

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 16, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative Broderick Henderson- excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Ray Merrick
Tony DeRossett, Kansas Farmers & Hunters Feeding the Hungry
Kim Douglas, Mid-Kansas Community Action Program

Steve M. Swaffar, Natural Resources, Kansas Farm Bureau
Tony Kimmi, Farm Bureau Insurance Company
Chris, Tymeson, Kansas Department of Wildlife and Parks

Others attending:

See Attached List.

Chairperson Hutchins appointed a three-person subcommittee to study and report on **HB 2668**, the deer bill introduced by Representatives Clay Aurand, and Sharon Schwartz. Representative Ray Merrick will chair, and Representatives Gary Hayzlett and Tom Thull will be the subcommittee members. The subcommittee will report to the committee by Monday, February 23, 2004.

The February 4, 2004, minutes were submitted to the committee for approval. Representative Margaret Long made a motion that the minutes be approved as written. Representative Judy Morrison seconded. The minutes were approved without amendment.

Hearing: HB 2731 - Provision on hunting license application for voluntary contribution to Kansas Farmers and Hunters Feeding the Hungry

Proponents:

Representative Ray Merrick spoke in support of this bill. This is both an opportunity to control deer population and to do something for the hungry and needy in our state.

Tony DeRossett, Director, Kansas and Farmers and Hunters Feeding the Hungry (Attachment 1). "Farmers and Hunters Feeding the Hungry" is a simple concept. Hunters harvest the deer, drop it at a participating processor, where it is ground into two-pound packages of burger. FHFH pays for the processing and distributes it to local food pantries and food kitchens. FHFH began in 1997 in Maryland. A teacher was heading out to hunt deer and saw a woman stopped along the highway. Thinking she was stranded with car trouble, he stopped to offer assistance. She was trying to load a deer (that had been hit by a vehicle), into her trunk to feed her hungry children and herself. He decided there had to be a better way and that is how FHFH began.

The ex-teacher from Maryland was contacted in the summer of 2001, to inquire about bringing the program to Kansas. After discussions with and support from Kansas RC&D Councils and the Kansas Department of Wildlife and Parks, "Kansas Farmers and Hunters Feeding the Hungry" was born.

The founder in Maryland suggested we should set a modest goal of raising the funds to pay for the program and getting ten deer donated and distributed. The first year, there were 180 deer donated which ultimately could have fed thousands of people. With the support of Wildlife and Parks and the Insurance Commissioner, we met with several insurance companies which put together a combined donation of

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\$15,000 which funded the program for another year. This directly addresses the hunger issue by supplying a critical protein source that would otherwise be absent from the diet of many needy Kansans. In 2003, deer meat was donated to 50 different food pantries. Thirty different food pantries between Lawrence and Kansas City have yet to receive a deer meat donation.

Kim Douglas, Community Service Coordinator, Mid-Kansas Community Action Program, a nonprofit organization that helps low income families become independent, supports this program. Many needy families are fed through this food pantry. The venison distributed has given the individuals the protein they desperately need to supplement their diet. Not one person has refused to accept the venison.

Written:

Steve M. Swaffar, Director, Natural Resources, Farm Bureau (Attachment 2). Kansas Farm Bureau supports the concept of the FHFH program and has financially supported the program the last two years. The program benefits farmers and ranchers by reducing the deer herds that cause damage to crops, fences and other personal property. The program has a positive benefit to local food banks and shelters. Hunters now have an opportunity to donate venison that may otherwise go to waste.

Tony Kimmi, Farm Bureau Mutual Insurance Company supports **HB 2731**. Farm Bureau believes the "Farmers and Hunters Feeding the Hungry" (FHFH) is a valuable program that deserves support (Attachment 3).

Neutral:

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks (Attachment 4). The Department is neutral regarding **HB 2731**. This bill would require the Secretary of the Department to include a provision on hunting license forms that allows for the collection of a two-dollar donation to Farmers and Hunters Feeding the Hungry. It would also create a separate fund for the collection of the donations in the state treasury. The Department does not stand opposed to this bill. Redrafting of the forms and the provisions for electronic donation through electronic purchases of licenses would cost the Department approximately \$8,400 for the first year of implementation. If passed, this bill could spur additional legislation by other nonprofit conservation organizations.

Opponents: None

Committee Questions:

Representative Flaharty asked Chris Tymeson. We have other donation programs such as the Chickadee Checkoff. How many voluntarily participate in the Chickadee Checkoff and how would the \$2 donation for deer compare and what amount could potentially be donated? Chris Tymeson replied that the Chickadee Checkoff receives approximately \$120,000 annually. If every hunter donated \$2 to FHFH, it could be as high as \$200,000.

Representative Merrick stated that the bill is written that \$2 or more can be donated.

Representative Ruff asked how could one donate without being a hunter? Chris Tymeson replied that it is possible the Department of Wildlife and Parks could place information online for interested persons to make donations.

Representative Osborne asked, can road kill deer be processed? Chris Tymeson replied, if a Conservation officer gets on the site quickly, it is donated to persons who are on a donation list, who pay their own processing fees. Tony DeRosset, Director, "Kansas Farmers and Hunters Feeding the Hungry" replied, a road killed deer cannot be used for FHFH program because of bone fragments and other liability issues.

Chairperson Hutchins asked Tony DeRossett, if this legislation is not passed, how do you get the word out for people to donate to your cause? He replied that Wildlife and Parks has listed the program in their regulation book. Mr. DeRossett has also spoken on radio shows and articles have appeared in the printed media. Chairperson Hutchins asked Mr. DeRossett how much it costs the program to process a deer. He replied. It costs the program around \$60.

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Representative Schaub asked, is the \$8,400 just for printing, is it to reprint the licenses? Chris Tymeson answered it is to retool the hunting license process and reprint the licenses next year, this year's licenses are already printed.

Chairperson Hutchins asked how many online applications are there? Chris Tymeson answered, you cannot buy a deer permit online. He will research the number of hunting licenses sold online and notify Chairman Hutchins. Chairperson Hutchins asked what would be the cost to implement it online? Chris Tymeson replied, \$6,800.

Chairperson Hutchins closed the hearing on **HB 2731**.

Committee deliberation on **HB 2573** - Fishing, removing license requirement for designated assistant.

Representative Merrick moved for the adoption of an amendment which would add hunting to those who would not be required to hold licenses when acting as an attendant to the disabled and moves that we adopt the amendment (Attachment 5). Motion seconded by Representative Hayzlett. Motion carried. A vote was taken on adopting a balloon of the amendment. The amendment was adopted.

Committee discussion followed.

Chairperson Hutchins asked Chris Tymeson how would that effect the fiscal note? Chris Tymeson replied the approximate fiscal impact of the removal of the hunting licensure would be \$1,368, plus an additional \$576 in federal aid lost, bringing the total fiscal impact of the bill to \$2,619 (Attachment 6).

Representative Novascone moved for the favorable passage of **HB 2573** as amended. Motion seconded by Representative Merrick. Motion passed favorably.

Hank Avila, Legislative Research gave his report to the committee on **HB 2557**, Menninger Memorial Park as a state park. Chairperson Hutchins had requested three questions be answered in the report on **HB 2557**. 1. Is there any stipulation on the park name? 2. Are property taxes are current? 3. What are the specifics regarding the donation, will it come from Menninger?

Staff distributed a map which illustrated the property in question (Attachment 7). 1. Staff had recently communicated with the Chairman and CEO of the Menninger Foundation. Menninger prefers the park be named Menninger Memorial Park. 2. Technically, Menninger is selling that land to River Hills Estate (LLC, just formed July 24, 2003). On March 1, 2004, River Hills Estate is going to execute a contract with Menninger to purchase the land. Then River Hills Estate will donate that land to the State of Kansas. 3. The property in question is valued at twenty million dollars. When Menninger left Kansas, they lost their charitable status and the value of the land went up due to being classified as commercial rather than charitable. In response to Chairperson Hutchins' question, staff stated that the tax status was current.

Representative Merrick asked what kind of development is planned near the park site? Hank Avila replied homes are to be built on adjacent property.

Committee deliberation on **HB 2557** - Menninger Memorial Park as a state park.

Representative Merrick offered an amendment to **HB 2557**, section (c), taking out the Menninger name and naming it "Free State" State Park, hours limited to the same hours of the parks in the city of Topeka, except for prescheduled events can be open later. (d)Valid motor vehicle permit must be used. (Attachment 8) Representative Merrick made a motion to adopt the amendment, Representative Novascone seconded the motion, the motion passed.

Committee discussion followed.

Representative Tom Thull asked whether walkers and hikes using the park would need to pay since vehicles had to pay.

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Governor Mike Hayden, Secretary, Wildlife and Parks, answered that this had been debated and it was agreed that only vehicles need a park permit.

Representative Flaharty moved to strike part (d) A valid park and recreation motor vehicle permit shall be required to use "Free State" state park regardless of whether the user uses a motor vehicle within the park. Representative Ruff seconded the motion. Motion passed.

Committee discussion followed.

Representative Merrick supports the proposed amendment to strike part (d).

Representative Flaharty asked, are we assuming the donation is going to happen? Governor Mike Hayden, Secretary, Kansas Wildlife and Parks answered, we would hope that the donation would take place the next year, perhaps March 2005. If the donation does not come through we can repeal the language next year.

Representative Osborne made a substitute motion to strike "Free State" and name the park "The Oregon California Trail State Park." Seconded by Representative Morrison. The substitute motion was defeated. "Free State" state park stands .

Representative Osborne had previously requested KWLP to furnish a map showing the Oregon California Trail. The map shows the Oregon California Trail as it continues from the Historical Society going north and crosses the Kaw River to the West of this site. This property is sandwiched between two major crossings of the Kaw River. We do not have anything named to honor the influence of the trail. That is why the name should be "The Oregon California Trail State Park."

Committee discussion followed.

Representative O'Malley asked, are the donors requesting the park be named Menninger Memorial State Park? Staff replied, Menninger would like the park named after them, but they are not actually going to be the donor since they are selling the land and the new owner plans to donate it.

Representative Novascone, what is "Free State"? Chairperson Hutchins answered that Kansas came in as a free state and entry to the park is free.

Representative Morrison made a motion to accept the bill as amended, named "Free State" state park and (c) the hours of operation. Seconded by Representative Merrick. A vote was taken, motion carried.

Representative Thull moves that we pass **HB 2557** as amended favorable for passage. Representative Morrison seconded. A show of hands indicated motion carried 8 to 2.

Announcements: The next meeting will be Wednesday, February 18. We will be hearing **HB 2710**-boating; requirements; penalties; healthcare records and will be working **HB 2604**- Licensing of boat dealers and certificates of number for use by dealer, spouse, employees and customers and **HB 2731**-Farmers and Hunters Feeding the Hungry.

Meeting adjourned at 4:35 P.M.