

CHAPTER 82
SENATE BILL No. 110*

AN ACT concerning the Kansas commission on veterans affairs; relating to memorials for Kansas veterans who served in the armed forces of the United States of America; prescribing certain guidelines and procedures; establishing the Kansas veterans memorials fund.

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

Section 1. (a) As used in this section “memorial for veterans” means a capital improvement or other suitable memorial for Kansas veterans who served in the armed forces of the United States of America which is proposed to be located or is located at an institution, building or facility on state-owned property of the Kansas commission on veterans affairs and may include trees, shrubs and other landscaping.

(b) In accordance with this section, the Kansas commission on veterans affairs may initiate and conduct capital improvement projects to construct, reconstruct or repair or to maintain memorials for veterans. Each memorial for veterans shall be located at an institution, building or facility on state-owned property of the Kansas commission on veterans affairs and shall become the property of Kansas upon completion and acceptance of the project by the secretary of administration and the Kansas commission on veterans affairs. Except as otherwise provided by law or rules and regulations adopted under this section, each such capital improvement project for any such memorial for veterans shall be totally financed from private moneys received by the Kansas commission on veterans affairs for such purpose. Prior to initiating a capital improvement project for any such memorial for veterans, the plans and specifications for the project shall be reviewed and shall receive prior approval by the secretary of administration. No such capital improvement project for any such memorial for veterans shall be approved or initiated by the Kansas commission on veterans affairs without having first advised and consulted with the joint committee on state building construction.

(c) In accordance with the provisions of this act and the rules and regulations adopted thereunder, the Kansas commission on veterans affairs may apply for, accept and receive any private donation, gift, grant or bequest made to establish, modify or maintain memorials for veterans. The Kansas commission on veterans affairs shall administer and expend any such private donation, gift, grant or bequest in accordance with the terms or conditions imposed by the donor.

(d) The Kansas commission on veterans affairs shall develop and adopt rules and regulations prescribing guidelines, limitations and procedures for the approval of proposed memorials for veterans and for the acceptance of private donations, gifts, grants and bequests made for memorials for veterans. The rules and regulations prescribing such guidelines and procedures shall include:

(1) Procedures for the appointment by the commission of an advisory committee to advise the commission regarding memorials for veterans, which committee shall include one or more members of the legislature representing each area where a memorial may be located pursuant to this section and such other persons selected by the commission;

(2) guidelines for memorials for veterans to assure that each memorial for veterans is an appropriate tribute to Kansas veterans who served in the armed forces of the United States of America, is nonpartisan in nature and is in accord with nondiscrimination principles;

(3) guidelines and procedures to provide that the prior, express approval of the Kansas commission on veterans affairs has been obtained before (A) the name of the Kansas commission on veterans affairs or the name of the Kansas soldiers' home, the Kansas veterans' home or any other institution, building or facility under the jurisdiction of the commission, or (B) the name of any member of the commission or of any officer or employee of the commission or of any such institution, building or facility, is used in connection with any fund-raising for any memorial for veterans;

(4) guidelines for appropriate recognition of donors for memorials for veterans, except that no memorial for veterans shall be named for any donor;

(5) procedures to provide that the design, plans and specifications for memorials for veterans are reviewed and approved by the secretary of

administration to assure conformance with the requirements and guidelines applicable to state capital improvement projects; and

(6) limitations and other guidelines for the expenditure of moneys in benefit funds established under K.S.A. 75-3728e et seq., and amendments thereto, for the Kansas soldiers' home or the Kansas veterans' home for the establishment or maintenance of memorials for veterans.

(e) Members of the advisory committee established under this section shall receive no compensation or reimbursement for expenses incurred for their service on such advisory committees.

(f) There is hereby established in the state treasury the Kansas veterans memorials fund which shall be administered by the Kansas commission on veterans affairs. All moneys received from any private donation, gift, grant or bequest made for memorials for Kansas veterans who served in the armed forces of the United States of America shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas veterans memorials fund. All expenditures from the Kansas veterans memorials fund shall be for the purpose of financing capital improvement projects for the construction, reconstruction or repair or for the maintenance of memorials for veterans and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Kansas commission on veterans affairs or the commission's designee.

(g) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the Kansas veterans memorials fund interest earnings based on:

(1) The average daily balance of moneys in the Kansas veterans memorials fund for the preceding month; and

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

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 7, 2005.

Published in the *Kansas Register* April 14, 2005.
