

February 12, 2024

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 370 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 370 is respectfully submitted to your committee.

SB 370 would require the approval of the Kansas Legislature for the designation of any national heritage area or national historic trail within the state of Kansas, if the designation includes land that is not federally owned. Legislative approval would be required for any state lands, water, property, or facilities to be included in a national heritage area, national historic trail or any similar or successor designated areas. The bill would also require legislative approval of the use of state funds to match federal funds for any national heritage area or national historic trail.

The Kansas Department of Wildlife and Parks (KDWP) states that the Freedom's Frontier National Heritage Area (FFNHA), which was established in 2006, encompasses 29 counties in eastern Kansas and an additional 12 counties in Western Missouri. Within the 29 counties in Kansas, there are 14 state parks and two additional state park managed properties. These 16 properties are important economic assets to the local communities they are situated within. Additionally, this area contains KDWP Wildlife Areas.

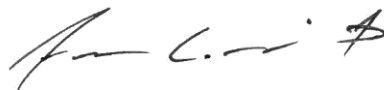
Due to the current locations of the 16 state park properties, within the FFNHA and aligned with the Santa Fe National Historical Trail, the bill would have a direct effect on operations, revenues, and expenditures for the Parks Division of the KDWP. The agency could not operate those parks unless the Legislature approved expenditures for those parks. The agency could not relocate the parks and prohibiting the existence of these facilities within the state budget would eliminate 54.00 FTE positions at the parks. The agency cannot estimate the amount of revenue it would lose or the amount of expenditures it would save if these parks were to close. The agency does not spend state funds to add to public properties in the National Heritage Areas or trails nor does the agency receive federal funds for National Heritage Areas.

Kansas has five designated National Historic Trails consisting of the Lewis and Clark (designated 1978), Oregon (1978), Santa Fe (1987), California (1992), and the Pony Express (1992). The Flint Hills Trail State Park (118 miles long) closely aligns with the Santa Fe National Historic Trail for approximately 30 miles and is on the same direct alignment for approximately six miles. The cost to complete those six miles of the Flint Hills Trail is estimated at \$4.2 million, which has been awarded to the agency from a federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program to complete the Flint Hills Trail. Under the provisions of the bill, those funds could not be used until approved by the Legislature.

The Kansas Department of Transportation, Kansas Department of Health and Environment, Kansas Department of Agriculture and the Adjutant General's office indicate that SB 370 would have no effect on agency operations, revenues, or expenditures. Any fiscal effect associated with SB 370 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill could prevent counties from getting certain federal grants and private citizens would not be able to allow their land to be designated as a National Heritage Area without legislative approval. The League of Kansas Municipalities states that the bill would not have a fiscal effect on cities.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Lita Biggs, Department of Agriculture
Terry Bruce, Department of Wildlife & Parks
Brendan Yorkey, Department of Transportation
Amy Penrod, Department of Health & Environment
Michael Neth, Office of the Adjutant General
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties