

MINUTES OF THE HOUSE TOURISM AND PARKS COMMITTEE

The meeting was called to order by Chairperson Becky Hutchins at 3:30 p.m. on February 4, 2004 in Room 241-N of the Capitol.

All members were present except: Representative Margaret Long - Excused

Committee staff present:

Hank Avila, Legislative Research Department  
Russell Mills, Legislative Research Department  
Mary Torrence, Office of the Revisor of Statutes  
Lura Attig, Committee Secretary

Conferees appearing before the committee:

Representative Willa DeCastro  
Chris Tymeson, Department of Wildlife and Parks

Others attending:

See Attached List.

**HB 2604 -Licensing of boat dealers and certificates of number for use by dealer, spouse, employees and customers.**

**Proponents:**

Representative Willa DeCastro read the brief written testimony of Gary Raine (Attachment 1), who was not present. Mr. Raine is confident that Kansas boat dealers would benefit from this bill. The license would be similar to that of a car dealer.

Committee questions followed.

Chris Tymeson, Chief Legal Counsel, Department of Wildlife and Parks gave testimony supporting **HB 2604** (Attachment 2). This bill would allow boat dealers to frequently demonstrate their vessels on public water for the purpose of making a sale without being ticketed for *recreational use*. This would possibly increase both boat sales and tax revenue.

Committee questions followed.

Dan Heskett, Assistant Division Director, Boating Law Enforcement, Department of Wildlife and Parks answered committee questions regarding how boat dealers are regulated.

**Opponents:**

None

Chairperson Hutchins thanked the conferees and closed the hearing.

Chairperson Hutchins reminded the committee that today is the last day for non exempt committees to request bill drafts.

Rep. Novascone requested a committee bill requiring the Wichita State men's basketball team to play the University of Kansas' Men's basketball team. Motion made by Rep. Morrison and seconded by Rep. O'Malley. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE TOURISM AND PARKS COMMITTEE at 3:30 p.m. on February 4, 2004 in Room 241-N of the Capitol.

The Chair announced the next meeting will be Monday, February 9. We will hear HB 2573 - Wildlife and Parks, Disability assistance permit, fishing, removing license requirements for designated assistant.

Chairperson Hutchins adjourned the meeting at 4:10 p.m.

HOUSE COMMITTEE ON TOURISM AND PARKS

GUEST LIST

DATE: 2-4-04 \_\_\_\_\_

NAME	REPRESENTING
LeAnn Schmitt	KDWP
Dow Heskett	KDWP
Chris Tymeson	KDWP

This testimony was presented by Rep. Willa DeCastro on behalf of Mr. Raine, Feb. 4, 2004.

To Whom It May Concern:

With the signatures and endorsement of the following dealers who are active in the state of Kansas, we believe it is necessary for Legislature to review the wording of the current law in reference to licensing and providing dealer certificates.

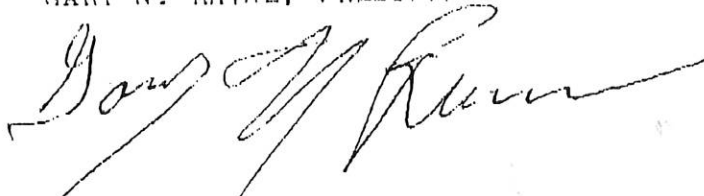
It is necessary for us, as dealers to have full use of the watercraft product for use in demo, and assist in sales of our product. We believe it should be viewed as an auto dealer, allowing for full use of the product for no determined amount of time. The dealers rely on the income from the sell, barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the sales of any vessel, whether or not the vessel is owned by such person.

We are required to carry the same license as an auto dealer. We, as dealers, agree and believe that others should comply and participate in the proper license, building/location requirements, and legal sign ordinances. Everyone should be treated equally.

<u>DEALER</u>	<u>LOCATION</u>	<u>PHONE#</u>
ALBERS MARINE	ARMA, KS	620-347-8863
THE BOAT HOUSE	ANDOVER, KS	316-733-6000
MID-KANSAS MARINE	ANDOVER, KS	316-733-9889
SPORTSCRAFT MARINE	WICHITA, KS	316-942-2256
MARINE WORLD	WICHITA, KS	316-265-2628
SLACK OUTBOARDS	WELLINGTON, KS	620-326-5433
FISH & SKI MARINE	WELLINGTON, KS	316-682-0491
CLEVE'S MARINE	SALINA, KS	785-823-6986
PLAINVILLE BOAT SHOP	PLAINVILLE, KS	800-499-4503
MID-KANSAS MARINE	HUTCHINSON, KS	800-625-0396
LARRY BOAT SHOP	HUTCHINSON, KS	620-663-4120
INLAND MARINE	HUTCHINSON, KS	888-866-2860
SHADY CREEK MARINA	ELDORADO, KS	800-530-5138
SALINA MOTOR SPORTS	SALINA, KS	785-827-1313
BASS BOATS LLC	TOPEKA, KS	785-876-2628
LAKE PERRY YAUGHT & MARINA	TOPEKA, KS	785-828-9392
LAKESIDE MARINE	TOPKEA, KS	785-478-9392
BOAT HOUSE	TOPEKA, KS	785-267-2628
SOUTHWEST MARINE	KC, KS	913-262-6556
SALINA POWER SPORTS	SALINA, KS	785-

WICHITA MARINE, INC.

GARY N. RAINE, PRESIDENT



House Tourism Committee  
Meeting Date 2-4-04  
Attachment 1

# KANSAS

DEPARTMENT OF WILDLIFE & PARKS

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on HB 2604 Relating to Vessel Dealers  
To  
The House Committee on Parks and Tourism**

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

**February 4, 2004**

HB 2604 further clarifies the definition of vessel dealers, allows for administrative appeals under the Kansas Administrative Procedures Act for denial, suspension, revocation or refusal to issue a vessel dealer's license, and allows for dealer certificates of numbering for vessels under prescribed conditions. The provisions involved with the bill would take effect on January 1, 2005.

The department supports the enactment of the provisions contained in the bill. The bill would more distinctly define who is a vessel dealer and the process to become a vessel dealer would be similar to the process to become an automobile dealer. In addition, dealer certificates of number for temporary use on vessels would be similar to automobile dealer tags, thereby alleviating some enforcement concerns within the department regarding dealer vessels.