

Substitute for HOUSE BILL No. 2681

By Committee on Veterans, Military and Homeland Security

2-25

1 AN ACT concerning veterans; abolishing the Kansas commission on
2 veterans affairs; creating the Kansas commission on veterans affairs
3 office within the executive branch of government; transferring certain
4 powers, duties and functions; providing a Kansas advisory committee
5 on veterans affairs; amending K.S.A. 73-209, 73-210, 73-1211, 73-
6 1222, 73-1223, 73-1224, 73-1225, 73-1226, 73-1227, 73-1229, 73-
7 1230, 73-1231, 73-1232, 76-1904, 76-1904a, 76-1908, 76-1927, 76-
8 1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936, 76-
9 1941, 76-1951, 76-1952, 76-1954, 76-1955, 76-1956, 76-1957 and 76-
10 1958; K.S.A. 2012 Supp. 74-2012, as amended by section 3 of chapter
11 74 of the 2013 Session Laws of Kansas and K.S.A. 2013 Supp. 39-923,
12 65-1732, 65-2418, 73-1209, 73-1210a, 73-1217, 73-1218, 73-1233, 73-
13 1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-1242, 73-
14 1243, 75-3370, 75-4362, 76-6b05, 76-1906, 76-1939, 76-1953 and 79-
15 3221k and repealing the existing sections; also repealing K.S.A. 73-
16 1207, 73-1208b, 73-1208c and 73-1220 and K.S.A. 2013 Supp. 73-
17 1208a and 73-1219.

18

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

20 New Section 1. (a) On July 1, 2014, the Kansas commission on
21 veterans affairs provided for by K.S.A. 73-1208a, prior to its repeal, shall
22 be and is hereby abolished.

23 (b) On July 1, 2014, all of the powers, duties and functions of the
24 Kansas commission on veterans affairs are hereby transferred to and
25 conferred and imposed upon the Kansas commission on veterans affairs
26 office.

27 (c) The Kansas commission on veterans affairs office shall be the
28 successor in every way to the powers, duties and functions of the Kansas
29 commission on veterans affairs in which the same were vested prior to July
30 1, 2014. Every act performed in the exercise of such powers, duties and
31 functions by or under the authority of the Kansas commission on veterans
32 affairs office shall be deemed to have the same force and effect as if
33 performed by the Kansas commission on veterans affairs in which the
34 authority to perform such act was vested prior to July 1, 2014. The Kansas
35 commission on veterans affairs office shall be a continuation of the Kansas
36 commission on veterans affairs abolished by this section.

1 (d) All rules and regulations and all orders or directives of the Kansas
2 commission on veterans affairs, or of any persons authorized by the
3 commission to issue orders or directives, in existence on July 1, 2014,
4 shall continue to be effective and shall be deemed to be the rules and
5 regulations and orders or directives of the Kansas commission on veterans
6 affairs office until revised, amended, revoked or nullified pursuant to law.

7 (e) On and after July 1, 2014, whenever the Kansas commission on
8 veterans affairs, or words of like effect, is referred to or designated by a
9 statute, contract or other document, such reference or designation shall be
10 deemed to mean and apply to the Kansas commission on veterans affairs
11 office.

12 New Sec. 2. (a) There is hereby established within the executive
13 branch of government the Kansas commission on veterans affairs office,
14 which shall be administered under the direction and supervision of the
15 director of the Kansas commission on veterans affairs office. The director
16 of the Kansas commission on veterans affairs office, who shall be a
17 veteran, shall be appointed by the governor, subject to confirmation by the
18 senate as provided in K.S.A. 75-4315b, and amendments thereto. Except
19 as provided by K.S.A. 46-2601, and amendments thereto, no person
20 appointed as the director of the Kansas commission on veterans affairs
21 office shall exercise any power, duty or function as director until
22 confirmed by the senate. Except as otherwise provided by this section, the
23 director of the Kansas commission on veterans affairs office shall be in the
24 unclassified service under the Kansas civil service act, shall serve at the
25 pleasure of the governor and shall receive an annual salary fixed by the
26 governor.

27 (b) All budgeting, purchasing and related management functions of
28 the Kansas veterans affairs office, shall be administered under the
29 direction and supervision of the director of the Kansas commission on
30 veterans affairs office.

31 (c) All vouchers for expenditures from appropriations to or for the
32 Kansas commission on veterans affairs office shall be approved by the
33 director of the Kansas commission on veterans affairs office or a person or
34 persons designated by the director for such purpose.

35 (d) The provisions of the Kansas governmental operations
36 accountability law apply to the Kansas commission on veterans affairs
37 office, and the office is subject to audit, review and evaluation under such
38 law.

39 New Sec. 3. The Kansas commission on veterans affairs office shall
40 be responsible for carrying out the general policies of the governor and the
41 director of the Kansas commission on veterans affairs office by: (a)
42 Affording and furnishing to veterans, and relatives and dependents of such
43 veterans, information, advice, direction and assistance through the

1 coordination of programs and services in the fields of education, health,
2 vocational guidance and placement, mental care and economic security;
3 and (b) managing, operating and controlling the Kansas soldiers' home and
4 the Kansas veterans' home.

5 New Sec. 4. (a) There is hereby created the Kansas advisory
6 committee on veterans affairs which shall assist the director of the Kansas
7 commission on veterans affairs office in furnishing services to veterans,
8 and relatives and dependents of such veterans.

9 (b) The Kansas advisory committee on veterans affairs shall consist
10 of five persons appointed by the governor. The members of the Kansas
11 advisory committee on veterans affairs shall be persons who have served
12 in the armed forces of the United States and have received an honorable
13 discharge, as evidenced by their military discharge papers (DD Form 214).
14 The governor shall designate the chairperson of the advisory committee.
15 Members serving on the Kansas commission on veterans affairs under
16 K.S.A. 73-1208a, prior to its repeal, on July 1, 2014, shall continue to
17 serve on the Kansas advisory committee on veterans affairs for the term
18 for which appointed.

19 (c) Subject to the provisions of K.S.A. 75-4315c, and amendments
20 thereto, the governor shall appoint one member from each congressional
21 district and the remainder from the state at-large. Not more than three
22 members shall be members of the same political party, and not more than
23 two members shall represent the same veterans' organization.

24 (d) Persons appointed as successors to all members of the Kansas
25 advisory committee on veterans affairs shall be appointed for terms of four
26 years. The governor may remove a member of the advisory committee for
27 good cause. Any vacancy occurring in the membership of the advisory
28 committee for any cause shall be filled by appointment for the unexpired
29 term in the same manner as provided in subsection (b). Members of the
30 advisory committee attending meetings of the advisory committee, or
31 attending a subcommittee meeting thereof authorized by the director of the
32 Kansas commission on veterans affairs office, shall be paid compensation,
33 subsistence allowances, mileage and other expenses as provided in K.S.A.
34 75-3223, and amendments thereto.

35 Sec. 5. K.S.A. 2013 Supp. 39-923 is hereby amended to read as
36 follows: 39-923. (a) As used in this act:

37 (1) "Adult care home" means any nursing facility, nursing facility for
38 mental health, intermediate care facility for people with intellectual
39 disability, assisted living facility, residential health care facility, home plus,
40 boarding care home and adult day care facility; all of which are
41 classifications of adult care homes and are required to be licensed by the
42 secretary of aging.

43 (2) "Nursing facility" means any place or facility operating 24 hours a

1 day, seven days a week, caring for six or more individuals not related
2 within the third degree of relationship to the administrator or owner by
3 blood or marriage and who, due to functional impairments, need skilled
4 nursing care to compensate for activities of daily living limitations.

5 (3) "Nursing facility for mental health" means any place or facility
6 operating 24 hours a day, seven days a week, caring for six or more
7 individuals not related within the third degree of relationship to the
8 administrator or owner by blood or marriage and who, due to functional
9 impairments, need skilled nursing care and special mental health services
10 to compensate for activities of daily living limitations.

11 (4) "Intermediate care facility for people with intellectual disability"
12 means any place or facility operating 24 hours a day, seven days a week,
13 caring for four or more individuals not related within the third degree of
14 relationship to the administrator or owner by blood or marriage and who,
15 due to functional impairments caused by intellectual disability or related
16 conditions, need services to compensate for activities of daily living
17 limitations.

18 (5) "Assisted living facility" means any place or facility caring for six
19 or more individuals not related within the third degree of relationship to
20 the administrator, operator or owner by blood or marriage and who, by
21 choice or due to functional impairments, may need personal care and may
22 need supervised nursing care to compensate for activities of daily living
23 limitations and in which the place or facility includes apartments for
24 residents and provides or coordinates a range of services including
25 personal care or supervised nursing care available 24 hours a day, seven
26 days a week, for the support of resident independence. The provision of
27 skilled nursing procedures to a resident in an assisted living facility is not
28 prohibited by this act. Generally, the skilled services provided in an
29 assisted living facility shall be provided on an intermittent or limited term
30 basis, or if limited in scope, a regular basis.

31 (6) "Residential health care facility" means any place or facility, or a
32 contiguous portion of a place or facility, caring for six or more individuals
33 not related within the third degree of relationship to the administrator,
34 operator or owner by blood or marriage and who, by choice or due to
35 functional impairments, may need personal care and may need supervised
36 nursing care to compensate for activities of daily living limitations and in
37 which the place or facility includes individual living units and provides or
38 coordinates personal care or supervised nursing care available on a 24-
39 hour, seven-days-a-week basis for the support of resident independence.
40 The provision of skilled nursing procedures to a resident in a residential
41 health care facility is not prohibited by this act. Generally, the skilled
42 services provided in a residential health care facility shall be provided on
43 an intermittent or limited term basis, or if limited in scope, a regular basis.

1 (7) "Home plus" means any residence or facility caring for not more
2 than 12 individuals not related within the third degree of relationship to the
3 operator or owner by blood or marriage unless the resident in need of care
4 is approved for placement by the secretary of the department of social and
5 rehabilitation services, and who, due to functional impairment, needs
6 personal care and may need supervised nursing care to compensate for
7 activities of daily living limitations. The level of care provided to residents
8 shall be determined by preparation of the staff and rules and regulations
9 developed by the department on aging. An adult care home may convert a
10 portion of one wing of the facility to a not less than five-bed and not more
11 than 12-bed home plus facility provided that the home plus facility
12 remains separate from the adult care home, and each facility must remain
13 contiguous. Any home plus that provides care for more than eight
14 individuals after the effective date of this act shall adjust staffing personnel
15 and resources as necessary to meet residents' needs in order to maintain the
16 current level of nursing care standards. Personnel of any home plus who
17 provide services for residents with dementia shall be required to take
18 annual dementia care training.

19 (8) "Boarding care home" means any place or facility operating 24
20 hours a day, seven days a week, caring for not more than 10 individuals
21 not related within the third degree of relationship to the operator or owner
22 by blood or marriage and who, due to functional impairment, need
23 supervision of activities of daily living but who are ambulatory and
24 essentially capable of managing their own care and affairs.

25 (9) "Adult day care" means any place or facility operating less than
26 24 hours a day caring for individuals not related within the third degree of
27 relationship to the operator or owner by blood or marriage and who, due to
28 functional impairment, need supervision of or assistance with activities of
29 daily living.

30 (10) "Place or facility" means a building or any one or more complete
31 floors of a building, or any one or more complete wings of a building, or
32 any one or more complete wings and one or more complete floors of a
33 building, and the term "place or facility" may include multiple buildings.

34 (11) "Skilled nursing care" means services performed by or under the
35 immediate supervision of a registered professional nurse and additional
36 licensed nursing personnel. Skilled nursing includes administration of
37 medications and treatments as prescribed by a licensed physician or
38 dentist; and other nursing functions which require substantial nursing
39 judgment and skill based on the knowledge and application of scientific
40 principles.

41 (12) "Supervised nursing care" means services provided by or under
42 the guidance of a licensed nurse with initial direction for nursing
43 procedures and periodic inspection of the actual act of accomplishing the

1 procedures; administration of medications and treatments as prescribed by
2 a licensed physician or dentist and assistance of residents with the
3 performance of activities of daily living.

4 (13) "Resident" means all individuals kept, cared for, treated, boarded
5 or otherwise accommodated in any adult care home.

6 (14) "Person" means any individual, firm, partnership, corporation,
7 company, association or joint-stock association, and the legal successor
8 thereof.

9 (15) "Operate an adult care home" means to own, lease, establish,
10 maintain, conduct the affairs of or manage an adult care home, except that
11 for the purposes of this definition the word "own" and the word "lease"
12 shall not include hospital districts, cities and counties which hold title to an
13 adult care home purchased or constructed through the sale of bonds.

14 (16) "Licensing agency" means the secretary of aging.

15 (17) "Skilled nursing home" means a nursing facility.

16 (18) "Intermediate nursing care home" means a nursing facility.

17 (19) "Apartment" means a private unit which includes, but is not
18 limited to, a toilet room with bathing facilities, a kitchen, sleeping, living
19 and storage area and a lockable door.

20 (20) "Individual living unit" means a private unit which includes, but
21 is not limited to, a toilet room with bathing facilities, sleeping, living and
22 storage area and a lockable door.

23 (21) "Operator" means an individual who operates an assisted living
24 facility or residential health care facility with fewer than 61 residents, a
25 home plus or adult day care facility and has completed a course approved
26 by the secretary of health and environment on principles of assisted living
27 and has successfully passed an examination approved by the secretary of
28 health and environment on principles of assisted living and such other
29 requirements as may be established by the secretary of health and
30 environment by rules and regulations.

31 (22) "Activities of daily living" means those personal, functional
32 activities required by an individual for continued well-being, including but
33 not limited to eating, nutrition, dressing, personal hygiene, mobility and
34 toileting.

35 (23) "Personal care" means care provided by staff to assist an
36 individual with, or to perform activities of daily living.

37 (24) "Functional impairment" means an individual has experienced a
38 decline in physical, mental and psychosocial well-being and as a result, is
39 unable to compensate for the effects of the decline.

40 (25) "Kitchen" means a food preparation area that includes a sink,
41 refrigerator and a microwave oven or stove.

42 (26) The term "intermediate personal care home" for purposes of
43 those individuals applying for or receiving veterans' benefits means

1 residential health care facility.

2 (27) "Paid nutrition assistant" means an individual who is paid to feed
3 residents of an adult care home, or who is used under an arrangement with
4 another agency or organization, who is trained by a person meeting nurse
5 aide instructor qualifications as prescribed by 42 C.F.R. § 483.152, 42
6 C.F.R. § 483.160 and paragraph (h) of 42 C.F.R. § 483.35, and who
7 provides such assistance under the supervision of a registered professional
8 or licensed practical nurse.

9 (28) "Medicaid program" means the Kansas program of medical
10 assistance for which federal or state moneys, or any combination thereof,
11 are expended, or any successor federal or state, or both, health insurance
12 program or waiver granted thereunder.

13 (b) The term "adult care home" shall not include institutions operated
14 by federal or state governments, except institutions operated by the
15 *director of the* Kansas commission on veterans affairs *office*, hospitals or
16 institutions for the treatment and care of psychiatric patients, child care
17 facilities, maternity centers, hotels, offices of physicians or hospices which
18 are certified to participate in the medicare program under 42 code of
19 federal regulations, chapter IV, section 418.1 et seq., and amendments
20 thereto, and which provide services only to hospice patients.

21 (c) Nursing facilities in existence on the effective date of this act
22 changing licensure categories to become residential health care facilities
23 shall be required to provide private bathing facilities in a minimum of 20%
24 of the individual living units.

25 (d) Facilities licensed under the adult care home licensure act on the
26 day immediately preceding the effective date of this act shall continue to
27 be licensed facilities until the annual renewal date of such license and may
28 renew such license in the appropriate licensure category under the adult
29 care home licensure act subject to the payment of fees and other conditions
30 and limitations of such act.

31 (e) Nursing facilities with less than 60 beds converting a portion of
32 the facility to residential health care shall have the option of licensing for
33 residential health care for less than six individuals but not less than 10% of
34 the total bed count within a contiguous portion of the facility.

35 (f) The licensing agency may by rule and regulation change the name
36 of the different classes of homes when necessary to avoid confusion in
37 terminology and the agency may further amend, substitute, change and in a
38 manner consistent with the definitions established in this section, further
39 define and identify the specific acts and services which shall fall within the
40 respective categories of facilities so long as the above categories for adult
41 care homes are used as guidelines to define and identify the specific acts.

42 Sec. 6. K.S.A. 2013 Supp. 65-1732 is hereby amended to read as
43 follows: 65-1732. (a) A funeral establishment, branch establishment or

1 crematory which has possession of the cremated remains of a dead human
2 body may dispose of the cremated remains, if:

3 (1) Such cremated remains have not been claimed for at least 90 days
4 from the time of cremation;

5 (2) the funeral establishment, branch establishment or crematory has
6 sent a notice by certified mail, return receipt requested, to the last known
7 address of the authorizing agent as defined under K.S.A. 65-1760, and
8 amendments thereto. Such notice shall state that such remains will be
9 disposed of in accordance with the provisions of this section unless
10 claimed within 30 days of the date such notice is sent; and

11 (3) the funeral establishment, branch establishment or crematory has
12 not received any claim on the cremated remains for at least 30 days from
13 the date that such notice was sent.

14 (b) Such disposal under subsection (a) shall include burial by placing
15 the remains in a church or cemetery plot, scatter garden, pond, or
16 columbarium; relinquishing possession of the cremated remains of
17 veterans to the *director of the* Kansas commission of veterans affairs
18 *office, or the director's designee*, or a national cemetery in accordance with
19 the provisions of subsection (c); or otherwise disposing of the remains as
20 provided by rule and regulation of the board of mortuary arts. Disposition
21 may include the commingling of the cremated remains with other
22 cremated remains and thus the cremated remains would not be
23 recoverable.

24 (c) (1) A funeral establishment, branch establishment or crematory
25 which has held in its possession cremated remains for more than 90 days
26 from the date of cremation and has provided notice pursuant to subsection
27 (a) and the cremated remains remain unclaimed may, in accordance with
28 the provisions of this section, determine if such cremated remains are
29 those of a veteran, and if so, may dispose of such remains as provided in
30 this section.

31 (2) Notwithstanding any law or rules and regulations to the contrary,
32 nothing in this section shall prevent a funeral establishment, branch
33 establishment or crematory from sharing information with the United
34 States department of veterans affairs or the Kansas commission on
35 veterans affairs *office* for the purpose of determining whether the cremated
36 remains are those of a veteran. A funeral establishment, branch
37 establishment, crematory, funeral director, assistant funeral director or
38 crematory operator shall be discharged from any legal obligations or
39 liability with regard to the releasing or sharing of information with such
40 entities.

41 (3) Should a funeral establishment, branch establishment or
42 crematory ascertain the cremated remains in its possession are those of a
43 veteran and they are unclaimed cremated remains to be disposed of

1 pursuant to provisions of subsection (a), the funeral establishment, branch
2 establishment or crematory may relinquish possession of the cremated
3 remains to the *director of the* Kansas commission on veterans affairs
4 *office, or the director's designee*, or a national cemetery for disposition.
5 Disposition shall be by placement of cremated remains in a tomb,
6 mausoleum, crypt, niche in a columbarium or burial in a cemetery but
7 shall not include the scattering of cremated remains.

8 (d) Nothing in this section shall require a funeral establishment,
9 branch establishment or crematory to determine or seek others to
10 determine that an individual's cremated remains are those of a veteran if
11 the funeral establishment, branch establishment or crematory was
12 informed by the person in control of the disposition that: (1) Such
13 individual was not a veteran; or (2) such individual did not desire any
14 funeral or burial-related services or ceremonies recognizing service as a
15 veteran.

16 (e) The funeral establishment, branch establishment, crematory,
17 funeral director, assistant funeral director or crematory operator, upon
18 disposing of cremated remains in accordance with the provisions of this
19 section, shall be held harmless for any costs or damages, except if there is
20 gross negligence or willful misconduct, and shall be discharged from any
21 legal obligation or liability concerning the cremated remains.

22 Sec. 7. K.S.A. 2013 Supp. 65-2418 is hereby amended to read as
23 follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and
24 regulations the fees to be paid for certified copies or abstracts of
25 certificates or for search of the files for birth, death, fetal death, marriage
26 or divorce records when no certified copy or abstract is made. Except as
27 otherwise provided in this section, the secretary shall remit all moneys
28 received by or for the secretary from fees, charges or penalties, under the
29 uniform vital statistics act, and amendments thereto, to the state treasurer
30 in accordance with the provisions of K.S.A. 75-4215, and amendments
31 thereto. Upon receipt of each such remittance, the state treasurer shall
32 deposit the entire amount in the state treasury to the credit of the civil
33 registration and health statistics fee fund created by K.S.A. 2013 Supp. 65-
34 2418e, and amendments thereto.

35 (2) The secretary shall not charge any fee for a certified copy of a
36 certificate or abstract or for a search of the files or records if the certificate,
37 abstract or search is requested by a person who exhibits correspondence
38 from the United States department of veterans affairs or the Kansas
39 commission on veterans affairs *office* which indicates that the person is
40 applying for benefits from the United States department of veterans affairs
41 and that such person needs the requested information to obtain such
42 benefits, except that, for a second or subsequent certified copy of a
43 certificate, abstract or search of the files requested by the person, the usual

1 fee shall be charged. The secretary may provide by rules and regulations
2 for exemptions from such fees.

3 (3) The secretary shall not charge or accept any fee for a certified
4 copy of a birth certificate if the certificate is requested by any person who
5 is 17 years of age or older for purposes of voting if the applicant lacks the
6 identification required by K.S.A. 25-2908(h), and amendments thereto, or
7 to meet the voter registration requirements of K.S.A. 25-2309, and
8 amendments thereto. For voter registration purposes, an applicant for
9 registration shall swear under oath: (1) That such person plans to register
10 to vote in Kansas; and (2) that such person does not possess any of the
11 documents that constitute evidence of United States citizenship under
12 K.S.A. 25-2309(l), and amendments thereto. The affidavit shall
13 specifically list the documents that constitute evidence of United States
14 citizenship under K.S.A. 25-2309(l), and amendments thereto. The
15 secretary shall adopt rules and regulations in order to implement the
16 provisions of this subsection.

17 (4) Upon receipt of any such remittance of a fee for a certified copy
18 of a birth certificate or abstract, \$3 of each such fee for the first copy of a
19 birth certificate or abstract and \$1 of each such fee for each additional
20 copy of the same birth certificate or abstract requested at the same time
21 shall be remitted to the state treasurer in accordance with the provisions of
22 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
23 remittance, the state treasurer shall deposit the entire amount in the state
24 treasury to the credit of the permanent families account of the family and
25 children investment fund created by K.S.A. 38-1808, and amendments
26 thereto. The balance of the money received for a fee for a certified copy of
27 a birth certificate or abstract shall be remitted to the state treasurer in
28 accordance with the provisions of K.S.A. 75-4215, and amendments
29 thereto. Upon receipt of each such remittance, the state treasurer shall
30 deposit the entire amount in the state treasury to the credit of the civil
31 registration and health statistics fee fund created under this act.

32 (5) Upon receipt of any such remittance of a fee for a certified copy
33 of a death certificate or abstract, \$4 of each such fee for the first certified
34 copy of a death certificate or abstract and \$2 of each such fee for each
35 additional copy of the same death certificate or abstract requested at the
36 same time shall be remitted to the state treasurer in accordance with the
37 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
38 each such remittance, the state treasurer shall deposit the entire amount in
39 the state treasury to the credit of the district coroners fund created by
40 K.S.A. 22a-245, and amendments thereto. The balance of the money
41 received for a fee for a certified copy of a death certificate or abstract shall
42 be remitted to the state treasurer in accordance with the provisions of
43 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such

1 remittance, the state treasurer shall deposit the entire amount in the state
2 treasury to the credit of the civil registration and health statistics fee fund
3 created by K.S.A. 2013 Supp. 65-2418e, and amendments thereto.

4 (b) Subject to K.S.A. 65-2415, and amendments thereto, the national
5 office of vital statistics may be furnished copies or data it requires for
6 national statistics. The state shall be reimbursed for the cost of furnishing
7 the data. The data shall not be used for other than statistical purposes by
8 the national office of vital statistics unless so authorized by the state
9 registrar of vital statistics.

10 Sec. 8. K.S.A. 73-209 is hereby amended to read as follows: 73-209.

11 (a) On submission to the adjutant general of an original discharge or other
12 official record of military service of any soldier, sailor or marine of the
13 United States, or of a copy of such discharge or official record of military
14 service certified to by a city, county or state official as being a true copy of
15 original document, the adjutant general shall place such record on file in
16 the adjutant general's office. If original documents are submitted, the
17 adjutant general shall cause true copies of such original documents to be
18 made and shall file the copies in the adjutant general's office and the
19 originals shall be returned to the person who submitted them.

20 (b) Upon request of a soldier, sailor or marine whose records of
21 military service have been filed in the adjutant general's office, the
22 adjutant general shall cause to be furnished a certificate of military service
23 in accordance with such records. The adjutant general shall not charge any
24 fee for the certificate if the certificate is requested by a person who
25 exhibits correspondence from the United States veterans administration or
26 the Kansas commission on ~~veterans'~~ *veterans* affairs office which indicates
27 that the person is applying for benefits from the United States veterans
28 administration and that such person needs the certificate to obtain such
29 benefits.

30 (c) The adjutant general shall transfer to the state archives of the
31 Kansas state historical society for permanent retention any records of
32 military service on file in the adjutant general's office, in accordance with
33 the records retention and disposition schedule for such records approved
34 by the state records board.

35 Sec. 9. K.S.A. 73-210 is hereby amended to read as follows: 73-210.
36 No city, county or state official shall charge a fee for certifying to the
37 correctness of a true copy of an original discharge or other official record
38 of military service of any soldier, sailor or marine of the United States,
39 except that:

40 (a) The adjutant general may charge a fee unless the copy is requested
41 by a person who exhibits correspondence from the United States veterans
42 administration or the Kansas commission on ~~veterans'~~ *veterans* affairs
43 office which indicates that the person is applying for benefits from the

1 United States veterans administration and that such person needs the copy
2 to obtain such benefits; and

3 (b) a register of deeds of a county may charge a fee for copies in
4 excess of the number provided for by K.S.A. 73-210a, and amendments
5 thereto.

6 Sec. 10. K.S.A. 2013 Supp. 73-1209 is hereby amended to read as
7 follows: 73-1209. The ~~executive~~ director of the Kansas ~~veterans'~~
8 commission *on veterans affairs office*, in accordance with general policies
9 established by the ~~commission~~ directed by the governor, shall:

10 (1) (a) Collect data and information as to the facilities, benefits and
11 services now or hereafter available to veterans, and ~~their~~ relatives and
12 dependents *of such veterans*, and furnish such information to veterans, and
13 ~~their~~ relatives and dependents *of such veterans*, and local service officers
14 of veterans' organizations.

15 (2) (b) Prepare plans for a comprehensive statewide veterans' service
16 program.

17 (3) (c) Coordinate the program of state agencies which may properly
18 be utilized in the administration of various aspects of the problems of
19 veterans, and relatives and dependents of veterans, such as the ~~department~~
20 ~~of social and rehabilitation~~ *Kansas department for aging and disability*
21 services, the department of labor, the state board of education, the board of
22 regents and any other state office, department; *or* board ~~or commission~~
23 furnishing service to veterans or ~~their~~ relatives or dependents *of such*
24 *veterans*.

25 (4) (d) Provide a central contact between federal and state agencies
26 dealing with the problems of veterans and ~~their~~ relatives and dependents *of*
27 *such veterans*.

28 (5) (e) Maintain records of cases handled by the ~~executive~~ director
29 which shall show at least the following information: ~~(a)~~(1) The name of
30 the veteran; ~~(b)~~(2) claim or case number of the veteran; and ~~(c)~~(3) amount
31 of monthly benefit received by the veteran, so as to facilitate the necessary
32 interchange of case histories among state administrative agencies and
33 provide a clearinghouse of information.

34 (6) (f) Provide such services to veterans and their relatives and
35 dependents as are not otherwise offered by federal agencies.

36 (7) (g) Provide a central agency to which veterans, and ~~their~~ relatives
37 and dependents *of such veterans*, may turn for information and assistance.

38 (8) (h) Provide and maintain such field services as shall be necessary
39 to properly care for the needs of veterans, and ~~their~~ relatives and
40 dependents *of such veterans*, which shall not be operated in connection
41 with the ~~social and rehabilitation services~~ *Kansas department for aging*
42 *and disability services*.

43 (i) *Adopt, amend or revoke any rules and regulations necessary to*

1 carry out the provisions of article 12 of chapter 73 and article 19 of
2 chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

3 (j) Appoint and oversee the superintendents of the Kansas soldiers'
4 home and Kansas veterans' home.

5 (k) Designate persons who shall be in charge of the member funds at
6 the Kansas soldiers' home under K.S.A. 76-1935, and amendments thereto,
7 and the Kansas veterans' home under K.S.A. 76-1956, and amendments
8 thereto.

9 (l) (1) Annually prepare and submit a written report to the house
10 committee on veterans, military and homeland security and to the
11 governor, providing the following:

12 (A) Any progress made by the Kansas commission on veterans affairs
13 office and its director in response to any recommendations provided to
14 such office in the preceding fiscal year by the legislative division of post
15 audit;

16 (B) information on the current financial control practices
17 implemented by the Kansas commission on veterans affairs office for the
18 Kansas soldiers' home and the Kansas veterans' home, including, but not
19 limited to, the current policies and procedures at both facilities;

20 (C) information on the current residential care services provided for
21 veterans in the Kansas soldiers' home and the Kansas veterans' home;

22 (D) recommendations for legislation necessary to ensure that the
23 needs of the veterans in Kansas are met; and

24 (E) any other information deemed necessary.

25 (2) The director of the Kansas commission on veterans affairs office
26 shall submit the report on or before the first day of the legislative session
27 in 2015, and each year thereafter.

28 Sec. 11. K.S.A. 2013 Supp. 73-1210a is hereby amended to read as
29 follows: 73-1210a. (a) Except as otherwise provided by law, and subject to
30 the Kansas civil service act, the ~~executive~~ director of the Kansas
31 commission on veterans affairs office shall appoint:

32 (1) ~~such~~ Subordinate officers and employees, subject to the approval
33 of the ~~commission~~ governor, as are necessary to enable the ~~commission~~
34 director to exercise or perform ~~its~~ the functions, powers and duties
35 pursuant to the provisions of article 12 of chapter 73 of the Kansas Statutes
36 Annotated, and amendments thereto;

37 (2) the superintendent of the Kansas soldiers' home; and

38 (3) the superintendent of the Kansas veterans' home.

39 (b) Upon the commencement of the interview process, every
40 candidate for a position in ~~a~~ the Kansas commission on veterans affairs
41 office that interviews claimants and provides information advice and
42 counseling to veterans, surviving spouses, their dependents concerning
43 compensation, pension, education, vocational rehabilitation, insurance,

1 hospitalization, outpatient care, home loans, housing, tax exemptions,
2 burial benefits and other benefits to which they may be entitled, or any
3 other sensitive position, as determined by the ~~executive~~ director shall be
4 given a written notice that a criminal history records check is required. The
5 *director of the Kansas commission on veterans affairs office* shall require
6 such candidates to be fingerprinted and submit to a state and national
7 criminal history record check. The fingerprints shall be used to identify the
8 candidate and to determine whether the candidate has a record of criminal
9 history in this state or another jurisdiction. The *director of the Kansas*
10 *commission on veterans affairs office* shall submit the fingerprints to the
11 Kansas bureau of investigation and the federal bureau of investigation for
12 a state and national criminal history record check. Local and state law
13 enforcement officers and agencies shall assist the *director of the Kansas*
14 *commission on veterans affairs office* in taking and processing of
15 fingerprints of candidates. If the criminal history record information
16 reveals any conviction of crimes of dishonesty or violence, such
17 conviction may be used to disqualify a candidate for any position within
18 the *director of the Kansas commission on veterans affairs office*. If the
19 criminal history record information is used to disqualify a candidate, the
20 candidate shall be informed in writing of that decision.

21 (c) Persons employed by the Kansas soldiers' home and Kansas
22 veterans' home shall be excluded from the provisions of subsection (b). No
23 person who has been employed by the *director of the Kansas commission*
24 *on veterans affairs office* for five consecutive years immediately prior to
25 the effective date of this act shall be subject to the provisions of subsection
26 (b) while employed by the *director of the Kansas commission on veterans*
27 *affairs office*.

28 ~~(d) All such subordinate officers and employees shall be within the~~
29 ~~classified service under the Kansas civil service act, shall perform such~~
30 ~~duties and exercise such powers as the Kansas commission on veterans~~
31 ~~affairs and the executive director of the commission may prescribe and~~
32 ~~such duties and powers as are designated by law, and shall act for and~~
33 ~~exercise the powers of the commission and the executive director to the~~
34 ~~extent authority to do so is delegated by such commission or director.~~

35 ~~(e) (d) (1) Except as otherwise provided by law, and subject to the~~
36 ~~Kansas civil service act, the executive director of the Kansas commission~~
37 ~~on veterans affairs office shall appoint such subordinate officers and~~
38 ~~employees, a superintendent of the Kansas soldiers' home and a~~
39 ~~superintendent of the Kansas veterans' home, subject to the approval of the~~
40 ~~Kansas commission on veterans affairs, as shall be necessary to enable the~~
41 ~~director of the Kansas commission on veterans affairs office to exercise or~~
42 ~~perform its functions, powers and duties pursuant to the provisions of~~
43 ~~article 19 of chapter 76 of the Kansas Statutes Annotated, and amendments~~

1 thereto.

2 (2) (A) All ~~such~~ subordinate officers and employees shall be within
3 the classified service under the Kansas civil service act, shall perform such
4 duties and exercise such powers as ~~the commission, the executive director~~
5 of the *Kansas commission on veterans affairs office*, ~~the superintendent of~~
6 ~~the Kansas soldiers' home and the superintendent of the Kansas veterans'~~
7 ~~home~~ may prescribe and such duties and powers as are designated by law,
8 and shall act for and exercise the powers of the ~~commission, the executive~~
9 ~~director of the Kansas commission, the superintendent of the Kansas~~
10 ~~soldiers' home and the superintendent of the Kansas veterans' home to the~~
11 ~~extent authority to do so is delegated by such commission, executive~~
12 ~~director or superintendent on veterans affairs office.~~

13 (B) *The superintendent of the Kansas soldiers' home shall be in the*
14 *unclassified service under the Kansas civil service act and shall receive an*
15 *annual salary fixed by the director of the Kansas commission on veterans*
16 *affairs office, with the approval of the governor. The superintendent of the*
17 *Kansas soldiers' home shall perform such duties and exercise such powers*
18 *as the director may prescribe, and such duties and powers as are*
19 *prescribed by law.*

20 (C) *The superintendent of the Kansas veterans' home shall be in the*
21 *unclassified service under the Kansas civil service act and shall receive an*
22 *annual salary fixed by the director of the Kansas commission on veterans*
23 *affairs office, with the approval of the governor. The superintendent of the*
24 *Kansas veterans' home shall perform such duties and exercise such*
25 *powers as the director may prescribe, and such duties and powers as are*
26 *prescribed by law.*

27 (†) (e) Any veterans service representative appointed by the ~~executive~~
28 director of the Kansas commission on veterans affairs *office* shall be an
29 honorably discharged veteran or retired from the United States armed
30 forces. No veterans service representative of the Kansas commission on
31 veterans affairs *office* shall take a power of attorney in the name of the
32 *director of the Kansas commission on veterans affairs office*. Nothing in
33 this act shall be construed to prohibit any such veterans service
34 representative from assisting any veteran with any claim in which a power
35 of attorney is not required.

36 ~~Nothing in this subsection shall be construed to affect the status, rights~~
37 ~~or benefits of any officer or employee of the Kansas commission on~~
38 ~~veterans affairs employed by such commission on the effective date of this~~
39 ~~act.~~

40 For the purpose of this subsection, "veterans service representative"
41 means any officer or employee appointed pursuant to this section whose
42 primary duties include:

43 (1) Assisting veterans and their dependents in securing benefits from

1 the federal government and the state of Kansas.

2 (2) Providing information and assistance to veterans and dependents
3 in obtaining special services and benefits based on knowledge of federal
4 and state laws, policies and regulations pertaining to veterans benefits and
5 services.

6 (3) Providing assistance to veterans service organizations
7 participating in the veterans claims assistance program.

8 ~~(g)~~ (f) Nothing in this act shall be construed to affect the status, rights
9 or benefits of any officer or employee of the Kansas ~~veterans'~~ commission
10 *on veterans affairs under K.S.A. 73-1208a, prior to its repeal*, employed
11 by such commission on ~~the effective date of this act~~ July 1, 2014.

12 Sec. 12. K.S.A. 73-1211 is hereby amended to read as follows: 73-
13 1211. All claims filed with the federal veterans' administration by the
14 *director of the Kansas ~~veterans'~~ commission on veterans affairs office* shall
15 be prosecuted by an accredited representative of one of the participating
16 veterans' organizations. No employee of any veterans' organization shall
17 participate in or receive any funds hereinafter appropriated or made
18 available to the *director of the Kansas ~~veterans'~~ commission on veterans*
19 *affairs office* unless such employing veterans' organization shall prosecute
20 any and all claims to the federal veterans' administration that are referred
21 to them or their employees by the *director of the Kansas ~~veterans'~~*
22 *commission on veterans affairs office*.

23 Sec. 13. K.S.A. 2013 Supp. 73-1217 is hereby amended to read as
24 follows: 73-1217. The board of trustees of every community college, the
25 board of regents of Washburn university of Topeka, the governing board of
26 every technical college and the governing body of every other institution
27 of post-high school education which is supported by any state moneys
28 shall provide for enrollment without charge of tuition or fees for any
29 dependent of a prisoner of war or a person missing in action, so long as
30 such dependent is eligible, but not to exceed 12 semesters of instruction or
31 the equivalent thereof at all such institutions for any person if the person
32 started such instruction prior to July 1, 2005, or 10 semesters if the person
33 started such instruction on or after July 1, 2005. Once a person qualifies as
34 a dependent under the terms and provisions of this act, no occurrence, such
35 as the return of the dependent's parent or such parent's reported death, shall
36 disqualify the dependent from the provisions or benefits of this act. The
37 state board of regents, the board of trustees of any community college, or
38 the governing body of any other institution which grants tuition for fees
39 without charge to a dependent under this act may file a claim with the
40 *director of the Kansas commission on veterans affairs office* for
41 reimbursement of the amount of such tuition or fees. The *director of the*
42 *Kansas commission on veterans affairs office* shall administer this act and
43 qualifications of persons as dependents shall be determined by such

1 ~~commission~~ *director*. Such ~~commission~~ *director* may adopt rules and
2 regulations making more specific the definitions herein contained and for
3 the administration of this act.

4 Sec. 14. K.S.A. 2013 Supp. 73-1218 is hereby amended to read as
5 follows: 73-1218. The state board of regents, the board of trustees of every
6 community college, the board of regents of Washburn university of
7 Topeka, the governing board of every technical college and the governing
8 body of every other institution of post-high school education which is
9 supported by any state moneys shall provide for enrollment without charge
10 of tuition or fees for any dependent of a person who died as the result of a
11 service-connected disability suffered during the Vietnam conflict as a
12 result of such conflict, so long as such dependent is eligible, but not to
13 exceed 12 semesters of instruction or the equivalent thereof at all such
14 institutions for any person. Once a person qualifies as a dependent under
15 the terms and provisions of this act, no occurrence, such as the return of
16 the dependent's father or mother, shall disqualify the dependent from the
17 provisions or benefits of this act. The governing body of every institution
18 of post-high school education which is supported by any state moneys and
19 which grants tuition or fees without charge to a dependent under this act
20 may file a claim with the *director of the* Kansas commission on veterans
21 affairs *office* for reimbursement of the amount of such tuition or fees. The
22 *director of the* Kansas commission on veterans affairs *office* shall
23 administer this act and the qualification of persons as dependents shall be
24 determined by such ~~commission~~ *director*. Such ~~commission~~ *director* may
25 adopt rules and regulations making more specific the definition herein
26 contained and for the administration of this act.

27 "Dependent" as used in this act shall mean any child born to, legally
28 adopted by, or in the legal custody of a person who was a resident of the
29 state of Kansas at the time such person entered service of the United States
30 armed forces and who, while serving in ~~said~~ the U. S. armed forces in the
31 geographical area of the Vietnam conflict, has been declared to be a person
32 who died as the result of a service-connected disability suffered during the
33 Vietnam conflict as a result of such conflict.

34 Sec. 15. K.S.A. 73-1222 is hereby amended to read as follows: 73-
35 1222. As used in K.S.A. 73-1221 through 73-1231, and amendments
36 thereto, unless the context clearly indicates otherwise:

37 (a) "Birth defect" means any physical or mental abnormality or
38 condition, including any susceptibility to any illness or condition other
39 than normal childhood illnesses or conditions.

40 (b) "Board" means the Persian Gulf War veterans health initiative
41 board established by K.S.A. 73-1223, and amendments thereto.

42 ~~(e) "Commission" means the Kansas commission on veterans affairs.~~

43 ~~(d)~~ (c) "Director" means the ~~executive~~ director of the Kansas

1 commission on veterans affairs *office*.

2 (e) (d) "Gulf War syndrome" means the wide range of physical and
3 mental conditions, problems and illnesses that are connected with service
4 in the armed forces of the United States during and in the area of
5 operations of the Persian Gulf War.

6 (f) (e) "Veteran" means a person who is a resident of Kansas who was
7 a member of the armed forces of the United States of America and who
8 served in such armed forces in the area of operations of the Persian Gulf
9 War during the Persian Gulf War or thereafter regardless of whether such
10 person is still actively serving in the armed forces or reserve.

11 Sec. 16. K.S.A. 73-1223 is hereby amended to read as follows: 73-
12 1223. (a) There is hereby established with the ~~commission~~ *Kansas*
13 *commission on veterans affairs office* an advisory board known to be the
14 Persian Gulf War veterans health initiative board. The board shall be
15 advisory to the ~~commission~~ *director* in the implementation and
16 administration of this act.

17 (b) The board shall consist of nine members appointed as follows:

18 (1) At least three members shall be veterans. The director shall notify
19 the state level unit of the disabled American veterans, the veterans of
20 foreign wars of the United States and the American legion and request a
21 list of three nominations of veterans from each such veterans' organization.
22 The governor shall appoint one veteran as a member from each list.

23 (2) One member shall be qualified from each of the medical
24 specializations of epidemiology, toxicology and genetics. One member
25 shall be qualified in one of the behavioral sciences in the ~~speciality~~
26 *specialty* area of family dynamics. The director shall notify one or more
27 professional societies or associations which represent the medical or
28 behavioral science specialty area required and request a list of three
29 nominations from that specialty area. ~~The commission, of which the~~
30 *director* shall appoint one member of the board from each list.

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

36 (c) Within 90 days of the effective date of this act, the governor, the
37 ~~commission~~ *director*, the speaker of the house of representatives and the
38 president of the senate shall appoint the initial members of the board. Of
39 the initial appointments to the board by the governor, one shall be for a
40 term of one year, one shall be for a term of two years and one shall be for a
41 term ending three years after the date of the initial appointment. Of the
42 initial appointments to the board by the ~~commission~~ *director*, two shall be
43 for a term of one year, one shall be for a term of two years and one shall be

1 for a term ending three years after the date of the initial appointment. After
2 the initial appointments, terms *of* office of the members appointed by the
3 governor or the ~~commission~~ *director* shall be for three years, but no person
4 shall be appointed for more than two successive three-year terms. The term
5 of office of each member appointed by the speaker of the house of
6 representatives or the president of the senate shall end on the first day of
7 the regular session of the legislature which commences in the first odd-
8 numbered year occurring after the year such member was appointed.

9 (d) Each member of the board shall serve until a successor is
10 appointed and qualified. Whenever a vacancy occurs in the membership of
11 the board for any reason other than the expiration of a member's term of
12 office, the governor, the ~~commission~~ *director*, speaker of the house of
13 representatives or president of the senate shall appoint a successor of like
14 qualifications to fill the unexpired term in accordance with this section. In
15 the case of any vacancy occurring in the position of a board member who
16 was appointed from a list of nominations submitted by a veterans'
17 organization, the governor shall notify that veterans' organization of the
18 vacant position and request a list of three nominations of veterans from
19 which the governor shall appoint a successor to the board. In the case of
20 any vacancy occurring in the position of a board member who is qualified
21 in one of the ~~speciality~~ *specialty* areas listed in subsection (b)(3) after the
22 initial appointments, the director shall notify one or more professional
23 societies or associations which represent the medical or behavioral science
24 ~~speciality~~ *specialty* required for the vacant position and request a list of
25 three nominations from that ~~speciality~~ *specialty* area from which the
26 ~~commission~~ *director* shall appoint a successor to the board.

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

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

35 Sec. 17. K.S.A. 73-1224 is hereby amended to read as follows: 73-
36 1224. (a) The ~~commission~~ *director* shall develop comprehensive surveys,
37 or adopt one or more existing surveys, to be conducted to determine and
38 study the physical and mental conditions, problems and illnesses,
39 including birth defects, as well as the employment, social, emotional and
40 family problems experienced by veterans, their spouses and family
41 members since the veteran's return to Kansas and by any other persons
42 residing in Kansas who are suffering from Gulf War syndrome.

43 (b) The ~~commission~~ *director* shall develop or adopt the surveys

1 within the first four months after the effective date of this act. The
2 ~~commission~~ *director* shall administer the surveys and review the
3 completed surveys with the board. The ~~commission~~ *director* shall compile
4 the results of the surveys and develop recommendations for the legislature
5 based thereon. The director shall report the results to appropriate federal
6 agencies and shall request additional assistance for veterans commensurate
7 with the director's duties under K.S.A. 73-1209, and amendments thereto.

8 (c) The aggregate amount expended for the development and
9 administration of surveys and studies set out under this section and for
10 board expenses, including the position established by K.S.A. 73-1225, and
11 amendments thereto, shall not exceed \$100,000 per fiscal year.

12 (d) The ~~commission~~ *director* shall request the different media,
13 including radio, television and newspaper, to make public service
14 announcements publicizing information on the Persian Gulf War surveys
15 and inform Kansans of the health problems identified and where help is
16 available. The public service announcements should be published no less
17 than four times a year.

18 Sec. 18. K.S.A. 73-1225 is hereby amended to read as follows: 73-
19 1225. There is hereby established with the *Kansas commission on*
20 *veterans affairs office* a full-time position dedicated to seeking and
21 applying for grants and other moneys to fund activities under this act, to
22 assist in the preparation and administration of surveys under this act, to
23 promote programs and activities designed to assist persons affected by
24 Gulf War syndrome to receive the help they need and to perform such
25 other duties as the ~~chairperson of the commission~~ *director* may prescribe.
26 Within 90 days of the effective date of this act, the ~~commission~~ *director*
27 shall appoint a qualified individual to this position.

28 Sec. 19. K.S.A. 73-1226 is hereby amended to read as follows: 73-
29 1226. (a) The ~~commission~~ *director* shall request that the department of
30 health and environment contact families of any children born after August
31 1, 1991, who are on any state birth defect list maintained by the
32 department, to inform the families of the availability of the survey and the
33 registry if either parent served in the Persian Gulf War. If the family
34 voluntarily participates in the survey, the veteran's child's name shall be
35 listed in the state Persian Gulf War registry.

36 (b) The ~~commission~~ *director* shall determine the appropriate health
37 programs and the confidential mechanisms that shall be utilized to ask
38 participants in such programs whether they are Persian Gulf War veterans,
39 and if so, offer the veterans voluntary participation in the survey under
40 K.S.A. 73-1224, and amendments thereto.

41 (c) The ~~commission~~ *director* shall establish and maintain a state
42 Persian Gulf War registry containing the names of veterans, their spouses,
43 family members and other persons in Kansas who have been affected by

1 Gulf War syndrome.

2 (d) The ~~commission~~ *director* shall inform veterans of any state and
3 federal programs available to meet the veterans' needs.

4 (e) Any person who in good faith provides information to the
5 ~~commission~~ *director* under the provisions of this section shall be immune
6 from civil or criminal liability therefor.

7 Sec. 20. K.S.A. 73-1227 is hereby amended to read as follows: 73-
8 1227. Subject to funds available, the ~~commission~~ *director* shall conduct a
9 fiscal impact study, aimed at identifying the annual budgetary impact of
10 Gulf War syndrome on Kansas in terms of increased costs of education,
11 medical coverage, correction of birth defects and other expenses identified
12 through the results of the surveys conducted under K.S.A. 73-1224, and
13 amendments thereto.

14 Sec. 21. K.S.A. 73-1229 is hereby amended to read as follows: 73-
15 1229. The ~~commission~~ *director* shall adopt rules and regulations to
16 implement and administer the provisions of K.S.A. 73-1221 through 73-
17 1231, and amendments thereto.

18 Sec. 22. K.S.A. 73-1230 is hereby amended to read as follows: 73-
19 1230. The ~~Kansas commission on veterans affairs~~ *director* shall cooperate
20 and share information with appropriate state and federal agencies as
21 necessary for the purposes of this act to aid veterans and other persons in
22 obtaining aid and relief from the effects of Gulf War syndrome. Such
23 cooperation shall include reporting the survey statistics to appropriate
24 federal agencies to bring issues to the notice of appropriate agencies.

25 Sec. 23. K.S.A. 73-1231 is hereby amended to read as follows: 73-
26 1231. There is hereby established in the state treasury the Persian Gulf War
27 veterans health initiative fund which shall be administered by the ~~Kansas~~
28 ~~commission on veterans affairs~~ *director*. All moneys received from any
29 grants from federal or other nonstate sources, from contributions or from
30 any other source for the purpose of financing the activities of the board or
31 the development or administration of the surveys developed by the board
32 under this act, shall be remitted to the state treasurer in accordance with
33 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
34 of each such remittance, the state treasurer shall deposit the entire amount
35 in the state treasury to the credit of the Persian Gulf War veterans health
36 initiative fund. All expenditures from the Persian Gulf War veterans health
37 initiative fund shall be for the purposes of financing the activities of the
38 ~~commission~~ *director* for the implementation and administration, including
39 the activities of the board and the development and administration of the
40 surveys under this act, and shall be made in accordance with appropriation
41 acts upon warrants of the director of accounts and reports issued pursuant
42 to vouchers approved by the *director of the* Kansas commission on
43 veterans affairs *office* or the ~~commission's~~ *director's* designee.

1 Sec. 24. K.S.A. 73-1232 is hereby amended to read as follows: 73-
2 1232. (a) The *director of the* Kansas commission ~~of~~ *on* veterans affairs
3 *office* is hereby authorized to establish and maintain a state system of
4 veterans cemeteries. For the purposes of such system, the ~~commission~~
5 *director* may request, accept and take title to any grants or bequests or
6 other donations of moneys, other personal property, real property or other
7 assistance from any person, firm, association or corporation or from any
8 federal, state or local governmental agency or other governmental entity.
9 The ~~commission~~ *director* may lease, purchase or otherwise acquire title to
10 real property for the state system of veterans cemeteries. Subject to the
11 provisions of subsection (b), the ~~commission~~ *director* may enter into
12 contracts for the purpose of establishing and maintaining the system of
13 veterans cemeteries.

14 (b) The ~~commission~~ *director* shall not enter into any contracts
15 pursuant to subsection (a) after the effective date of this act for the purpose
16 of establishing and maintaining the system of veterans cemeteries unless
17 funds in an amount equal to 100% of the costs of constructing the
18 cemeteries in such system is provided by the federal government.

19 (c) No more than three applications shall be submitted to the veterans
20 administration for the state veterans cemetery program grant after the
21 effective date of this act. Nothing in this subsection shall be construed as
22 applying to grants submitted prior to the effective date of this act.

23 Sec. 25. K.S.A. 2013 Supp. 73-1233 is hereby amended to read as
24 follows: 73-1233. (a) As used in this section "memorial for veterans"
25 means a capital improvement or other suitable memorial for Kansas
26 veterans who served in the armed forces of the United States of America
27 which is proposed to be located or is located at an institution, building or
28 facility on state-owned property of the *director of the* Kansas commission
29 on veterans affairs *office* and may include trees, shrubs and other
30 landscaping.

31 (b) In accordance with this section, the *director of the* Kansas
32 commission on veterans affairs *office* may initiate and conduct capital
33 improvement projects to construct, reconstruct or repair or to maintain
34 memorials for veterans. Each memorial for veterans shall be located at an
35 institution, building or facility on state-owned property of the *director of*
36 *the* Kansas commission on veterans affairs *office* and shall become the
37 property of Kansas upon completion and acceptance of the project by the
38 secretary of administration and the *director of the* Kansas commission on
39 veterans affairs *office*. Except as otherwise provided by law or rules and
40 regulations adopted under this section, each such capital improvement
41 project for any such memorial for veterans shall be totally financed from
42 private moneys received by the *director of the* Kansas commission on
43 veterans affairs *office* for such purpose. Prior to initiating a capital

1 improvement project for any such memorial for veterans, the plans and
2 specifications for the project shall be reviewed and shall receive prior
3 approval by the secretary of administration. No such capital improvement
4 project for any such memorial for veterans shall be approved or initiated
5 by the *director of the* Kansas commission on veterans affairs *office* without
6 having first advised and consulted with the joint committee on state
7 building construction.

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

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

22 (1) Procedures for the appointment by the ~~commission~~ *director of the*
23 *Kansas commission on veterans affairs office* of an advisory committee to
24 advise the ~~commission~~ *director* regarding memorials for veterans, which
25 *advisory* committee shall include one or more members of the legislature
26 representing each area where a memorial may be located pursuant to this
27 section and such other persons selected by the ~~commission~~ *director*;

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

32 (3) guidelines and procedures to provide that the prior, express
33 approval of the *director of the* Kansas commission on veterans affairs
34 *office* has been obtained before: (A) The name of the Kansas commission
35 on veterans affairs *office* or the name of the Kansas soldiers' home, the
36 Kansas veterans' home or any other institution, building or facility under
37 the jurisdiction of the ~~commission~~, *director*; or (B) the name of ~~any~~
38 ~~member of the commission~~ *director* or of any officer or employee of the
39 ~~commission~~ *Kansas commission on veterans affairs office* or of any such
40 institution, building or facility, is used in connection with any fund-raising
41 for any memorial for veterans;

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

1 donor;

2 (5) procedures to provide that the design, plans and specifications for
3 memorials for veterans are reviewed and approved by the secretary of
4 administration to assure conformance with the requirements and guidelines
5 applicable to state capital improvement projects; and

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

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

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

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

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

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

36 Sec. 26. K.S.A. 2013 Supp. 73-1234 is hereby amended to read as
37 follows: 73-1234. (a) The *director of the Kansas commission on veterans*
38 *affairs office* shall establish and administer a veterans claims assistance
39 program in accordance with this section to improve the coordination of
40 veterans benefits counseling in Kansas to maximize the effective and
41 efficient use of taxpayer dollars and to ensure that every veteran is served
42 and receives claims counseling and assistance. The *director of the Kansas*
43 *commission on veterans affairs office* shall establish and commence

1 operations under the veterans claims assistance program in accordance
2 with this section on or before August 1, 2006. The *director of the* Kansas
3 commission on veterans affairs *office* shall appoint the director of the
4 veterans claims assistance program, who shall be in the classified service
5 under the Kansas civil service act. No employee of the Kansas commission
6 on veterans affairs *office* shall act as an agent with power of attorney for
7 any claimant.

8 (b) The veterans claims assistance program shall implement and
9 administer annual service grants to eligible veterans service organizations
10 pursuant to grant agreements entered into with the *director of the* Kansas
11 commission on veterans affairs *office* in accordance with this section. All
12 grant agreements shall include any match requirements described in
13 subsection (g). All service grants and grant agreements shall be subject to
14 the provisions of appropriation acts.

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

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

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

38 (f) To receive a service grant under this section to perform services
39 under the veterans claims assistance program, a veterans service
40 organization shall satisfy the following eligibility requirements:

41 (1) The veterans service organization shall be congressionally
42 chartered by the United States Congress;

43 (2) the veterans service organization shall agree to cross-accredit the

1 officers and employees of the *director of the* Kansas commission on
2 veterans affairs *office* who are veterans and who work in the veteran
3 services program, as well as veterans claims assistance representatives of
4 other veterans service organizations who are performing services under the
5 veterans claims assistance program, subject to the following:

6 (A) The person to be cross-accredited shall provide proof to the
7 *director of the veterans claims assistance program* that the person has
8 successfully completed the national association of county veterans service
9 officers training or equivalent, as determined by the *director of the claims*
10 *assistance program* and that such person shall participate in a minimum of
11 one annual training session as approved by the *director of the claims*
12 *assistance program* as well as maintain the continuing education
13 requirements of the cross-accrediting veterans service organization; and

14 (B) the cross-accrediting veterans service organization has reserved
15 the right to terminate the accreditation if the person fails to meet the
16 continuing education requirement of the veterans service organization or
17 participate in a minimum of one annual training session as approved by the
18 *director of the veterans claims assistance program*;

19 (3) agree to participate in one-stop veterans service centers at the
20 federal veterans administration regional office and each federal veterans
21 administration medical center in Kansas;

22 (4) demonstrate the receipt of monetary or service support from its
23 own organization for the veterans claims assistance program;

24 (5) demonstrate the ability to comply with the requirements
25 prescribed by this section or adopted by the *director of the* Kansas
26 commission on veterans affairs *office* under this statute for accounting,
27 service work activity and other satisfactory performance requirements and
28 measures;

29 (6) have established state headquarters in Kansas;

30 (7) have staff present in the federal veterans administration regional
31 office and the United States department of veterans affairs medical centers
32 located in Topeka and Leavenworth;

33 (8) have membership residency in at least 50% of the Kansas
34 counties;

35 (9) have had an established office presence in the United States
36 department of veterans affairs regional office in Kansas for at least the
37 three most recent state fiscal years;

38 (10) have assisted in filing a minimum of 300 claims for veterans for
39 which the veterans service organization has power of attorney in the past
40 12-month period;

41 (11) agree to make no reference to membership eligibility on claims
42 documentation and not solicit membership due to information received on
43 claim forms;

1 (12) agree to cross-accredit service officers participating in the
2 service grant program to include service officers of partnered veterans
3 service organizations and *the* Kansas commission on veterans affairs *office*
4 staff located in the federal veterans administration regional office and the
5 United States department of veterans affairs medical centers in
6 Leavenworth and Topeka; and

7 (13) agree that the veterans service organization shall continue to
8 provide monetary support for the veterans claims assistance program
9 pursuant to the requirements in subsection (g).

10 For the purposes of this subsection, "director" means the director of the
11 veterans claims assistance program.

12 (g) Any monetary support provided under subsection (f)(13) shall be
13 in a combination of monetary and non-monetary support, herein called
14 "match." The veterans claims assistance advisory board shall determine the
15 percentage of the match as a percent of the amount of the service grant
16 provided to the veterans service organization, and submit such
17 determination to the *director of the* Kansas commission on veterans affairs
18 *office* for approval.

19 (h) Each veterans service organization receiving a service grant under
20 this section shall file with the Kansas commission on veterans affairs
21 *office*, within 90 days after the end of the veterans service organization's
22 fiscal year, a detailed statement prepared by a certified public accountant
23 which sets forth an accounting of all expenditures of moneys received
24 under the service grant. Each veterans service organization receiving a
25 service grant under this section shall apply for the grant funding on an
26 annual basis, shall demonstrate satisfactory performance based on
27 completion of minimum requirements during the preceding annual period
28 and shall certify that all veterans service representatives funded with
29 service grant moneys meet minimum training requirements to provide for
30 core competencies.

31 (i) The *director of the* Kansas commission on veterans affairs *office*
32 shall develop and maintain a central database registry regarding claims
33 outcome data received from veterans claims assistance representatives
34 under the veterans claims assistance program.

35 Sec. 27. K.S.A. 2013 Supp. 73-1235 is hereby amended to read as
36 follows: 73-1235. (a) There is hereby established with the Kansas
37 commission on veterans affairs *office* an advisory board which shall be
38 known as the veterans claims assistance advisory board. The advisory
39 board shall advise the *director of the* Kansas commission on veterans
40 affairs *office* in the implementation and administration of the veterans
41 claims assistance program.

42 (b) The advisory board shall consist of the following members:

43 (1) The director of the veterans claims assistance program, who shall

1 be a permanent member of the advisory board and shall serve as the
2 chairperson of the advisory board.

3 (2) Each veterans service organization participating in the grant
4 program shall appoint one member of the advisory board who shall be a
5 veteran. The director of the *veterans claims assistance program* shall
6 notify the state level unit of each national veterans service organization
7 which has an office in the federal department of veteran affairs regional
8 office in Wichita, Kansas, and request written confirmation of the intent of
9 the veterans service organization to participate in the veterans claims
10 assistance program and to request an annual service grant. Each such
11 veterans service organization submitting such confirmation that also meets
12 the eligibility requirements in K.S.A. 73-1234, and amendments thereto,
13 shall prepare and submit a list of three nominations of veterans from such
14 veterans service organization. The governor shall appoint one veteran as a
15 member of the advisory board from each list.

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

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

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

1 which the governor shall appoint a successor to the advisory board.

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

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

11 Sec. 28. K.S.A. 2013 Supp. 73-1236 is hereby amended to read as
12 follows: 73-1236. The legislative budget committee shall annually study
13 and review the veterans claims assistance program and the service grants
14 program of the Kansas commission on veterans affairs *office* under this
15 act. The *director of the* Kansas commission on veterans affairs *office* and
16 each veterans service organization which is receiving service grants under
17 this section shall prepare and present annual reports of activities and
18 expenditures under the veterans claims assistance program and the service
19 grants program.

20 Sec. 29. K.S.A. 2013 Supp. 73-1238 is hereby amended to read as
21 follows: 73-1238. There is hereby created within the Kansas commission
22 on veterans affairs *office*, the Vietnam war era medallion program. Every
23 veteran who honorably served on active duty in the United States military
24 service at any time beginning February 28, 1961, and ending May 7, 1975,
25 shall be entitled to receive a Vietnam war era medallion, medal and a
26 certificate of appreciation, provided that:

27 (1) Such veteran is a legal resident of this state or was a legal resident
28 of this state at the time the veteran entered or was discharged from military
29 service or at the time of the veteran's death; and

30 (2) such veteran was honorably separated or discharged from military
31 service or is still in active service in an honorable status, or was in active
32 service in an honorable status at the time of the veteran's death.

33 Sec. 30. K.S.A. 2013 Supp. 73-1239 is hereby amended to read as
34 follows: 73-1239. The Vietnam war era medallion, medal and a certificate
35 shall be awarded regardless of whether or not such veteran served within
36 the United States or in a foreign country. The medallion, medal and the
37 certificate shall be awarded regardless of whether or not such veteran was
38 under eighteen years of age at the time of enlistment. For purposes of this
39 bill, "veteran" means any person defined as a veteran by the United States
40 department of veterans' affairs or its successor agency. The *director of the*
41 Kansas commission on veterans affairs *office* shall administer the program
42 and shall adopt all rules and regulations necessary to administer the
43 program. The agency shall determine as expeditiously as possible the

1 persons who are entitled to a Vietnam war era medallion, medal and a
2 certificate and distribute the medallions, medals and the certificates.
3 Applications for the Vietnam war era medallion, medal and the certificate
4 shall be filed with the *director of the* Kansas commission on veterans
5 affairs *office* at any time after January 1, 2010, on forms prescribed and
6 furnished by the *director of the* Kansas commission on veterans affairs
7 *office*. The director of veteran services shall approve all applications that
8 are in order, and shall cause a Vietnam war era medallion, medal and a
9 certificate to be prepared for each approved veteran in the form approved
10 by the *director of the* Kansas commission on veterans affairs *office*. The
11 director of ~~veterans~~ *veteran* services shall review applications for the
12 Vietnam war era medallion, medal and a certificate to ensure recipients are
13 enrolled for eligible federal benefits.

14 Sec. 31. K.S.A. 2013 Supp. 73-1241 is hereby amended to read as
15 follows: 73-1241. If any spouse or eldest living survivor applies for the
16 Vietnam war era medallion, medal and certificate or if any veteran dies
17 after applying for a Vietnam war era medallion, medal and a certificate and
18 such veteran would have been entitled to the Vietnam war era medallion,
19 medal and the certificate, the *director of the* Kansas commission on
20 veterans affairs *office* shall give the Vietnam war era medallion, medal and
21 the certificate to the spouse or eldest living survivor of the deceased
22 veteran.

23 Sec. 32. K.S.A. 2013 Supp. 73-1242 is hereby amended to read as
24 follows: 73-1242. If the director of veteran services disallows any veteran's
25 claim to a Vietnam war era medallion, medal and a certificate, a statement
26 of the reason for the disallowance shall be filed with the application and
27 notice of this disallowance shall be mailed to the applicant at the
28 applicant's last known address. The *director of the* Kansas commission on
29 veterans affairs *office* shall approve the form of the Vietnam war era
30 medallion, medal and the certificate. It is the intent of the legislature to
31 create statewide involvement in the design of these symbols in recognition
32 of this historic endeavor. The ~~veterans'~~ *director of the Kansas* commission
33 *on veterans affairs office* may solicit potential designs from elementary
34 and secondary schools, veterans' groups, civic organizations or any other
35 interested party, and may select the best design from among such solicited
36 designs or may select another design.

37 Sec. 33. K.S.A. 2013 Supp. 73-1243 is hereby amended to read as
38 follows: 73-1243. The "Vietnam war era veterans' recognition award fund"
39 is hereby created in the state treasury, and shall consist of all gifts,
40 donations and bequests to the fund. Moneys received shall be remitted to
41 the state treasurer in accordance with the provisions of K.S.A. 75-4215,
42 and amendments thereto. Upon receipt of each such remittance, the state
43 treasurer shall deposit the entire amount in the state treasury to the credit

1 of the Vietnam war era veterans' recognition award fund. The fund shall be
2 administered by the *director of the* Kansas commission on- veterans affairs
3 *office*. Moneys in the Vietnam war era veterans' recognition award fund
4 shall not be transferred to the credit of the state general fund. On or before
5 the 10th day of each month, the director of accounts and reports shall
6 transfer from the state general fund to the Vietnam war era veterans'
7 recognition award fund interest earnings based on:

8 (1) The average daily balance of moneys in the Vietnam war era
9 veterans' recognition award fund for the preceding month; and

10 (2) the net earnings rate of the pooled money investment portfolio for
11 the preceding month. Moneys in the fund shall be used solely to promote
12 the solicitation for designs for, aid in the manufacture of and aid in the
13 distribution of the medallion, medal and the certificate.

14 Sec. 34. K.S.A. 2012 Supp. 74-2012, as amended by section 3 of
15 chapter 74 of the 2013 Session Laws of Kansas, is hereby amended to read
16 as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to
17 the provisions of the open records act, except as otherwise provided under
18 the provisions of this section and by K.S.A. 65-2422d and 74-2022, and
19 amendments thereto.

20 (2) Nothing in this section shall prevent the transmittal of motor
21 vehicle records for the purpose of processing voter registration
22 applications.

23 (3) For the purpose of this section, "motor vehicle records" means
24 any record that pertains to a motor vehicle drivers' license, motor vehicle
25 certificate of title, motor vehicle registration or identification card issued
26 by the division of vehicles.

27 (b) All motor vehicle records which relate to the physical or mental
28 condition of any person, have been expunged or are photographs or digital
29 images maintained in connection with the issuance of drivers' licenses
30 shall be confidential and shall not be disclosed except in accordance with a
31 proper judicial order or as otherwise more specifically provided in this
32 section or by other law. Photographs or digital images maintained by the
33 division of vehicles in connection with the issuance of drivers' licenses
34 may be disclosed to any federal, state or local agency, including any court
35 or law enforcement agency, to assist such agency in carrying out the
36 functions required of such governmental agency. In January of each year
37 the division shall report to the house committee on veterans, military and
38 homeland security regarding the utilization of the provisions of this
39 subsection. Motor vehicle records relating to diversion agreements for the
40 purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and K.S.A. ~~2012~~ 2013
41 Supp. 8-1025, and amendments thereto, shall be confidential and shall not
42 be disclosed except in accordance with a proper judicial order or by direct
43 computer access to:

1 (1) A city, county or district attorney, for the purpose of determining a
2 person's eligibility for diversion or to determine the proper charge for a
3 violation of K.S.A. 8-2,144 or 8-1567 or K.S.A. ~~2012~~ 2013 Supp. 8-1025,
4 and amendments thereto, or any ordinance of a city or resolution of a
5 county in this state which prohibits any acts prohibited by those statutes;

6 (2) a municipal or district court, for the purpose of using the record in
7 connection with any matter before the court;

8 (3) a law enforcement agency, for the purpose of supplying the record
9 to a person authorized to obtain it under paragraph (1) or (2) of this
10 subsection; or

11 (4) an employer when a person is required to retain a commercial
12 driver's license due to the nature of such person's employment.

13 (c) Lists of persons' names and addresses contained in or derived
14 from motor vehicle records shall not be sold, given or received for the
15 purposes prohibited by K.S.A. ~~2012~~ 2013 Supp. 45-230, and amendments
16 thereto, except that:

17 (1) The director of vehicles may provide to a requesting party, and a
18 requesting party may receive, such a list and accompanying information
19 from motor vehicle records upon written certification that the requesting
20 party shall use the list solely for the purpose of:

21 (A) Assisting manufacturers of motor vehicles in compiling statistical
22 reports or in notifying owners of vehicles believed to:

23 (i) Have safety-related defects;

24 (ii) fail to comply with emission standards; or

25 (iii) have any defect to be remedied at the expense of the
26 manufacturer;

27 (B) assisting an insurer authorized to do business in this state, or the
28 insurer's authorized agent:

29 (i) In processing an application for, or renewal or cancellation of, a
30 motor vehicle liability insurance policy; or

31 (ii) in conducting antifraud activities by identifying potential
32 undisclosed drivers of a motor vehicle currently insured by an insurer
33 licensed to do business in this state by providing only the following
34 information: Drivers' license number, license type, date of birth, name,
35 address, issue date and expiration date;

36 (C) assisting the selective service system in the maintenance of a list
37 of persons 18 to 26 years of age in this state as required under the
38 provisions of section 3 of the federal military selective service act;

39 (D) assisting any federal, state or local agency, including any court or
40 law enforcement agency, or any private person acting on behalf of such
41 agencies in carrying out the functions required of such governmental
42 agency, except that such records shall not be redisclosed;

43 (E) assisting businesses with the verification or reporting of

1 information derived from the title and registration records of the division
2 to prepare and assemble vehicle history reports, except that such vehicle
3 history reports shall not include the names or addresses of any current or
4 previous owners;

5 (F) assisting businesses in producing motor vehicle title or motor
6 vehicle registration, or both, statistical reports, so long as personal
7 information is not published, redisclosed or used to contact individuals;

8 (G) assisting an employer or an employer's authorized agent in
9 monitoring the driving record of the employees required to drive in the
10 course of employment to ensure driver behavior, performance or safety; or

11 (H) assisting the Kansas commission on veterans affairs *office* in
12 notifying veterans of the facilities, benefits and services available to
13 veterans.

14 (2) Any law enforcement agency of this state which has access to
15 motor vehicle records may furnish to a requesting party, and a requesting
16 party may receive, such a list and accompanying information from such
17 records upon written certification that the requesting party shall use the list
18 solely for the purpose of assisting an insurer authorized to do business in
19 this state, or the insurer's authorized agent, in processing an application
20 for, or renewal or cancellation of, a motor vehicle liability insurance
21 policy.

22 (d) If a law enforcement agency of this state furnishes information to
23 a requesting party pursuant to paragraph (2) of subsection (c), the law
24 enforcement agency shall charge the fee prescribed by the secretary of
25 revenue pursuant to K.S.A. 74-2022, and amendments thereto, for any
26 copies furnished and may charge an additional fee to be retained by the
27 law enforcement agency to cover its cost of providing such copies. The fee
28 prescribed pursuant to K.S.A. 74-2022, and amendments thereto, shall be
29 paid monthly to the secretary of revenue and upon receipt thereof shall be
30 deposited in the state treasury to the credit of the electronic databases fee
31 fund, except for the \$1 of the fee for each record required to be credited to
32 the highway patrol training center fund under subsection (f).

33 (e) The secretary of revenue, the secretary's agents or employees, the
34 director of vehicles or the director's agents or employees shall not be liable
35 for damages caused by any negligent or wrongful act or omission of a law
36 enforcement agency in furnishing any information obtained from motor
37 vehicle records.

38 (f) A fee in an amount fixed by the secretary of revenue pursuant to
39 K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full
40 or partial motor vehicle record shall be charged by the division, except that
41 the director may charge a lesser fee pursuant to a contract between the
42 secretary of revenue and any person to whom the director is authorized to
43 furnish information under paragraph (1) of subsection (c), and such fee

1 shall not be less than the cost of production or reproduction of any full or
2 partial motor vehicle record requested. Except for the fees charged
3 pursuant to a contract for motor vehicle records authorized by this
4 subsection pertaining to motor vehicle titles or motor vehicle registrations
5 or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to
6 the highway patrol training center fund for each motor vehicle record
7 provided by the division of vehicles.

8 (g) The secretary of revenue may adopt such rules and regulations as
9 are necessary to implement the provisions of this section.

10 Sec. 35. K.S.A. 2013 Supp. 75-3370 is hereby amended to read as
11 follows: 75-3370. (a) ~~The secretary of social and rehabilitation for aging~~
12 ~~and disability~~ services is hereby authorized to enter into an interagency
13 agreement with the secretary of corrections and the *director of the* Kansas
14 commission on veterans affairs *office* transferring the charge, care,
15 management and control of the Winfield state hospital and training center
16 property to the department of corrections and the Kansas commission on
17 veterans affairs *office* in accordance with the current uses of the Winfield
18 state hospital and training center property and as agreed upon by the
19 secretary of corrections and the *director of the* Kansas commission on
20 veterans affairs *office*.

21 (b) At such time as specific title descriptions to the portion of the
22 Winfield state hospital and training center property that is transferred to
23 the charge, care, management and control of the department of corrections
24 and the portion of the Winfield state hospital and training center property
25 that is transferred to the charge, care, management and control of the
26 *director of the* Kansas commission on veterans affairs *office* have been
27 determined and are available, the ~~secretary of social and rehabilitation for~~
28 ~~aging and disability~~ services shall convey, without compensation, title to
29 such portions of the Winfield state hospital and training center property to
30 the department of corrections and the Kansas commission on veterans
31 affairs *office*, respectively. The conveyance prescribed by this section shall
32 not be subject to the provisions of K.S.A. 75-3043a, and amendments
33 thereto.

34 (c) "Winfield state hospital and training center property" means the
35 state-owned real estate, including any improvements thereon, which is
36 located in the city of Winfield and Cowley county and which is described
37 as follows:

38 (1) The Southwest Quarter of Section 14, Township 32 South, Range
39 4 East of the 6th P.M., Cowley County, Kansas;

40 (2) The Southeast Quarter of Section 15, Township 32 South, Range 4
41 East of the 6th P.M., Cowley County, Kansas, less Road Right of Way; and

42 (3) Part of the Northwest Quarter of Section 15, Township 32 South,
43 Range 4 East of the 6th P.M., that lies East of the Centerline of Timber

1 Creek, and described as follows: Commencing at the Northeast corner of
2 said Quarter Section; Thence West along the North line of said Quarter
3 Section to the center of the Channel of Timber Creek; Thence Southerly
4 down the center of the channel of said creek (following the meanderings
5 thereof) to the South line of said Quarter Section; Thence East along the
6 South line of said Quarter Section to the Southeast Corner of said Quarter
7 Section; Thence North along the East line of said Quarter Section to the
8 Point of Beginning.

9 Sec. 36. K.S.A. 2013 Supp. 75-4362 is hereby amended to read as
10 follows: 75-4362. (a) The director of the division of personnel services of
11 the department of administration shall have the authority to establish and
12 implement a drug screening program for persons taking office as governor,
13 lieutenant governor, attorney general or members of the Kansas senate or
14 house of representatives and for applicants for safety sensitive positions in
15 state government, but no applicant for a safety sensitive position shall be
16 required to submit to a test as a part of this program unless the applicant is
17 first given a conditional offer of employment.

18 (b) The director also shall have the authority to establish and
19 implement a drug screening program based upon a reasonable suspicion of
20 illegal drug use by any person currently holding one of the following
21 positions or offices:

- 22 (1) The office of governor, lieutenant governor or attorney general;
- 23 (2) members of the Kansas senate or house of representatives;
- 24 (3) any safety sensitive position;
- 25 (4) any position in an institution of mental health, as defined in
26 K.S.A. 76-12a01, and amendments thereto, that is not a safety sensitive
27 position;
- 28 (5) any position in the Kansas state school for the blind, as
29 established under K.S.A. 76-1101 et seq., and amendments thereto;
- 30 (6) any position in the Kansas state school for the deaf, as established
31 under K.S.A. 76-1001 et seq., and amendments thereto; or
- 32 (7) any employee of a state veteran's home operated by the *director*
33 *of the* Kansas commission on ~~veteran's~~ *veterans* affairs *office* as described
34 in K.S.A. 76-1901 et seq. and K.S.A. 76-1951 et seq., and amendments
35 thereto.

36 (c) Any public announcement or advertisement soliciting applications
37 for employment in a safety sensitive position in state government shall
38 include a statement of the requirements of the drug screening program
39 established under this section for applicants for and employees holding a
40 safety sensitive position.

41 (d) Except for a person who has access to a secured biological
42 laboratory in the office of laboratory services of the department of health
43 and environment, no person shall be terminated solely due to positive

1 results of a test administered as a part of a program authorized by this
2 section if:

3 (1) The employee has not previously had a valid positive test result;
4 and

5 (2) the employee undergoes a drug evaluation and successfully
6 completes any education or treatment program recommended as a result of
7 the evaluation. Nothing herein shall be construed as prohibiting demotions,
8 suspensions or terminations pursuant to K.S.A. 75-2949e or 75-2949f, and
9 amendments thereto.

10 (e) Except in hearings before the state civil service board regarding
11 disciplinary action taken against the employee, the results of any test
12 administered as a part of a program authorized by this section shall be
13 confidential and shall not be disclosed publicly.

14 (f) The secretary of administration may adopt such rules and
15 regulations as necessary to carry out the provisions of this section.

16 (g) "Safety sensitive positions" means the following:

17 (1) All state law enforcement officers who are authorized to carry
18 firearms;

19 (2) all state corrections officers;

20 (3) all state parole officers;

21 (4) heads of state agencies who are appointed by the governor and
22 employees on the governor's staff;

23 (5) all employees with access to secure facilities of a correctional
24 institution, as defined in K.S.A. 2013 Supp. 21-5914, and amendments
25 thereto;

26 (6) all employees of a juvenile correctional facility, as defined in
27 K.S.A. 2013 Supp. 38-2302, and amendments thereto;

28 (7) all employees within an institution of mental health, as defined in
29 K.S.A. 76-12a01, and amendments thereto, who provide clinical,
30 therapeutic or habilitative services to the clients and patients of those
31 institutions; and

32 (8) all employees who have access to a secured biological laboratory
33 in the office of laboratory services of the department of health and
34 environment.

35 Sec. 37. K.S.A. 2013 Supp. 76-6b05 is hereby amended to read as
36 follows: 76-6b05. (a) All moneys received by the state treasurer under
37 K.S.A. 76-6b04, and amendments thereto, shall be credited to the state
38 institutions building fund, which is hereby created in the state treasury, to
39 be used for the construction, reconstruction, equipment and repair of
40 buildings and grounds at institutions specified in K.S.A. 76-6b04, and
41 amendments thereto, and for payment of debt service on revenue bonds
42 issued to finance such projects, all subject to appropriation by the
43 legislature.

1 (b) Subject to any restrictions imposed by appropriation acts, the
2 juvenile justice authority is authorized to pledge funds appropriated to it
3 from the state institutions building fund or from any other source and
4 transferred to a special revenue fund of the juvenile justice authority
5 specified by statute for the payment of debt service on revenue bonds
6 issued for the purposes set forth in subsection (a). Subject to any
7 restrictions imposed by appropriation acts, the juvenile justice authority is
8 also authorized to pledge any funds appropriated to it from the state
9 institutions building fund or from any other source and transferred to a
10 special revenue fund of the juvenile justice authority specified by statute as
11 a priority for the payment of debt service on such revenue bonds. Neither
12 the state or the juvenile justice authority shall have the power to pledge the
13 faith and credit or taxing power of the state of Kansas for such purposes
14 and any payment by the juvenile justice authority for such purposes shall
15 be subject to and dependent on appropriations being made from time to
16 time by the legislature. Any obligation of the juvenile justice authority for
17 payment of debt service on revenue bonds and any such revenue bonds
18 issued for the purposes set forth in subsection (a) shall not be considered a
19 debt or obligation of the state for the purpose of section 6 of article 11 of
20 the constitution of the state of Kansas.

21 (c) Subject to any restrictions imposed by appropriation acts, the
22 ~~department of social and rehabilitation~~ *Kansas department for aging and*
23 *disability* services is authorized to pledge funds appropriated to it from the
24 state institutions building fund or from any other source and transferred to
25 a special revenue fund of the ~~department of social and rehabilitation~~
26 *Kansas department for aging and disability* services specified by statute
27 for the payment of debt service on revenue bonds issued for a new state
28 security hospital on the Larned state hospital grounds or any other capital
29 improvement projects at any other institution or facility of the ~~department~~
30 ~~of social and rehabilitation~~ *Kansas department for aging and disability*
31 services. Subject to any restrictions imposed by appropriation acts, the
32 ~~department of social and rehabilitation~~ *Kansas department for aging and*
33 *disability* services is also authorized to pledge any funds appropriated to it
34 from the state institutions building fund or from any other source and
35 transferred to a special revenue fund of the ~~department of social and~~
36 ~~rehabilitation~~ *Kansas department for aging and disability* services
37 specified by statute as a priority for the payment of debt service on such
38 revenue bonds. Neither the state or the ~~department of social and~~
39 ~~rehabilitation~~ *Kansas department for aging and disability* services shall
40 have the power to pledge the faith and credit or taxing power of the state
41 of Kansas for such purposes and any payment by the ~~department of social~~
42 ~~and rehabilitation~~ *Kansas department for aging and disability* services for
43 such purposes shall be subject to and dependent on appropriations being

1 made from time to time by the legislature. Any obligation of the
2 ~~department of social and rehabilitation~~ *Kansas department for aging and*
3 *disability* services for payment of debt service on revenue bonds and any
4 such revenue bonds issued for a new state security hospital on the Larned
5 state hospital grounds or any other capital improvement projects at any
6 other institution or facility of the ~~department of social and rehabilitation~~
7 *Kansas department for aging and disability* services shall not be
8 considered a debt or obligation of the state for the purpose of section 6 of
9 article 11 of the constitution of the state of Kansas.

10 (d) Subject to any restrictions imposed by appropriation acts, the
11 *director of the* Kansas commission on veterans affairs *office* is authorized
12 to pledge funds appropriated to it from the state institutions building fund
13 or from any other source and transferred to a special revenue fund of the
14 Kansas commission on veterans affairs *office* specified by statute for the
15 payment of debt service on revenue bonds issued for veterans' home
16 HVAC system replacement. Subject to any restrictions imposed by
17 appropriation acts, the *director of the* Kansas commission on veterans
18 affairs *office* is also authorized to pledge any funds appropriated to it from
19 the state institutions building fund or from any other source and transferred
20 to a special revenue fund of the Kansas commission on veterans affairs
21 *office* specified by statute as a priority for the payment of debt service on
22 such revenue bonds. Neither the state ~~or~~ *nor* the *director of the* Kansas
23 commission on veterans affairs *office* shall have the power to pledge the
24 faith and credit or taxing power of the state of Kansas for such purposes
25 and any payment by the Kansas commission on veterans affairs *office* for
26 such purposes shall be subject to and dependent on appropriations being
27 made from time to time by the legislature. Any obligation of the Kansas
28 commission on veterans affairs *office* for payment of debt service on
29 revenue bonds and any such revenue bonds issued for veterans' home
30 HVAC system replacement shall not be considered a debt or obligation of
31 the state for the purpose of section 6 of article 11 of the constitution of the
32 state of Kansas.

33 Sec. 38. K.S.A. 76-1904 is hereby amended to read as follows: 76-
34 1904. (a) The *director of the* Kansas commission on veterans affairs *office*
35 shall have full control of the Kansas soldiers' home, the property, effects,
36 supervision and management thereof.

37 (b) ~~A superintendent of the Kansas soldiers' home shall be appointed~~
38 ~~by the Kansas commission on veterans affairs, and shall serve at the~~
39 ~~pleasure of the commission. The superintendent shall be in the unclassified~~
40 ~~service under the Kansas civil service act and shall receive an annual~~
41 ~~salary fixed by the Kansas commission on veterans affairs, with the~~
42 ~~approval of the governor. The superintendent of the Kansas soldiers' home~~
43 ~~shall perform such duties and exercise such powers as the commission~~

1 ~~may prescribe, and such duties and powers as are prescribed by law~~ *A*
2 *superintendent of the Kansas soldiers' home shall be appointed by the*
3 *director of the Kansas commission on veterans affairs office in accordance*
4 *with K.S.A. 73-1210a.*

5 Sec. 39. K.S.A. 76-1904a is hereby amended to read as follows: 76-
6 1904a. The *director of the Kansas-veterans' commission on veterans*
7 *affairs office* shall establish rates of charges to be made to members and
8 patients of the Kansas soldiers' home. Such charges shall not exceed an
9 amount equal to the per diem cost of care for the preceding year or the
10 charge made against patients under K.S.A. 59-2006, and amendments
11 thereto, whichever is the smaller. No action shall be commenced by the
12 *director of the Kansas-veterans' commission on veterans affairs office*
13 against a member or patient or the estate of a member or patient for the
14 recovery of any such charges unless such action is commenced within five
15 ~~(5)~~ years after the date such charges are incurred. Such ~~commission-~~
16 *director* may compromise and settle any claim for charges hereunder, and
17 may, upon payment of a valuable consideration by the member or patient
18 or his or her estate, discharge and release such member, patient or estate of
19 any or all past liability incurred hereunder. Whenever the ~~commission-~~
20 *director* shall negotiate a compromise agreement to settle any claim due or
21 claim to be due from a member or a patient or his or her estate, no action
22 shall thereafter be brought or claim made for any amounts due for charges
23 incurred prior to the effective date of the agreement entered into, except
24 for the amounts provided for in the agreement. Nothing in this act shall be
25 deemed to extend the period specified in K.S.A. 59-2239, *and*
26 *amendments thereto*, for the purposes therein specified.

27 Sec. 40. K.S.A. 2013 Supp. 76-1906 is hereby amended to read as
28 follows: 76-1906. The superintendent of the Kansas soldiers' home shall
29 remit all moneys received by or for the superintendent under article 19 of
30 chapter 76 of *the Kansas Statutes Annotated*, and amendments thereto, and
31 all moneys received from the United States veterans administration for
32 reimbursements for the care of residents to the state treasurer in
33 accordance with the provisions of K.S.A. 75-4215, and amendments
34 thereto. Upon receipt of each such remittance, the state treasurer shall
35 deposit the entire amount in the state treasury to the credit of the soldiers'
36 home fee fund. All expenditures from such fund shall be made in
37 accordance with appropriation acts upon warrants of the director of
38 accounts and reports issued pursuant to vouchers approved by the director
39 of the *Kansas-veterans' commission on veterans affairs office* or by a
40 person or persons designated by the director.

41 Sec. 41. K.S.A. 76-1908 is hereby amended to read as follows: 76-
42 1908. (a) The following, subject to the rules and regulations that may be
43 adopted by the *director of the Kansas commission on veterans affairs*

1 *office* for the management and government of the Kansas soldiers' home,
2 shall be eligible to admission to the Kansas soldiers' home:

3 (1) Any person who served in the active military service of the
4 United States during any period of war, or who served in the active
5 military service of the United States during peacetime and is entitled to
6 veterans administration hospitalization or domiciliary care under title 38,
7 United States code and veterans administration rules and regulations, and
8 who has been discharged or relieved therefrom under conditions other than
9 dishonorable, who may be disabled by disease, wounds, old age or
10 otherwise disabled, and who, by reason of such disability, is incapacitated
11 from earning a living.

12 (2) The widow, mother, widower, father or minor child of any person
13 who qualified under paragraph (1) of subsection (a), if such widow,
14 mother, widower, father or minor child is incapable of self-support because
15 of physical disability.

16 (b) No person shall be admitted to the soldiers' home except upon
17 application to the *Kansas commission on veterans affairs office* and
18 approval of the application by the ~~commission~~ *director*. No applicant shall
19 be admitted to the soldiers' home who has not been an actual resident of
20 the state of Kansas for at least two years next preceding the date of
21 application.

22 (c) No person shall be admitted to or retained in the soldiers' home
23 who has been convicted of a felony, unless the ~~commission~~ *director of the*
24 *Kansas commission on veterans affairs office* finds that such person has
25 been adequately rehabilitated and is not dangerous to oneself or to the
26 person or property of others.

27 (d) No child shall be admitted to or retained in the soldiers' home who
28 is 16 years of age or over, unless such child is incapable of supporting
29 oneself.

30 (e) No child properly a member of the home shall be discharged
31 under 16 years of age.

32 (f) The *director of the Kansas commission on veterans affairs office*
33 shall have authority by resolution to discharge any member from the
34 soldiers' home on a showing that the member has gained admittance into
35 the soldiers' home by misrepresentation of the member's financial or
36 physical condition, or a showing that the financial or physical condition of
37 such member has been so altered since admittance so that the further
38 maintenance of the member in the soldiers' home is not justified. No such
39 member shall be discharged without notice and opportunity to be heard in
40 accordance with the provisions of the Kansas administrative procedure act.

41 (g) The rules and regulations for admission of members to the Kansas
42 soldiers' home: (1) Shall require that a veteran who has no adequate means
43 of support, and such members of the family as are dependent upon such

1 person for support, shall be given priority over other applicants for
2 admission; and (2) shall require that an applicant for admission be given
3 priority over patients transferred from state institutions under the
4 provisions of K.S.A. 76-1936, and amendments thereto.

5 Sec. 42. K.S.A. 76-1927 is hereby amended to read as follows: 76-
6 1927. The *director of the Kansas-veterans' commission on veterans affairs*
7 *office* shall have the authority to establish rules and regulations for the
8 management and operation of the Kansas soldiers' home and governing
9 conduct and discipline of the members of and other persons in the Kansas
10 soldiers' home. Such rules and regulations shall be filed with the secretary
11 of state as provided by law.

12 Sec. 43. K.S.A. 76-1928 is hereby amended to read as follows: 76-
13 1928. The *director of the Kansas commission on veterans affairs office or*
14 *the superintendent of the Kansas soldiers' home* shall enforce such rules
15 and regulations and ~~he or she~~ may furlough any member for violation of
16 such rules.

17 Sec. 44. K.S.A. 76-1929 is hereby amended to read as follows: 76-
18 1929. The *director of the Kansas-veterans' commission on veterans affairs*
19 *office* may discharge any member who violates such rules and regulations,
20 except that no member shall be discharged without notice to such member
21 and a right to be heard concerning such charges in accordance with the
22 provisions of the Kansas administrative procedure act.

23 Sec. 45. K.S.A. 76-1931 is hereby amended to read as follows: 76-
24 1931. If any member of such soldiers' home shall refuse to vacate the
25 premises upon receiving a furlough from the officers designated to enforce
26 the rules and regulations, such refusal shall constitute a forfeiture of ~~his or~~
27 ~~her~~ *such person's* right to remain in the home and such member shall be
28 forthwith discharged by the *director of the Kansas-veterans' commission*
29 *on veterans affairs office*.

30 Sec. 46. K.S.A. 76-1932 is hereby amended to read as follows: 76-
31 1932. If any member shall refuse to vacate the premises upon being
32 discharged by the *director of the Kansas-veterans' commission on veterans*
33 *affairs office*, such member shall ~~forthwith~~ forfeit ~~his or her~~ *such member's*
34 right to subsistence and rations for ~~himself or herself~~ *the member and the*
35 *member's* dependents, if any, and the *director of the Kansas-veterans'*
36 *commission on veterans affairs office* shall institute legal proceedings to
37 force such member to vacate the premises.

38 Sec. 47. K.S.A. 76-1935 is hereby amended to read as follows: 76-
39 1935. The *director of the Kansas-veterans' commission on veterans affairs*
40 *office* shall designate a person at the Kansas soldiers' home who shall be in
41 charge of the member funds at such soldiers' home. The person so
42 designated shall have custody and charge of all moneys belonging to the
43 members, or persons attending the Kansas soldiers' home, which are held

1 for their use, benefit and burial. ~~Said~~ *The director of the Kansas veterans'*
2 *commission on veterans affairs office* shall designate the bank or banks, in
3 which such moneys shall be deposited, ~~and shall provide that any sums in~~
4 ~~excess of five thousand dollars (\$5,000) shall be deposited with the state~~
5 ~~treasurer for safekeeping. Any fund so deposited with the state treasurer~~
6 ~~shall be held by him or her, separate and apart from the other funds in his~~
7 ~~or her custody, and may be withdrawn by the person designated by said~~
8 ~~Kansas veterans' commission.~~

9 Sec. 48. K.S.A. 76-1935a is hereby amended to read as follows: 76-
10 1935a. The custodian of the members and patients trust fund at the Kansas
11 soldiers' home shall notify the ~~executive~~ director of the Kansas ~~veterans'~~
12 *commission on veterans affairs office* of any moneys which are under the
13 custodian's charge belonging to members who have died intestate, without
14 known heirs or designated beneficiaries for funds on deposit, and the
15 ~~executive~~ director shall publish a notice for two consecutive weeks in the
16 Kansas register which shall state the name of each deceased member, their
17 last known home address and the amount of the deposit remaining in the
18 account of such former member; and such notice shall further state that
19 unless interested persons appear and file a legitimate claim ~~therefor~~ within
20 one year after the date of the last publication of such notice, ~~said such~~
21 amount or amounts will be transferred to the general fees fund of the
22 soldiers' home to help defray unrecovered costs connected with the
23 maintenance and operation of the soldiers' home and for accounting,
24 auditing, budgeting, legal, payroll, personnel and purchasing services
25 which are performed on behalf of such agency by other state agencies.

26 Unless a party entitled thereto shall make claim within the time stated
27 in the notice, the balance in any former member's fund as so published for
28 which no claim is made as prescribed herein shall be transferred as
29 hereinabove provided. Thereafter, unless a claim is filed with the ~~veterans'~~
30 *director of the Kansas commission on veterans affairs office* within two
31 years after such transfer is made, no claim may be made or filed for such
32 former member's fund, except that a person under legal disability during
33 the two-year period may file a claim within one year after removal of the
34 disability. The ~~veterans'~~ *director of the Kansas commission on veterans*
35 *affairs office* is hereby authorized to make payments to claimants it shall
36 determine are entitled thereto, if such claims otherwise comply with the
37 terms of this act, and such payments shall be authorized from the general
38 fees fund of the Kansas soldiers' home to which the former members funds
39 were transferred.

40 Sec. 49. K.S.A. 76-1936 is hereby amended to read as follows: 76-
41 1936. (a) The commissioner of mental health and developmental
42 disabilities of the ~~department of social and rehabilitation~~ *Kansas*
43 *department for aging and disability* services, with the approval of the

1 secretary of social and rehabilitation for aging and disability services and
2 the ~~director of the Kansas veterans'~~ commission on veterans affairs office,
3 may transfer patients in the state hospitals at Topeka, Osawatomie and
4 Larned and patients in the Rainbow mental health facility, the Parsons
5 state hospital and training center and the Winfield state hospital and
6 training center who have served in the military or naval forces of the
7 United States or whose husband, wife, father, son or daughter has served
8 in the active military or naval service of the United States during any
9 period of any war as defined in K.S.A. 76-1908, *and amendments thereto*,
10 and *who* was discharged or relieved therefrom under conditions other than
11 dishonorable, to the Kansas soldiers' home. No patient who is such a
12 mentally ill person, in the opinion of the commissioner of mental health
13 and developmental disabilities, that because of such patient's illness such
14 patient is likely to injure themselves or others, shall be so transferred to such
15 Kansas soldiers' home, and no such patient shall be so transferred if such
16 transfer will deny admission to persons entitled to admission under K.S.A.
17 76-1908, *and amendments thereto*, and rules and regulations promulgated
18 thereunder. Persons so transferred shall not be considered as members of
19 the Kansas soldiers' home but shall be considered as patients therein.

20 (b) All of the laws, rules and regulations relating to patients in the
21 above-specified state hospitals and mental health facility shall be
22 applicable to such patients so transferred insofar as the same can be made
23 applicable. Any patient so transferred who is found to be or shall become
24 such a mentally ill person, in the opinion of the commissioner of mental
25 health and developmental disabilities, that because of such patient's illness
26 such patient is likely to injure themselves or others or who is determined to
27 need additional psychiatric treatment, shall be retransferred by the
28 superintendent of the Kansas soldiers' home, with the approval of the
29 commissioner of mental health and developmental disabilities *and the*
30 *director of the Kansas commission on veterans affairs office*, to the
31 institution from whence the patient was originally transferred.

32 Sec. 50. K.S.A. 2013 Supp. 76-1939 is hereby amended to read as
33 follows: 76-1939. The ~~Kansas veterans'~~ commission on veterans affairs
34 office shall not engage in farming operations on the farm land which are
35 part of the lands of the Kansas soldiers' home except that the *Kansas*
36 *commission on veterans affairs office* may engage in and permit vegetable
37 gardening on a portion of such lands. All such farm lands not needed or
38 used for vegetable gardening shall be rented or leased, for a period not to
39 exceed five years, by the *Kansas commission on veterans affairs office*,
40 except that if the Kansas state university of agriculture and applied science
41 shall request that such lands be rented or leased to it for agricultural
42 experimental purposes, it shall be given preference when such lands are
43 rented or leased. Any such rental or lease agreement shall not include any

1 buildings or improvements other than irrigation pumps and facilities. All
2 moneys derived from the lease or rental of such farm lands shall be
3 remitted to the state treasurer in accordance with the provisions of K.S.A.
4 75-4215, and amendments thereto. Upon receipt of each such remittance,
5 the state treasurer shall deposit the entire amount in the state treasury to
6 the credit of the Kansas soldiers' home and Mother Bickerdyke annex fee
7 fund for the use of such soldiers' home.

8 Sec. 51. K.S.A. 76-1941 is hereby amended to read as follows: 76-
9 1941. (a) The *director of the Kansas commission on veterans' affairs office*
10 may enter into a written contract with any individual who is eligible for
11 admission to the Kansas soldiers' home under K.S.A. 76-1908, and
12 amendments thereto, to authorize the construction of a single-family
13 dwelling for use as a home for such individual and such individual's family
14 members on the real property of the Kansas soldiers' home in accordance
15 with rules and regulations adopted by the *director of the Kansas*
16 *commission on veterans affairs office* under this section. Each such
17 dwelling shall be constructed and maintained: (1) At the expense of the
18 individual entering into a contract with the ~~commission~~ *director* under this
19 section, including any required sewer, water and utility connections;; (2) at
20 a location on the real property of the Kansas soldiers' home approved in
21 accordance with rules and regulations adopted by the ~~commission~~ *director*
22 under this section;; and (3) in accordance with the building design,
23 construction and materials standards as authorized or prescribed by rules
24 and regulations adopted by the ~~commission~~ *director* under this section.

25 (b) The *director of the Kansas commission on veterans affairs office*
26 shall grant a life estate to each individual who enters into a contract under
27 this section and who constructs a dwelling at the Kansas soldiers' home in
28 accordance with this section and the rules and regulations adopted by the
29 ~~commission~~ *director* under this section. The life estate shall be for the
30 dwelling and the tract of real property that the dwelling is constructed on,
31 as specified in the contract entered into under this section, for the life of
32 the individual and the lives of such individual's family members who are
33 residing in the dwelling. Each life estate granted by the ~~commission~~
34 *director* under this section shall be approved as to form and legality by the
35 attorney general.

36 (c) At the end of each life estate granted under this section, the
37 dwelling and real estate which is the subject of the life estate shall revert to
38 the Kansas soldiers' home and such dwelling and real estate shall be used
39 for housing of veterans and other eligible individuals admitted to the
40 Kansas soldiers' home as provided by statute.

41 (d) The *director of the Kansas commission on veterans affairs office*
42 shall adopt rules and regulations prescribing policies and procedures for
43 the construction and maintenance of single-family dwellings on the real

1 estate of Kansas soldiers' home, prescribing building design, construction
2 and materials standards for such dwellings, and for such other matters as
3 may be required for the implementation and administration of this section.
4 No rule and regulation shall be adopted by the *director of the* Kansas
5 commission on veterans affairs *office* under this subsection unless the
6 *director of the* Kansas commission on veterans affairs *office* first has
7 advised and consulted with the joint committee on state building
8 construction and has presented such proposed rule and regulation to the
9 joint committee on state building construction.

10 (e) As used in this section, "family members" includes the spouse of
11 an individual who has entered into a contract under this section, the widow
12 or widower of an individual who has entered into a contract under this
13 section, and the mother, father or minor child of an individual who has
14 entered into a contract under this section, if such mother, father or minor
15 child is incapable of self-support because of physical disability.

16 Sec. 52. K.S.A. 76-1951 is hereby amended to read as follows: 76-
17 1951. (a) On and after January 1, 1998, the Kansas commission on
18 veterans affairs *office* shall operate a Kansas veterans' home to be located
19 on the grounds of Winfield state hospital and training center. The *director*
20 *of the Kansas* commission on veterans affairs *office* and the secretary ~~of~~
21 ~~social and rehabilitation~~ *for aging and disability* services shall enter into
22 an agreement concerning property, premises, facilities, installations,
23 equipment and records of Winfield state hospital and training center which
24 will be transferred to the *director of the* Kansas commission on veterans
25 affairs *office* for the purpose of establishing and operating the Kansas
26 veterans' home. The agreement shall establish the timing of any such
27 transfers. Any conflict as to the proper disposition of property or records
28 arising under this section shall be determined by the governor, whose
29 decision shall be final.

30 (b) The *director of the* Kansas commission on veterans affairs *office*
31 shall have full control of the Kansas veterans' home, the property, effects,
32 supervision and management of the home.

33 (c) The *director of the* Kansas commission on veterans affairs *office*
34 may enter into an agreement with the United States department of veterans
35 affairs for the use and operation of the nursing care unit of the Wichita
36 veterans administration medical center in Wichita, Kansas, as a long-term
37 care unit of the Kansas veterans' home, which shall be known as the
38 Kansas veterans' home long-term care annex. The Kansas veterans' home
39 long-term care annex shall be operated as a part of the Kansas veterans'
40 home and shall be construed to be part of the Kansas veterans' home for all
41 purposes under statutes governing or referring to the Kansas veterans'
42 home.

43 (d) ~~A superintendent of the Kansas veterans' home shall be appointed~~

1 ~~by the Kansas commission on veterans affairs, and shall serve at the~~
2 ~~pleasure of the commission. The superintendent shall be in the unclassified~~
3 ~~service under the Kansas civil service act and shall receive an annual~~
4 ~~salary fixed by the Kansas commission on veterans affairs, with the~~
5 ~~approval of the governor. The superintendent of the Kansas veterans' home~~
6 ~~shall perform such duties and exercise such powers as the commission~~
7 ~~may prescribe, and such duties and powers as are prescribed by law. A~~
8 ~~superintendent of the Kansas veterans' home shall be appointed by the~~
9 ~~director of the Kansas commission on veterans affairs office in accordance~~
10 ~~with K.S.A. 73-1210a, and amendments thereto.~~

11 Sec. 53. K.S.A. 76-1952 is hereby amended to read as follows: 76-
12 1952. The *director of the Kansas commission on veterans affairs office*
13 shall establish rates of charges to be made to members and patients of the
14 Kansas veterans' home. The charges in the first year of operation of the
15 Kansas veterans' home shall not exceed an amount equal to the per diem
16 cost of care for the Kansas soldiers' home for the preceding year or the
17 charge made against patients under K.S.A. 59-2006, and amendments
18 thereto, whichever is less, and thereafter the charges shall not exceed an
19 amount equal to the per diem cost of care for the Kansas veterans' home
20 for the preceding year or the charge made against patients under K.S.A.
21 59-2006, and amendments thereto, whichever is the lesser amount. No
22 action shall be commenced by the *director of the Kansas commission on*
23 *veterans affairs office* against a member or patient or the estate of a
24 member or patient for the recovery of any such charges unless such action
25 is commenced within five years after the date such charges are incurred.
26 ~~The commission~~ *director of the Kansas commission on veterans affairs*
27 *office* may compromise and settle any claim for charges under this section,
28 and may, upon payment of a valuable consideration by the member or
29 patient or the estate of the member or patient, discharge and release such
30 member, patient or estate of any or all past liability incurred under this
31 section due or claim to be due from a member or a patient or the estate of
32 the member or patient, no action shall thereafter be brought or claim made
33 for any amounts due for charges incurred prior to the effective date of the
34 agreement entered into, except for the amounts provided for in the
35 agreement. Nothing in this act shall be deemed to extend the period
36 specified in K.S.A. 59-2239, and amendments thereto, for the purposes
37 therein specified.

38 Sec. 54. K.S.A. 2013 Supp. 76-1953 is hereby amended to read as
39 follows: 76-1953. The superintendent of the Kansas veterans' home shall
40 remit all moneys received by or for the superintendent under this act and
41 all moneys received from the United States department of veterans affairs
42 for reimbursements for the care of residents to the state treasurer in
43 accordance with the provisions of K.S.A. 75-4215, and amendments

1 thereto. Upon receipt of each such remittance, the state treasurer shall
2 deposit the entire amount in the state treasury to the credit of the veterans'
3 home fee fund which is hereby created. All expenditures from such fund
4 shall be made in accordance with appropriation acts upon warrants of the
5 director of accounts and reports issued pursuant to vouchers approved by
6 the ~~executive~~ director of the Kansas commission on veterans affairs *office*
7 or by a person or persons designated by the ~~executive~~ director.

8 Sec. 55. K.S.A. 76-1954 is hereby amended to read as follows: 76-
9 1954. (a) The following, subject to the rules and regulations that may be
10 adopted by the *director of the* Kansas commission on veterans affairs
11 *office* for the management and government of the Kansas veterans' home,
12 shall be eligible to admission to the Kansas veterans' home:

13 (1) Any person who served in the active military service of the
14 United States during any period of war, or who served in the active
15 military service of the United States during peacetime and is entitled to
16 veterans affairs hospitalization or domiciliary care under title 38 of the
17 United States code and federal veterans affairs rules and regulations, and
18 who has been discharged or relieved therefrom under conditions other than
19 dishonorable, who may be disabled by disease, wounds, old age or
20 otherwise disabled, and who, by reason of such disability, is incapacitated
21 from earning a living; and

22 (2) the widow, mother, widower, father or minor child of any person
23 who qualified under paragraph (1) of subsection (a), if such widow,
24 mother, widower, father or minor child is incapable of self-support because
25 of physical disability.

26 (b) No person shall be admitted to the veterans' home except upon
27 application to the *Kansas commission on veterans affairs office* and
28 approval of the application by the *director of the Kansas commission on*
29 *veterans affairs office*. No applicant shall be admitted to the veterans'
30 home who has not been an actual resident of the state of Kansas for at least
31 two years next preceding the date of application.

32 (c) No person shall be admitted to or retained in the veterans' home
33 who has been convicted of a felony, unless the *director of the Kansas*
34 *commission on veterans affairs office* finds that such person has been
35 adequately rehabilitated and is not dangerous to oneself or to the person or
36 property of others.

37 (d) No child shall be admitted to or retained in the veterans' home
38 who is 16 years of age or over, unless such child is incapable of supporting
39 oneself.

40 (e) No child properly a member of the veterans' home shall be
41 discharged under 16 years of age.

42 (f) The *director of the* Kansas commission on veterans affairs *office*
43 shall have authority by resolution to discharge any member from the

1 veterans' home on a showing that the member has gained admittance into
2 the veterans' home by misrepresentation of the member's financial or
3 physical condition, or a showing that the financial or physical condition of
4 such member has been so altered since admittance so that the further
5 maintenance of the member in the veterans' home is not justified. No such
6 member shall be discharged without notice and opportunity to be heard in
7 accordance with the provisions of the Kansas administrative procedure act.

8 (g) The rules and regulations for admission of members to the Kansas
9 veterans' home:

10 (1) Shall require that a veteran who has no adequate means of
11 support, and such members of the family as are dependent upon such
12 person for support, shall be given priority over other applicants for
13 admission; and

14 (2) shall require that an applicant for admission be given priority over
15 patients transferred from state institutions under the provisions of K.S.A.
16 76-1958, and amendments thereto.

17 Sec. 56. K.S.A. 76-1955 is hereby amended to read as follows: 76-
18 1955. (a) The *director of the Kansas commission on veterans affairs office*
19 shall have the authority to establish rules and regulations for the
20 management and operation of the Kansas veterans' home and governing
21 conduct and discipline of the members of and other persons in the Kansas
22 veterans' home. Such rules and regulations shall be filed with the secretary
23 of state as provided by law.

24 (b) The superintendent of the Kansas veterans' home shall enforce
25 such rules and regulations, and the superintendent may furlough any
26 member for violation of such rules.

27 (c) The *director of the Kansas commission on veterans affairs office*
28 may discharge any member who violates such rules and regulations,
29 except that no member shall be discharged without notice to such member
30 and a right to be heard concerning such charges in accordance with the
31 provisions of the Kansas administrative procedure act.

32 (d) If any member shall seek an injunction or restraining order to
33 restrain the *director of the Kansas commission on veterans affairs office* or
34 the officers of such Kansas veterans' home from enforcing such rules and
35 regulations or to restrain disciplinary action, during the pendency of such
36 legal proceedings, such member and the member's dependents, if any, shall
37 not be entitled to draw subsistence or rations as provided for by such
38 home.

39 (e) If any member of such veterans' home shall refuse to vacate the
40 premises upon receiving a furlough from the officers designated to enforce
41 the rules and regulations, such refusal shall constitute a forfeiture of such
42 member's right to remain in the home and such member shall be forthwith
43 discharged by the *director of the Kansas commission on veterans affairs*

1 *office.*

2 (f) If any member shall refuse to vacate the premises upon being
3 discharged by the *director of the* Kansas commission on veterans affairs
4 *office*, such member shall forthwith forfeit the member's right to
5 subsistence and rations for such member and dependents, if any, and the
6 *director of the* Kansas commission on veterans affairs *office* shall institute
7 legal proceedings to force such member to vacate the premises.

8 (g) The word "member" as used in this act shall refer to any person
9 legally admitted as a member or any dependent of such member, or any
10 person drawing subsistence or quarters in the Kansas veterans' home for
11 any reason whatsoever, except the employees of such veterans' home. The
12 word "member" shall not include any person transferred to the veterans'
13 home from any state hospital or training school.

14 Sec. 57. K.S.A. 76-1956 is hereby amended to read as follows: 76-
15 1956. The *director of the* Kansas commission on veterans affairs *office*
16 shall designate a person at the Kansas veterans' home who shall be in
17 charge of the member funds at such veterans' home. The person so
18 designated shall have custody and charge of all moneys belonging to the
19 members, or patients residing in the Kansas veterans' home, which are held
20 for their use, benefit and burial. The *director of the* Kansas commission on
21 veterans affairs *office* shall designate the bank or banks, in which such
22 moneys shall be deposited, ~~and shall provide that any sums in excess of~~
23 ~~\$5,000 shall be deposited with the state treasurer for safekeeping. Any~~
24 ~~fund so deposited with the state treasurer shall be held by the state~~
25 ~~treasurer, separate and apart from the other funds in the custody of the~~
26 ~~state treasurer, and may be withdrawn by the person designated by the~~
27 ~~Kansas commission on veterans affairs.~~

28 Sec. 58. K.S.A. 76-1957 is hereby amended to read as follows: 76-
29 1957. (a) The custodian of the members and patients trust fund at the
30 Kansas veterans' home shall notify the ~~executive~~ director of the Kansas
31 commission on veterans affairs *office* of any moneys which are under the
32 custodian's charge belonging to members who have died intestate, without
33 known heirs or designated beneficiaries for funds on deposit, and the
34 ~~executive~~ director shall publish a notice for two consecutive weeks in the
35 Kansas register which shall state the name of each deceased member, their
36 last known home address and the amount of the deposit remaining in the
37 account of such former member; and such notice shall further state that
38 unless interested persons appear and file a legitimate claim therefor within
39 one year after the date of the last publication of such notice, such amount
40 or amounts will be transferred to the general fees fund of the veterans'
41 home to help defray unrecovered costs connected with the maintenance
42 and operation of the veterans' home and for accounting, auditing,
43 budgeting, legal, payroll, personnel and purchasing services which are

1 performed on behalf of such agency by other state agencies.

2 (b) Unless a party entitled thereto makes claim within the time stated
3 in the notice, the balance in any former member's fund as so published for
4 which no claim is made as prescribed in this section shall be transferred as
5 provided in this section. Thereafter, unless a claim is filed with the *Kansas*
6 commission on veterans affairs *office* within two years after such transfer
7 is made, no claim may be made or filed for such former member's fund
8 except that a person under legal disability during the two-year period may
9 file a claim within one year after removal of the disability. The *director of*
10 *the Kansas* commission on veterans affairs *office* is hereby authorized to
11 make payments to claimants it shall determine are entitled thereto, if such
12 claims otherwise comply with the terms of this act; and such payments
13 shall be authorized from the general fees fund of the Kansas veterans'
14 home to which the former member's funds were transferred.

15 Sec. 59. K.S.A. 76-1958 is hereby amended to read as follows: 76-
16 1958. (a) The commissioner of mental health and developmental
17 disabilities of the ~~department of social and rehabilitation~~ *Kansas*
18 *department for aging and disability* services, with the approval of the
19 secretary of ~~social and rehabilitation~~ *for aging and disability* services and
20 the *director of the Kansas* commission on veterans affairs *office*, may
21 transfer patients in the state hospitals in Topeka, Osawatomie and Larned
22 hospital and patients in the Rainbow mental health facility, the Parsons state
23 hospital and training center and the Winfield state hospital and training
24 center who have served in the military or naval forces of the United States
25 or whose husband, wife, father, son or daughter has served in the active
26 military or naval service of the United States during any period of any war
27 as defined in K.S.A. 76-1954, and amendments thereto, and was
28 discharged or relieved therefrom under conditions other than dishonorable,
29 to the Kansas veterans' home. No patient who is such a mentally ill person,
30 in the opinion of the commissioner of mental health and developmental
31 disabilities, that because of such patient's illness such patient is likely to
32 injure oneself or others shall be so transferred to such Kansas veterans'
33 home, and no such patient shall be so transferred if such transfer will deny
34 admission to persons entitled to admission under K.S.A. 76-1954, and
35 amendments thereto, and rules and regulations promulgated thereunder.
36 Persons so transferred shall not be considered as members of the Kansas
37 veterans' home but shall be considered as patients therein.

38 (b) All of the laws, rules and regulations relating to patients in the
39 above-specified state hospitals and mental health facilities shall be
40 applicable to such patients so transferred insofar as the same can be made
41 applicable. Any patient so transferred who is found to be or shall become
42 such a mentally ill person, in the opinion of the commissioner of mental
43 health and developmental disabilities, that because of such patient's illness

1 such patient is likely to injure oneself or others or who is determined to
2 need additional psychiatric treatment, shall be retransferred by the
3 superintendent of the Kansas veterans' home, with the approval of the
4 commissioner of mental health and developmental disabilities *and the*
5 *director of the Kansas commission on veterans affairs office*, to the
6 institution from which the patient was originally transferred.

7 Sec. 60. K.S.A. 2013 Supp. 79-3221k is hereby amended to read as
8 follows: 79-3221k. (a) For all tax years commencing after December 31,
9 2011, each Kansas state individual income tax return form shall contain a
10 designation as follows:

11 Kansas Hometown Heroes Fund. Check if you wish to donate, in
12 addition to your tax liability, or designate from your refund, _____ \$1,
13 _____ \$5, _____ \$10 or \$ _____.

14 (b) The director of taxation of the department of revenue shall
15 determine annually the total amount designated for contribution to the
16 Kansas hometown heroes fund pursuant to subsection (a) and shall report
17 such amount to the state treasurer who shall credit the entire amount
18 thereof to the Kansas hometown heroes fund which fund is hereby
19 established in the state treasury. All moneys deposited in such fund shall
20 be used solely for the purpose of funding the continued operations of the
21 veteran services program of the Kansas commission on veterans affairs
22 *office*. In the case where donations are made pursuant to subsection (a), the
23 director shall remit the entire amount thereof to the state treasurer in
24 accordance with the provisions of K.S.A. 75-4215, and amendments
25 thereto. Upon receipt of such remittance, the state treasurer shall deposit
26 the entire amount in the state treasury to the credit of such fund. All
27 expenditures from such fund shall be made in accordance with
28 appropriation acts upon warrants of the director of accounts and reports
29 issued pursuant to vouchers approved by the ~~executive~~ director of the
30 Kansas commission on veterans affairs *office*.

31 Sec. 61. K.S.A. 73-209, 73-210, 73-1207, 73-1208b, 73-1208c, 73-
32 1211, 73-1220, 73-1222, 73-1223, 73-1224, 73-1225, 73-1226, 73-1227,
33 73-1229, 73-1230, 73-1231, 73-1232, 76-1904, 76-1904a, 76-1908, 76-
34 1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936,
35 76-1941, 76-1951, 76-1952, 76-1954, 76-1955, 76-1956, 76-1957 and 76-
36 1958; K.S.A. 2012 Supp. 74-2012, as amended by section 3 of chapter 74
37 of the 2013 Session Laws of Kansas and K.S.A. 2013 Supp. 39-923, 65-
38 1732, 65-2418, 73-1208a, 73-1209, 73-1210a, 73-1217, 73-1218, 73-1219,
39 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-
40 1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-1906, 76-1939, 76-1953
41 and 79-3221k are hereby repealed.

42 Sec. 62. This act shall take effect and be in force from and after its
43 publication in the statute book.