

HOUSE Substitute for SENATE BILL No. 396

AN ACT concerning the Kansas commission on veterans affairs; establishing a veterans claims assistance program and a service grant program; prescribing guidelines and limitations; powers, duties and functions for the commission and veterans service organizations; establishing an advisory board; providing for annual reporting to and study and review by the legislative budget committee.

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

Section 1. (a) The Kansas commission on veterans affairs shall establish and administer a veterans claims assistance program in accordance with this section to improve the coordination of veterans benefits counseling in Kansas to maximize the effective and efficient use of taxpayer dollars and to ensure that every veteran is served and receives claims counseling and assistance. The Kansas commission on veterans affairs shall establish and commence operations under the veterans claims assistance program in accordance with this section on or before August 1, 2006. The Kansas commission on veterans affairs shall appoint the director of the veterans claims assistance program, who shall be in the classified service under the Kansas civil service act.

(b) The veterans claims assistance program shall be implemented and administered through annual service grants to eligible veterans service organizations pursuant to grant agreements entered into with the Kansas commission on veterans affairs in accordance with this section. All service grants and grant agreements shall be subject to the provisions of appropriation acts.

(c) The Kansas commission on veterans affairs shall adopt rules and regulations to implement and administer the veterans claims assistance program and the service grant program. The rules and regulations shall include: (1) The detailed requirements of the veterans claims assistance program and grant agreements; (2) the responsibilities of all parties to the grant agreements; (3) the duration of the grants; (4) any insurance or bonding requirements; (5) the format and frequency of progress and final reports; (6) the initial and continuing training requirements for veterans claims assistance representatives; (7) the provisions of a quality assurance program for the veterans claims assistance program and the services performed by veterans service organizations receiving grants under this section; and (8) any other information or requirements deemed necessary or appropriate by the commission.

(d) All moneys provided to veterans service organizations through service grants shall be used only for salaries, wages, related employer contributions and personnel costs, and operating and capital outlay expenditures for training and equipment for veterans claims assistance representatives and necessary support and managerial staff.

(e) Training activities for veterans claims assistance representatives shall be the responsibility of the veterans service organization employing the veterans claims assistance representatives and shall be conducted by qualified veterans claims assistance representatives.

(f) To receive a service grant under this section to perform services under the veterans claims assistance program, a veterans service organization shall satisfy the following eligibility requirements: (1) The veterans service organization shall be congressionally chartered by the United States Congress; (2) the veterans service organization shall agree to cross-accredit the officers and employees of the Kansas commission on veterans affairs and veterans claims assistance representatives of other veterans service organizations who are performing services under the veterans claims assistance program; (3) agree to participate in one-stop veterans service centers at each federal veterans administration medical center in Kansas; (4) demonstrate the receipt of monetary or service support from its own organization for the veterans claims assistance program; and (5) demonstrate the ability to comply with the requirements prescribed by this section or adopted by the Kansas commission on veterans affairs under this statute for accounting, service work activity and other satisfactory performance requirements and measures.

(g) Each veterans service organization receiving a service grant under this section shall file with the Kansas commission on veterans affairs, within 90 days after the end of the veterans service organization's fiscal year, a detailed statement prepared by a certified public accountant which sets forth an accounting of all expenditures of moneys received under the service grant. Each veterans service organization receiving a service grant under this section shall apply for the grant funding on an annual basis,

shall demonstrate satisfactory performance based on completion of minimum requirements during the preceding annual period and shall certify that all veterans service representatives funded with service grant moneys meet minimum training requirements to provide for core competencies.

(h) The Kansas commission on veterans affairs shall develop and maintain a central database registry regarding claims outcome data received from veterans claims assistance representatives under the veterans claims assistance program.

Sec. 2. (a) There is hereby established with the Kansas commission on veterans affairs an advisory board which shall be known as the veterans claims assistance advisory board. The advisory board shall advise the Kansas commission on veterans affairs in the implementation and administration of the veterans claims assistance program.

(b) The advisory board shall consist of six members as follows:

(1) The director of the veterans claims assistance program, who shall be a permanent member of the advisory board and shall serve as the chairperson of the advisory board.

(2) Three members of the advisory board shall be veterans representing veterans service organizations. The director shall notify the state level unit of each national veterans service organization which has an office in the federal department of veteran affairs regional office in Wichita, Kansas, and request written confirmation of the intent of the veterans service organization to participate in the veterans claims assistance program and to request an annual service grant. Each such veterans service organization submitting such confirmation shall prepare and submit a list of three nominations of veterans from such veterans service organization. The governor shall appoint one veteran as a member of the advisory board from each list.

(3) Two legislators, one from each house, shall be appointed to the advisory board with the speaker of the house of representatives and president of the senate each appointing a member. One legislator shall be a member of the democratic party and one legislator shall be a member of the republican party.

(c) Within 90 days of the effective date of this act, the governor, the speaker of the house of representatives and the president of the senate shall appoint the initial members of the advisory board. Of the initial appointments to the advisory board by the governor, one shall be for a term of one year, one shall be for a term of two years and one shall be for a term ending three years after the date of the initial appointment. After the initial appointments, terms of office of the members appointed by the governor shall be for three years. The term of office of each member appointed by the speaker of the house of representatives or the president of the senate shall end on the first day of the regular session of the legislature which commences in the first odd-numbered year occurring after the year such member was appointed.

(d) Each member of the advisory board, other than the director of the veterans claims assistance program, shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the advisory board for any reason other than the expiration of a member's term of office, the governor, the speaker of the house of representatives or president of the senate shall appoint a successor of like qualifications to fill the unexpired term in accordance with this section. In the case of any vacancy occurring in the position of an advisory board member who was appointed from a list of nominations submitted by a veterans service organization, the governor shall notify that veterans service organization of the vacant position and request a list of three nominations of veterans from which the governor shall appoint a successor to the advisory board.

(e) Annually, the advisory board shall elect a vice-chairperson and secretary from among its members and shall meet at least four times each year at the call of the chairperson.

(f) The members of the advisory board attending meetings of the advisory board or attending a subcommittee meeting thereof authorized by the advisory board shall receive no compensation for their services but shall be paid subsistence allowances, mileage and other expenses as provided in subsections (b), (c) and (d) of K.S.A. 75-3223 and amendments thereto.

Sec. 3. The legislative budget committee shall annually study and review the veterans claims assistance program and the service grants program of the Kansas commission on veterans affairs under this act. The Kansas commission on veterans affairs and each veterans service organization which is receiving service grants under this section shall prepare and present annual reports of activities and expenditures under the veterans claims assistance program and the service grants program.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE concurred in
HOUSE amendments _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.