

HOUSE BILL No. 2372

By Committee on Federal and State Affairs

Requested by Representative Kessler

2-11

1 AN ACT concerning state memorials; relating to the fallen firefighters
2 memorial; designating the existing fallen firefighters memorial within
3 the Kansas firefighters museum in Wichita as the official fallen
4 firefighters memorial of the state of Kansas; creating the Kansas fallen
5 firefighters memorial council; abolishing the existing Kansas
6 firefighters memorial advisory committee and transferring such
7 committee's powers, duties, functions, records and other property to the
8 newly created council; requiring expenditures from the Kansas fallen
9 firefighters memorial fund for the purposes of constructing, updating
10 and repairing the memorial and allowing expenditures to be made for
11 other purposes related to memorializing and honoring Kansas
12 firefighters; amending K.S.A. 75-36,102 and repealing the existing
13 section; also repealing K.S.A. 75-36,103.

14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 New Section 1. The Kansas firefighters memorial advisory committee
17 is hereby abolished, and all powers, duties, functions, records and other
18 property of the Kansas firefighters memorial advisory committee are
19 hereby transferred to the Kansas fallen firefighters memorial council
20 created by section 2, and amendments thereto.

21 New Sec. 2. (a) There is hereby established the Kansas fallen
22 firefighters memorial council, which shall be composed of nine members
23 as follows:

24 (1) A representative of the Kansas state firefighters association
25 appointed by the governor;

26 (2) a representative of the Kansas state association of fire chiefs
27 appointed by the governor;

28 (3) a representative of the Kansas professional fire chiefs association
29 appointed by the governor;

30 (4) a representative of the Kansas council of firefighters appointed by
31 the governor;

32 (5) a representative of the fire education association of Kansas
33 appointed by the governor;

34 (6) a representative of the Kansas chapter of the international
35 association of arson investigators appointed by the governor;

1 (7) a representative of the fire marshal's association of Kansas
2 appointed by the governor;

3 (8) the state fire marshal or the marshal's designee; and

4 (9) the executive director of the Kansas state historical society or the
5 executive director's designee.

6 (b) The council shall make recommendations to the governor and the
7 legislature regarding appropriate activities memorializing or
8 commemorating the services of firefighters in Kansas, including, but not
9 limited to, recommendations concerning the updating and repairing of the
10 fallen firefighters memorial pursuant to K.S.A. 75-36,102, and
11 amendments thereto. The council may solicit grants, gifts, contributions
12 and bequests for the memorial and shall remit all moneys so received for
13 deposit in the state treasury to the credit of the Kansas firefighters
14 memorial fund in accordance with K.S.A. 75-36,102, and amendments
15 thereto.

16 (c) The members of the council shall organize annually by electing a
17 chairperson and vice chairperson. The council shall meet at least once each
18 year upon the call of the chairperson. The secretary of administration, or
19 the secretary's designee, shall serve as secretary for the council. Members
20 of the council appointed by the governor under this section shall serve at
21 the pleasure of the governor.

22 Sec. 3. K.S.A. 75-36,102 is hereby amended to read as follows: 75-
23 36,102. ~~(a) There shall be placed on state property within the state capitol~~
24 ~~plaza area a memorial to Kansas firefighters who have lost their lives in~~
25 ~~the line of duty in the service of the state. Such memorial shall be located~~
26 ~~at a site to be selected by the director. Such memorial shall be constructed~~
27 ~~in accordance with the design and architectural drawings approved by the~~
28 ~~director. The memorial shall be of such a design that the names of the~~
29 ~~firefighters to be honored, both past and future, may be inscribed thereon.~~
30 *The fallen firefighters memorial located at the Kansas firefighters museum*
31 *at 1300 S. Broadway Wichita, KS 67211, is hereby designated as the*
32 *official fallen firefighters memorial within the state of Kansas. Annually,*
33 *the director shall cause annually the name or names of any firefighters*
34 *who have lost their lives in the line of duty in the service of the state to be*
35 *inscribed upon the memorial. The memorial for Kansas firefighters is*
36 *subject to the provisions, procedures and approvals required under K.S.A.*
37 *75-36,102 through 75-36,106, and amendments thereto, except that such*
38 *memorial for Kansas firefighters is hereby authorized by the legislature for*
39 *purposes of subsection (b) of K.S.A. 75-36,106, and amendments thereto.*

40 (b) It shall be the duty of the state fire marshal on or before the 15th
41 day of March of each year to notify the secretary of administration of the
42 name or names of any firefighters who *have* lost their lives in the line of
43 duty during the preceding calendar year. The state fire marshal shall

1 ~~assemble~~ gather the necessary information regarding any such firefighter
2 and report ~~the same~~ such information to the director.

3 (c) ~~The secretary of administration~~ *Kansas fallen firefighters*
4 *memorial council* is hereby authorized to receive any grants, gifts,
5 contributions or bequests made for the purpose of financing ~~the~~
6 ~~construction of such memorial or for its upkeep and the addition of names~~
7 ~~thereto and to expend the same for the purpose for which received~~
8 *expenditures authorized pursuant to subsection (d).*

9 (d) There is hereby established in the state treasury the *Kansas fallen*
10 *firefighters memorial fund*. Expenditures from the fund ~~may~~ *shall* be made
11 for the purposes of ~~constructing~~, updating and repairing ~~such the fallen~~
12 *firefighters memorial*; ~~and may be made~~ for other purposes related to
13 memorializing and honoring Kansas firefighters and for such purposes as
14 may be specified with regard to any grant, gift, contribution or bequest. All
15 such expenditures shall be authorized by the *Kansas fallen firefighters*
16 ~~memorial advisory committee~~ *council* and made upon warrants of the
17 director of accounts and reports issued pursuant to vouchers approved by
18 the secretary of administration or the secretary's designee.

19 (e) On or before the 10th of each month, the director of accounts and
20 reports shall transfer from the state general fund to the *Kansas fallen*
21 *firefighters memorial fund* interest earnings based on:

22 (1) The average daily balance of moneys in the *Kansas fallen*
23 *firefighters memorial fund* for the preceding month; and

24 (2) the net earnings rate for the pooled money investment portfolio
25 for the preceding month.

26 Sec. 4. K.S.A. 75-36,102 and 75-36,103 are hereby repealed.

27 Sec. 5. This act shall take effect and be in force from and after its
28 publication in the statute book.