste 705 • Topeka Kansas 66603-3758 • (785) 235-6533 PH • (785) 235-6655 FX

Testimony Prepared for the
House Tourism Committee
Monday, March 22, 1999

SB 316

Laura Kelly, Executive Director
Kansas Recreation and Park Association

Representative Allen and Committee Members:

I appreciate the opportunity to appear before this committee today on behalf of the 800 members of the Kansas Recreation and Park Association in support of Senate Bill 316.

Over the fifty two years of organized, tax supported local public recreation services in Kansas, there has been a major shift in the way these programs and facilities are supported. Initially, public recreation programs were funded almost entirely by tax dollars. As the public demand for programs and facilities increased, the need to find other sources of funding also increased. In the 1960's, more and more agencies were supplementing tax support with modest program and facility use fees. In the 1980's, agencies turned to the private sector to underwrite some of the cost of programs and facilities in an effort to meet the demand while relying less on tax dollars and keeping user fees at a reasonable level. Today, local public park and recreation agencies reliance on tax dollars in Kansas has decreased to an average of less than 50%. Many local officials are requiring that some facilities, like golf courses, be totally self-sustaining, or turn a profit. It is predicted by experts in the leisure services field that this trend will accelerate and that public recreation and park services will become even more market-driven, self-funding operations as we go into the new millennium.

Last summer, when the Legislative Budget Committee addressed the issue of senior citizen exemptions for state parks, KRPA was interested in finding out whether local units, which are under heavy pressure to rely less on tax dollars, provided similar fee exemptions for their programs. From a survey conducted in August, 1998, we found that according to the 37 agencies that responded,

- ▶ 0% (none) exempted senior citizens entirely from program fees,
- ▶ 84% (31) did not provide any discount program fees,
- ▶ 16% (6) provided discounts for program fees ranging from 10-50%.
- ▶ Of the seven responding agencies which operate golf courses, six provided some fee discount and one, the newest municipal golf course in the state, Eagle Bend in Lawrence, opted not to offer any senior discounts.

To generalize from these results, it is clear that, at least at the local level, senior citizens are expected to pay to play...most often the same as others, sometimes less, but, almost always,

Parks and Recreation: The Benefits Are Endless...™

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President
Bill Cobb
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President-elect
Michael Braught CLP
Newton

Past President
Stevens Friend CLP
Burlington

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Betty Zeka CLP
Hutchinson

Treasurer
Annette Deghand
Lawrence

Member at Large
Stephen Hemig CLP
Leavenworth

Member at Large
Rick Claiborn CLP
Hays

Executive Director
Laura Kelly

*An
affiliate
of the
National
Recreation
and Park
Association*

something.

One could expect that as the proportion of senior citizens to the general population continues to increase, as it is predicted to do well into the next century, and the expectation that park and recreation agencies fund themselves escalates, the local agencies will need to revisit the notion of any non-need based user fee discounts.

The need to address fee exemptions for the state agency is even more pressing. We know from the findings of the KDWP Commission's Task Force on Outdoor Kansas and the extensive hearings last summer and during the 1998 legislative session, that our state parks are in desperate need of money. The \$10 million appropriated last session is helping with repairs and renovations. Capital investment of this nature is essential. Hopefully, more will be coming in the future to upgrade and enhance state park facilities. On a year to year basis, however, the state agency must be able to generate enough revenue to fund its operations and routine maintenance. That additional money will have to come from one of two places: the state general funds or user fees.

One of the surveys done by the Task Force on Outdoor Kansas suggested that Kansans valued their state parks and thought them well worth tax support. Other surveys have suggested that the public generally supports the user fee concept when applied to park and recreation programs and facilities. If these surveys did not exclude seniors, it might very well be that senior citizens, as a whole, also support the user fee concept.

In our testimony to the Ways and Means Subcommittee on Wildlife and Parks budget, KRPA recommended total elimination of senior exemptions for state park fees and hunting and fishing licenses allowing only exceptions that can be justified by financial need. However, we can and do support the recommendations of the Wildlife and Parks Commission outlined in Senate Bill 316 to charge 50% of the ordinary fee for motor vehicle permits and hunting and fishing licenses and encourage this committee to do the same. It is a good first step in establishing more equity among the users of our state parks and providing essential funding for state park operations and maintenance without increasing state general fund support.

Thank you.

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Attachment 3-2

March 22, 1999

TO: Representative Barbara Allen, Chair, and the House Tourism
Committee

FROM: William C. Long, representing the Riley County Fish and
Game Association

SUBJECT: Senior Exemptions from Hunting and Fishing Licenses and
Park Entrance Permits

1. The purpose of this presentation is to state our support for the proposal contained in Senate Bill 316 which would eliminate the exemptions for seniors from hunting and fishing licenses and park entrance permits and replace them with licenses and permits costing one half the regular price. I was present at the January 27th Wildlife and Parks Commission meeting when the Commission selected and endorsed this proposal from the options presented. I can assure you that there was strong support from the public attending the meeting as well as from the Commission. At our February 4th general membership meeting, I explained the proposal to the members of the Riley County Fish and Game Association and they voted to endorse the change. Please understand that I am speaking only about the exemptions for seniors and am neutral concerning exemptions for persons with disabilities.

2. While this proposal directly impacts myself and other seniors presently enjoying the exemptions, I believe most of us support the change because we recognize the adverse impact they have on the operations of the Department. Most of us are willing and able to pay these very reasonable

"users' fees". As I understand the Department's calculations, each time I buy a combination hunting/fishing license for \$15.50, the Department could be eligible for approximately \$10.42 reimbursement from Federal Wildlife and Sportfish Restoration funds. Since these funds come from the Federal excise taxes that all sportsmen and women pay, we would like to maximize the Department's reimbursement for eligible projects and operations. Most of us feel that this is a worthwhile investment for us and our grandchildren. I, personally have bought Park Entrance Permits from the time Tuttle Creek State Park opened until my exemption kicked in. I remember when we didn't have any such facilities and I appreciate having had them for my family to use. These park facilities are now showing their age and even with the \$10 million approved last year, continuing financial support will be needed to upgrade and maintain them. Please vote to support the changes in senior exemptions contained in SB 316.

Thank you,

William C. Long
824 Church Avenue
Manhattan, Kansas 66502
(785)539-8777



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



March 22, 1999

The Honorable Barbara Allen, Chairperson
Committee on Tourism
House of Representatives
Room 522 - S, State Capitol Building
Topeka, Kansas 66612

Dear Representative Allen:

RE: Senate Bill No. 316

Senate Bill No. 316 is the result of a recommendation by the 1998 Legislature to review the issue of age and disability exemptions for park vehicle permits and hunting and fishing licenses. The 1998 Interim Legislative Budget Committee requested the Kansas Commission on Wildlife and Parks to provide a recommendation to the 1999 Legislature regarding exemptions. The Commission adopted, at their January 27, 1999 meeting, a recommendation to provide annual vehicle park permits for persons 65 years of age or older or the disabled at one-half the regular price. Persons 65 years of age or older would be required to purchase hunting and fishing licenses at one-half the regular price.

Senate Bill No. 316 is new legislation which amends existing state law to authorize the Kansas Department of Wildlife and Parks (KDWP) to establish certain fees for persons 65 or more years of age or disabled who acquire an annual or temporary motor vehicle permit for state parks, a hunting license, fishing license, or lifetime hunting or fishing license. The KDWP would establish the fee for such permit or license at one-half the fee for a regular permit (over 65 and disabled) or license (over 65 only). The one-half price fee would be effective on January 1, 2000.

The KDWP estimates that a maximum of 24,900 one-half price annual vehicle permits for state parks would be issued in the first full year of the permit. In

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addition, it is estimated that a maximum of 17,130 hunting and 23,980 fishing licenses would be sold at one-half price. If these numbers of permits and licenses are sold, the maximum revenue to the Park Fee Fund would be \$367,755. The actual revenue received in FY 00 will be less than this amount since the one-half price permit is not available until 1/1/2000. For FY 2001, the first full fiscal year the one-half price permit is in effect, revenue could be less depending on the user attrition that may occur. The maximum revenue to the Wildlife Fee Fund would be \$308,318. As stated above for the Park Fee Fund, the additional revenue received in FY 2000 will be less due to the 1/1/2000 implementation date for the one-half price license and could be less in future years due to attrition by users.

In addition to license revenue from issuing hunting and fishing licenses at 1/2 price for persons over 65 years of age, the KDWP will receive additional federal aid. The formula used by the U.S. Fish and Wildlife Service to determine federal aid for hunting and fishing programs does not include exemptions but will include the number of one-half price licenses sold by the KDWP. The KDWP estimates that federal aid for hunting programs could increase by \$86,126 and for fishing programs the federal aid increase could be \$129,348.

The provisions of Senate Bill No. 316 will provide additional revenue for the KDWP to improve operation of the State Parks System and hunting and fishing opportunities for the public. The full amount of additional revenue generated will not be known until after FY 2001, the first full fiscal year the new permit/license fees will be in effect. Thank you for the opportunity to discuss the provisions of Senate Bill No. 316. If you or members of the House Committee on Tourism have any questions, please advise.

Sincerely,



Steve Williams, Secretary

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Founded as
National Campers & Hikers Association
A Non-Profit Educational
Family Camping Organization
Love Thy Neighbor
Love Thy God



Member:
American Recreation Coalition
Federation Internationale de
Camping et de Caravanning (FICC)
Recreation Vehicle Industry
Association (RVIA)
United States Federation of
Camping Clubs (USFCC)

As District Directors of the Family Campers and Rv'ers Camping organization we would like to testify **against Senate Bill 316** on behalf of the many members who are senior citizens and or disabled. At the present time Kansas has 560 members of our organization. Many of these members do a lot of both group and family camping. The Kansas State Parks have always been a good choice. When you dropped the annual permits and raised the rates the other year you lost many of our group. We feel that if you start charging the \$14.75(which is half price of the vehicle permit) rather than giving the senior citizens and disabled a permit for .50 cents you will lose many more. The proposed daily permit of \$1.75 per vehicle will also discourage many from even visiting your parks for a day or to picnic. Most of these people are on fixed incomes. There are many other camping organizations or individuals that this would also affect. Please consider all options before passing this bill.

Signed

Max and Doris Kehler

Max and Doris Kehler
District Directors FCRV
5041 N W 35th St.
Topeka, Kansas 66618-3614

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HOUSE OF REPRESENTATIVES COMMITTEE FOR TOURISM

Chairperson Allen and Committee Members

RE: Senate Bill 316

I greatly appreciate the opportunity to address this committee with my personal views on the issue before you today.

I am a life long resident of Jackson County, Kansas, except for time I spent in the military. It has long been a goal of mine to receive an Honorary Hunting and Fishing Certificate. Last December I attained the age (65) required for this certificate. I have in the past purchased, at the regular fee, an annual combination permit. I believe that this longstanding tradition of granting senior citizens and disabled citizens the honorary pass should be continued. I have no problem with continuing the fee for big game or certain special fees for fishing at selected lakes or impoundments. This is not to imply, however, that the Department declare all state lakes as fee areas.

It is my personal thought that most persons age 65 and older do somewhat limit their activities as the years advance. Thus having a fee charged after years of traditionally not having the cost of a license, may possibly curtail this form of recreation. This also applies to the disabled hunters and fishers among us.

It is also my opinion that the Department of Wildlife and Parks could do less with the Rails for Trails program and use the money to a greater benefit for more people in other ways. I have no figures as to the amount of revenue received from the license fees, but I am sure that whatever it is, it exceeds any revenue from the Rails for Trails program. Also, hunting and fishing generates more revenue for the economy than any form of the Rails for Trails folly. I refer to equipment, ammunition, bait, and clothing as opposed to walking and/or bike riding.

For these reason, I urge the members of this committee to reject this Senate Bill 316.

Respectfully,



Marvin Stous
24273 Q Road
Holton, KS 66436
785-364-2327

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REPORT BY THE
KANSAS STATE DIRECTORS
FAMILY CAMPERS AND RV'ERS

For the 1999 Camping Season, the FCRV Chapters that are currently scheduled to camp at a State Park in Kansas include:

9 Chapters – Camping at 14 State Parks (Average Stay 2 days/nights).

This involves at least 100 Families (with at least 75 per cent in the Senior Citizen and/or handicapped category). (100 x 28 = 2800 days/nights)

In addition to the figures above one other event that takes place at the Elk City State Park in October involves approximately 50 Families for 2-4 days/nights.

We have seen a significant change of FCRV Chapters camping schedules from State Parks to other camping areas over the last 2-3 years due mostly to the high fees. If the fees are increased again, the remaining 9 Chapters will likely make other arrangements this year.

We have a total of 54 Chapters (596 members), that meet at least once a month and many meet twice a month during the camping season (March – November). In the last ten years the trend of camping places has changed from almost 100 percent at State Parks to very little use of State Parks. The major reasons for the change has been the fees and the upkeep of the parks. Another reason, which is the fees also, is for the families that drive in to meet with the rest of their group, but are unable to camp, due to work schedules, etc., and if they feel penalized already, they won't make the effort to go out at all.

Garold & Linda Smith
Kansas State Director – FCRV

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Attachment 8

CLINTON LAKE MINISTRY

The Clinton Lake Ministry is supported by six area Churches in the rural area between Topeka and Lawrence, as well as one Church in Lawrence that drives in to help with the services.

We have had Church Services at Clinton Lake State Park #3 for 15 years or more. Due to the increase of charges on camping fees and drive in fees, it has greatly affected our attendance. We have had to cancel services in the State Park due mostly to the lack of attendance of both the campers and the church members that would normally attend.

For 1999 we have moved our services to the Federal Corps Park at Clinton, Bloomington Area. There is no charge for drive-ins to attend our services.

Any additional fee increase at the State Parks will certainly deter usage by family oriented groups.

Garold H Smith, Chairman
Clinton Lake Ministries,
Six-Area Churches Council

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Attachment 9



Offices located in
the Historic Crawford Building

Topeka Independent Living Resource Center

785-233-4572 V/TDD • Fax 785-233-1561 • Toll Free 1-800-443-2207
501 SW Jackson Street • Suite 100 • Topeka, KS 66603-3300

Testimony to the House Tourism Committee
Regarding Senate Bill 316

Topeka Independent Living Resource Center (TILRC) is in opposition to Senate Bill 316. The bill proposes to charge persons who are elderly and persons with disabilities fifty percent (50%) of the standard user fee now charged of Kansas citizens. At this point in time these populations are exempt, and for solid economic reasons that affect the majority of these populations. For instance sixty percent (60%) of those with disabilities subsist on incomes that are below the poverty line, and there is a percentage of persons who are elderly that are on fixed and limited incomes as well. Kansas has traditionally been aware of these factors and has structured policy to attempt to ameliorate this situation in the past by exempting the charges for recreational usage.

TILRC supports the State in their endeavors to level costs and opportunity and we are aware of the need to raise revenues for the Parks & Recreation Department. TILRC would suggest an amendment to Senate Bill 316 to address both issues. The reasoning that presently exempts individuals from the fiscal responsibilities of citizenship simply based on having a disability or due to age is faulty. Just because I have a disability doesn't necessarily mean I'm not concerned with the fiscal well-being of our State. TILRC would be willing to give a few suggestions for amendment such:

- 1.) As a short term ameliorative solution, a "means-tested" application process for recreational usage fees. At the present time a person with a disability can either apply to the State or simply drive up to the check point at the lakes and with a matching of the disabled parking identification card and driver's license, enjoy our State's recreational areas in exemption, although there are areas that a minimal charge of fifty cents has been charged.
- 2.) A long term initiative would be to effectively address the two thirds of the forty three million Americans with disability that are currently out of employment. With Employment initiatives, those with disabilities would be enabled to contribute to the State's Park & Recreation needs.

In summation then, TILRC is of the opinion that there are better ways to address these needs than to charge those that can least afford it. We would suggest that whatever office already administers such verification records could become the administrative structure that would change the application to request income verification in the form of a tax return statement or other form of income verification to qualify a person for exempt status. The charges for these two populations can then be based on need rather than across the board exempt status, thereby meeting the needs of the State for an increase in revenues to maintain our recreational areas throughout the state. Not all those with disabilities are below poverty status, not all of our persons who are elderly are either. With this amendment TILRC would be supportive of a charge being assessed in this matter.

A "win-win" situation would be structured with additional revenue raised for usage and amelioration for those that of necessity would find the fee prohibitive.

Thank you Madame Vice Chairperson Hutchins and committee members for your thought on the proposed amendments. If you have any questions, please feel free to contact either Mike Oxford, Executive Director or myself at (785) 233-4572.

Respectfully Submitted:

Brenda L. Eldridge, L.B.S.W.
Public Policy Advocate

Advocacy and services provided by and for people with disabilities.

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Attachment 10
TOTAL P.02

Jo Ann,

The Cheney Lake Association and the Ninnescah Sailing Association approve and support this Legislation Senate Bill 316. It is time for seniors to support the Facilities they enjoy so much. It is not out of reason.

Thanks,

Bob Winkler

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Attachment II