

Session of 2012

SENATE BILL No. 440

By Committee on Ways and Means

2-21

Balloon Amendment Prepared for
Senate Ways and Means
March 14, 2012
Daniel Yoza, Revisor's Office

1 AN ACT concerning the arts; creating the creative arts industries
2 commission within the department of commerce; transferring the
3 powers, functions and duties from the Kansas arts commission and the
4 Kansas film services commission to the creative arts industries
5 commission; abolishing the Kansas arts commission and the Kansas
6 film services commission; amending K.S.A. 46-1801, 74-7901 and 75-
7 2249 and K.S.A. 2011 Supp. 8-1,161, 73-2502, 73-2504, 75-2269 and
8 75-5072 and repealing the existing sections; also repealing K.S.A. 74-
9 5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp.
10 74-9201 and 74-9202.
11

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

13 New Section 1. (a) There is hereby created within the department of
14 commerce the Kansas creative arts industries commission to measure,
15 promote, support and expand the creative industries to drive the Kansas
16 economy, grow jobs and enhance the quality of life for all Kansans.

17 (b) (1) The commission shall consist of 13 members, serving for
18 terms of three years. Members may be reappointed to a term of three years.
19 Members may not serve more than two terms and are not eligible for
20 reappointment following the end of such member's second term of office.
21 There shall always be at least one member from each congressional
22 district. ~~The secretary of commerce shall appoint an executive director.~~

23 The members of the commission shall include: two members
24 the president of the senate; one member appointed by the minority leader
25 of the senate; ~~one member appointed by the speaker of the house of~~
26 ~~representatives; one member appointed by the minority leader of the house of~~
27 ~~representatives; and seven members appointed by the governor.~~ four
28 members appointed by the governor shall be appointed for terms of three

29 years, except that, in the initial appointment, three of the members shall be
30 appointed for two-year terms and four shall be appointed for three-year
31 terms. The governor shall designate the term for which each of the
32 members first appointed shall serve. The commission shall convene
33 annually by the 20th day of the legislative session and elect a chairperson
34 and a vice-chairperson from among its members.

35 (2) The members of the commission shall be broadly representative
36 of the major fields of the arts and humanities and related creative

13
two members
two members
four
: one member appointed by the Kansas small business development center; one member appointed by the Kansas citizens for the arts; and one member appointed by the Kansas humanities council

1 industries and shall be appointed from among private citizens who are
 2 widely known for having competence and experience in connection with
 3 the arts and humanities and related creative industries or business leaders
 4 with an interest in promoting the arts and the creative industries, as well as
 5 having knowledge of community and state interests. In making these
 6 appointments, the appointing authorities shall seek and consider those
 7 recommended for membership by persons or organizations involved in
 8 civic, educational, business, labor, professional, cultural, ethnic or
 9 performing and creative arts fields.

10 (c) The commission shall meet on the call of the chair, but not less
 11 than four times during each calendar year. ~~Six~~ Seven members of the commission
 12 shall constitute a quorum. Meetings may take place in various locations
 13 across Kansas. Members of the commission attending meetings of such
 14 division, or attending a subcommittee meeting thereof, authorized by such
 15 division, shall be paid compensation, subsistence allowances, mileage and
 16 other expenses as provided in K.S.A. 75-3223, and amendments thereto.
 17 Employment by the state, or any instrumentality or subdivision of the
 18 state, shall not prevent any person from accepting appointment to and
 19 serving on the advisory board.

20 New Sec. 2. (a) There is hereby created in the state treasury the
 21 creative industries fund. Moneys from the following sources shall be
 22 credited to the fund:

23 (1) Moneys appropriated to the fund by the legislature; and
 24 (2) any gifts, grants or donations from private or public sources that
 25 the commission is hereby authorized to accept. No moneys from gifts,
 26 grants and donations shall be spent for any purpose other than arts
 27 programs that the commission has authorized.

28 (b) All payments and disbursements from the fund shall be made in
 29 accordance with appropriation acts upon warrants of the director of
 30 accounts and reports issued pursuant to vouchers approved by the director
 31 or by a person or persons designated by the director.

32 New Sec. 3. (a) The commission shall be the official agency of the
 33 state for the development and coordination of the arts within the state and
 34 employment development in the creative arts industries. The commission
 35 shall promote, support, coordinate, foster, develop and measure the
 36 outcomes of the arts, their practice and their impact on employment
 37 development within this state and shall have the power to:

38 (1) Appoint such advisory committees as it deems advisable and
 39 necessary to effectuate the provisions of this act;

40 (2) accept, on behalf of the state of Kansas, and expend any federal
 41 funds granted by act of congress or by executive order for all or any
 42 purpose of the commission, except that the commission may expend such
 43 funds only upon appropriation by the legislature if the federal funds

- 1 require matching state contributions or capital outlay or create a
- 2 commitment for future state spending;
- 3 (3) accept any gifts, grants, donations or bequests for all or any of the
- 4 purposes of the commission, including funds from the sale of real or
- 5 personal property;
- 6 (4) propose methods and processes to encourage private and public
- 7 initiatives that recognize and enhance the role that the arts and humanities
- 8 play in creative industries;
- 9 (5) prepare, promulgate or publish advertising and promotional
- 10 books, pamphlets and materials consistent with the purposes of this act,
- 11 and prepare and publish reports or surveys containing information relating
- 12 to the arts and the activities of the commission or other agencies, public or
- 13 private, as may be requested by the governor or the legislature;
- 14 (6) advise and consult with national foundations and other local, state
- 15 and federal departments and agencies on methods by which to coordinate
- 16 and assist existing resources and facilities to foster artistic and cultural
- 17 endeavors toward the use of the arts and humanities both nationally and
- 18 internationally, in the best interest of Kansas;
- 19 (7) enter into agreement with other states, or with the United States or
- 20 any agency or instrumentality thereof, having duties or functions similar to
- 21 the commission, or with private associations or corporations, or with
- 22 private or public colleges or universities, or with any public or private
- 23 school, or with individual persons for any purpose consistent with the
- 24 objectives and purposes of this act;
- 25 (8) undertake any and all other acts or things as may be deemed
- 26 necessary and convenient by the commission to foster and promote the
- 27 development of the arts in this state;
- 28 (9) promote employment development within the creative industries;
- 29 and
- 30 (10) adopt rules and regulations as may be necessary to effectuate the
- 31 provisions of this act.
- 32 (b) The duties of the commission shall include:
- 33 (1) To stimulate and encourage throughout the state the study and
- 34 development of the arts and humanities, as well as public interest and
- 35 participation therein;
- 36 (2) to take such steps as may be necessary and appropriate to
- 37 encourage public interest in the cultural heritage of the state of Kansas and
- 38 to expand the state's cultural resources;
- 39 (3) to encourage and assist freedom of artistic expression essential for
- 40 the well-being of the arts and humanities;
- 41 (4) to assist the communities and organizations within the state in
- 42 originating and creating their own cultural and artistic programs;
- 43 (5) to make such surveys as may be deemed advisable of public and

1 private institutions engaged within the state in artistic and cultural
 2 activities, including, but not limited to, humanities, music, theater, dance,
 3 painting, sculpture, photography, architecture and allied arts and crafts and
 4 to make recommendations concerning the appropriate methods to
 5 encourage participation in and appreciation of the arts and humanities in
 6 order to meet the legitimate needs and aspirations of persons in all parts of
 7 the state:

8 (6) to develop strategies on methods to attract film-making
 9 enterprises to the state of Kansas; assist the division of business
 10 development in the locating and researching of locations for possible use
 11 by the movie industry; assist students in Kansas in developing film-
 12 making skills; provide assistance to movie personnel who utilize Kansas as
 13 a location for filming as may be directed by the division; provide support
 14 at official hospitality functions for the film industry; participate in trade
 15 show and official functions pertaining to the film industry; and assist in the
 16 establishment of motion picture ventures and such related matters as the
 17 commission deems appropriate:

18 (7) to formulate, in cooperation with the state board of education,
 19 programs furthering the arts in education, including artists-in-residence
 20 programs. Such programs shall be designed to foster a greater
 21 understanding and knowledge of the arts, to utilize the arts as an
 22 intellectual stimulus, to utilize the arts as an aid in dealing with personal
 23 and social adjustment problems or learning disabilities and to facilitate and
 24 to improve other academic courses or programs by using the arts as an
 25 educational tool and medium. The commission shall disseminate
 26 information about such programs. Any board of education or the governing
 27 body of any other political subdivision, or any agent or employee thereof,
 28 may request information on such programs or request to participate in such
 29 programs, and such board of education or governing body may implement
 30 such programs with such political subdivision:

31 (8) to develop metrics showing the impact of the creative industries
 32 on employment development; and
 33 (9) to submit a report of the commission's recommendations not later
 34 than February 1 of each calendar year to the governor, the secretary of
 35 commerce and the legislature.

36 (c) The department of commerce shall provide staff and other
 37 assistance as may be required by the commission in the performance of its
 38 duties. The secretary of revenue shall provide any datum relevant in
 39 measuring the economic outcomes of arts programs to the commission.

40 New Sec. 4. (a) The Kansas arts commission created by K.S.A. 74-
 41 5202, and amendments thereto, and the Kansas film services commission
 42 created by K.S.A. 74-9201, and amendments thereto, are hereby abolished.
 43 (b) Except as otherwise provided by this act, all of the powers, duties

The executive director shall be appointed by the
 commission, subject to approval of the secretary
 of commerce.

1 and functions of the existing Kansas arts commission and the Kansas film
2 services commission are hereby transferred to, conferred and imposed
3 upon the creative arts industries commission within the department of
4 commerce, established by this act.

5 (c) Except as otherwise provided by this act, the creative arts
6 industries commission within the department of commerce established by
7 this act shall be the successor in every way to the powers, duties and
8 functions of the Kansas arts commission and the Kansas film services
9 commission in which the same were vested prior to the effective date of
10 this act. Every act performed in the exercise of such powers, duties and
11 functions by or under the authority of the creative arts industries
12 commission within the department of commerce established by this act
13 shall be deemed to have the same force and effect as if performed by the
14 Kansas arts commission and the Kansas film services commission in
15 which such powers, duties and functions were vested prior to the effective
16 date of this act.

17 (d) Except as otherwise provided by this act, whenever the Kansas
18 arts commission or the Kansas film services commission, or words of like
19 effect, are referred to or designated by a statute, contract or other
20 document, such reference or designation shall be deemed to apply to the
21 creative arts industries commission within the department of commerce
22 established by this act.

23 (e) All rules and regulations of the Kansas arts commission and the
24 Kansas film services commission in existence on the effective date of this
25 act shall continue to be effective and shall be deemed to be duly adopted
26 rules and regulations of the creative arts industries commission within the
27 department of commerce established by this act until revised, amended,
28 revoked or nullified pursuant to law.

29 (f) All orders and directives of the Kansas arts commission and the
30 Kansas film services commission in existence on the effective date of this
31 act shall continue to be effective and shall be deemed to be orders and
32 directives of the creative arts industries commission within the department
33 of commerce established by this act, until revised, amended, revoked or
34 nullified pursuant to law.

35 (g) On the effective date of this act, the creative arts industries
36 commission within the department of commerce shall succeed to whatever
37 right, title or interest the Kansas arts commission and the Kansas film
38 services commission have acquired in any real property in this state, and
39 the creative arts industries commission within the department of commerce
40 shall hold the same for and in the name of the state of Kansas. On and after
41 the effective date of this act, whenever any statute, contract, deed or other
42 document concerns the power or authority of the Kansas arts commission
43 or the Kansas film services commission to acquire, hold or dispose of real

1 property or any interest therein, the creative arts industries commission
2 within the department of commerce shall succeed to such power or
3 authority.

4 (h) The creative arts industries commission within the department of
5 commerce established by this act shall be a continuation of the Kansas arts
6 commission and the Kansas film services commission.

7 (i) On the effective date of this act, all officers and employees who,
8 immediately prior to such date, were engaged in the performance of
9 powers, duties or functions of the Kansas arts commission and the Kansas
10 film services commission which are transferred by this act, or who
11 become a part of the creative arts industries commission within the
12 department of commerce, and who, in the opinion of the executive
13 director of the creative arts industries commission within the department
14 of commerce, are necessary to perform the powers, duties and functions of
15 the creative arts industries commission within the department of
16 commerce, shall be transferred to, and shall become officers and
17 employees of the creative arts industries commission within the
18 department of commerce.

19 (j) Officers and employees of the Kansas arts commission and the
20 Kansas film services commission transferred by this act shall retain all
21 retirement benefits and leave balances and rights which had accrued or
22 vested prior to the date of transfer. The service of each such officer and
23 employee so transferred shall be deemed to have been continuous. All
24 transfers, layoffs or abolition of classified service positions under the
25 Kansas civil service act shall be made in accordance with the civil service
26 laws and any rules and regulations adopted thereunder. Nothing in this act
27 shall affect the classified status of any transferred person employed by the
28 Kansas arts commission and the Kansas film services commission prior to
29 the date of transfer.

30 (k) For the purposes of K.S.A. 12-2536, and amendments thereto, the
31 creative arts industries commission within the department of commerce,
32 instead of the Kansas arts commission, shall provide an appointee to serve
33 on the metropolitan culture commission.

34 Sec. 5. K.S.A. 2011 Supp. 8-1,161 is hereby amended to read as
35 follows: 8-1,161. (a) On and after January 1, 2010, any owner or lessee of
36 one or more passenger vehicles or trucks registered for a gross weight of
37 not more than 20,000 pounds who is a resident of Kansas, upon
38 compliance with the provisions of this section, may be issued one support
39 Kansas arts license plate for each such passenger vehicle or truck. Such
40 license plates shall be issued for the same time as other license plates upon
41 proper registration and payment of the regular license fee as provided in
42 K.S.A. 8-143, and amendments thereto, and the presentation of the annual
43 logo use authorization statement provided for in subsection (b).

1 (b) ~~The Kansas arts commission~~ *creative arts industries commission*,
2 created under ~~K.S.A. 74-5202 section 1~~, and amendments thereto, may
3 authorize the use of their logo to be affixed on license plates as provided
4 by this section. Any royalty payment to such commission derived from this
5 section shall be credited to the ~~Kansas arts commission~~ *creative arts*
6 ~~industries commission~~ special gifts fund and shall be used in accordance
7 with the provisions of ~~K.S.A. 74-5204 section 3~~, and amendments thereto.
8 Any motor vehicle owner or lessee may annually apply to the commission
9 for the use of such logo. Upon annual application and payment to the
10 commission in an amount of not less than \$25 nor more than \$100 as a
11 logo use royalty payment for each license plate to be issued, the
12 commission shall issue to the motor vehicle owner or lessee, without
13 further charge, a logo use authorization statement, which shall be
14 presented by the motor vehicle owner or lessee at the time of registration.

15 (c) Any applicant for a support Kansas arts license plate may make
16 application for such plates not less than 60 days prior to such person's
17 renewal of registration date, on a form prescribed and furnished by the
18 director of motor vehicles, and any applicant for the support Kansas arts
19 license plates shall provide the annual logo use authorization statement
20 provided for in subsection (b). Application for registration of a passenger
21 vehicle or truck and issuance of the license plate under this section shall be
22 made by the owner or lessee in a manner prescribed by the director of
23 vehicles upon forms furnished by the director.

24 (d) No registration or support Kansas arts license plate issued under
25 this section shall be transferable to any other person.

26 (e) Renewals of registration under this section shall be made
27 annually, upon payment of the fee prescribed in subsection (a), in the
28 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments
29 thereto. No renewal of registration shall be made to any applicant until
30 such applicant provides the annual logo use authorization statement
31 provided for in subsection (b). If such logo use authorization statement is
32 not presented at the time of registration, the applicant shall be required to
33 comply with K.S.A. 8-143, and amendments thereto, and return the
34 support Kansas arts license plate to the county treasurer of such person's
35 residence.

36 (f) ~~The Kansas creative arts industries commission~~ shall:

37 (1) Pay the initial cost of silk-screening for such support Kansas arts
38 license plates; and

39 (2) provide to all county treasurers a toll-free telephone number
40 where applicants can call the ~~Kansas creative arts industries commission~~
41 for information concerning the application process or the status of their
42 license plate application.

43 (g) ~~The Kansas creative arts industries commission~~, with the approval

1 of the director of vehicles and subject to the availability of materials and
2 equipment, shall design a plate to be issued under the provisions of this
3 section.

4 Sec. 6. K.S.A. 46-1801 is hereby amended to read as follows: 46-
5 1801. (a) There is hereby established a joint committee on the arts and
6 cultural resources which shall consist of five senators and five members of
7 the house of representatives. The senate members shall be appointed by
8 the committee on organization, calendar and rules. The house of
9 representative members shall be appointed by the speaker of the house of
10 representatives. Not less than one representative member shall be a
11 member of the house committee on appropriations and not less than one
12 senator member shall be a member of the senate committee on ways and
13 means. In addition, not less than one representative member shall be a
14 member of the house committee on economic development and not less
15 than one senator member shall be a member of the senate committee on
16 commerce. The committee on organization, calendar and rules shall
17 designate a senator member to be chairperson or vice-chairperson of the
18 joint committee as provided in this section. The speaker of the house of
19 representatives shall designate a representative member to be chairperson
20 or vice-chairperson of the joint committee as provided in this section.

21 (b) A quorum of the joint committee on the arts and cultural resources
22 shall be six. All actions of the committee may be taken by a majority of
23 those present when there is a quorum. In odd-numbered years the
24 chairperson of the joint committee shall be the designated member of the
25 house of representatives from the convening of the regular session in that
26 year until the convening of the regular session in the next ensuing year. In
27 even-numbered years the chairperson of the joint committee shall be the
28 designated member of the senate from the convening of the regular session
29 of that year until the convening of the regular session of the next ensuing
30 year. The vice-chairperson shall exercise all of the powers of the
31 chairperson in the absence of the chairperson.

32 (c) The joint committee on the arts and cultural resources shall study,
33 investigate and analyze the following matters:

34 (1) The goals appropriate to the future of the arts and cultural life of
35 Kansas including, but not limited to, the following: Public art; individual
36 artists; films, video, radio and music; and historic preservation;

37 (2) the role the legislature and state government should play in the
38 achievement of these goals;

39 (3) arts legislation in other states and at the federal level;

40 (4) the budget and programs of the ~~Kansas~~ *creative arts industries*
41 commission and other state supported arts and cultural programs and
42 agencies;

43 (5) the present status of arts education in Kansas; and

1 (6) the economic impact of arts and cultural resources in Kansas.

2 (d) The joint committee shall report to the legislature on or before
3 December 31 each year any finding and recommendations concerning the
4 arts in Kansas which the joint committee deems appropriate. The joint
5 committee may introduce such legislation as it deems necessary in
6 performing its functions.

7 (e) The joint committee on the arts and cultural resources shall meet
8 on call of the chairperson as authorized by the legislative coordinating
9 council. All such meetings shall be held in Topeka, unless authorized to be
10 held in a different place by the legislative coordinating council. Members
11 of the joint committee shall receive compensation and travel expenses and
12 subsistence expenses or allowances as provided in K.S.A. 75-3212, and
13 amendments thereto, when attending meetings of such committee
14 authorized by the legislative coordinating council.

15 (f) Amounts paid under authority of this section shall be paid from
16 appropriations for legislative expense and vouchers therefor shall be
17 prepared by the director of legislative administrative services and
18 approved by the chairperson or vice-chairperson of the legislative
19 coordinating council.

20 ~~Sec. 7. K.S.A. 2011 Supp. 73-2502 is hereby amended to read as~~
21 ~~follows: 73-2502. (a) There is established the Kansas commemorative coin~~
22 ~~design commission. The commission shall consist of 16 members, as~~
23 ~~follows:~~

24 (1) ~~The members of the joint legislative committee on the arts and~~
25 ~~cultural resources;~~

26 (2) ~~a member of the Kansas state historical society, selected by the~~
27 ~~members of the society;~~

28 (3) ~~a member of the Kansas creative arts industries commission,~~
29 ~~selected by the members of the commission;~~

30 (4) ~~a member of the Kansas humanities council, selected by the~~
31 ~~members of the council; and~~

32 (5) ~~three members of the general public who shall be representative~~
33 ~~of the arts, selected by the governor. One of the members selected pursuant~~
34 ~~to this paragraph shall be knowledgeable of coin design or metal work.~~

35 (b) ~~The chairperson of the joint legislative committee on the arts and~~
36 ~~cultural resources shall serve as chairperson of the commission. The~~
37 ~~commission shall meet on call of the chairperson or at the request of a~~
38 ~~majority of the members of the commission.~~

39 (c) ~~The commission shall:~~

40 (1) ~~Adopt procedures and guidelines for selection of the design~~
41 ~~concepts of the quarter dollar that is emblematic of the state of Kansas;~~
42 ~~such guidelines shall be consistent with the guidelines prescribed by the 50~~
43 ~~states commemorative coin program act and shall be publicized by the~~

1 commission;

2 ~~(2) invite Kansans to submit design sketches for the Kansas~~
3 ~~commemorative quarter dollar that are broadly appealing to the citizens of~~
4 ~~the state and that maintain a dignity befitting the state's history and~~
5 ~~diversity. Each design sketch shall be accompanied by a narrative that~~
6 ~~explains why the concept is emblematic of the state and what the concept~~
7 ~~represents to the citizens of the state. The submission deadline shall be~~
8 ~~determined by the commission;~~

9 ~~(3) review the design sketches and narratives submitted by Kansans~~
10 ~~and select five submissions as finalists in the design selection process; and~~
11 ~~(4) forward only the selected narratives to the United States mint and~~
12 ~~collaborate with the United States mint in the preparation of artwork of the~~
13 ~~concepts.~~

14 ~~(d) If more than one design candidate finalist is approved by the~~
15 ~~secretary of the treasury, the finalists shall be forwarded to the~~
16 ~~commission, which shall collaborate with the state board of education and~~
17 ~~the secretary of state in submission of the finalist designs to an election in~~
18 ~~which all students enrolled in public and accredited nonpublic high~~
19 ~~schools of the state may participate and by majority vote select the design~~
20 ~~for the Kansas commemorative quarter dollar that the commission shall~~
21 ~~submit to the governor. Such election shall be held no later than during the~~
22 ~~last week of April 2004. Such election may be conducted by internet~~
23 ~~ballot.~~

24 ~~Sec. 8. K.S.A. 2011 Supp. 73-2504 is hereby amended to read as~~
25 ~~follows: 73-2504. The Kansas creative arts industries commission, the~~
26 ~~Kansas humanities council, and the Kansas historical society shall~~
27 ~~publicize the Kansas commemorative coin design act and shall provide~~
28 ~~such assistance to the Kansas commemorative coin design commission as~~
29 ~~may be requested by the commission.~~

And by renumbering remaining sections
accordingly.

30 ~~Sec. 9. K.S.A. 74-7901 is hereby amended to read as follows: 74-~~
31 ~~7901. There is hereby created a Kansas wildlife arts council which shall be~~
32 ~~composed of five members. One member shall be a member of the Kansas~~
33 ~~wildlife and parks commission appointed by such commission, one~~
34 ~~member shall be a member of the Kansas creative arts industries~~
35 ~~commission appointed by such commission, one member shall be the~~
36 ~~director of the Fort Hays state university Sternberg museum, and two~~
37 ~~members shall be from the public at large appointed by the president of~~
38 ~~Fort Hays state university. The director of the Fort Hays state university~~
39 ~~Sternberg museum shall be chairperson of the council, and personnel of~~
40 ~~the Fort Hays state university Sternberg museum shall provide such staff~~
41 ~~and clerical services as the council may require.~~

42 ~~Sec. 10. K.S.A. 75-2249 is hereby amended to read as follows: 75-~~
43 ~~2249. (a) The director of architectural services shall cause a work of~~

1 sculpture, selected in the manner prescribed by this section prior to its
2 amendment by this act, to be placed atop the state capitol.

3 (b) The *Kansas creative arts industries* commission is hereby
4 authorized to receive any grants, gifts, contributions or bequests made for
5 the purpose of financing the cost of acquiring and placing atop the state
6 capitol the work of sculpture selected pursuant to this section prior to its
7 amendment by this act. There is hereby established in the state treasury the
8 state capitol dome sculpture fund. All expenditures from such fund shall be
9 made in accordance with appropriation acts upon warrants of the director
10 of accounts and reports issued pursuant to vouchers approved by the
11 president of the Kansas arts commission.

12 Sec. 11. K.S.A. 2011 Supp. 75-2269 is hereby amended to read as
13 follows: 75-2269. (a) There is hereby created a capitol preservation
14 committee which will include the membership of the following:

15 (1) The statehouse architect;
16 (2) the executive director of the state historical society;
17 (3) the executive director of the *Kansas creative arts industries*
18 commission.

19 (4) three members appointed by the governor;
20 (5) two members appointed by the president of the senate and one
21 member appointed by the minority leader of the senate; and
22 (6) two members appointed by the speaker of the house of
23 representatives and one member appointed by the minority leader of the
24 house of representatives.

25 The governor shall appoint the chair of the committee. The committee
26 shall meet at least annually and more often upon call of the chairperson,
27 but no more than four meetings shall be called in any year.

28 (b) Of the members first appointed to the committee, the following
29 term lengths shall apply:

30 (1) Two members appointed by the governor shall serve two-year
31 terms, and one member appointed by the governor shall serve a one-year
32 term;

33 (2) the members appointed by the minority leaders of the senate and
34 the house of representatives shall each serve two-year terms; and

35 (3) the members appointed by the president of the senate and the
36 speaker of the house of representatives shall each serve one-year terms.
37 Successors to such members shall serve two-year terms.

38 (c) The committee shall have the following responsibilities:

39 (1) On or after January 1, 2013, approve all proposals for renovation
40 of all areas of the state capitol, the capitol's visitor center and the grounds
41 surrounding the state capitol to insure that the historical beauty of the areas
42 are preserved;

43 (2) preserve the proper decor of such areas;

1 (3) assure that any art or artistic displays are historically accurate and
2 have historic significance;

3 (4) the location and types of temporary displays and revolving
4 displays in the state capitol including the visitor center; and

5 (5) oversee the reconfiguration or redecoration of committee rooms
6 within the statehouse.

7 Implementation of the recommendations of the committee shall be the
8 responsibility of the division of legislative administrative services.

9 (d) Any permanent displays or monuments proposed to be located on
10 the state capitol grounds must be approved by the committee and
11 authorized by the passage of a bill of the state legislature.

12 (e) The capitol preservation committee shall annually submit to the
13 governor and the legislature a report of its activities and recommendations.

14 (f) Members of the committee attending meetings of the committee,
15 or attending a subcommittee meeting thereof authorized by the committee,
16 shall be paid compensation, subsistence allowances, mileage and other
17 expenses as provided in K.S.A. 75-3223, and amendments thereto,
18 however full-time state employees serving on the committee shall not
19 receive such compensation.

20 (g) The staff of the legislative research department, the office of the
21 revisor of statutes and the division of legislative administrative services
22 shall provide such assistance as may be requested by the committee and to
23 the extent authorized by the legislative coordinating council.

24 (h) Committee members may engage in or encourage fund raising
25 activities for the limited purpose of funding committee responsibilities as
26 described in subsection (c).

27 (i) No member of the committee shall hold a fiduciary interest, either
28 directly or indirectly, in any contract relating to the committee
29 responsibilities as described in subsection (c).

30 Sec. 12. K.S.A. 2011 Supp. 75-5072 is hereby amended to read as
31 follows: 75-5072. (a) As used in this section:

32 (1) "Qualified hometown" means a city or unincorporated community
33 that is a governor's hometown as defined by this section and which has
34 satisfied the requirements of this section; and

35 (2) "governor's hometown" means the city or unincorporated
36 community listed in the election records of the secretary of state as the
37 residence of a successful candidate for governor of the state of Kansas the
38 first time such candidate was elected governor.

39 (b) For all qualified hometowns, the secretary of the Kansas
40 department of transportation shall install governor's hometown signs at all
41 appropriate locations near the city limits of a city or the edges of an
42 unincorporated community.

43 The secretary of transportation shall install such governors' hometown

1 signs only if:

2 (1) The governing body of the city or the board of county
3 commissioners for the unincorporated community has adopted a resolution
4 requesting the installation of such signs:

5 (2) the city or unincorporated community is located on a highway
6 which is part of the state highway system; and

7 (3) the secretary has received sufficient moneys from gifts and
8 donations to reimburse the secretary for the initial cost of installing such
9 signs and an additional 50% of the initial cost to defray future maintenance
10 or replacement costs of such signs.

11 The secretary of transportation may accept and administer gifts and
12 donations to aid in obtaining and installing governors' hometown signs.

13 (c) The secretary of transportation, or the secretary's designee, shall
14 design the governors' hometown signs. The size, shape, color, design and
15 content of such signs shall be distinctive and shall be determined by the
16 secretary of transportation, except that such signs shall include: (1) The
17 name of the city or unincorporated community; (2) the governor's
18 hometown logo; and (3) an indication that such city or unincorporated
19 community is the hometown of one or more governors of Kansas, the
20 name of each governor of Kansas whose hometown is such city or
21 unincorporated community; the numerical designation of each such
22 governor in the succession of governors of Kansas and the years each such
23 governor served as governor of Kansas.

24 (d) The secretary of commerce, or the secretary's designee, shall
25 conduct a competition for the design of the governor's hometown logo.
26 The logo shall include a representation of the dome of the state capitol
27 building. In organizing and conducting such competition, the secretary of
28 commerce shall consult with and cooperate with the executive director of
29 the state historical society, the executive director of the ~~Kansas~~ *creative*
30 *arts industries* commission, Kansas humanities council and such other
31 agencies, persons or organizations as the secretary finds appropriate.

32 (e) The governing body of any city or the board of county
33 commissioners for any unincorporated community, not located on a
34 highway which is part of the state highway system, may request a
35 governor's hometown sign from the secretary of transportation which
36 meets the design specifications of subsection (c). Such city or
37 unincorporated community shall reimburse the secretary for the cost of
38 such sign and shall be responsible for the installation, repair, maintenance
39 or replacement of such sign.

40 (f) (1) The governing body of any city or the board of county
41 commissioners for any unincorporated community which was a territorial
42 capital of Kansas, may request a territorial governor's sign from the
43 secretary of transportation, subject to the same procedure, conditions and

1 limitations contained in subsections (b) and (e).

2 (2) The secretary of transportation, or the secretary's designee, shall
3 design the territorial governor's signs. The size, shape, color, design and
4 content of such signs shall be distinctive and shall be determined by the
5 secretary of transportation, except that such signs shall include: (1) The
6 name of the city or unincorporated community; (2) an indication that such
7 city or unincorporated community was a territorial capital of Kansas, the
8 name of each territorial governor of Kansas who served in such territorial
9 capital, the numerical designation of each such governor in the succession
10 of governors of Kansas and the years each such governor served as
11 territorial governor of Kansas.

12 Sec. 13. K.S.A. 46-1801, 74-5202, 74-5203, 74-5204, 74-5205, 74-
13 5206, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1.161, 73-2502, 73-
14 2504, 74-9201, 74-9202, 75-2269 and 75-5072 are hereby repealed.

15 Sec. 14. This act shall take effect and be in force from and after its
16 publication in the statute book.