

SENATE BILL No. 353

AN ACT designating the official Kansas railroad hall of fame for the purpose of celebrating the rich railroad heritage of Kansas and the Kansans who were and are leaders in such industry; setting the location of such hall of fame at the great plains transportation museum in Wichita; establishing the Kansas railroad hall of fame selection committee; prescribing powers and duties of the committee.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The legislature finds that the state of Kansas, during the latter half of the 19th century, was a nexus for development of rail transportation in the new frontier of the west. The growth of transcontinental routes, as well as secondary lines that served the cattle and farming industries and delivered goods to the burgeoning new communities across the state, left in their wake a rich heritage of rail travel and shipment that constituted a pivotal part of Kansas history. Even today, goods move through Kansas by rail at a high rate, and the railroad transportation system continues to be an important part of the state economy. Therefore, the legislature finds that there shall be established an officially sanctioned Kansas railroad hall of fame to recognize the important individuals who developed rail transportation in Kansas and continue such endeavors today. The legislature further finds that the location that would best serve this purpose is the great plains transportation museum, located in Wichita, because the museum is established with a focus on transportation and could provide benefits, synergies and facilities helpful to establishing and ensuring the success of the Kansas railroad hall of fame.

(b) The great plains transportation museum, located in Wichita, is hereby designated as the official site of and repository for the Kansas railroad hall of fame.

(c) The management of the Kansas railroad hall of fame located at the great plains transportation museum is vested in the Kansas railroad hall of fame selection committee established pursuant to section 2, and amendments thereto.

(d) The provisions of sections 1 through 4, and amendments thereto, shall be known and may be cited as the Kansas railroad hall of fame act.

Sec. 2. (a) There is hereby established the Kansas railroad hall of fame selection committee composed of:

(1) The executive director of the great plains transportation museum, who shall serve ex officio with all powers of an appointed member;

(2) the executive director of the state historical society, who shall serve ex officio with all powers of an appointed member;

(3) one member who shall be initially appointed by the governor from a list of at least five individuals nominated by the board of directors of the great plains transportation museum. Such list shall be comprised of current or former members of such board of directors. The term of a great plains transportation museum board member appointed to the selection committee shall be for the period of such individual's membership on such museum board of directors. The term of a former board member shall be four years. All subsequent appointments and any vacancy in office of a member of the selection committee appointed pursuant to this paragraph shall be filled by the governor by appointment from a list of at least three individuals nominated by the board of directors of the great plains transportation museum who meet the requirements as described by this paragraph;

(4) one representative of the public who is or has been employed in the railroad industry as described by section 3(a)(1)(A) or (B), and amendments thereto, to be appointed by the governor for a term of two years;

(5) two representatives of the public who are or have been

employed in the railroad industry as described by section 3(a)(1)(A) or (B), and amendments thereto. Of such representatives of the public, one representative shall be appointed by the president of the senate and one representative shall be appointed by the speaker of the house of representatives. Both appointments shall be for a term of two years;

(6) one member appointed by the sheet metal, air, rail and transportation workers union, or any successor to such organization; and

(7) one member appointed by the Kansas railroad association, or any successor to such organization.

(b) Upon the vacancy of office or expiration of the term of office of any member who has been appointed, a successor shall be appointed in the same manner as the original appointment, except as otherwise provided by paragraph (a)(3). Vacancies in office of appointed members with an unexpired term of years shall be filled by appointment for the unexpired term of the member creating the vacancy. The appointing authority may remove a member who was appointed by such appointing authority at any time, and the resulting vacancy shall be promptly filled as provided by this section. Appointed members may be reappointed but shall not serve more than two consecutive terms, including any partial term.

(c) The Kansas railroad hall of fame selection committee shall organize annually by electing one of the committee members as chairperson, one as vice chairperson and one as treasurer. Meetings of the selection committee shall be held upon the call of the chairperson or may be called by a majority of the selection committee. Meetings shall be open to the public and shall be held at the facilities of the great plains transportation museum, if possible, or in proximity to the Kansas railroad hall of fame.

(d) Members of the Kansas railroad hall of fame selection committee shall serve without compensation, except that members may receive reimbursement for expenses incurred in attending meetings or performing duties for the selection committee from available moneys.

(e) Decisions of the Kansas railroad hall of fame selection committee shall be by the majority vote of all members. Members may participate and vote remotely if such participation and vote is ascertainable by members of the public physically present at the meeting.

Sec. 3. (a) The Kansas railroad hall of fame selection committee established pursuant to section 2, and amendments thereto, may annually select individuals for induction into the Kansas railroad hall of fame. The purpose of such selections shall be to honor those individuals whose achievements in or for the Kansas railroad industry have brought distinction to themselves and to the state of Kansas. A candidate for induction into the Kansas railroad hall of fame shall have:

(1) (A) Worked within this state with an officially sanctioned railroad operating within this state;

(B) worked within this state in the manufacture within this state of railroad-related products, rail cars or locomotives; or

(C) been otherwise significantly involved in the railroad industry in this state; and

(2) contributed significantly to rail service in Kansas or to the preservation of the rail heritage of Kansas.

(b) Any member of the Kansas railroad hall of fame selection committee or interested individual may nominate a candidate for consideration by the selection committee for induction into the Kansas railroad hall of fame. The selection committee shall prepare and make available to the public a nomination form available in printed format or on the website or webpage of the Kansas railroad hall of fame. The

nomination form shall include:

(1) Contact information pertaining to the nominee, including the name, address, phone number and email address or, if the nominee is deceased, the name and contact information of a relative or close personal acquaintance of the nominee;

(2) information pertaining to the nominator, including the name, address, phone number, email address and the nominator's relationship to the nominee;

(3) a statement of approximately 1,000 words or more explaining why the nominee should be a candidate for induction into the Kansas railroad hall of fame, including how the nominee contributed to the Kansas rail industry and meets the criteria of subsection (a)(1) and (a)(2) and why such contribution is significant; and

(4) such other information as may be required by the selection committee.

(c) The Kansas railroad hall of fame selection committee may research or request additional information as the selection committee may find helpful in determining whether to induct a candidate into the Kansas railroad hall of fame. Information provided to or obtained and considered by the selection committee for the purpose of reviewing candidates and making a decision as to which candidates are to be inducted into the Kansas railroad hall of fame may be made available to the public for the purpose of informing the public regarding the basis of the committee's decision and the accomplishments and contribution of candidates to the railroad heritage of Kansas. The selection committee shall not be required to disclose information or records, including, but not limited to, personally identifiable information or other personal information provided on the nomination form, that are not required to be disclosed by a public agency pursuant to K.S.A. 45-221, and amendments thereto, or are protected under any other applicable state or federal law.

(d) The Kansas railroad hall of fame selection committee:

(1) Shall provide for an appropriate location at the facilities of the great plains transportation museum, if possible, or in close proximity to such facilities for the display of any plaques, trophies, mementos, awards, photographs, biographical or historical material or other information that may come into the committee's possession for the purpose of recognizing the achievements of the individual Kansans inducted into the Kansas railroad hall of fame. The selection committee shall also provide for the appropriate display of such items or information at such location;

(2) may provide an outside display on a printed metal sign or signs that may include photos of the inductees, abbreviated biographies of inductees and information about the Kansas railroad hall of fame. The display may be mounted on public property or a public right-of-way at a suitable location, as determined by the selection committee in cooperation with the Kansas department of transportation or local government authorities. The Kansas department of transportation shall assist with the siting and establishment of the display upon request by the selection committee;

(3) shall establish a website or webpage for the Kansas railroad hall of fame, which may be located on or linked with the website of the great plains transportation museum;

(4) may solicit and accept gifts, grants, bequests, donations or gratuities of money, services, real or personal property or rights from individuals, businesses, organizations or any governmental source to be used for the Kansas railroad hall of fame. Such moneys, property or services shall be used for the purposes for which provided, including the purchase of awards, outdoor or indoor displays, display or exhibit

cases, induction ceremonies, a website or webpage or such other purposes for the Kansas railroad hall of fame that the selection committee may deem appropriate. Such moneys and any fees received pursuant to section 4, and amendments thereto, shall be deposited by the treasurer in a suitable account of the Kansas railroad hall of fame at an appropriate financial institution as determined by the selection committee. All expenditures from such account shall be used for the purposes and intent of the Kansas railroad hall of fame act and authorized by the majority vote of the selection committee. Financial records of the selection committee shall be maintained by the treasurer; and

(5) may enter into such agreements or contracts with public or private entities or individuals to fulfill the duties and purposes of the selection committee and the intent of this act, including, but not limited to, agreements or contracts with the great plains transportation museum for the use of facilities and other assistance and cooperation.

Sec. 4. (a) The Kansas railroad hall of fame selection committee shall provide appropriate ceremonies to induct the individuals selected pursuant to section 3, and amendments thereto, into the Kansas railroad hall of fame. Such ceremonies shall be conducted at least annually on approximately the same date at the facilities of the great plains transportation museum, if possible, or in proximity to the Kansas railroad hall of fame. Such ceremonies shall include appropriate awards and certifications and may include food or entertainment.

(b) The selection committee may fix and charge fees for attendance at ceremonies described by subsection (a) to recover all or a part of the expenses of the ceremonies or other expenses of the Kansas railroad hall of fame. Such fees shall be deposited and expended by the selection committee pursuant to section 3, and amendments thereto.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the
SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.