



**Mission: To preserve and enhance the State Park System for the benefit of the people of Texas and their guests.**

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*Texans for State Parks*

*Citizens working to preserve and enhance our great state park system*

*The Voice*

*March, 2011*

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  - 2011 Texas Parks & Wildlife Reunion!
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  - HB 1301 - Gain or Potential Loss of Funds for Parks?
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**From the President:**

Parks legislation is still being worked on in the Senate as of the date we write this message. We still need your help. Contact your Member of the House and Senate as soon as possible. We are still asking that our Staff at Texas Parks and Wildlife make the decisions on what should be cut. Just let them have the budget figures and let them work it out.

Texans for State Parks is happy to announce our first start-up grant in several years to the Friends of Lake Arrowhead State Park. The \$300 grant will be used to help with the costs of filing for their 501(c)(3). They have a good start with their program supporting their Park.

The Parks are starting to fill again after a long winter. We hope to see you in the friendly outdoors at our Texas State Prks soon.

Thank you,  
*John Cobb, President*

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**Welcome:** Texans for State Parks welcomes the following Parks Friends, recent new and renewing members, as well as new groups in the formative stages.

Caprock Partners Foundation;  
Friends of Colorado Bend SP;  
Friends of Enchanted Rock;  
Friends of Garner SP;

Also welcome to newly forming Friends of Lake Arrowhead SP;  
Friends of Blanco SP and Friends of McKinney Falls SP.

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**Legislative Update - Parks Budget**

The House Appropriations Subcommittee has responded favorably to many of Parks & Wildlife's requests for the flexibility to manage the limited funds available over the biennium to best continue the agency mission. The Senate Sub-Committee's response isn't available at this time. The bills still have to go to the full House and Senate and ultimately to a conference committee so we're a long way from the final resolution.

The House Appropriations Committee completed its markup of the Texas Parks and Wildlife portion of House Bill 1 Friday, Feb 25. The committee accepted some of TPW's priority requests, but not others.

Most notably, TPW's request to level the proposed cuts across the two years of the biennium instead of being front-loaded in some divisions was approved,

as was the request for more flexibility in transferring funds from one agency strategy to another.

Also approved was a rider which provides appropriation authority for any funds brought in that are in excess of the Comptroller's biennial revenue estimate (also known as Rider 27.)

**Reinstate Capital Budget Authority.** H.B. 1 As Introduced did not include line-items or funding for land acquisition, information technology, transportation or capital equipment in the Capital Budget Rider (Rider 2). It did, however, continue rider language authorizing appropriation of any land sale proceeds (Rider 13) to TPWD and allowing TPWD to use gifts, grants and federal funds for capital items when designated for such purposes by the donor or grantor (Rider 12). TPWD requests reinstatement of these line-items in the capital budget rider as a placeholder in the event amounts become available under the authority of these two riders.

**5. Appropriation of Receipts from General Revenue Dedicated Accounts.** This proposed rider (also known as Rider 27) would allow any additional revenue received in excess of the Comptroller's Biennial Revenue Estimate to be appropriated to TPWD. The department has operated under this rider over the last several biennia, and requests continuation of the language for the 2012-13 biennium.

**Internship Program Full Time Equivalent Exemption.** TPWD maintains an active and viable intern program that in recent years has been substantially scaled back due to concerns with the Full-Time Equivalent

(FTE) cap. This rider would allow TPWD to develop the agency internship program without impacting the Full-Time Equivalent (FTE) cap.

**State Park Volunteer Services.** This rider would allow TPWD to use existing funding to purchase and provide meals for volunteers. This would allow the agency to show appreciation for volunteers, enhance additional volunteer opportunities, and maximize efficient use of volunteer time by providing meals at an on-site location.

**Non-profit (Pass Through) License Plates: APPROVED PENDING COMPTROLLER REVIEW.** LBB recommended technical corrections to amounts listed.

Any request that would have required additional funding was denied.

HB1 will now go to the full house for a vote. Senate Bill 1 will also go through the same steps. Once the process is complete on the Senate side, it is likely there will be two budget bills with some differences that will need to be ironed out. At that point it will go to a conference committee that will include members of both House Appropriations and Senate Finance Committees. Once the differences in the bills have been worked out, an amended agreed-upon bill will go to both the full House and Senate for a vote.

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**HB 1301 – Gain or Potential Loss of Funds for Parks?**

On the surface the intent appears to allow Texans to voluntarily contribute \$5.00 or more to state parks when registering or renewing a motor vehicle. In this time of cuts, it

appears that help is on the way by appealing to Texans' overwhelming support of parks, including paying for them. But let's look below the surface. This concept and recommendation was drawn up by the staff of the Legislative Budget Board, based on their cursory findings of a similar program in Washington State. But the success of that program is based on the fact that Washington went to what is known as an Opt-Out program after their initial Opt-In program failed, and the Texas LBB staff has recommend An Opt-In program!

In the recommendation there is a replacement of the known and productive revenues from what is commonly referred to as the "Sporting Goods Sales Tax" for the unproven Opt-In revenue. A dollar amount of \$1.6 million or \$3.2 million is assigned to it for the biennium, based on an unknown calculation. However, the SGST is really not a separate tax, but a portion of the sales tax which is supposed to be dedicated to state and local parks. Problem is, parks have rarely gotten appropriations anywhere near the revenues generated. For example, as recommended by the LBB, parks are to receive \$63 million out of \$242 million estimated by Susan Combs to be generated in 2012 and 2013.

At \$5.00 per vehicle registration that would mean that 320,000 Texans would have to opt-in each year to generate \$1.6 million. That is a great number for a program that has no attendant method of advertisement or notification. And, what if more than \$1.6 million is raised? To the parks? Remember the "Sporting Goods Sales Tax?" It gets diverted to

other purposes. Even with the uncertainty, **we still have to support HB 1301** for the time being and then hope we can get an amendment to allow an opt-out system. If the legislation setting up this flawed system is not passed, the whole \$1.6 million becomes an additional cut for our parks! [George Bristol, Texas Conservation Coalition]

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### **Register Now for the 2011 Texas Parks & Wildlife Reunion!**

The 2011 reunion is scheduled for Saturday, April 16, from 10 a.m. – 3 p.m. at Washington-on-the-Brazos State Historic Site. Retirees, former and current employees are invited to another year of sharing fun, food and fellowship! The 2011 reunion has been organized by TPWD retiree Bill Scruggs, assisted by W-O-B Park Superintendent Bill Irwin and his staff. For more information regarding registration, area lodging, and other details contact Washington-on-the-Brazos SHS, Box 305, Washington TX 77880-0305; 936/878-2214. For general information, or to assist with the reunion, contact Bill Scruggs at [bscruggs48@yahoo.com](mailto:bscruggs48@yahoo.com). If you have a late registration, please also contact Bill Scruggs so he can make adjustments with the caterer.

To be added to the Retirees e-mail list for reunion notices and other information, contact [leevans@texas.net](mailto:leevans@texas.net).

To be put on a list for reunion regular mail notices contact Emily Carter, P. O. Box 1067, Wimberley, Texas 78676; (phone 512-847-6008). [emily.carter@earthlink.net](mailto:emily.carter@earthlink.net) .

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### **Parks Advocate Don Kennard Has Died**

Don Kennard, a longtime Texas lawmaker and a conservationist died Thursday March 17 from heart failure. He was 81.

Don Kennard was recognized by the Parks & Wildlife Commission in May, 2010 for his contributions to the Texas State Park System. According to Executive Director Carter Smith, “Whenever a new state park property is acquired, our survey team with infrastructure and state parks will place permanent benchmarks at features on the park that are prominent and significant, and they stay there to help recognize those places.” Smith said

“When he was elected to the House and later the Senate, he made funding for parks and conservation a priority. He worked with a former Parks and Wildlife Commissioner who was also a State Representative, the late Bob Burleson, to pass the Antiquities Code to make sure that significant archeological resources were appropriately protected on state lands.

But he also recognized that as the state grew, as it became more urban it was critically important to have places that people could get into the out of doors. So he began to champion how to secure a funding stream for state parks. And he put in place the measure to set aside a cent from the sale of every pack of cigarettes that would be dedicated for the acquisition and development of state parks and to establish Fund 31. And you see the results of that. It’s Enchanted Rock, it’s Pedernales Falls, it’s Hueco Tanks, it’s Seminole Canyon, it’s Fort Richardson. These places never would have been acquired or

developed without his tireless leadership in the Legislature.

When he left the Legislature he went to the LBJ School, and he joined the faculty there. And he headed up a very unique survey project to document the most significant and critical natural and cultural areas in the state and help provide a blueprint for other areas that the state might be interested in acquiring. And examples of places that we have acquired and protected is a function of that – the Devil’s Sinkhole, home to millions of Mexican Free tail Bats near Rock Springs and then our Devil’s River State Natural Area.

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Kennard served as a Democrat in the Texas House from 1953 to 1963 and in the Texas Senate from 1963 to 1973. During his 20 years in the Texas Legislature, Don Kennard made his mark as a conservationist, a champion of higher and public education and a mentor and friend to other state lawmakers. A University of Texas alum who represented Fort Worth in both the House and the Senate, he led the fight to tax cigarette sales in order to fund state parks and helped to expand UT-Arlington to a four-year university.

Former Lt. Gov. Ben Barnes said that during the ‘50s and ‘60s there was no better friend to public and higher education than Kennard. Barnes said Kennard was not afraid to look to taxes to support his causes. However, it might have been Kennard’s success in taxing cigarettes to fund state parks that lost him his final election.

Kennard is survived by his wife, Mary Jo; daughters Karen Gordon and Paige Williams, son Eric Austin Williams; and six

grandchildren. Burial will be in the Texas State Cemetery.

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Don't forget to send e-mail or other address changes to [leevans@texas.net](mailto:leevans@texas.net) so you will continue to receive news and information about the State Park System.

News items from various sources are edited and forwarded by Texans for State Parks. If you have news or an

event you would like to include, send it to [leevans@texas.net](mailto:leevans@texas.net).

**TEXANS FOR STATE PARKS**

invites you to join with us in protecting our Texas treasures. Whether you are an individual, organization, school group or represent a business, membership categories provide a way for you to become involved. Click on About Us and you will find a link to a membership application. For

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