

CORRECTED
SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2531

As Amended by Senate Committee on
Transportation

Brief*

HB 2531, as amended, would designate portions of highways in Kansas as memorial highways in honor of Kansas Highway Patrol (KHP) officers and a Johnson County deputy sheriff killed in the line of duty and of former Governor Carlin upon his death; amend several current designations; and add law to state a commemorative sign shall include certain information about rank or title.

The new additions and changes to designations are as follows:

- Master Trooper Larry L. Huff Memorial Highway, K-15 from the southern city limits of Clay Center south to K-82; this portion would be removed from the Eisenhower Memorial Highway;
- Trooper Conroy G. O'Brien Memorial Highway, US-50 from K-61 southwest of Hutchinson to the northwestern city limits of Sylvia; this portion would be removed from the Turkey Wheat Trail Highway;
- Trooper Jimmie Jacobs Memorial Highway, US-54 from the western city limits of Meade west to the eastern city limits of Plains; this portion would be removed from designation as The Yellow Brick Road;

*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>

- Trooper Ferdinand “Bud” Pribbenow Memorial Highway, K-96 from its western junction with I-235 northwest to the eastern city limits of Mount Hope; this portion would be removed from the State Fair Freeway;
- Master Trooper Dean A. Goodheart Memorial Highway, US-83 from I-70 north to US-24; this portion would be removed from the Veterans of Foreign Wars Memorial Highway;
- Trooper John McMurray Memorial Highway, K-18 from I-70 northeast to the western city limits of Manhattan; this portion would be removed from the 75th Division of the United States Army Highway;
- Trooper Maurice R. Plummer Memorial Highway, US-24 from US-59 north to Williamstown, then southeast to US-40 north of Lawrence;
- Lieutenant Bernard C. Hill Memorial Highway, US-59 from US-56 north to the southern city limits of Lawrence;
- Trooper James D. Thornton Memorial Highway, US-81 from US-166 north to the Sedgwick County line;
- Master Deputy Brandon Collins Memorial Highway, US-69 in Johnson County from 167th Street to 215th Street; and
- Governor John Carlin Memorial Highway, I-70 from K-15 west to US-81. This designation would become effective upon the death of former Governor Carlin.

The bill also would change the designation on US-75 from the northern border of Woodson County south to the northern city limits of Yates Center from the Eldon K Miller

Memorial Highway to the Sergeant Eldon K Miller Memorial Highway.

The bill would require the Secretary of Transportation (Secretary) to place signs along the highway rights-of-way to indicate the designations. The bill would exempt the designations for KHP officers from requirements the Secretary receive sufficient moneys from gifts and donations to reimburse the Secretary for the cost of placing such signs plus 50.0 percent before such signs are placed.

The bill would add to law a requirement that any sign that commemoratively designates a highway, bridge, interchange, or trail in honor of an individual shall include, if applicable, the individual's rank if a current or former member of law enforcement, the U.S. military, or the National Guard or the individual's title if a current or former holder of an elected office or member of an elected body.

Background

The bill, as amended, contains provisions of HB 2531 and HB 2436, and provisions similar to those of 2017 SB 45.

HB 2531 (Trooper Memorial Highways)

HB 2531 was requested by Representative Proehl on behalf of KHP.

In the House Committee on Transportation hearing, the Superintendent of KHP testified as a proponent. He stated the people being honored are those who have died on KHP duty since KHP's inception in 1937. He provided information on each of the troopers to be so honored. A representative of the Kansas State Troopers Association also provided proponent testimony.

A representative of the Kansas Department of Transportation (KDOT) provided neutral testimony, stating the bill would not be cost neutral for KDOT and that nicknames have not been allowed on designations to date. No opponent testimony was provided.

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

The current portions of highway in the designations to be amended (and the year each was first enacted) are these:

- Eisenhower Memorial Highway (1967), K-15 across Kansas (the Eisenhower/Truman Presidential Highway is I-70 from Missouri to K-15);
- Turkey Wheat Trail Highway (1974), US-50, Emporia to Dodge City;
- The Yellow Brick Road (1982), US-54 from the west city limits of Greensburg southwest to the Oklahoma state line;
- State Fair Freeway (1995), K-96 from the west city limits of Wichita to the west city limits of Hutchinson;
- Veterans of Foreign Wars Memorial Highway (2002), US-84 from the Nebraska state line to the Oklahoma state line; and
- 75th Division of the United States Army Highway (2004), US-24 from the west city limits of Topeka to the west junction of US-24 and K-177 and K-18, then west on K-18 through Manhattan to the junction with I-70.

In the Senate Committee on Transportation hearing, the Superintendent of KHP testified as a proponent. No other testimony was provided.

The Senate Committee amended the bill to correct an initial in a designation; specify a sign indicating a commemorative designation shall include specified rank or title, if applicable; add the contents of HB 2436 and add "Master Deputy" to the designation; and add provisions similar to 2017 SB 45 but including "Governor" and delaying the designation until the death of former Governor Carlin.

According to the fiscal note prepared by the Division of the Budget on HB 2531, as introduced, KDOT indicates implementation of the bill would require an increase of \$32,880 to the expenditure limitation on the agency operations account in FY 2019. Adding increases related to HB 2436 and SB 45 would increase the amount of expenditure limitation required to \$40,900, based on the fiscal notes for those bills, as introduced. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.

HB 2436 (Master Deputy Brandon Collins Memorial Highway)

Representatives Resman and Tarwater introduced HB 2436. In the House Committee on Transportation hearing, Representative Resman and a representative of the Johnson County Sheriff's Department presented proponent testimony. According to testimony, Master Deputy Collins of the Johnson County Sheriff's Department was killed during a traffic stop on September 11, 2016, when his patrol vehicle was struck from behind by a pickup. He was the third Johnson County deputy to be killed since the office began service in 1861.

No other testimony was provided.

The House Committee requested the bill be placed on the Consent Calendar.

In the Senate Committee on Transportation hearing, Representative Resman and a representative of the Johnson

County Sheriff's Department provided proponent testimony. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget on HB 2436, as introduced, KDOT estimates it would cost \$4,460 to manufacture and install two signs along the portion of highway designated in the bill showing the designation. Including an additional 50.0 percent of the initial cost to defray future sign maintenance, the Secretary would need to receive a total of \$6,690 from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$4,460 to an expenditure limitation for the agency operations account. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.

SB 45 (Governor John Carlin Memorial Highway)

The Senate Committee on Transportation introduced SB 45 at the request of Senator Hawk. In the Senate Committee hearing, Senator Hawk and a private citizen testified in support of the bill. The proponents highlighted John Carlin's contributions to Kansas and the nation as a former member of the Kansas House of Representatives, a former Speaker of the Kansas House of Representatives, former Governor of Kansas, former Archivist of the United States, and current professor at Kansas State University. The proponents also stated the proposed location of the portion of I-70 between Abilene and Salina would be the most fitting because the location represents the history of John Carlin's service to Kansas: he was raised in the Salina area and was involved with the Eisenhower National Library in Abilene as Archivist of the United States.

No neutral or opponent testimony was provided.

The Senate Committee amended the bill to replace a reference to US-40 with a reference to I-70. (For the portion of the highway that would be designated, the route

designations refer to the same roadway.) As noted above, the Senate Committee further modified the provisions.

According to the fiscal note prepared by the Division of the Budget on SB 45, as introduced, the KDOT estimates it would cost \$3,560 to manufacture and install two eight-foot-by-three-foot signs at a cost of \$1,780 per sign. Current law requires sufficient gifts and donations be received by KDOT prior to installing the signs to reimburse KDOT for the initial cost, plus an additional 50.0 percent of the initial cost to defray future sign maintenance. Altogether, \$5,340 would need to be received by KDOT from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$3,560 to the expenditure limitation for the KDOT operations account in FY 2018. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.