

Senate Substitute for HOUSE BILL No. 2454

By Committee on Ways and Means

3-16

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 Kansas creative arts industries
5 commission; abolishing the Kansas arts commission and the Kansas
6 film services commission; creating the arts industries commission
7 checkoff; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A.
8 2011 Supp. 8-1,161, 75-2269 and 75-5072 and repealing the existing
9 sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205
10 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202.

11

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

13 New Section 1. (a) For the taxable years commencing after December
14 31, 2012, each Kansas state individual income tax return form shall
15 contain a designation as follows:

16 Kansas Creative Arts Industries Commission Checkoff Fund. Check if
17 you wish to donate, in addition to your tax liability, or designate from your
18 refund, _____\$1, _____\$5, _____\$10 or \$_____.

19 (b) The director of taxation of the department of revenue shall
20 determine annually the total amount designated for contribution to the
21 Kansas creative arts industries commission checkoff fund pursuant to
22 subsection (a) and shall report such amount to the state treasurer who shall
23 credit the entire amount thereof to the Kansas creative arts industries
24 commission checkoff fund which fund is hereby established in the state
25 treasury. All moneys deposited in such fund shall be used solely for the
26 purpose of funding the Kansas creative arts industries commission. In the
27 case where donations are made pursuant to subsection (a), the director
28 shall remit the entire amount thereof to the state treasurer in accordance
29 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
30 receipt of such remittance, the state treasurer shall deposit the entire
31 amount in the state treasury to the credit of such fund. All expenditures
32 from such fund shall be made in accordance with appropriation acts upon
33 warrants of the director of accounts and reports issued pursuant to
34 vouchers approved by the chairperson of the Kansas creative arts
35 industries commission.

36 New Sec. 2. (a) There is hereby created within the department of

1 commerce the Kansas creative arts industries commission to measure,
2 promote, support and expand the creative industries to drive the Kansas
3 economy, grow jobs and enhance the quality of life for all Kansans.

4 (b) (1) The commission shall consist of 13 members, serving for
5 terms of three years. Members may be reappointed to a term of three years.
6 Members may not serve more than two terms and are not eligible for
7 reappointment following the end of such member's second term of office.
8 There shall always be at least one member from each congressional
9 district. The members of the commission shall include: Two members
10 appointed by the president of the senate; one member appointed by the
11 minority leader of the senate; two member appointed by the speaker of the
12 house of representatives; one members appointed by the minority leader of
13 the house of representatives; four members appointed by the governor; one
14 member appointed by the Kansas small business development center; one
15 member appointed by the Kansas citizens for the arts; and one member
16 appointed by the Kansas humanities council. All members appointed by
17 the governor shall be appointed for terms of three years, except that, in the
18 initial appointment, two of the members shall be appointed for two-year
19 terms and two shall be appointed for three-year terms. The governor shall
20 designate the term for which each of the members first appointed shall
21 serve. The commission shall convene annually by the 20th day of the
22 legislative session and elect a chairperson and a vice-chairperson from
23 among its members.

24 (2) The members of the commission shall be broadly representative
25 of the major fields of the arts and related creative industries and shall be
26 appointed from among private citizens who are widely known for having
27 competence and experience in connection with the arts and related creative
28 industries or business leaders with an interest in promoting the arts and the
29 creative industries, as well as having knowledge of community and state
30 interests. In making these appointments, the appointing authorities shall
31 seek and consider those recommended for membership by persons or
32 organizations involved in civic, educational, business, labor, professional,
33 cultural, ethnic or performing and creative arts fields.

34 (c) The commission shall meet on the call of the chair, but not less
35 than four times during each calendar year. Seven members of the
36 commission shall constitute a quorum. Meetings may take place in various
37 locations across Kansas. Members of the commission attending meetings
38 of such division, or attending a subcommittee meeting thereof, authorized
39 by such division, shall be paid compensation, subsistence allowances,
40 mileage and other expenses as provided in K.S.A. 75-3223, and
41 amendments thereto. Employment by the state, or any instrumentality or
42 subdivision of the state, shall not prevent any person from accepting
43 appointment to and serving on the advisory board.

1 New Sec. 3. (a) There is hereby created in the state treasury the
2 creative industries fund. Moneys from the following sources shall be
3 credited to the fund:

4 (1) Moneys appropriated to the fund by the legislature; and

5 (2) any gifts, grants or donations from private or public sources that
6 the commission is hereby authorized to accept. No moneys from gifts,
7 grants and donations shall be spent for any purpose other than arts
8 programs that the commission has authorized.

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

13 New Sec. 4. (a) The commission shall be the official agency of the
14 state for the development and coordination of the arts within the state and
15 employment development in the creative arts industries. The commission
16 shall promote, support, coordinate, foster, develop and measure the
17 outcomes of the arts, their practice and their impact on employment
18 development within this state and shall have the power to:

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

21 (2) accept, on behalf of the state of Kansas, and expend any federal
22 funds granted by act of congress or by executive order for all or any
23 purpose of the commission, except that the commission may expend such
24 funds only upon appropriation by the legislature if the federal funds
25 require matching state contributions or capital outlay or create a
26 commitment for future state spending;

27 (3) accept any gifts, grants, donations or bequests for all or any of the
28 purposes of the commission, including funds from the sale of real or
29 personal property;

30 (4) propose methods and processes to encourage private and public
31 initiatives that recognize and enhance the role that the arts play in creative
32 industries;

33 (5) prepare, promulgate or publish advertising and promotional
34 books, pamphlets and materials consistent with the purposes of this act,
35 and prepare and publish reports or surveys containing information relating
36 to the arts and the activities of the commission or other agencies, public or
37 private, as may be requested by the governor or the legislature;

38 (6) advise and consult with national foundations and other local, state
39 and federal departments and agencies on methods by which to coordinate
40 and assist existing resources and facilities to foster artistic and cultural
41 endeavors toward the use of the arts, both nationally and internationally, in
42 the best interest of Kansas;

43 (7) enter into agreement with other states, or with the United States or

1 any agency or instrumentality thereof, having duties or functions similar to
2 the commission, or with private associations or corporations, or with
3 private or public colleges or universities, or with any public or private
4 school, or with individual persons for any purpose consistent with the
5 objectives and purposes of this act;

6 (8) undertake any and all other acts or things as may be deemed
7 necessary and convenient by the commission to foster and promote the
8 development of the arts in this state;

9 (9) promote employment development within the creative industries;
10 and

11 (10) adopt rules and regulations as may be necessary to effectuate the
12 provisions of this act.

13 (b) The duties of the commission shall include:

14 (1) To stimulate and encourage throughout the state the study and
15 development of the arts, as well as public interest and participation therein;

16 (2) to take such steps as may be necessary and appropriate to
17 encourage public interest in the cultural heritage of the state of Kansas and
18 to expand the state's cultural resources;

19 (3) to encourage and assist freedom of artistic expression essential for
20 the well-being of the arts;

21 (4) to assist the communities and organizations within the state in
22 originating and creating their own cultural and artistic programs;

23 (5) to make such surveys as may be deemed advisable of public and
24 private institutions engaged within the state in artistic and cultural
25 activities, including, but not limited to, humanities, music, theater, dance,
26 painting, sculpture, photography, architecture and allied arts and crafts and
27 to make recommendations concerning the appropriate methods to
28 encourage participation in and appreciation of the arts in order to meet the
29 legitimate needs and aspirations of persons in all parts of the state;

30 (6) to develop strategies on methods to attract film making enterprises
31 to the state of Kansas; assist the division of business development in the
32 locating and researching of locations for possible use by the movie
33 industry; assist students in Kansas in developing film making skills;
34 provide assistance to movie personnel who utilize Kansas as a location for
35 filming as may be directed by the division; provide support at official
36 hospitality functions for the film industry; participate in trade show and
37 official functions pertaining to the film industry; and assist in the
38 establishment of motion picture ventures and such related matters as the
39 commission deems appropriate;

40 (7) to formulate, in cooperation with the state board of education,
41 programs furthering the arts in education, including artists-in-residence
42 programs. Such programs shall be designed to foster a greater
43 understanding and knowledge of the arts, to utilize the arts as an

1 intellectual stimulus, to utilize the arts as an aid in dealing with personal
2 and social adjustment problems or leaning disabilities and to facilitate and
3 to improve other academic courses or programs by using the arts as an
4 educational tool and medium. The commission shall disseminate
5 information about such programs. Any board of education or the governing
6 body of any other political subdivision, or any agent or employee thereof,
7 may request information on such programs or request to participate in such
8 programs, and such board of education or governing body may implement
9 such programs with such political subdivision;

10 (8) to develop metrics showing the impact of the creative industries
11 on employment development; and

12 (9) to submit a report of the commission's recommendations not later
13 than February 1 of each calendar year to the governor, the secretary of
14 commerce and the legislature.

15 (c) The department of commerce shall provide staff and other
16 assistance as may be required by the commission in the performance of its
17 duties. The executive director shall be appointed by the commission,
18 subject to approval of the secretary of commerce. The secretary of revenue
19 shall provide any datum relevant in measuring the economic outcomes of
20 arts programs to the commission.

21 New Sec. 5. (a) The Kansas arts commission created by K.S.A. 74-
22 5202, and amendments thereto, and the Kansas film services commission
23 created by K.S.A. 74-9201, and amendments thereto, are hereby abolished.

24 (b) Except as otherwise provided by this act, all of the powers, duties
25 and functions of the existing Kansas arts commission and the Kansas film
26 services commission are hereby transferred to, conferred and imposed
27 upon the creative arts industries commission within the department of
28 commerce, established by this act.

29 (c) Except as otherwise provided by this act, the creative arts
30 industries commission within the department of commerce established by
31 this act shall be the successor in every way to the powers, duties and
32 functions of the Kansas arts commission and the Kansas film services
33 commission in which the same were vested prior to the effective date of
34 this act. Every act performed in the exercise of such powers, duties and
35 functions by or under the authority of the creative arts industries
36 commission within the department of commerce established by this act
37 shall be deemed to have the same force and effect as if performed by the
38 Kansas arts commission and the Kansas film services commission in
39 which such powers, duties and functions were vested prior to the effective
40 date of this act.

41 (d) Except as otherwise provided by this act, whenever the Kansas
42 arts commission or the Kansas film services commission, or words of like
43 effect, are referred to or designated by a statute, contract or other

1 document, such reference or designation shall be deemed to apply to the
2 creative arts industries commission within the department of commerce
3 established by this act.

4 (e) All rules and regulations of the Kansas arts commission and the
5 Kansas film services commission in existence on the effective date of this
6 act shall continue to be effective and shall be deemed to be duly adopted
7 rules and regulations of the creative arts industries commission within the
8 department of commerce established by this act until revised, amended,
9 revoked or nullified pursuant to law.

10 (f) All orders and directives of the Kansas arts commission and the
11 Kansas film services commission in existence on the effective date of this
12 act shall continue to be effective and shall be deemed to be orders and
13 directives of the creative arts industries commission within the department
14 of commerce established by this act, until revised, amended, revoked or
15 nullified pursuant to law.

16 (g) On the effective date of this act, the creative arts industries
17 commission within the department of commerce shall succeed to whatever
18 right, title or interest the Kansas arts commission and the Kansas film
19 services commission have acquired in any real property in this state, and
20 the creative arts industries commission within the department of commerce
21 shall hold the same for and in the name of the state of Kansas. On and after
22 the effective date of this act, whenever any statute, contract, deed or other
23 document concerns the power or authority of the Kansas arts commission
24 or the Kansas film services commission to acquire, hold or dispose of real
25 property or any interest therein, the creative arts industries commission
26 within the department of commerce shall succeed to such power or
27 authority.

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

31 (i) On the effective date of this act, all officers and employees who,
32 immediately prior to such date, were engaged in the performance of
33 powers, duties or functions of the Kansas arts commission and the Kansas
34 film services commission which are transferred by this act, or who
35 become a part of the creative arts industries commission within the
36 department of commerce, and who, in the opinion of the executive
37 director of the creative arts industries commission within the department
38 of commerce, are necessary to perform the powers, duties and functions of
39 the creative arts industries commission within the department of
40 commerce, shall be transferred to, and shall become officers and
41 employees of the creative arts industries commission within the
42 department of commerce.

43 (j) Officers and employees of the Kansas Arts commission and the

1 Kansas film services commission transferred by this act shall retain all
2 retirement benefits and leave balances and rights which had accrued or
3 vested prior to the date of transfer. The service of each such officer and
4 employee so transferred shall be deemed to have been continuous. All
5 transfers, layoffs or abolition of classified service positions under the
6 Kansas civil service act shall be made in accordance with the civil service
7 laws and any rule and regulation adopted thereunder. Nothing in this act
8 shall affect the classified status of any transferred person employed by the
9 Kansas arts commission and the Kansas film services commission prior to
10 the date of transfer.

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

15 Sec. 6. K.S.A. 2011 Supp. 8-1,161 is hereby amended to read as
16 follows: 8-1,161. (a) On and after January 1, 2010, any owner or lessee of
17 one or more passenger vehicles or trucks registered for a gross weight of
18 not more than 20,000 pounds who is a resident of Kansas, upon
19 compliance with the provisions of this section, may be issued one support
20 Kansas arts license plate for each such passenger vehicle or truck. Such
21 license plates shall be issued for the same time as other license plates upon
22 proper registration and payment of the regular license fee as provided in
23 K.S.A. 8-143, and amendments thereto, and the presentation of the annual
24 logo use authorization statement provided for in subsection (b).

25 (b) The Kansas ~~arts commission~~ *creative arts industries commission*,
26 created under ~~K.S.A. 74-5202~~ *section 2*, and amendments thereto, may
27 authorize the use of their logo to be affixed on license plates as provided
28 by this section. Any royalty payment to such commission derived from this
29 section shall be credited to the Kansas ~~arts commission~~ *creative arts*
30 *industries commission* special gifts fund and, shall be used in accordance
31 with the provisions of ~~K.S.A. 74-5204~~ *section 3*, and amendments thereto.
32 Any motor vehicle owner or lessee may annually apply to the commission
33 for the use of such logo. Upon annual application and payment to the
34 commission in an amount of not less than \$25 nor more than \$100 as a
35 logo use royalty payment for each license plate to be issued, the
36 commission shall issue to the motor vehicle owner or lessee, without
37 further charge, a logo use authorization statement, which shall be
38 presented by the motor vehicle owner or lessee at the time of registration.

39 (c) Any applicant for a support Kansas arts license plate may make
40 application for such plates not less than 60 days prior to such person's
41 renewal of registration date, on a form prescribed and furnished by the
42 director of motor vehicles, and any applicant for the support Kansas arts
43 license plates shall provide the annual logo use authorization statement

1 provided for in subsection (b). Application for registration of a passenger
2 vehicle or truck and issuance of the license plate under this section shall be
3 made by the owner or lessee in a manner prescribed by the director of
4 vehicles upon forms furnished by the director.

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

7 (e) Renewals of registration under this section shall be made
8 annually, upon payment of the fee prescribed in subsection (a), in the
9 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments
10 thereto. No renewal of registration shall be made to any applicant until
11 such applicant provides the annual logo use authorization statement
12 provided for in subsection (b). If such logo use authorization statement is
13 not presented at the time of registration, the applicant shall be required to
14 comply with K.S.A. 8-143, and amendments thereto, and return the
15 support Kansas arts license plate to the county treasurer of such person's
16 residence.

17 (f) The Kansas *creative arts industries* commission shall:

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

20 (2) provide to all county treasurers a toll-free telephone number
21 where applicants can call the Kansas *creative arts industries* commission
22 for information concerning the application process or the status of their
23 license plate application.

24 (g) The Kansas *creative arts industries* commission, with the approval
25 of the director of vehicles and subject to the availability of materials and
26 equipment, shall design a plate to be issued under the provisions of this
27 section.

28 Sec. 7. K.S.A. 46-1801 is hereby amended to read as follows: 46-
29 1801. (a) There is hereby established a joint committee on the arts and
30 cultural resources which shall consist of five senators and five members of
31 the house of representatives. The senate members shall be appointed by
32 the committee on organization, calendar and rules. The house of
33 representative members shall be appointed by the speaker of the house of
34 representatives. Not less than one representative member shall be a
35 member of the house committee on appropriations and not less than one
36 senator member shall be a member of the senate committee on ways and
37 means. In addition, not less than one representative member shall be a
38 member of the house committee on economic development and not less
39 than one senator member shall be a member of the senate committee on
40 commerce. The committee on organization, calendar and rules shall
41 designate a senator member to be chairperson or vice-chairperson of the
42 joint committee as provided in this section. The speaker of the house of
43 representatives shall designate a representative member to be chairperson

1 or vice-chairperson of the joint committee as provided in this section.

2 (b) A quorum of the joint committee on the arts and cultural resources
3 shall be six. All actions of the committee may be taken by a majority of
4 those present when there is a quorum. In odd-numbered years the
5 chairperson of the joint committee shall be the designated member of the
6 house of representatives from the convening of the regular session in that
7 year until the convening of the regular session in the next ensuing year. In
8 even-numbered years the chairperson of the joint committee shall be the
9 designated member of the senate from the convening of the regular session
10 of that year until the convening of the regular session of the next ensuing
11 year. The vice-chairperson shall exercise all of the powers of the
12 chairperson in the absence of the chairperson.

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

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

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

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

21 (4) the budget and programs of the Kansas *creative arts industries*
22 commission and other state supported arts and cultural programs and
23 agencies;

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

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

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

31 (e) The joint committee on the arts and cultural resources shall meet
32 on call of the chairperson as authorized by the legislative coordinating
33 council. All such meetings shall be held in Topeka, unless authorized to be
34 held in a different place by the legislative coordinating council. Members
35 of the joint committee shall receive compensation and travel expenses and
36 subsistence expenses or allowances as provided in K.S.A. 75-3212, and
37 amendments thereto, when attending meetings of such committee
38 authorized by the legislative coordinating council.

39 (f) Amounts paid under authority of this section shall be paid from
40 appropriations for legislative expense and vouchers therefor shall be
41 prepared by the director of legislative administrative services and
42 approved by the chairperson or vice-chairperson of the legislative
43 coordinating council.

1 Sec. 8. K.S.A. 74-7901 is hereby amended to read as follows: 74-
2 7901. There is hereby created a Kansas wildlife arts council which shall be
3 composed of five members. One member shall be a member of the Kansas
4 wildlife and parks commission appointed by such commission, one
5 member shall be a member of the Kansas *creative arts industries*
6 commission appointed by such commission, one member shall be the
7 director of the Fort Hays state university Sternberg museum, and two
8 members shall be from the public at large appointed by the president of
9 Fort Hays state university. The director of the Fort Hays state university
10 Sternberg museum shall be chairperson of the council, and personnel of
11 the Fort Hays state university Sternberg museum shall provide such staff
12 and clerical services as the council may require.

13 Sec. 9. K.S.A. 75-2249 is hereby amended to read as follows: 75-
14 2249. (a) The director of architectural services shall cause a work of
15 sculpture, selected in the manner prescribed by this section prior to its
16 amendment by this act, to be placed atop the state capitol.

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

26 Sec. 10. K.S.A. 2011 Supp. 75-2269 is hereby amended to read as
27 follows: 75-2269. (a) There is hereby created a capitol preservation
28 committee which will include the membership of the following:

- 29 (1) The statehouse architect;
30 (2) the executive director of the state historical society;
31 (3) the executive director of the Kansas *creative arts industries*
32 commission;
33 (4) three members appointed by the governor;
34 (5) two members appointed by the president of the senate and one
35 member appointed by the minority leader of the senate; and
36 (6) two members appointed by the speaker of the house of
37 representatives and one member appointed by the minority leader of the
38 house of representatives.

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

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

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

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

6 (3) the members appointed by the president of the senate and the
7 speaker of the house of representatives shall each serve one-year terms.

8 Successors to such members shall serve two-year terms.

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

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

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

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

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

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

21 Implementation of the recommendations of the committee shall be the
22 responsibility of the division of legislative administrative services.

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

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

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

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

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

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

1 Sec. 11. K.S.A. 2011 Supp. 75-5072 is hereby amended to read as
2 follows: 75-5072. (a) As used in this section:

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

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

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

14 The secretary of transportation shall install such governors' hometown
15 signs only if:

16 (1) The governing body of the city or the board of county
17 commissioners for the unincorporated community has adopted a resolution
18 requesting the installation of such signs;

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

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

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

27 (c) The secretary of transportation, or the secretary's designee, shall
28 design the governors' hometown signs. The size, shape, color, design and
29 content of such signs shall be distinctive and shall be determined by the
30 secretary of transportation, except that such signs shall include: (1) The
31 name of the city or unincorporated community; (2) the governor's
32 hometown logo; and (3) an indication that such city or unincorporated
33 community is the hometown of one or more governors of Kansas, the
34 name of each governor of Kansas whose hometown is such city or
35 unincorporated community, the numerical designation of each such
36 governor in the succession of governors of Kansas and the years each such
37 governor served as governor of Kansas.

38 (d) The secretary of commerce, or the secretary's designee, shall
39 conduct a competition for the design of the governor's hometown logo.
40 The logo shall include a representation of the dome of the state capitol
41 building. In organizing and conducting such competition, the secretary of
42 commerce shall consult with and cooperate with the executive director of
43 the state historical society, the executive director of the Kansas *creative*

1 arts *industries* commission, Kansas humanities council and such other
2 agencies, persons or organizations as the secretary finds appropriate.

3 (e) The governing body of any city or the board of county
4 commissioners for any unincorporated community, not located on a
5 highway which is part of the state highway system, may request a
6 governor's hometown sign from the secretary of transportation which
7 meets the design specifications of subsection (c). Such city or
8 unincorporated community shall reimburse the secretary for the cost of
9 such sign and shall be responsible for the installation, repair, maintenance
10 or replacement of such sign.

11 (f) (1) The governing body of any city or the board of county
12 commissioners for any unincorporated community which was a territorial
13 capital of Kansas, may request a territorial governor's sign from the
14 secretary of transportation, subject to the same procedure, conditions and
15 limitations contained in subsections (b) and (e).

16 (2) The secretary of transportation, or the secretary's designee, shall
17 design the territorial governor's signs. The size, shape, color, design and
18 content of such signs shall be distinctive and shall be determined by the
19 secretary of transportation, except that such signs shall include: (1) The
20 name of the city or unincorporated community; *and* (2) an indication that
21 such city or unincorporated community was a territorial capital of Kansas,
22 the name of each territorial governor of Kansas who served in such
23 territorial capital, the numerical designation of each such governor in the
24 succession of governors of Kansas and the years each such governor
25 served as territorial governor of Kansas.

26 Sec. 12. K.S.A. 46-1801, 74-5202, 74-5203, 74-5204, 74-5205, 74-
27 5206, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 74-9201, 74-
28 9202, 75-2269 and 75-5072 are hereby repealed.

29 Sec. 13. This act shall take effect and be in force from and after its
30 publication in the statute book.