

SENATE BILL 814

By Ramsey

AN ACT to name a bridge on State Route 75 in Sullivan County in honor of the late Riley Lee Milhorn and the late Private First Class Orville Depew "Dick" Kitzmiller, United States Marine Corps.

WHEREAS, from time to time, the members of this General Assembly have seen fit to name certain highways and bridges to honor those exemplary public servants who, during their lifetimes, contributed significantly to the growth and prosperity of their respective communities; and

WHEREAS, no Tennessean is more deserving of this honor than the late Riley Lee Milhorn, one of Sullivan County's most productive and admired citizens; and

WHEREAS, Riley Lee Milhorn was the son of Robert Lee and Lura Alice Milhorn; born May 9, 1909, he was raised on a farm located on the present site of Boone Dam, and he resided in a home located adjacent to the existing bridge on State Route 75 until his death; and

WHEREAS, Mr. Milhorn's ancestors first arrived in Sullivan County in November 1789, having received a land grant from North Carolina for 200 acres in the Fork Section on the south side of the Holston River; and

WHEREAS, Mr. Milhorn's parents purchased a farm on the right side of the South Holston River extending downstream to the tip of Spurgeon Island located adjacent to the new bridge under construction; their farmhouse stood on the current site of the generating plant at Boone Dam; and

WHEREAS, Riley Milhorn and his family continued to farm this land until the farm was purchased by the Tennessee Valley Authority in November 1950; Riley and his two brothers then purchased land on both sides of the current State Route 75 bridge; and

WHEREAS, the Milhorns farmed the land to provide a living for their children and grandchildren until their deaths. The family continues to own land on both sides of the existing State Route 75 bridge; and

WHEREAS, in 1938, Riley Milhorn joined the Works Project Administration (WPA) and helped construct a road through the Great Smokey Mountains National Park. By being part of the WPA, he was able to send money home to help his parents and siblings during the Great Depression; and

WHEREAS, during World War II, Riley Milhorn was a foreman at the Holston Ammunition Plant, where he and his crew helped build munitions used by American troops; after the war he transferred to Tennessee Eastman, where he worked until his retirement; and

WHEREAS, Riley Milhorn's ancestors moved to the banks of the Holston River, and the Milhorn family continues to live near it; the members of the Milhorn family have always been hardworking citizens of Sullivan County, and the Holston River and the land around it have always been special to the Milhorn family; and

WHEREAS, the Milhorn family has petitioned the Board of Sullivan County Commissioners to name the new bridge over the South Fork of the Holston River near Boone Dam in honor of the late Riley Lee Milhorn; and

WHEREAS, from time to time, the members of this General Assembly have seen fit to name certain highways and bridges to honor the memory of those courageous members of the armed forces who gave their lives in the defense of our nation; and

WHEREAS, no person is more deserving of this honor than the late Private First Class (PFC) Orville Depew "Dick" Kitzmiller, United States Marine Corps, who made the ultimate sacrifice for his country on July 23, 1944, while serving in Guam during World War II; and

WHEREAS, PFC Kitzmiller served with great courage and gallantry, giving his life for his country and for the cause in which he believed, and for that ultimate sacrifice, he deserves proper recognition; as a member of the United States Marine Corps, he proudly continued an essential tradition of American society: the concept of the citizen-soldier; and

WHEREAS, Orville Depew "Dick" Kitzmiller was the son of Zed and Chessie Kitzmiller; he was born May 14, 1919, in Sullivan County and lived near the bridge being built near Boone Dam; prior to enlisting in the Marine Corps, he farmed the land near where the new bridge is being built; and

WHEREAS, PFC Kitzmiller joined the Marines on June 25, 1943; he received his basic training at San Diego, California and was deployed overseas in January of 1944; and

WHEREAS, a member of the First Battalion, Third Marine Division, he was stationed at Guadalcanal several months before going into action in the Marianna Islands, and he participated in engagements on New Caledonia and Guadalcanal just prior to his death on the island of Guam; and

WHEREAS, a fellow Marine and eyewitness to events told family members that on the morning of July 23, 1944, PFC Kitzmiller and a few other Marines were assigned the duty of eliminating enemy snipers on the beach of Guam before the main body of Marines disembarked from the landing craft; and

WHEREAS, PFC Kitzmiller and his colleagues threw smoke flares over the area where the enemy was entrenched; U.S. planes were to fly over and drop bombs on the enemy guided by the smoke, but the wind shifted just as the planes arrived, and PFC Kitzmiller was killed by friendly fire; he was awarded the Purple Heart posthumously; and

WHEREAS, his body was returned home in 1948, and he was buried in Beulah Community Cemetery on October 27, 1948; he was a member of Beulah Baptist Church, and much beloved in the community; and

WHEREAS, PFC Kitzmiller's family has petitioned the Board of Sullivan County Commissioners to honor the ultimate sacrifice that PFC Kitzmiller paid for his community and his nation by naming the new bridge over the South Fork of the Holston River near Boone Dam in his honor; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Notwithstanding any other law to the contrary, the new bridge State Route 75 that spans the South Fork of the Holston River downstream from Boone Dam in Sullivan County is hereby designated the "Orville Depew 'Dick' Kitzmiller and Riley Lee Milhorn Memorial Bridge" in recognition of two of Tennessee's finest citizens.

SECTION 2. The department of transportation is directed to erect suitable signs or to affix suitable markers designating the bridge described in Section 1 as the "Orville Depew 'Dick' Kitzmiller and Riley Lee Milhorn Memorial Bridge." The cost of the portion of such signage that honors PFC Kitzmiller shall be funded in accordance with Tennessee Code Annotated, § 54-1-133.

SECTION 3. If any additional cost is incurred in the manufacture and installation of the portion of such signage that honors Mr. Milhorn, then such cost shall be paid to the department of transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

SECTION 4. The erection of such signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

SECTION 5. This act shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.