

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2353

As Amended by House Committee on
Appropriations

Brief*

HB 2353 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 Wildlife, Parks and Tourism (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 15 voting members of the Commission including:

- One representative from a county economic development corporation or local chamber of commerce, appointed by the Secretary of Commerce;
- 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;
- Two members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member each from the majority and the minority party;
- Two members of the Senate appointed by the President of the Senate, including one member each from the majority and minority party;
- 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 representative from the Kansas Bar Association appointed by the President of the Association;
- 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; and
- One representative appointed by the Kansas Native American Affairs Office.

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 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 (Sending 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 Wildlife, Parks and Tourism. 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 Wildlife, Parks and Tourism 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 of the Department of Wildlife, Parks and Tourism 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 Wildlife, Parks and Tourism.

Background

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

House Committee on Appropriations

In the House Committee hearing, **proponent** testimony was provided by Representative Carlin, who stated the U.S. 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.

Written-only **proponent** testimony was provided by representatives of the Kansas Society Daughters of the American Revolution and the U.S. Commission.

Written-only neutral testimony was provided by the Secretary of Wildlife, Parks and Tourism.

No other testimony was provided.

The House Committee amended the bill in the following ways:

- Increase the number of voting members of the Commission from 14 to 15 members, by removing the Secretary of Wildlife, Parks and Tourism or designee and the Secretary of Commerce or designee, as voting members of the Commission and adding a representative from a county economic development corporation or local chamber of commerce to be appointed by the Secretary of Commerce, the Executive Director of the Kansas African American Affairs Commission or designee, and the Executive Director of the Kansas Hispanic and Latino American Affairs Commission or designees;
- Authorize the Commission to solicit gifts and donations from private industry, corporations, and individuals to support the Commission's goals;

- Require the State Regent of the Kansas Society of the Daughters of the American Revolution or the State Regent's representative to call the first meeting of the Commission; and
- Require the Commission to submit the comprehensive report to the Secretary of Commerce on or before December 31, 2022, and submit its annual report to the Secretary of Commerce on or before December 31, 2023, and by December 31 each year thereafter.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Department states enactment of the bill would require expenditures to hold public hearings, develop a public website, and develop the reports required by the bill. The bill establishes the Fund that could receive donations, but the bill does not provide funding to support the project. The Department is mainly fee-funded and those funds have use restrictions; the funds cannot be used to support the Commission. The Department would require State General Fund (SGF) moneys to support the required expenditures; however, an estimated fiscal effect is unknown.

Executive Reorganization Order No. 48 would move the Division of Tourism from the Kansas Department of Wildlife, Parks and Tourism to the Department of Commerce.

The Department of Commerce estimates its expenditures would total \$237,775 in FY 2022 from the SGF. This estimate includes \$152,200 for salary and wage expenditures; \$9,075 for overhead costs including rent, computer leases, and cell phones; \$56,500 for web design; \$5,000 for marketing expenditures; and \$15,000 for travel expenditures. 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 agency estimates annual expenditures of \$187,775 from the SGF for FY 2023 through half of FY 2028. This estimate includes \$152,200 for salary and wage expenditures; \$9,075 for overhead costs including rent, computer leases, and cell phones; \$6,500 for web design; \$5,000 for marketing expenditures; and \$15,000 for travel expenditures.

The Kansas Historical Society estimates its expenditures would total \$7,758 SGF in FY 2021 and \$15,515 from the SGF in FY 2022 for a 0.25 FTE position.

Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

U.S. semiquincentennial; Kansas Commission for the United States Semiquincentennial; Kansas Department of Wildlife, Parks and Tourism; Department of Commerce; Kansas Historical Society; commission