

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2039**

As Agreed to April 5, 2023

**Brief\***

HB 2039 would require the Secretary of Wildlife and Parks (Secretary), or the Secretary's designee, to issue a free permanent hunting and fishing license to any person residing in the state upon providing proof to the Secretary that such person is a disabled veteran.

The bill also would designate the Lehigh Portland Trails in Allen County as Lehigh Portland State Park.

***Hunting and Fishing Licenses***

***Disabled Veterans***

The bill would define "disabled veteran" as a former member of the armed services, separated from such service under honorable conditions, who has a service-connected disability certified by the Kansas Commission on Veterans Affairs Office of at least 30 percent.

Persons receiving a license pursuant to the bill would be subject to rules and regulations related to hunting and fishing and to applicable hunter education requirements established elsewhere in statute.

The bill would also amend the statute authorizing the Secretary to set fee amounts for various types of licenses and permits to exempt any person who is a disabled veteran, as defined in the bill, from paying applicable hunting and fishing license fees.

***75 Years or Older License Requirement Exemptions***

The bill would remove sunsets on provisions exempting residents aged 75 years or older from hunting and fishing license requirements. [Note: As enacted, 2012 SB 314 included sunset provisions that caused this exemption for senior residents to expire on June 30, 2020.]

---

\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kIRD>

## Conference Committee Action

The Conference Committee agreed to the provisions of HB 2039, as amended by the House Committee on Agriculture and Natural Resources, and further agreed to add the contents of HB 2331 as passed by the House Committee of the Whole.

## Background

### ***HB 2039 (Disabled Veteran Hunting and Fishing License)***

The bill was introduced by Representative Waymaster.

#### *House Committee on Veterans and Military*

In the House Committee hearing on January 24, 2023, a representative of the Military Officers Association of America testified as a **proponent** of the bill and requested an amendment to make the definition of “disabled veteran” contained in the bill consistent with federal regulation. Written-only proponent testimony was provided by Representative Waymaster.

Written-only neutral testimony was submitted by a representative of the Congressional Sportsmen’s Foundation.

The Secretary testified as an **opponent** of the bill, expressing concerns related to enforcement of the bill’s provisions and the potential for the Kansas Department of Wildlife and Park’s (KDWP) loss of revenue and loss of federal funding as a result of the amendments proposed in the bill.

On February 7, 2023, the House Committee amended the bill to:

- Remove a sunset provision on the exemption for persons aged 75 or older [*Note*: The Conference Committee retained the amendment.];
- Reinsert current statutory language regarding half-priced licenses for persons aged 65 to 74 [*Note*: The Conference Committee retained the amendment.]; and
- Create a section of law providing for a free permanent license for a veteran with a disability rating of at least 30 percent. As introduced, the bill would have exempted veterans with service-connected disabilities of at least 50 percent from obtaining annual hunting, fishing, or combination licenses or lifetime license and would have prohibited KDWP from charging such disabled veterans any associated fees. [*Note*: The Conference Committee retained the amendment.]

## *Senate Committee on Agriculture and Natural Resources*

In the Senate Committee hearing on March 22, 2023, written-only proponent testimony was provided by Representative Waymaster. A representative of KDWP provided written-only neutral testimony. No other testimony was provided.

The Senate Committee amended the bill to change the effective date to upon publication in the *Kansas Register*. [Note: The Conference Committee did not retain the amendment.]

## ***HB 2331 (Lehigh Portland State Park)***

The bill was introduced by the House Committee on Agriculture and Natural Resources at the request of Representative Gardner on behalf of KDWP.

## *House Committee on Agriculture and Natural Resources*

In the House Committee hearing on February 16, 2023, **proponent** testimony was provided by the Director of the Parks Division, KDWP; President and CEO of Thrive Allen County; representatives of the City of Iola, Healthy Bourbon County Action Team, and Iola Industries, Inc.; the steward of Lehigh Portland Trails and Director of Trails for Thrive Allen County; and five members of the public, including a 10-year-old resident of Iola and a senior at Iola High School.

The proponents stated the Lehigh Portland Trails are built on the site of a former cement plant and quarry, along the banks of Elm Creek in Iola. The trails consist of over 2.5 miles of wide gravel trails and over 12 miles of natural-surface trails for mountain biking, trail running, and nature hikes. The former quarry is now a 138-acre lake surrounded by riparian woodlands and meadows mixed with native prairie.

Written-only proponent testimony was provided by representatives of A Bolder Humboldt, Allen Community College, Allen County Regional Hospital, Anderson County Development Agency, Blue River Rail Trail, City of Emporia Multi-use Path Planning Board, City of Humboldt, Community Health Center of Southeast Kansas, Community National Bank and Trust, Health Forward Foundation, Humanity House Foundation, Kansas Recreation and Park Association, Kansas Sampler Foundation, Kansas Trails Council, Montgomery County Action Council, Prairie Travelers, Inc., Pratt Health Foundation, Southeast Kansas Regional Planning Commission, Sunflower Foundation, Sunflower Rail-Trails Conservancy, The Iola Register, Inc., The Nature Conservancy, United Methodist Health Ministry Fund, and USD 257 (Iola), and 65 members of the public. No other testimony was provided.

The House Committee recommended the bill be passed on February 21, 2023, but the bill was withdrawn from the House Calendar and referred to the House Committee on Appropriations on February 23, 2023. The bill was then withdrawn from the House Committee on Appropriations and rereferred to the House Committee on Agriculture and Natural Resources on March 1, 2023.

The House Committee again recommended the bill be passed on March 13, 2023, after holding an informational hearing on the bill, which included testimony from the Secretary of Wildlife and Parks and representatives of KDWP, Kansas Department of Health and

Environment, and Thrive Allen County. The House Committee also heard testimony from three members of the public who expressed their concerns about the potential state park.

## **Fiscal Information**

### ***HB 2039 (Disabled Veteran Hunting and Fishing License)***

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDWP estimates a loss of \$28,158 in federal funds each year starting in FY 2024 based on the bill's change from 30 percent to 50 percent disability rating. KDWP also stated that if current license holders who fall between 30 percent and 50 percent in disability rating do not purchase a license under this bill, then KDWP would see a reduction in federal funds each year; however, the agency cannot estimate the amount of fee and federal funds that could be lost if the bill is enacted. [*Note: The amendment changing the disability rating was not retained by the House Committee on final action.*]

For the removal of half-priced licenses for those 65 to 74 years of age, KDWP estimates that it would receive an additional \$8,888 each year in license fees that would be deposited into the Wildlife Fee Fund. [*Note: The amendment removing half-priced licenses for this age group was not retained by the House Committee on final action.*]

In addition, the agency stated that requiring those 75 years and older to obtain an annual hunting or fishing license cannot be estimated since that age group currently is not required to purchase a license. However, the agency does anticipate this change would increase Wildlife Fee Fund and federal fund revenues. [*Note: The amendment removing the senior license exemption was not retained by the House Committee on final action.*]

The Kansas Commission on Veterans Affairs Office states that enactment of the bill would not have a fiscal effect because the agency already verifies the service-connected disabled veterans who apply for hunting and fishing licenses.

Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

### ***HB 2331 (Lehigh Portland State Park)***

According to the fiscal note prepared by the Division of the Budget on the bill, the KDWP states that it would require \$50,000 from its Parks Fee Fund in FY 2024 for costs associated with title work, surveying the 14 parcels of the Lehigh Portland property, performing a Phase I Environmental Site Assessment, and closing costs.

In FY 2025 through FY 2027, \$200,000 would be spent for developing a master plan to determine which services should be included at the park. The design and building construction would cost approximately \$5.0 million to \$7.0 million.

The agency would also need to hire 2.0 FTE positions at a cost of \$129,600 that would be paid 80.0 percent from federal funds and 20.0 percent from the agency's Parks Fee Fund.

The agency has requested the entire project amount from the Strengthening People and Revitalizing Kansas Economic Development Grant, but has not received verification of approval for the funds. If the proposal is approved, then these funds would pay for the entire project, including the \$50,000 paid initially from the Parks Fee Fund.

Any fiscal effect associated with enactment of HB 2331 is not reflected in *The FY 2024 Governor's Budget Report*.

Hunting and fishing licenses; disabled veterans; Kansas Department of Wildlife and Parks; state parks; Leigh Portland State Park; Allen County

ccrb\_hb2039\_01\_0000.odt