

MINUTES OF THE HOUSE COMMITTEE ON TOURISM.

The meeting was called to order by Chairperson Carol E. Beggs at 3:30 p.m. on February 5, 2001 in Room 522-S of the Capitol.

All members were present except: Rep. John Ballou - excused

Committee staff present: Renae Jefferies - Revisor
Hank Avila - Research
Carol Doel - Committee Secretary

Conferees appearing before the committee: Clint Riley
Jean Barbee

Others attending: See attached list

Chairman Beggs announced that today we would hear and work **HB 2098**. Clint Riley from Wild Life and Parks presented each member of the committee written answers to some of the questions which he did not have an answer for at the meeting of January 31, 2001. (Attachment 1) Clint Riley and Jean Barbee were also available to answer any questions which the committee had prior to working the bill.

Mr. Riley proposed the language of **HB 2098** page 6, line 38 be amended to read: "*Commercial basis*" means that the recipient of the services agrees to provide valuable consideration as compensation for the guide services, and the services are provided as part of a business relationship. (Attachment 2) Representative McClure made the motion that this proposal be amended. Representative Aday seconded the motion. The motion passed as amended

Representative McClure made a motion that **HB 2098**, page 9, lines 21 and 23, #3 be broken out separately and read as: "shall refuse to issue" rather than "may refuse to issue". Representative Aday seconded the motion. The motion passed as amended.

Representative Jeff Peterson made a motion that **HB 2098** be passed as amended. This was seconded by Representative Levinson. The motion carried to pass **HB 2098** as amended.

Chairman Beggs asked for approval of minutes for January 29, 2001 and January 31, 2001. Representative Ethel Peterson made a motion that the minutes be approved as read. This was seconded by Representative Palmer.

Meeting was adjourned at 4:19 p.m. The next meeting will be on February 7, 2001 in the Memorial Hall Auditorium as a joint meeting between the Senate Commerce Committee and the House Tourism Committee.

HOUSE TOURISM COMMITTEE GUEST LIST

DATE 5 FEB 01

NAME	REPRESENTING
CHRIS TYMESON	KDWP
Clinton Biley	KDWP
CHADWICK	KDWP
Coben Mull	Kansas Outdoors
Jan Barber	TIAR



STATE OF KANSAS
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MEMORANDUM

To: House Committee on Tourism

From: Clint Riley, KDWP

Date: February 5, 2001

Re: HB 2098
"Provisional Guides" in other states

During discussion of HB 2098 on January 31, 2001, members of the committee requested a comparison to other states, to determine whether they allow a "provisional guide" exemption. Of the fifteen states responding to this point, eight license commercial guides and seven do not. Of those licensing commercial guides, all of them require a guide license of anyone providing commercial guide services, regardless of the number of days guiding or the amount earned during calendar year. In other words, no other responding state has an exemption for "provisional guides." States responding to this inquiry were the following:

States licensing commercial guides (NONE allow provisional guides):

Alaska (hunting only), Arkansas, Colorado, Illinois, Kentucky, North Dakota, Texas (fishing only), Wyoming (hunting only)

States that do not license commercial guides:

Nebraska, Oklahoma, Pennsylvania, Tennessee, Utah, Vermont, Wisconsin

House Bill No. 2098
Possible Amendment
Re: Definition of Commercial Basis

Page 6, line 38:

(2) ~~“Provisional guide” means a person who, during the calendar year, performs commercial guide services for five or fewer days and receives \$500 or less for such services, as determined in accordance with rules and regulations of the secretary. “Commercial basis” means that the recipient of the services agrees to provide valuable consideration as compensation for the guide services, and the services are provided as part of a business relationship.~~ **Evidence of a business relationship includes, without limitation, advertisement of the guide services, written agreement of the terms of payment, or services provided by an employee of a commercial guide.**