

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2712

As Recommended by House Committee on
Appropriations

Brief*

HB 2712 would establish the Kansas Commission for the United States Semiquincentennial Act (Act).

[*Note:* The U.S. Semiquincentennial, on July 4, 2026, will commemorate the 250th anniversary of the founding of the country.]

Definitions (Section 1)

The bill would define “act” to mean the Act and “commission” to mean the Kansas Commission for the United States Semiquincentennial (Commission).

***Kansas Commission for the United States
Semiquincentennial (Section 2)***

The bill would establish the Commission within and as a part of the Kansas Department of Commerce (Department) in order to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States and to recognize the impact of this event on the people of Kansas and the nation’s past, present, and future.

The bill would require the Commission to cooperate with the United States Semiquincentennial Commission (U.S.

*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>

Commission) and various state agencies, boards, commissions, departments, and political subdivisions in order to execute commemorative events and implement education activities, events, and celebrations related to the semiquincentennial of the United States.

Commission Members (Section 3)

The bill would designate the 20 voting members of the Commission including:

- The Secretary of Commerce or designee;
- The Executive Director of the Kansas African American Affairs Commission or designee;
- The Executive Director of the Kansas Hispanic and Latino American Affairs Commission or designee;
- The Executive Director of the Kansas State Historical Society or designee;
- Three members of the House of Representatives appointed by the Speaker of the House of Representatives, the House Majority Leader, and the House Minority Leader respectively;
- Three members of the Senate appointed by the President of the Senate, the Senator Majority Leader, and the Senate Minority Leader respectively;
- The State Regent of the Kansas Society Daughters of the American Revolution or designee;
- The President of the Kansas Society Sons of the American Revolution or designee;
- The President of the Kansas Historical Foundation or designee;

- One professor of American history from a Kansas institution of higher education appointed by the President of the State Board of Regents;
- One teacher of American history from a public school appointed by the State Board of Education;
- One representative appointed by the Kansas Native American Affairs Office;
- The Commander of the Kansas American Legion or designee;
- The Commander of the Kansas Veterans of Foreign Wars or designee;
- The President of the Sunflower Sampler Foundation or designee; and
- The Chairperson of the Kansas State Fair Board or designee.

The bill would authorize Commission members to be appointed for the duration of the Commission, but members would serve only for as long as such members remain in the position that originally qualified the member for appointment.

The bill would provide that a vacancy on the Commission would not affect the powers of the Commission and each vacancy would be filled in the same manner as the original appointment.

Commission Purpose (Section 4)

The bill would require the Commission to plan, coordinate, and implement a program in 2026 to commemorate the 250th anniversary of the founding of the United States. In developing the plans and overall program for the event, the Commission would:

- Give due consideration to related plans and programs developed by federal, state, local, and private groups;
- Hold public meetings to solicit the input of Kansas citizens throughout the state in developing programs:
 - The first public meeting would be held within 90 days of the Commission's first meeting. Public meetings would continue throughout the Commission's existence;
- Showcase all counties of the state;
- Draw attention to the achievements, struggles, honors, innovations, and impacts of all people in the state;
- Clearly delineate all expenses incurred by the Commission in developing the program;
- Create a website to communicate plans for the semiquincentennial; and
- Solicit gifts and donations from private industry, corporations, and individuals to support the Commission's goals.

The bill would allow the Commission to designate special committees with representatives from the U.S. Commission and various state agencies, boards, commissions, departments, and political subdivisions to plan, develop, and coordinate specific activities.

Meetings of the Commission (Section 5)

The bill would state meetings of the Commission would be held throughout the state at times and locations determined by the Chairperson. The Chairperson would be

selected by a majority vote of the Commission and could serve up to two consecutive two-year terms.

The first meeting of the Commission would be called by the State Regent of the Kansas Society Daughters of the American Revolution, or the State Regent's designee. The bill would allow the Commission to meet in another manner where all participants could participate with each other at the same time, including an electronic platform, in the case of a national, state, or local emergency that would make meeting in person dangerous or impossible.

Reports (Section 6)

The bill would require the Commission to submit a comprehensive report of specific recommendations for the commemoration of the 250th anniversary of the founding of the United States to the Governor, Secretary of Commerce, President of the Senate, and Speaker of the House on or before December 31, 2022. The report would also need to be made publicly available on the Commission's website. The report would be required to include:

- A detailed timeline of the Commission's plan for the overall program through 2027;
- The Commission's recommendations for the allocation of costs among public and private entities that provide financial and administrative assistance to the Commission;
- The projected number of jobs created through the implementation of the Commission's plan and overall program;
- The projected economic impact of the implementation of the Commission's plan and overall program on the economy of Kansas;

- The geographic impact of the Commission's plan and overall program on all the counties of Kansas; and
- Outputs and outcomes against which progress and success of the Commission's plan and overall program can be measured.

The bill would also require the Commission to submit an annual report detailing the Commission's activities to the Governor, Secretary of Commerce, Speaker of the House, and President of the Senate on or before December 31, 2023, and by December 31 each year thereafter. The annual report would include an accounting of funds received and expended during the year covered in the report, outputs and outcomes achieved, and whether those achievements meet the Commission's plan and overall program goals. The bill would require the Commission to make available to the public on the Commission's website the comprehensive report.

Commission Funding (Section 7)

The bill would allow the Commission to accept, use, and dispose of gifts and donations of money, property, or personal services. The type and quantity of gifts would be enumerated and submitted each quarter to the Kansas Governmental Ethics Commission and would be made available on the Commission's website.

The bill would establish the Kansas Commission for the United States Semiquincentennial Gifts and Donations Fund (Fund) in the State Treasury, which would be administered by the Secretary of Commerce. The bill would require all expenditures from the Fund to be used for promoting the Commission and made in accordance with appropriations acts approved by the Director of Accounts and Reports issued pursuant to vouchers approved by the Secretary of Commerce or the Secretary's designee.

The bill would require the Director of Accounts and Reports to transfer all moneys and liabilities in the Fund to the operating expenditures account of the Economic Development Initiatives Fund (Department of Commerce) on December 31, 2027. On December 31, 2027, the Fund would be abolished.

Other Provisions (Sections 8-10)

The bill would, upon approval by the majority vote of the Commission, allow the Commission to:

- Procure supplies, services, and property;
- Enter into contracts;
- Expend funds donated or received pursuant to contracts entered into under the Act from the Fund; and
- Take action as necessary to enable the Commission to effectuate the purposes of the Act.

The bill would establish that Commission members would not receive compensation for work with the Commission and non-legislative citizen members of the Commission would not receive compensation, subsistence allowances, mileage, or reimbursement for expenses incurred during the performance of their Commission duties.

The bill would establish a December 31, 2027, sunset date for the Act. Upon the sunset of the Commission, any remaining property in possession of the Commission would be donated to local municipalities or other state agencies by the Secretary of Commerce.

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Estes.

[*Note:* Similar legislation, HB 2353, was introduced during the 2021 Session. This bill modifies Commission membership and the designated state agency for the Commission.]

House Committee on Appropriations

In the House Committee hearing, **proponent** testimony was provided by Representative Estes, who stated the U.S. Semiquincentennial Commission encouraged state legislatures to organize their local commemorations of the 250th anniversary of the nation's founding. She stated this is an opportunity to bring positive attention to the nation's history by creating a significant celebration of the country's founding. Proponent testimony was also provided by a representative of the Kansas Society of the Daughters of the American Revolution.

Written-only proponent testimony was provided by a representative of the U.S. Semiquincentennial Commission and three private citizens.

No other testimony was provided.

Fiscal Information

According to the March 15, 2022, revised fiscal note prepared by the Division of the Budget on the bill, the Department of Commerce estimates its expenditures would total \$73,500 State General Fund (SGF) in FY 2022 and FY 2023. This estimate includes \$67,500 for salary and wage expenditures for 1.0 FTE position and \$6,000 in overhead, travel, and operational costs. The agency indicates it would

require SGF moneys until the revenue generated from the newly created Fund could support the expenditures of the Commission.

The Kansas Historical Society estimates its expenditures would total \$7,740 SGF in FY 2022 and \$15,560 SGF in FY 2023 for a 0.25 FTE position. The agency estimates those same expenditures from FY 2022 through half of FY 2028, but with adjustments for increases in salaries and wages and other fringe benefits.

The Kansas Association of Counties indicates the costs for the Commission would have a negligible fiscal effect on counties. The League of Kansas Municipalities indicates the bill would not have a fiscal effect.

Any fiscal effect associated with the bill is not reflected in *The FY 2023 Governor's Budget Report*.

U.S. Semiquincentennial; Kansas Commission for the U.S. Semiquincentennial; Department of Commerce; gifts and donations fund