

SESSION OF 2021

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 26**

As Amended by House Committee on  
Transportation

**Brief\***

House Sub. for SB 26, as amended, would designate a portion of K-7 in Johnson County as the Senator Bud Burke Memorial Highway. The portion of K-7 to be so designated would be between K-10 and West Santa Fe Street.

The bill would also designate 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 bill would require suitable signs to be erected upon the Secretary of Transportation (Secretary) receiving sufficient moneys from gifts and donations to reimburse the Secretary for those costs. Under continuing law, the Secretary must receive reimbursement for the cost of placing such signs and an additional 50 percent of the initial cost from gifts and donations to defray future maintenance or replacement costs of such signs.

**Background**

The bill would include provisions of SB 26, as introduced, and SB 19, as introduced.

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\*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>

### ***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.

#### *Fiscal Information*

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Kansas Department of Transportation (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*.

#### ***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.

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.

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, Senator Bowers, Representative Moser, the mayor of Blue Rapids, and a private citizen provided **proponent** testimony. According to proponent testimony, the honorees were heroes who fought and died in the Vietnam War, and funding for the memorial signage will be provided by private donations collected by the Blue Rapids and Waterville American Legion Posts. A private citizen provided written-only **proponent** testimony.

No other testimony was provided.

#### *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*.

Highway; memorial; veterans; signage