

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 431

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 431 would require the Capitol Preservation Committee to approve plans to place a permanent memorial honoring the life of Emil Joseph Kapaun. [Note: Father Emil Joseph Kapaun (pronounced “ka-pawn”) was born in Pilsen, Kansas, and served as a U.S. Army Chaplain in World War II and the Korean War, where he became a prisoner of war (POW). He was awarded the Medal of Honor posthumously in 2013.]

The bill would authorize the Secretary of Administration to receive and expend moneys for the purpose of financing the creation and construction of the memorial and to remit all moneys received for such purpose to the State Treasurer.

The bill would establish the Emil Joseph Kapaun Memorial Fund and authorize the State Treasurer to deposit funds received for the purpose of financing the creation and construction of the memorial in the State Treasury to the credit of the Fund. Expenditures from the Fund would be authorized for the creation and construction of the memorial and for other purposes as may be required by the grantor or donor. The bill would prohibit the expenditure of public funds for the creation or construction of the memorial.

*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>

Background

The bill was introduced by Senators Blasi, Bowers, and Wilborn.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing on February 14, 2024, Senator Wilborn and representatives of the Father Kapaun Guild, the Kapaun family, the Kansas State Council of the Knights of Columbus, Marion County Commission, the city of Hillsboro, and the Military Officers Association of America provided **proponent** testimony. The conferees recounted Father Kapaun's life story, his military service, and the awards and honors he received for his selfless actions as a POW. The conferees noted that funds for the memorial would be privately raised.

Written-only proponent testimony was provided by U.S. Senator Jerry Moran, U.S. Congressman Jake LaTurner, the Sedgwick County Commission, a representative of the Kansas Catholic Conference, and two retired U.S. Army officers.

Neutral testimony was provided by representatives of the Defense POW/MIA Accounting Agency and of the Adjutant General, followed by the author of "The Miracle of Father Kapaun."

Written-only neutral testimony was provided by a Lieutenant Colonel in the U.S. Air Force.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, Legislative Administrative Services indicates enactment of the bill would not have a fiscal effect on the operations of the Legislature. The Department of

Administration indicates enactment of the bill would not have a fiscal effect on the agency.

Capitol preservation committee; memorial; Emil Joseph Kapaun memorial fund