

## **State Parks—Additional Designations; SB 331**

**SB 331** adds to the list of designated state parks the Flint Hills Trail State Park located in Miami, Franklin, Osage, Lyon, Morris, and Dickinson counties and Little Jerusalem Badlands State Park located in Logan County.

In addition, the bill establishes the Flint Hills Advisory Council (Council), which will study and assess the development, staffing, maintenance, and promotion of the Flint Hills Nature Trail. The bill provides that consideration be given to appointing individuals who own land adjoining the Flint Hills Nature Trail. The 14 members of the Council will include:

- Two members of the Legislature who reside in a district adjoining the Flint Hills Nature Trail, or the members' designees, with one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;
- Six county commissioners, or the commissioners' designees, with one appointed by each board of county commissioners of Miami, Franklin, Osage, Lyon, Morris, and Dickinson counties; and
- Six residents within each of Miami, Franklin, Osage, Lyon, Morris, and Dickinson counties, with each appointed by the governing body of the respective county seat.

The bill requires the Council to meet quarterly, at the call of the chairperson or upon request of a majority of the Council, and provide a quarterly report of its findings and recommendations to the Kansas Department of Wildlife, Parks and Tourism (KDWPT). The legislative member appointed by the Speaker of the House of Representatives will serve as the first chairperson of the Council and the legislative member appointed by the President of the Senate will serve as the first vice-chairperson. The positions of chairperson and vice-chairperson will alternate annually upon the first meeting of the Council each calendar year.

The bill also requires members of the Council to be appointed by August 1, 2018, and any vacancy on the Council is to be filled by appointment in the same manner as the original appointment. Members of the Council will be appointed for terms not to exceed three years and, with the exception of the chairperson and vice-chairperson, will not serve more than two consecutive terms. The initial terms for the members will be staggered according to the provisions of the bill. In addition, legislative members of the Council will receive compensation amounts provided in continuing law, subject to approval by the Legislative Coordinating Council.

All of the above provisions dealing with the Council will expire on July 1, 2021.

In addition, the bill removes the Prairie Spirit Rail Trail State Park and the Flint Hills Trail State Park from setback requirements for swine-confined animal feeding operations.

The bill directs the KDWPT to carry out the requirements outlined in state law [KSA 58-3212(a)(1)-(a)(11)] regarding the duties of the responsible party, at all times, after a transfer of a deed for land or water recreational areas. This will apply to the state parks designated by the bill

that are subject to federal law regarding interim use of railroad rights-of-way. Among the duties required to be performed by the responsible party are safety, accessibility, litter control, and law enforcement.

Finally, the bill clarifies that property contained within or encumbered by any railroad rights-of-way that have been transferred or conveyed to the KDWP for interim use as a rail trail under federal law and is part of a state park will be deemed to be acquired and used for state park purposes and will therefore be exempt from property or *ad valorem* taxation.