

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2247

As Amended by Senate Committee on
Transportation

Brief*

HB 2247, as amended, would designate portions of highway in Johnson, Marshall, and Norton counties as memorial highways and would designate certain bridges in Cowley, Riley, and Seward counties as memorial bridges.

The new designations are as follows:

- The portion of K-67 in Norton County from the southern limits of the Norton Correctional Facility to the northern limits of the Norton Correctional Facility would be designated as the COII Trenton J Brinkman Memorial Highway;
- Bridge no. 54-88-17.86 (013) located on US-54 in Seward County would be designated as the Jack Taylor Memorial Bridge;
- Bridge no. 54-88-17.1.87 (006) located on US-54 in Seward County would be designated as the Max Zimmerman Memorial Bridge;
- Bridge no. 0081-B0058 located on US-77 in Riley County would be designated as the PFC Loren H Larson Memorial Bridge;
- Bridge no. 0018-009 located on US-166 in Cowley County would be designated as the SGT Tyler A Juden Memorial Bridge;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- A portion of US-69 in Johnson County, from I-435 to 135th Street, as the Senator Dennis Wilson Memorial Highway;
- A portion of K-7 in Johnson County, between K-10 and West Santa Fe Street as the Senator Bud Burke Memorial Highway; and
- The portion of US-77 from the western city limits of Blue Rapids to the eastern city limits of the city of Waterville, in Marshall County, as the CPL Allen E. Oatney and SP4 Gene A. Myers Memorial Highway. The designation of Prairie Parkway would be removed from this portion of US-77.

The Secretary of Transportation (Secretary) would be required to place suitable signs to indicate the designations. Under continuing law, the Secretary is precluded from placing these signs until the Secretary has received sufficient moneys from gifts and donations to reimburse the Secretary for the cost of placing such signs, plus an additional 50 percent of the initial cost to defray future maintenance or replacement of the signs. The Secretary may accept and administer gifts and donations to aid in obtaining and installing suitable signs.

Background

The bill would include provisions of HB 2247, as amended by the House Committee on Transportation; HB 2100, as introduced; HB 2132, as introduced; and HB 2019, as introduced. It also would include provisions of SB 19, SB 20, and SB 26, all as passed by the Senate.

HB 2247 (COII Trenton J Brinkman Memorial Highway)

The bill was introduced by the House Committee on Transportation at the request of Representative Rahjes.

House Committee on Transportation

In the House Committee hearing, Representative Rahjes provided **proponent** testimony, indicating Officer Brinkman was a correctional officer at the Norton Correctional Facility who was killed in a vehicle accident on his way to work. The Representative further stated Officer Brinkman was respected both in the community and by inmates of the correctional facility, and the inmates had requested the designation.

No other testimony was provided.

The House Committee amended the bill to correct the job classification of Officer Brinkman. The House Committee further amended the bill to add the contents of HB 2100, as introduced; HB 2132, as introduced; and HB 2019, as introduced.

Senate Committee on Transportation

In the Senate Committee hearing, **proponent** testimony was received from Senator Ryckman on the Jack Taylor Memorial Bridge and the Max Zimmerman Memorial Bridge. Written-only **proponent** testimony was received from Representative Francis, the Secretary of Transportation, the Seward County Administrator, the chairperson of the Seward County Commission, and a representative of the Liberal Chamber of Commerce on the Jack Taylor Memorial Bridge and the Max Zimmerman Memorial Bridge; from the parents of the honoree on the SGT Tyler A Juden Memorial Bridge; and from a private citizen on the Senator Dennis Wilson Memorial Highway. No other testimony was provided.

The Senate Committee amended the bill to add provisions for the CPL Allen E. Oatney and SP4 Gene A. Myers Memorial Highway (SB 19) and the Senator Bud Burke Memorial Highway (SB 26).

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on HB 2247, as introduced, the Kansas Department of Transportation (KDOT) indicates it would cost \$3,420 to manufacture and install two signs for the designated highway. However, continuing law requires sufficient gifts and donations to be received by KDOT for this cost prior to installation, plus an additional 50 percent to defray future sign cost. Altogether, \$5,130 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$3,420 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of HB 2247 is not reflected in *The FY 2022 Governor's Budget Report*.

HB 2019 (Jack Taylor Memorial Bridge and Max Zimmerman Memorial Bridge)

The bill was introduced by Representative Francis.

House Committee on Transportation

In the House Committee hearing, Representative Francis, a member of the Board of Commissioners for Seward County, the Seward County administrator, and a representative of the Liberal Chamber of Commerce provided **proponent** testimony. Proponents stated Mr. Zimmerman and Mr. Taylor, who had been executive directors of the Liberal Chamber of Commerce, were both actively involved in their community and instrumental to key transportation initiatives in southwest Kansas.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on HB 2019, KDOT indicates it would cost \$4,750 to manufacture and install two signs for the two designated bridges. However, continuing law requires sufficient gifts and donations to be received by KDOT for this cost prior to installation, plus an additional 50 percent to defray future sign cost. Altogether \$7,125 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$4,750 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of HB 2019 is not reflected in *The FY 2022 Governor's Budget Report*.

HB 2132 (PFC Loren H Larson memorial bridge)

The bill was introduced by Representative Carlson.

[*Note:* The contents of HB 2132 are the same as those of 2020 HB 2525, as introduced; those contents were recommended by the House Committee on Transportation in 2020 HB 2502.]

House Committee on Transportation

In the House Committee hearing, Representative Carlson provided **proponent** testimony, stating Private First Class (PFC) Loren Larson served in the 1st Calvary Division of the U.S. Army and was killed in action in the Vietnam War. Five private citizens, including the brother of the honoree, provided written-only **proponent** testimony, indicating PFC Larson was a graduate of Blue Valley High School in Randolph, and the bridge under consideration is located north of Randolph.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on HB 2132, KDOT indicates it would cost \$2,860 to manufacture and install two signs for the designated bridge. However, continuing law requires sufficient gifts and donations to be received by KDOT for this cost prior to installation, plus an additional 50 percent to defray future sign cost. Altogether \$4,290 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$2,860 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of HB 2132 is not reflected in *The FY 2022 Governor's Budget Report*.

HB 2100 (SGT Tyler A Juden Memorial Bridge)

The bill was introduced by Representative Rhiley and did not have a public hearing.

[*Note:* Provisions of HB 2100 are the same as those for 2020 HB 2431, as recommended by the House Committee on Transportation. In the House Committee hearing during the 2020 Legislative Session, it was noted through testimony that Sergeant Juden was a decorated U.S. Army paratrooper, infantryman, and sniper killed in action in Turan, Afghanistan, during his second tour of duty.]

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on HB 2100, KDOT indicates it would cost \$2,860 to manufacture and install two signs for the designated bridge. However, continuing law requires sufficient gifts and donations to be received by KDOT for this cost prior to installation, plus an additional 50 percent to defray future sign cost. Altogether \$4,290 would need to be received from donations to install the signs. KDOT indicates implementation

of the bill would require an increase of \$2,860 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of HB 2100 is not reflected in *The FY 2022 Governor's Budget Report*.

***SB 19 (CPL Allen E Oatney and SP4 Gene A Myers
Memorial Highway)***

The bill was introduced by the Senate Committee on Transportation at the request of Senator Bowers. [*Note:* The provisions of the bill are the same as those of 2020 HB 2502, as amended by the House Committee on Transportation.]

Senate Committee on Transportation

In the Senate Committee hearing, Senator Bowers, Representative Moser, the mayor of Blue Rapids, and a private citizen provided **proponent** testimony. Officials of American Legion Post 332 and another private citizen provided written-only **proponent** testimony. No other testimony was provided.

According to testimony, Cpl. Oatney and SP4 Myers grew up near the portion of highway to be designated and died while serving in the U.S. Army during the Vietnam War. Cpl. Oatney graduated from Valley Heights High School in 1969 and died in 1970 in Cambodia. SP4 Myers graduated from Waterville High School in 1966 and died in Vietnam in 1969.

The Senate Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on SB 19, KDOT estimates it would cost \$2,760 to

manufacture and install two signs indicating the designation and a total of \$4,140 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$2,760 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

SB 20 (Senator Dennis Wilson Memorial Highway)

The bill was introduced by the Senate Committee on Transportation at the request of a private citizen.

Senate Committee on Transportation

In the Senate Committee hearing, a private citizen and the general manager of WaterOne (Water District No. 1 in Johnson County) provided **proponent** testimony. Written-only **proponent** testimony was provided by former Kansas legislators Stan Frownfelter, Gary Hayzlett, Ed O'Malley, Terry Presta, Edward W. Pugh, and Jene Vickrey; former State Treasurer Tim Shallenburger; a former Secretary of Transportation; the mayor of Lenexa; the chairperson of the Johnson County Board of Commissioners; representatives of Crown Automotive Organization, Freedom Bank, Kansas Bankers Association, Lathrop GPM, MTB Services, Inc., New Century Dodge Chrysler Jeep RAM, Inc., and Polsinelli; and a private citizen.

Proponents noted Senator Wilson's public service, including his military service and subsequent services as a member of the Kansas House of Representatives and the Kansas Senate; director of the Office of Unclaimed Properties/Director of Administration/Director of Government Affairs in the Office of the State Treasurer; Johnson County Treasurer; Executive Director of the Kansas Lottery; and member of the WaterOne board of directors.

No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on SB 20, KDOT estimates it would cost \$5,660 to manufacture and install two signs indicating the designation and a total of \$8,490 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$5,660 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

SB 26 (Senator Bud Burke Memorial Highway)

The bill was introduced by the Senate Committee on Transportation at the request of Senator Bowers. [*Note:* The bill contains the provisions of 2020 SB 377, as passed by the Senate.]

Senate Committee on Transportation

In the Senate Committee hearing, **proponent** testimony was provided by a private citizen. This testimony also included the names of 27 other private citizens and current and former officials supporting the bill, including Representatives Ballard, Helgerson, Proehl, Resman, Ryckman, and Sawyer; the Attorney General; two former Speakers of the House; a former legislator and Insurance Commissioner; a former Attorney General; and a former Senator and Secretary of Transportation. Written-only **proponent** testimony was provided by a member of Senator Burke's family and a representative of the Olathe Chamber of Commerce. Proponents described Senator Burke's service to his country in the military, to the University of Kansas, and in

the Kansas House of Representatives and the Kansas Senate.

No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

House Committee on Transportation

In the House Committee hearing, **proponent** testimony was provided by a private citizen, and written-only **proponent** testimony from a member of Senator Burke's family also was provided. The proponents summarized Senator Burke's achievements in the Kansas Legislature and U.S. military, and described him as honorable, a public servant, and an excellent father. A list of 33 other private citizens and current and former legislators and other officials supporting was included with testimony.

No other testimony was provided.

The House Committee amended the bill to add the contents of SB 19, as introduced, and recommended a substitute bill be passed. [Note: The substitute bill added provisions of SB 19.]

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KDOT estimates it would cost \$4,040 to manufacture and install two signs indicating the designation, and a total of \$6,060 would need to be received from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$4,040 to the expenditure limitation for the agency operations account for FY 2022. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Memorial highway; memorial bridge; Norton Correctional Facility; Kansas Department of Transportation; signage; veterans