

TO: House Federal and State Affairs Committee
Rep. John Barker, Chair

FROM: Celia Goering, President
Kansas Christmas Tree Growers Association
Board Member, National Christmas Tree Association

DATE: March 12, 2018

This communication is being sent in regard to Senate Bill 307, also known as the Amusement Ride Act. I am fully supportive of the amended Bill, as it addresses the need for safety regulations regarding amusement rides such as those in large theme parks or amusement parks and those utilized by traveling carnival companies, while excluding hayrack rides and barrel trains used by Christmas tree farms for transportation purposes.

As SB 307 came to the House, the amended Bill reflected the work of the Senate committee after listening to Kansas Christmas tree growers, many of whom are members of Kansas agritourism, in part because of the liability/insurance advantages. It is a fact, however, that these small businesses are open to the public only a few days a year. To my knowledge, in Kansas the Christmas tree grower with the shortest open time utilized 4 days and the longest open Christmas tree farm scheduled 32 days this year.

Christmas tree farmers are concerned that their use of hayracks pulled by small tractors may be misunderstood as amusement rides. The actuality is that the hayracks are used for transportation, at a very slow speed, of families from the sales barn area to the field where trees are growing, for the purpose of choosing and cutting their tree. Then the trees and families are transported back to the area of the sales barn. Of course, a sales barn is not placed in the middle of a field, thus the necessity for utilization of hayracks as transportation.

As small businesses, Kansas Christmas tree farmers also have serious concerns regarding the costs of proposed inspections, additional substantial insurance costs, the expense of licensure and/or some type of certification. These are truthfully very small family owned and operated businesses, which bring a treasured Christmas experience to their clientele, while at the same time realizing a generally very small net income. The additional costs created by the proposed regulations will most likely cause several farms to go out of business. There are only 32 Christmas tree farms in Kansas currently, down from around 80 a few decades ago.

The government of Kansas has gone on record several times in recent years as encouraging the growth of small businesses. As I have carefully studied SB307, It appears that page 3, line 43 and page 4, lines 1 through 5, satisfactorily address the above concerns. We ask this Committee and the full House of Representatives to retain this section in the final copy of SB 307 so that the small Christmas tree farms in Kansas will be encouraged to continue offering a traditional Christmas experience to families.

Thank you for your consideration of the above outlined two issues in regard to the Amusement Ride Act.